



**Date:** May 9, 2019

**To:** **Public Outreach and Legislation Committee**

Jerry Gladbach, Chair

B.J. Atkins

Kathy Colley

R.J. Kelly

Gary Martin

Lynne Plambeck

**From:** Steve Cole, Assistant General Manager

The **Public Outreach and Legislation Committee** is scheduled to meet on **Thursday, May 16, 2019 at 5:30 PM** at **Summit Circle Training Room** located at 26521 Summit Circle, Santa Clarita, CA 91350.

### MEETING AGENDA

<u>ITEM</u>	<u>PAGE</u>
1. Public Comments	
2. * SCV Water Request for Proposal for Federal Legislative Advocate Services	1
Interviews of Federal Legislative Advocate Firms:	
*2.1 5:45 PM – Water Strategies 10-minute Presentation 15-minute Question & Answer	27
*2.2 6:15 PM – ENS Resources, Inc. 10-minute Presentation 15-minute Question & Answer	41
*2.3 6:45 PM – Van Ness Feldman (VNF) Solutions 10-minute Presentation 15-minute Question & Answer	81
*2.4 7:15 PM – Van Scoyoc Associates 10-minute Presentation 15-minute Question & Answer	91

\*2.5 7:45 PM – Anchor Consulting  
10-minute Presentation  
15-minute Question & Answer

107

3. Adjournment

- \* Indicates attachments
- ◆ To be distributed

**NOTICES:**

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning (661) 297-1600, or writing to Santa Clarita Valley Water Agency at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Santa Clarita Valley Water Agency, located at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350, during regular business hours. When practical, these public records will also be made available on the Agency's Internet Website, accessible at <http://www.yourscvwater.com>.

Posted on May 9, 2019.

MGS



**SCV**  
**WATER**

**ITEM NO.**  
**2.0**

April 2, 2019

Re: Request Proposal for Federal Legislative Advocate Services

The Santa Clarita Valley Water Agency (SCV Water) was created January 1, 2018 by an act of the State Legislature (SB 634) through the merger of three water agencies in the Santa Clarita Valley. It serves a population of 273,000 through 72,000 retail water connections. The merger included Castaic Lake Water Agency, which imports water from the State Water Project, as well as Santa Clarita Water Division, Newhall County Water District and the Valencia Water Company. The SCV Water service area covers approximately 195 square miles or 124,000 acres.

SCV Water is requesting proposals for services relating to Federal Legislative Advocate Services. Attached is a Request for Proposals and other information prepared for this effort, including Proposal Requirements.

Proposals shall be submitted to:

Kathie Martin, Public Information Officer  
SCV Water  
26501 Summit Circle, Santa Clarita, CA 91350  
[kmartin@scvwa.org](mailto:kmartin@scvwa.org)

Please indicate on the sealed envelope:

*PROPOSAL FOR "FEDERAL LEGISLATIVE ADVOCATE SERVICES"*

Please submit one complete hard copy and one electronic version of the proposal. Both must be received by SCV Water no later than April 29, 2019.

Questions concerning this Request for Proposals shall be directed to Kathie Martin, at (661) 297-1600 ext. 265, or e-mailed to [kmartin@scvwa.org](mailto:kmartin@scvwa.org).

Sincerely,

Kathie Martin  
Public Information Officer

Attachments

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## INTRODUCTION

The Santa Clarita Valley Water Agency (SCVWA) uses legislative advocacy firms to represent its interests in local, state and federal government. The Agency desires representatives with the relationships and knowledge to monitor and engage in relevant regulatory and legislative issues, and to pursue funding opportunities for capital projects. Tracking and influencing legislation and financing mechanisms in a manner that most benefits the customers of SCVWA, is critical to ensuring that SCVWA is able to reliably provide high quality water at a reasonable cost.

## WORK DESCRIPTION

SCVWA is seeking professional consulting services to perform a variety of legislative analysis and advocacy services at the federal government level, on behalf of SCVWA. Firm will need to demonstrate significant experience in assisting public utilities in monitoring legislation, providing testimony, working with legislative staff and evaluating and assisting with funding opportunities.

Proposals should incorporate various levels of support according to the following legislative advocacy goals adopted by the Agency (State and Local goals also provided for reference):

GOAL	Fed	State	Local
Maintain a representative presence in Santa Clarita Valley, Sacramento and Washington D.C., which monitors issues of importance to SCV Water, and the Santa Clarita Valley community as a whole, and keeps respective offices informed of issues of interest to the Agency.	X	X	X
Monitor and engage as necessary with issues of common interest in Ventura County and Los Angeles County.			X
Foster and nurture relationships with elected representatives and staff, relevant committees/staff, regulatory agencies, and other key people of influence in the water industry, on behalf of SCV Water.	X	X	X
To actively engage with water industry associations and coalitions, other water industry advocates, and other affiliate organizations including but not limited to SCV Chamber of Commerce and the Valley Industry Association. Foster relationships with key personnel and perform related activities such as advocate for Agency positions and attend meetings as necessary.	X	X	X
Foster and nurture relationships with non-profit, community and environmental groups with interests in the health of the watershed, both upstream and downstream.		X	X
Pursue opportunities for funding for capital projects and other initiatives to benefit SCV Water and its customers, including but not limited to emergency water storage, recycled water, stormwater capture and recharge, emergency repairs, conservation and outreach.	X	X	
Monitor funding opportunities, whether through bond measures or the budget process, including advocating for inclusionary language in	X	X	

developing bond measures, that would assist in securing funding for Agency projects and initiatives.			
Act on those funding opportunities by assisting in the development of appropriate project/funding request submittals, and shepherding the proposals through the process.	X	X	
Seek funding for groundwater remediation of perchlorate, Volatile Organic Compounds and other contaminants or broader water quality issues that may arise.	X		
Monitor and track proposed legislation and regulations for impacts on SCV Water or its customers, on any of the ten principles identified in the SCV Water Legislative Policy Guidelines.	X	X	X
Monitor, track and advise on major water industry initiatives including but not limited to the WaterFix, Sustainable Groundwater Management Act, and efforts to establish a water tax.		X	X
Actively advocate in support or opposition to proposed legislation or regulations, to the benefit of SCV Water and its customers, in accordance with the adopted Legislative Guidelines.	X	X	X
Work with SCV Water Board of Directors and staff to identify any areas which might require the initiation of legislation.	X	X	

**PROPOSAL REQUIREMENTS**

The proposer shall submit one (1) original proposal along with one (1) complete copy and one electronic version of the proposal to include, at a minimum, all of the following information in a clear, organized, and concise manner:

- A. Statement of the qualifications and experience of the firm in dealing with federal legislative and other matters, including the firm's organizational staffing. Furnish related experience and reference contacts for work conducted within the last five years. Describe the Consultant's experience in performing similar duties, and experience in securing funding for public agency projects. On-going work being performed may be submitted for consideration.
- B. Description of the consultant team including the names, contact information, classification, and qualifications of key personnel as well as outside consultants necessary to complete all tasks associated with the proposed services.
- C. A statement which describes the firm's and any sub-consultants' qualifications to perform the work described. Explain the personnel (by name and title) who will be the lead for each task. Summarize the areas of expertise of key personnel.
- D. A statement of the proposed approach to the project (scope of work), broken down by tasks.

- E. A work plan schedule, including completion times of major tasks and milestones.
- F. Provide Fee Schedule and Cost Proposal. SCVWA has previously paid legislative analysts on a retainer basis.
- G. Proposal Validity - Proposals must be valid for a period of at least twelve (12) months from the closing date and time of this solicitation. Submissions not valid for at least twelve (12) months will be considered non-responsive. The Respondent shall state the length of time for which the submitted Proposal shall remain valid. Proposals may not be withdrawn after the submission date.
- H. Respondent's Proposal shall be clear, concise, accurate, and comprehensive without excessive or irrelevant materials.
- I. SCVWA reserves the right to:
  - i. Reject any or all Proposals;
  - ii. Select the Proposal most advantageous to SCVWA;
  - iii. Verify all information submitted in the Proposal;
  - iv. Withdraw this solicitation at any time without prior notice and furthermore, makes no representations that any contract will be awarded to any Respondent responding to this solicitation;
  - v. Award its total requirements to one Respondent or to apportion those requirements among two or more Respondents as SCVWA may deem to be in its best interests;
  - vi. Negotiate the final contract with any Respondent(s) as necessary to serve the best interests of SCVWA;
  - vii. Amend this solicitation;
  - viii. Amend the scope of work during the contract term;
  - ix. Amend the final contract to incorporate necessary attachments and exhibits or to reflect negotiations between SCVWA and the successful Respondent;
  - x. Terminate the project at any time, if it is determined that such termination is in the best interest of SCVWA.

**ANTICIPATED PROPOSAL SCHEDULE**

This solicitation is subject to the following schedule:

Publish Request for Proposals	April 3, 2019
Last day for Respondent comments or questions	April 15, 2019
Proposals due	April 29, 2019
Candidate Interviews / Presentations	Week of May 6, 2019
Recommendation to the Board of Directors	June 4, 2019

**SELECTION PROCESS AND CRITERIA**

A selection panel comprised of representatives from SCVWA and/or other designees will review the Proposals and consider the following factors to select the most qualified Respondent:

- A. Completeness of Proposal (as defined in the Proposal Requirements)

- B. Quality of Proposal
- C. Description of services
- D. Approach to the Project
- E. Statement of Qualifications
- F. Samples of Past Work, including experience in securing funding for public agency projects
- G. References
- H. Consultants experience performing similar work similar in size, scope, and complexity of requirements presented in this RFP
- I. Proposed methods and overall approach to accomplish the services in a timely and competent manner
- J. Overall project understanding and responsiveness to SCVWA's unique needs and ability to perform the tasks outlined above
- K. Project staff qualifications including a combination of experience, education, and background in legislative analysis
- L. Proposed fee

Based on review of the Proposals, a short list of Respondents will be selected to participate in an interview/presentation. Short-listed Respondents must be prepared to give their presentation as soon as five (5) business days following the request by SCVWA. The interview/presentation will include an opportunity for the Consultant to provide a 20-minute presentation on how their team will approach the services required and meet the Agency's goals. The presentation will be followed by a question/answer period with the key personnel of the firm and SCVWA.

Approximately one hour will be allowed for each interview.

The selection panel may ask questions about the Respondent's written Proposal and other issues regarding their proposed Scope of Services. Presentations will be evaluated and a successful Respondent will be selected for recommendation of contract award. The selection panel will recommend the firm that provides the best overall value to SCVWA. Contract award is subject to the approval of SCVWA's Board of Directors.

By submitting responses to this solicitation, Respondents understand and agree that SCVWA may award a contract to a firm whose approach exceeds or varies from the requirements listed. SCVWA will be the sole judge of which Proposal best satisfies the needs of SCVWA.

Negotiations regarding agreement terms, conditions, scope of services, and pricing may or may not be conducted with the selected Respondent. Therefore, Proposals submitted should contain the Respondent's most favorable terms and conditions, since the selection and award may be made without discussion with any Respondent. If SCVWA engages the Respondent in negotiations and satisfactory agreement provisions cannot be reached, then negotiations may be terminated. SCVWA may elect to contact another firm submitting a Proposal. This sequence may continue until an agreement is reached.



## **SAMPLE AGREEMENT AND INSURANCE REQUIREMENTS**

A sample agreement is attached (Attachment A) for your review. Submission of your Proposal in response to this solicitation constitutes your acceptance of all terms and conditions set forth in this sample agreement. The successful Respondent shall conform to the Standard Contract Requirements for projects over \$50,000 as shown in Attachment A.

The successful Respondent shall procure and maintain, for the duration of the agreement, insurance against claims for injuries to persons or damages to property arising from or in connection with the performance of the work performed. The successful Respondent shall provide coverage as shown in Attachment B. Prior to the start of work, the successful Respondent shall provide evidence of insurance from an insurer(s) certifying to the coverage.

## **PROPOSAL SUBMISSION**

Proposals may be considered non-responsive if they are not complete and do not include all required information. SCVWA is not responsible for proposals that are lost, damaged, mislabeled or otherwise are not received at SCVWA Water Resource Department (26501 Summit Circle, Santa Clarita, CA 91350) by the deadline.

All documents submitted in response to this RFP will become the property of SCVWA. Only written proposals will be considered. The proposer should include a contact person and that person's e-mail address in the proposal. The original proposal along with one (1) complete copy and one electronic version must be delivered no later than April 29, 2019, 5:00 p.m. (PST) to the following address:

Santa Clarita Valley Water Agency  
26501 Summit Circle  
Santa Clarita, CA 91350  
Attention: Kathie Martin, Public Information Officer

All proposals submitted will be marked with the time and date. Timely submission of proposals is the sole responsibility of the proposer. All proposals delivered after April 29, 2019 will be returned to the proposers. SCVWA reserves the right to determine the timeliness of all applications submitted. SCVWA reserves the right to reject all proposals. Respondent may modify or amend its Proposal only if SCVWA receives the amendment prior to the deadline stated herein for receiving Proposals.

Attachments:

Attachment A- Sample Professional Services Agreement

Attachment B - Insurance Requirements

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**PROFESSIONAL SERVICES AGREEMENT (Add Project Name Here)**

**Professional Services Agreement between  
Santa Clarita Valley Water Agency  
27234 Bouquet Canyon Road  
Santa Clarita, CA 91350**

**Telephone (661) 297-1600 FAX (661) 297-1611**

**AND**

<b>Legal Entity Name:</b>	
<b>Trade Name (DBA)</b>	
<b>Address Line 1:</b>	
<b>Address Line 2:</b>	
<b>Telephone Number:</b>	
<b>Federal Tax ID Number:</b>	

This Agreement (“Agreement”) is made effective as of **SPECIFIC DATE OR the last date signed below**, by and between the Santa Clarita Valley Water Agency, (“SCV Water”), a California special act agency (Chapter 833, Statutes of 2017) and **FIRM NAME**, a **DESCRIBE BUSINESS ENTITY, E.G., PROFESSIONAL CORPORATION** (“Consultant”) (collectively, the “Parties”), at Santa Clarita, California, with reference to the following facts and intentions:

WHEREAS, SCV Water is engaging in **DESCRIBE ACTIVITY OR PROGRAM** (“Project”); and

WHEREAS, SCV Water requires a highly qualified consultant with the requisite knowledge, skill, ability and expertise to provide the necessary services for the Project (“Services”); and

WHEREAS, Consultant represents to SCV Water that it is fully qualified and available to perform the Services for and as requested by SCV Water.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and terms and conditions herein, the Parties agree as follows:

**1. SCOPE OF WORK**

- 1.1. **DESCRIBE THE SCOPE OF WORK AND WORK PRODUCTS. Use one of two sets of language below:**

Consultant shall provide all services set forth below:

Consultant shall provide all services set out in Exhibit A, Scope of Work, attached and incorporated here to the satisfaction of the SCV Water.

- 1.2. **Independent Contractor; Agency** - The Consultant is acting hereunder as an independent contractor and not as an agent or employee of SCV Water. The Consultant is thus not eligible to receive workers’ compensation, medical, indemnity or retirement benefits, including but not limited to enrollment in CalPERS. Except as expressly provided herein, the Consultant is not eligible to receive overtime, vacation or sick pay. The Consultant shall

not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of SCV Water.

- 1.3. **Extra Services** - Before performing any services outside the scope of this Agreement ("Extra Services"), Consultant shall submit a written request for approval of such Extra Services and receive written approval from SCV Water. SCV Water shall have no responsibility to compensate Consultant for any Extra Services provided by Consultant without such prior written approval.
- 1.4. **Methods** - Consultant shall have the sole and absolute discretion in determining the methods, details and means of performing the Services required by SCV Water. SCV Water shall not have any right to direct the methods, details and means of the Services; however, Consultant must receive prior written approval from SCV Water before assigning or changing any assignment of Consultant's project manager or key personnel and before using any Sub-consultants ("Sub-consultants") or Sub-consultant agreements for services or materials under this Agreement and any work authorizations.
- 1.5. **Review** - Consultant shall furnish SCV Water with reasonable opportunities from time to time to ascertain whether the Services of Consultant are being performed in accordance with this Agreement. All work done and materials furnished shall be subject to final review and approval by SCV Water. SCV Water's review and approval of the Services shall not, however, relieve Consultant of any of its obligations under this Agreement.

## 2. COMPENSATION

- 2.1. **Amount** - As consideration for the Services described above, SCV Water will pay the Consultant an amount not to exceed **AMOUNT** ("Maximum Amount"). **DESCRIBE ANY PERIODIC BILLING REQUIREMENTS, EXPECTATIONS OR OTHER PARTICULARS, E.G., NOT TO EXCEED \$xx PER MONTH, OR CONSULTANT SHALL NOTIFY SCV Water WHEN TOTAL INVOICED AMOUNT EQUALS 80% OF MAXIMUM AMOUNT.** Payment will be made at the rates set forth in the Fee Schedule which is attached hereto within and incorporated herein as though fully set forth. Consultant shall submit an invoice within ten (10) days after the end of each month during the term of this Agreement describing the Services performed for which payment is requested.
- 2.2. **Invoicing** - The invoice shall identify and describe the activities performed by Consultant and state the total cost of the Services for the period of the invoice; the hours worked; the name and title of the person(s) performing the work; the hourly rate for the person(s) performing the work; the accrued reimbursable expenses; and the budget amount and percentage remaining (after invoice payment), without reduction for retentions. The invoice shall also identify expenses for which reimbursement is requested and attach supporting documentation, including original receipts and/or bills. Any expenses exceeding \$500 shall require written approval from SCV Water. Reimbursable costs shall not include any administrative or overhead expenses and shall be reimbursable as described in the Fee Schedule. Costs or expenses not designated or identified in the Fee Schedule shall not be reimbursable unless otherwise provided in this Agreement. Only actual time in providing the Services will be charged. SCV Water will not make any payments for Consultant's travel time incurred in providing the Services, and Consultant agrees not to invoice SCV Water for any travel time incurred in providing the Services.

SCV Water shall review and approve all invoices prior to payment. Consultant agrees to submit additional supporting documentation to support the invoice if requested by SCV Water. If SCV Water does not approve an invoice, SCV Water shall send a notice to the Consultant setting forth the reason(s) the invoice was not approved. Consultant may re-invoice SCV Water to cure the defects identified in the SCV Water notice. The revised invoice will be treated as a new submittal. If SCV Water contests all or any portion of an invoice, SCV Water and the Consultant shall use their best efforts to resolve the contested portion of the invoice.

SCV Water shall pay approved invoice amounts within thirty (30) days of receipt. SCV Water's determinations regarding verification of Consultant's performance, accrued reimbursable expenses and percentage of completion shall be binding and conclusive. Consultant's time records, invoices, receipts and other documentation supporting the invoices shall be available for review by SCV Water upon reasonable notice and shall be retained by Consultant for three (3) years after completion of the Project.

All invoices submitted for payment must indicate the Agreement number, budget coding, and either are to be emailed to the Project Manager or a hard copy mailed to SCV Water, 27234 Bouquet Canyon Road, Santa Clarita, CA. 91350, Attention: Accounts Payable.

- 2.3. **Withholding Payment** - In the event SCV Water has reasonable grounds for believing Consultant will be unable to materially perform the Services under this Agreement or unable to complete the Services within the Maximum Amount described in this Agreement, or if SCV Water becomes aware of a potential claim against Consultant or SCV Water arising out of Consultant's negligence, intentional act or breach of any provision of this Agreement, including a potential claim against Consultant by SCV Water, then SCV Water may withhold payment of any amount payable to Consultant that SCV Water determines is related to such inability to complete the Services, negligence, intentional act, or breach.

### 3. TAXES; INSURANCE; PERMITS; LICENSES

- 3.1. **Taxes** - Consultant shall be solely responsible for the payment of all federal, state and local income tax, social security tax, worker's compensation insurance, state disability insurance, and any other taxes or insurance Consultant, as an independent contractor, is responsible for paying under federal, state or local law. Consultant is aware of the provisions of Section 3700 of the California Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and Consultant shall comply with such provisions before commencing the performance of the Services under the Agreement. Consultant and its Sub-consultants shall maintain workers' compensation insurance for their employees in effect during all work covered by the Agreement.
- 3.2. **Permits and Licenses** - Consultant shall procure and maintain all permits, and licenses and other government-required certification necessary for the performance of the Services, all at the sole cost of Consultant. None of the items referenced in this section shall be reimbursable to Consultant under the Agreement. Consultant shall comply with any and all applicable local, state, and federal regulations and statutes including Cal/OSHA requirements.

### 4. RISK TRANSFER PROVISIONS

- 4.1. **Workers' Compensation Insurance** - By his/her signature hereunder, Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing the performance of the work of this Agreement.
- 4.2. **Indemnification** - To the fullest extent permitted by law, Consultant will immediately defend, indemnify and hold harmless SCV Water, its directors, officers, employees, or authorized volunteers, and each of them (collectively "the Agency") from and against:
- 4.2.1. All claims, demands, liabilities and losses arising out of the performance (or actual or alleged non-performance) of the services by Consultant, including its agents and employees, under this Agreement, for damages to persons or property arising, pertaining to or relating to the Consultant's negligent acts or omissions or willful misconduct or the failure of Consultant to comply with any professional standard of care applicable to Consultant's services.
  - 4.2.2. Any and all actions, proceedings, damages, costs, expenses, penalties or liabilities, in law or equity, of every kind or nature whatsoever, arising out of, resulting from, or on account of the intentional or negligent violation of any governmental law or regulation, compliance with which is the responsibility of Consultant.
  - 4.2.3. Any and all losses, expenses, damages (including damages to the work itself), attorneys' fees, and other costs, including all costs of defense, including but not only costs of counsel acceptable to the SCV Water, which any of them may incur with respect to the failure, neglect, or refusal of Consultant to perform the work and all of the Consultant's obligations under the Agreement. Such costs, expenses, and damages shall include all costs, including attorneys' fees, incurred by the indemnified parties in any lawsuit to which they are a party.
  - 4.2.4. Consultant shall immediately defend upon the SCV Water's tender, at Consultant's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against SCV Water or its directors, officers, employees, authorized volunteers, and/or representatives, notwithstanding whether Consultant's liability can be established or not. Consultant shall further defend itself against any and all liabilities, claims, losses, damages, and costs arising out of or alleged to arise out of performance or non-performance of the work hereunder, and shall not tender such claims to SCV Water nor to its directors, officers, employees, or authorized volunteers, for defense or indemnity.
  - 4.2.5. Consultant's obligation to defend and indemnify shall survive the termination or completion of this Agreement for the full period of time allowed by law and shall not be restricted by the insurance requirements of this Agreement or to insurance proceeds, if any received by SCV Water, or its directors, officers, employees, or authorized volunteers.
  - 4.2.6. Consultant shall pay and satisfy any judgment, award or decree that may be rendered against SCV Water or its directors, officers, employees, or authorized volunteers, in any and all such aforesaid suits, actions, or other legal proceedings if arising as provided in the previous subsections of this Section.

- 4.2.7. Consultant shall reimburse SCV Water or its directors, officers, employees, or authorized volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith.
- 4.2.8. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the SCV Water or its directors, officers, employees, or authorized volunteers.

Notwithstanding the foregoing obligations, Consultant shall not at any time be responsible for any claims, liabilities or demands to the extent that they arise from the negligence or willful misconduct of SCV Water, provided, however, that contributory negligence will not relieve Consultant of its obligation to defend unless the claims, liabilities or demand are the result of the sole negligence or willful misconduct of SCV Water.

## 5. GENERAL CONDITIONS

- 5.1. **Laws, Regulations and Permits** - The Consultant shall give all notices required by law and comply with all laws, ordinances, rules, and regulations pertaining to the conduct of the work. The Consultant shall be liable for all violations of the law in connection with work furnished by the Consultant. If the Consultant performs any work knowing it to be contrary to such laws, ordinances, rules and regulations, the Consultant shall bear all costs arising therefrom.
- 5.2. **Safety** - The Consultant shall execute and maintain his/her work so as to avoid injury or damage to any person or property.

In carrying out his/her work, the Consultant shall at all times exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed, and be in compliance with all applicable federal, state and local statutory and regulatory requirements including State of California, Department of Industrial Relations (Cal/OSHA) regulations, and the U.S. Department of Transportation Omnibus Transportation Employee Testing Act. Safety precautions, as applicable, shall include but shall not be limited to: adequate life protection and life-saving equipment; adequate illumination; instructions in accident prevention for all employees, such as the use of machinery guards, safe walkways, scaffolds, ladders, bridges, gang planks, confined space procedures, trenching and shoring, fall protection, and other safety devices; equipment and wearing apparel as are necessary or lawfully required to prevent accidents, injuries, or illnesses; and adequate facilities for the proper inspection and maintenance of all safety measures.

- 5.3. **Labor Compliance Requirements** - Labor Compliance requirements (Prevailing Wage, SB 854): Contractor/Vendor must comply with all labor compliance requirements including but not limited to prevailing wage requirements, SB 854, Labor Code sections 1771.1(a) & 1725.5, Public Works Contractor Registration Program, and Electronic Certified Payroll Records to Labor Commissioner. Additional information about these requirements and the new public works program regarding compliance monitoring, administration and enforcement are available at the Department of Industrial Relations.

## 6. REQUIRED INSURANCE

- 6.1. **Liability Insurance** - The Consultant shall provide and maintain at all times during the performance of the work under this Agreement, the following commercial general liability, professional liability and automobile liability insurance:
- 6.2. **Coverage** - Coverage shall be at least as broad as the following:
  - 6.2.1. Coverage for Professional Liability appropriate to the Consultant's profession covering Consultant's wrongful acts, negligent actions, errors or omissions. The retroactive date (if any) is to be no later than the effective date of this Agreement.
  - 6.2.2. Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 0001).
  - 6.2.3. Insurance Services Office (ISO) Business Auto Coverage (Form CA 0001), covering Symbol 1 (non-owned and hired automobiles).
- 6.3. **Limits** - The Consultant shall maintain limits no less than the following:
  - 6.3.1. Professional Liability – Two million dollars (\$2,000,000) per claim and annual aggregate.
  - 6.3.2. General Liability – Two million dollars (\$2,000,000) per occurrence or the full per occurrence limits of the policies available, whichever is greater for bodily injury, personal injury and property damage and products & completed operations liability. If Commercial General Liability Insurance or other form with a general aggregate limit or products-completed operations aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2503, or ISO CG 2504, or insurer's equivalent endorsement provided to the SCV Water) or the general aggregate limit and products-completed operations aggregate limit shall be twice the required occurrence limit.
  - 6.3.3. Automobile Liability – One million dollars (\$1,000,000) for bodily injury and property damage each accident limit.
  - 6.3.4. Excess Liability – The limits of Insurance required in this agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of the Agency (if agreed to in a written contract or agreement) before the Agency's own primary or self-Insurance shall be called upon to protect it as a named insured.
- 6.4. **Required Provisions** - The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:
  - 6.4.1. The SCV Water, its directors, officers, employees, and authorized volunteers are to be given insured status at least as broad as ISO endorsement CG 20 10 11 85; or both CG 20 10 and CG 20 37 04 13 (or the 20 10 04 13 (or earlier edition date) specifically naming all of the Agency parties required in this agreement, or using language that states "as required by contract"). All Sub-consultants hired by Consultant must also have the same forms or coverage at least as broad; as respects: liability arising out of activities performed by or on behalf of the Consultant; products and completed operations of the Consultant; premises owned, occupied or used by the Consultant; and



automobiles owned, leased, hired or borrowed by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the SCV Water, its directors, officers, employees, or authorized volunteers.

- 6.4.2. For any claims related to this project, the Consultant's insurance shall be primary insurance as respects the SCV Water, its directors, officers, employees, or authorized volunteers using the ISO CG 20 01 04 13 or coverage at least as broad. Any insurance, self-insurance, or other coverage maintained by the SCV Water, its directors, officers, employees, or authorized volunteers shall not contribute to it.
  - 6.4.3. Any failure to comply with the reporting or other provisions of the policies including breaches and warranties shall not affect coverage provided to the SCV Water, its directors, officers, employees, or authorized volunteers.
  - 6.4.4. The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
  - 6.4.5. Such liability insurance shall indemnify the Consultant and his/her Sub-consultants against loss from liability imposed by law upon, or assumed under contract by, the Consultant or his/her Sub-consultants for damages on account of such bodily injury (including death), property damage, personal injury, completed operations, and products liability.
  - 6.4.6. The general liability policy shall cover bodily injury and property damage liability, owned and non-owned equipment, blanket contractual liability, completed operations liability, explosion, collapse, underground excavation and removal of lateral support.
  - 6.4.7. The automobile liability policy shall cover all owned, non-owned, and hired automobiles.
  - 6.4.8. Each insurance policy required by this Agreement shall state, or be endorsed to state, that coverage shall not be canceled by the insurance carrier or the Consultant, except after thirty (30) days (10 days for non-payment of premium) prior written notice by U.S. mail has been given to the SCV Water.
  - 6.4.9. All of the insurance shall be provided on policy forms and through companies satisfactory to the SCV Water.
- 6.5. **Workers' Compensation and Employer's Liability Insurance** - The Consultant and all Sub-consultants shall cover or insure under the applicable laws relating to workers' compensation insurance, all of their employees employed directly by them or through Sub-consultants in carrying out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act", Division IV of the Labor Code of the State of California and any Acts amendatory thereof. The Consultant shall provide employer's liability insurance with limits of no less than \$1,000,000 each accident, \$1,000,000 disease policy limit, and \$1,000,000 disease each employee.
- 6.6. **Deductibles and Self-Insured Retentions** - Any deductible or self-insured retention must be declared to and approved by the SCV Water. At the option of the SCV Water, the insurer shall either reduce or eliminate such deductibles or self-insured retentions. Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide

that the SIR may be satisfied by either the named or additional insureds, co-insurers, and/or insureds other than the First Named Insured.

- 6.7. **Acceptability of Insurers** - Insurance is to be placed with insurers having a current A.M. Best rating of no less than A-:VII or equivalent or as otherwise approved by the SCV Water.
- 6.8. **Evidences of Insurance** - Prior to execution of the Agreement, the Consultant shall file with the SCV Water a certificate of insurance (Acord Form 25 or equivalent) signed by the insurer's representative evidencing the coverage required by this Agreement. Such evidence shall include (1) attached additional insured endorsements with primary & non-contributory wording, (2) Workers' Compensation waiver of subrogation, and (3) a copy of the CGL declarations or endorsement page listing all policy endorsements, and confirmation that coverage includes or has been modified to include Required Provisions 6.4.1 through 6.4.9. The Agency reserves the right to obtain complete, certified copies of all required insurance policies, at any time. Consultant shall maintain the Insurance required by this Agreement for a period of not less than 10 years following the termination of completion of this agreement. Consultant further waives all rights of subrogation under this Agreement. Failure to continually satisfy the Insurance requirements is a material breach of contract.

The Consultant shall, upon demand of the SCV Water, deliver to the SCV Water such policy or policies of insurance and the receipts for payment of premiums thereon.

- 6.9. **Continuation of Coverage** - If any of the required coverages expire during the term of this Agreement, the Consultant shall deliver the renewal certificate(s) including the general liability additional insured endorsement to the SCV Water at least ten (10) days prior to the expiration date. Failure to comply with any of the Insurance requirements shall constitute material breach of contract. The insurance requirements in this Agreement do not in any way represent or imply that such coverage is sufficient to adequately cover the Consultant's obligations under this agreement. All Insurance or self-insurance coverage and limits applicable to a given loss or available to the named insured shall be available and applicable to the additional insured. The insurance obligations under this Agreement are independent of and in addition to the defense and indemnity obligations contained elsewhere in this Agreement and shall not in any way act to limit or restrict the defense or indemnity or additional insure obligations of the Consultant or the Consultant's insurance carrier, and shall be for (1) the full extent of the insurance or self-insurance overages and limits carried by or available to the Consultant, or (2) the minimum insurance coverage and amounts shown in this Agreement; whichever is greater. Agency reserves the right to add such other parties as may be required in the future to the indemnity and additional insured requirements of this Agreement.
- 6.10. **Sub-Consultants** - In the event that the Consultant employs other consultants ("Sub-Consultants") as part of the services covered by this Agreement, it shall be the Consultant's responsibility to require and confirm that each Sub-consultant meets the minimum insurance requirements specified above.

## 7. LABOR AND MATERIALS

Consultant shall furnish, at its own expense, all labor, materials, equipment, tools, transportation and services necessary for the successful completion of the Services to be performed under this Agreement. Consultant shall give its full attention and supervision to the fulfillment of the provisions of this Agreement by its employees and Sub-Consultants and shall be responsible for the timely

performance of the Services required by this Agreement. Consultant's standard schedule of fees and charges is attached, which is incorporated herein as though fully set forth ("Fee Schedule"). All compensation for Consultant's Services under this Agreement shall be pursuant to the Fee Schedule.

## 8. TERM OF THE AGREEMENT

- 8.1. **Period of Services** - This Agreement between SCV Water and Consultant is for a term of **NUMBER OF MONTHS**, beginning **DATE** and ending **DATE**, subject to the termination provisions herein.
- 8.2. **Termination** - SCV Water may terminate this Agreement for any reason by giving Consultant at least thirty (30) days prior written notice of such termination. Such termination shall not relieve SCV Water from responsibility for payment for Services rendered by Consultant prior to the date of termination but shall relieve SCV Water of its obligations for the full payment of compensation due under the Agreement for the Services of Consultant after the notice of termination. **[NOTE – 30 DAYS MAY BE TOO LONG, DEPENDING ON NATURE OF SERVICES.]**
- 8.3. **Termination for Cause** - SCV Water may terminate the Agreement for cause, effective immediately upon written notice of such termination to Consultant, based upon the occurrence of any of the following events:
  - 8.3.1. Material breach of the Agreement by Consultant
  - 8.3.2. Cessation of Consultant to be licensed, as required by law
  - 8.3.3. Failure of Consultant to substantially comply with any applicable federal, state or local laws or regulations
  - 8.3.4. The voluntary or involuntary filing of any petition under any law for the relief of debtors with respect to Consultant
  - 8.3.5. Conviction of Consultant of any crime other than minor traffic offenses
- 8.4. **Compensation Upon Termination** - If the Services of Consultant are terminated, in whole or in part, Consultant shall be compensated as provided herein for all Services and approved Extra Services performed prior to the date of such termination.

## 9. CALIFORNIA LABOR CODE REQUIREMENTS

- 9.1. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. If the services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws, if applicable. Consultant shall defend, indemnify and hold the Agency, its elected officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all Sub-Consultants to comply with all California Labor Code

provisions, which include but are not limited to prevailing wages, employment of apprentices, hours of labor and debarment of contractors and subcontractors.

- 9.2. Effective March 1, 2015, if the services are being performed as part of an applicable “public works” or “maintenance” project, in addition to the foregoing, then pursuant to Labor Code sections 1725.5 and 1771.1, the Consultant and all sub-consultants must be registered with the Department of Industrial Relations (“DIR”). Consultant shall maintain registration for the duration of the project and require the same of any sub-consultants. This project may also be subject to compliance monitoring and enforcement by the DIR. It shall be Consultant’s sole responsibility to comply with all applicable registration and labor compliance requirements, including the submission of payroll records directly to the DIR.

## 10. INTERESTS OF CONSULTANT

- 10.1 Consultant represents and warrants that it presently has no interests, and covenants that it will not acquire any interests, direct or indirect, financial or otherwise, that would conflict with the performance of the Services to be provided by Consultant under the Agreement. Consultant further covenants that, in the performance of the Agreement, it will not employ any Sub-consultant or employee with any such interest. Consultant certifies that no one who has or will have any financial interest under this Agreement or within Consultant is a director, officer or employee of SCV Water.
- 10.2 Although Consultant is retained as an independent contractor, Consultant’s employees or agents may still be required under the California Political Reform Act and the SCV Water Administrative Code to file annual financial disclosure statements. Consultant agrees that its employees and/or agents will file with SCV Water in a timely manner those financial disclosure statements that SCV Water determines Consultant is required to file pursuant to the Political Reform Act. Failure to file such financial disclosure statements by Consultant and any of its employees or agents is grounds for termination of this Agreement.

## 11. COMPLETED WORK AND WORK PRODUCT

In the event of termination or completion of the Services under the Agreement, Consultant shall, at SCV Water’s request, promptly surrender to SCV Water all completed work and work in progress and all materials, records and notes developed, procured, or produced pursuant to the Agreement. Consultant may retain copies of such work product as a part of its record of professional activity.

## 12. CONFIDENTIALITY AND RESTRICTIONS ON DISCLOSURE

- 12.1. **Confidential Nature of Materials** - The Consultant understands that all documents, records, reports, data, or other materials (collectively “Materials”) provided by SCV Water to the Consultant pursuant to the Agreement, including but not limited to draft reports, final report(s) and all data, information, documents, graphic displays and other items that are not proprietary to the Consultant and that are utilized or produced by the Consultant pursuant to the Agreement are to be considered confidential for all purposes.
- 12.2. **No Disclosure of Confidential Materials** - The Consultant shall be responsible for protecting the confidentiality and maintaining the security of SCV Water documents and records in its possession. All Materials shall be deemed confidential and shall remain the property of SCV Water. The Consultant understands the sensitive nature of the above and agrees that neither its officers, partners, employees, agents or Sub-consultants will release,

disseminate, or otherwise publish said reports or other such data, information, documents, graphic displays, nor other materials except as provided herein or as authorized, in writing, by SCV Water. The Consultant agrees not to make use of such Materials for any purpose not related to the performance of the Services under the Agreement. The Consultant shall not make written or oral disclosures thereof, other than as necessary for its performance of the Services hereunder, without the prior written approval of SCV Water. Disclosure of confidential Materials shall not be made to any individual, agency, or organization except as provided for in the Agreement or as provided for by law.

- 12.3. **Protections to Ensure Control over Materials** - All confidential Materials saved or stored by the Consultant in an electronic form shall be protected by adequate security measures to ensure that such confidential Materials are safe from theft, loss, destruction, erasure, alteration, and any unauthorized viewing, duplication, or use. Such security measures shall include, but not be limited to, the use of current virus protection software, firewalls, data backup, passwords, and internet controls.

The provisions of this Section survive the termination or completion of the Agreement.

### **13. OWNERSHIP OF DOCUMENTS AND DISPLAYS**

All original written or recorded data, documents, graphic displays, reports or other materials which contain information relating to the Consultant's performance hereunder and which are originated and prepared for SCV Water pursuant to the Agreement shall be "work for hire" and shall be the property of SCV Water. The Consultant hereby assigns all of its right, title and interest therein to SCV Water, including but not limited to any copyright interest. In addition, SCV Water reserves the right to use, duplicate and disclose in whole, or in part, in any manner and for any purpose whatsoever all such data, documents, graphic displays, reports or other materials delivered to SCV Water pursuant to this Agreement and to authorize others to do so.

To the extent that the Consultant utilizes any of its property (including, without limitation, any hardware or software of Consultant or any proprietary or confidential information of Consultant or any trade secrets of Consultant) in performing services hereunder, such property shall remain the property of Consultant, and SCV Water shall acquire no right or interest in such property.

### **14. ASSIGNMENT PROHIBITED**

The Consultant shall not assign, transfer, convey, or otherwise dispose of its rights, title or interest in or to this Agreement or any part thereof without the previous written consent of SCV Water.

### **15. REPRESENTATIVES OF THE PARTIES AND SERVICE OF NOTICES**

- 15.1. **Designated Representatives** - The SCV Water representative designated below shall be the principal representative of SCV Water for purposes of the Services that are the subject of this Agreement. Consultant shall designate, in writing, Consultant's project engineer and/or project manager for the performance of the Services under this Agreement, which designation shall be subject to SCV Water's reasonable approval.

The representatives of the Parties who are authorized to administer this Agreement and to whom formal notices, demands and communications shall be given are as follows:

**SCV Water Representative:**

NAME

TITLE

SCV Water  
27234 Bouquet Canyon Road  
Santa Clarita, CA 91350

**Consultant:**

NAME

TITLE

FIRM NAME

ADDRESS

- 15.2. **Notices** - Formal notices, demands and communications to be given hereunder by either Party shall be made in writing and may be effected by personal delivery or fax or by registered or certified mail, postage prepaid, return receipt requested to the address set out below and shall be deemed communicated as of the date of mailing. If the name or address of the person to whom notices, demands or communications shall be given changes, written notice of such change shall be given, in accordance with this section within five (5) working days.

## 16. MISCELLANEOUS PROVISIONS

- 16.1. **Integration** – This Agreement represents the complete Agreement of the parties and supersedes any other Agreements between the parties, whether written or oral.
- 16.2. **No Waiver** – No waiver by either parties of any term or condition of this Agreement shall be a continuing waiver thereof.
- 16.3. **Modification** – This Agreement only may be amended in writing, signed by all parties.
- 16.4. **Attorneys' Fees** – In any proceeding to enforce this Agreement, the prevailing party shall be entitled to attorneys' fees and costs in any amount determined by the court.
- 16.5. **Choice of Laws/Venue** – This Agreement shall in all respects be governed by the laws of the State of California applicable to Agreement executed and to be wholly performed with the State. Any action regarding this Agreement shall be brought in Los Angeles Superior Court, Central/Downtown Division.
- 16.6. **Counterparts** – This Agreement may be executed in separate counterparts that, together, shall constitute and be one and the same instrument.
- 16.7. **No Presumption Regarding Drafter** – The parties to this Agreement acknowledge that its terms and provisions have been negotiated and discussed among them and that it reflects their mutual agreement regarding its subject matter. Therefore, neither party shall be deemed to be the drafter of this Agreement nor shall there be no presumption for or against the drafter in its interpretation or enforcement.

IN WITNESS WHEREOF, the Parties have executed this Agreement at the place and as of the date first written above.

AGENCY  
SCV Water

CONSULTANT  
Firm Name

By: \_\_\_\_\_  
Matthew G. Stone, General Manager

By: \_\_\_\_\_  
Name, Title

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:** – (check with PM if needed to be reviewed by legal. If not, delete this legal section)  
Best, Best, & Krieger, LLP

By: \_\_\_\_\_  
Joseph Byrne, General Counsel

Date: \_\_\_\_\_

Attachments: Exhibit A: Scope of Work

**OTHER EXHIBITS, E.G., FEE SCHEDULE**

Agreement Number:	
Resolution Number:	
Budget Code:	
Account Code:	
Project Code:	

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## 6. REQUIRED INSURANCE

- 6.1. **Liability Insurance** - The Consultant shall provide and maintain at all times during the performance of the work under this Agreement, the following commercial general liability, professional liability and automobile liability insurance:
- 6.2. **Coverage** - Coverage shall be at least as broad as the following:
  - 6.2.1. Coverage for Professional Liability appropriate to the Consultant's profession covering Consultant's wrongful acts, negligent actions, errors or omissions. The retroactive date (if any) is to be no later than the effective date of this Agreement.
  - 6.2.2. Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 0001).
  - 6.2.3. Insurance Services Office (ISO) Business Auto Coverage (Form CA 0001), covering Symbol 1 (non-owned and hired automobiles).
- 6.3. **Limits** - The Consultant shall maintain limits no less than the following:
  - 6.3.1. Professional Liability – Two million dollars (\$2,000,000) per claim and annual aggregate.
  - 6.3.2. General Liability – Two million dollars (\$2,000,000) per occurrence or the full per occurrence limits of the policies available, whichever is greater for bodily injury, personal injury and property damage and products & completed operations liability. If Commercial General Liability Insurance or other form with a general aggregate limit or products-completed operations aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2503, or ISO CG 2504, or insurer's equivalent endorsement provided to the SCV Water) or the general aggregate limit and products-completed operations aggregate limit shall be twice the required occurrence limit.
  - 6.3.3. Automobile Liability – One million dollars (\$1,000,000) for bodily injury and property damage each accident limit.
  - 6.3.4. Excess Liability – The limits of Insurance required in this agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of the Agency (if agreed to in a written contract or agreement) before the Agency's own primary or self-Insurance shall be called upon to protect it as a named insured.
- 6.4. **Required Provisions** - The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

- 6.4.1. The SCV Water, its directors, officers, employees, and authorized volunteers are to be given insured status at least as broad as ISO endorsement CG 20 10 11 85; or both CG 20 10 and CG 20 37 04 13 (or the 20 10 04 13 (or earlier edition date) specifically naming all of the Agency parties required in this agreement, or using language that states “as required by contract”). All Sub-consultants hired by Consultant must also have the same forms or coverage at least as broad; as respects: liability arising out of activities performed by or on behalf of the Consultant; products and completed operations of the Consultant; premises owned, occupied or used by the Consultant; and automobiles owned, leased, hired or borrowed by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to the SCV Water, its directors, officers, employees, or authorized volunteers.
- 6.4.2. For any claims related to this project, the Consultant's insurance shall be primary insurance as respects the SCV Water, its directors, officers, employees, or authorized volunteers using the ISO CG 20 01 04 13 or coverage at least as broad. Any insurance, self-insurance, or other coverage maintained by the SCV Water, its directors, officers, employees, or authorized volunteers shall not contribute to it.
- 6.4.3. Any failure to comply with the reporting or other provisions of the policies including breaches and warranties shall not affect coverage provided to the SCV Water, its directors, officers, employees, or authorized volunteers.
- 6.4.4. The Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- 6.4.5. Such liability insurance shall indemnify the Consultant and his/her Sub-consultants against loss from liability imposed by law upon, or assumed under contract by, the Consultant or his/her Sub-consultants for damages on account of such bodily injury (including death), property damage, personal injury, completed operations, and products liability.
- 6.4.6. The general liability policy shall cover bodily injury and property damage liability, owned and non-owned equipment, blanket contractual liability, completed operations liability, explosion, collapse, underground excavation and removal of lateral support.
- 6.4.7. The automobile liability policy shall cover all owned, non-owned, and hired automobiles.
- 6.4.8. Each insurance policy required by this Agreement shall state, or be endorsed to state, that coverage shall not be canceled by the insurance carrier or the Consultant, except after thirty (30) days (10 days for non-payment of premium) prior written notice by U.S. mail has been given to the SCV Water.
- 6.4.9. All of the insurance shall be provided on policy forms and through companies satisfactory to the SCV Water.
- 6.5. **Workers' Compensation and Employer's Liability Insurance** - The Consultant and all Sub-consultants shall cover or insure under the applicable laws relating to

workers' compensation insurance, all of their employees employed directly by them or through Sub-consultants in carrying out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act", Division IV of the Labor Code of the State of California and any Acts amendatory thereof. The Consultant shall provide employer's liability insurance with limits of no less than \$1,000,000 each accident, \$1,000,000 disease policy limit, and \$1,000,000 disease each employee.

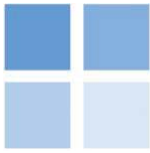
- 6.6. **Deductibles and Self-Insured Retentions** - Any deductible or self-insured retention must be declared to and approved by the SCV Water. At the option of the SCV Water, the insurer shall either reduce or eliminate such deductibles or self-insured retentions. Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named or additional insureds, co-insurers, and/or insureds other than the First Named Insured.
- 6.7. **Acceptability of Insurers** - Insurance is to be placed with insurers having a current A.M. Best rating of no less than A-:VII or equivalent or as otherwise approved by the SCV Water.
- 6.8. **Evidences of Insurance** - Prior to execution of the Agreement, the Consultant shall file with the SCV Water a certificate of insurance (Acord Form 25 or equivalent) signed by the insurer's representative evidencing the coverage required by this Agreement. Such evidence shall include (1) attached additional insured endorsements with primary & non-contributory wording, (2) Workers' Compensation waiver of subrogation, and (3) a copy of the CGL declarations or endorsement page listing all policy endorsements, and confirmation that coverage includes or has been modified to include Required Provisions 6.4.1 through 6.4.9. The Agency reserves the right to obtain complete, certified copies of all required insurance policies, at any time. Consultant shall maintain the Insurance required by this Agreement for a period of not less than 10 years following the termination of completion of this agreement. Consultant further waives all rights of subrogation under this Agreement. Failure to continually satisfy the Insurance requirements is a material breach of contract.

The Consultant shall, upon demand of the SCV Water, deliver to the SCV Water such policy or policies of insurance and the receipts for payment of premiums thereon.

- 6.9. **Continuation of Coverage** - If any of the required coverages expire during the term of this Agreement, the Consultant shall deliver the renewal certificate(s) including the general liability additional insured endorsement to the SCV Water at least ten (10) days prior to the expiration date. Failure to comply with any of the Insurance requirements shall constitute material breach of contract. The insurance requirements in this Agreement do not in any way represent or imply that such coverage is sufficient to adequately cover the Consultant's obligations under this agreement. All Insurance or self-insurance coverage and limits applicable to a given loss or available to the named insured shall be available and applicable to the additional insured. The insurance obligations under this Agreement are independent of and in addition to the defense and indemnity obligations contained elsewhere in this Agreement and shall not in any way act to limit or restrict the defense or indemnity or additional insure obligations of the Consultant or the Consultant's insurance carrier, and shall be for (1) the full extent of the insurance or self-insurance

overages and limits carried by or available to the Consultant, or (2) the minimum insurance coverage and amounts shown in this Agreement; whichever is greater. Agency reserves the right to add such other parties as may be required in the future to the indemnity and additional insured requirements of this Agreement.

- 6.10. **Sub-Consultants** - In the event that the Consultant employs other consultants ("Sub-Consultants") as part of the services covered by this Agreement, it shall be the Consultant's responsibility to require and confirm that each Sub-consultant meets the minimum insurance requirements specified above.



# WATER STRATEGIES LLC

4 E Street SE, Washington, DC 20003 ▪ (202) 698-0690 phone ▪ (202) 698-0694 fax

ITEM NO.  
2.1

April 22, 2019

Ms. Kathie Martin  
Public Information Officer  
SCV Water  
26501 Summit Circle  
Santa Clarita, CA 91350

Dear Ms. Martin:

Thank you for the opportunity to respond to the Request for Proposal for Federal Legislative Advocate Services by the Santa Clarita Valley Water Agency (SCV Water). We are honored to be considered.

SCV Water is unique; it is the result of exceptional forward thinking by the board of directors and a management team who were not afraid to create something that did not exist before. We believe SCV Water represents the future of municipal water management in California and the nation. Similarly, Water Strategies LLC is a unique government relations firm. With our exceptional legislative team, magazine publications, and Capitol Hill office location, we have also created something new.

Per your request, we have assembled the attached proposal of our services. Should you have any questions or should you require additional information, please do not hesitate to contact me directly by phone at (703) 517-3962 or by e-mail at [kris.polly@waterstrategies.com](mailto:kris.polly@waterstrategies.com).

Again, thank you for this opportunity.

Sincerely,

Kris Polly  
President and CEO

Attachments

## Introduction

Water Strategies LLC formally submits our federal advocacy services for the consideration of the Santa Clarita Valley Water Agency (SCV Water).

Water Strategies represents 20 clients across the West, supplying legislative and regulatory expertise in the field of water resources. Our mission is to provide clients with comprehensive government relations expertise to address water resources needs, to help procure funding for water infrastructure maintenance and development, and to advocate for our clients' legislative and regulatory positions.

Since 2009, our team has successfully advocated on behalf of irrigation districts, water utilities, water associations, and manufacturers before Congress, the Bureau of Reclamation, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency (EPA), the U.S. Department of the Interior, the U.S. Food and Drug Administration, and the U.S. Department of Agriculture.

Water Strategies also offers an added dimension of service and access through its publications. Our magazines, *Irrigation Leader* and *Municipal Water Leader*, serve as a platform for our clients to share their stories, successes, and challenges with state and national leaders.

## Our Team

**Kris Polly**, president and CEO of Water Strategies, would be the lead lobbyist representing SCV Water. Kris brings 25-plus years of experience in the field of water resources management and public policy and has dedicated his career to finding practical and effective solutions to water resources issues.

Kris would be assisted by his legislative team and counsel. Senior Vice President **Ian Lyle** has over 15 years of government and government relations experience, including 10 years working in Congress, with 3 of those years on the House Natural Resources Committee. Director of Government Relations **Abbey Linsk** has 6 years of federal advocacy experience and has most recently served as a water resources advisor in the United States Senate. Legislative Assistant **Tyler Young** has 4 years of government relations experience. **John Crotty** is counsel to Water Strategies and represents the firm from his location in Kennewick, Washington. He specializes in Reclamation policy and Army Corps issues.

A detailed description of personnel qualifications, as well as the rest of the Water Strategies team, is available in Attachment—Profiles.

In addition to our lobbying team, **The Honorable Robert Johnson**, former commissioner of the Bureau of Reclamation, **Mr. Steven Stockton**, former director of civil works for the U.S. Army Corps of Engineers, and **The Honorable Doc Hastings**, former chairman of the House Natural Resources Committee, are all senior advisors with our firm.

## Our Philosophy

Our goal is to help clients cultivate and maintain positive working relationships with key federal agency officials and congressional representatives and their staff. The establishment of those relationships is critical to navigating the regulatory landscape and successfully applying for and receiving federal funds in the current, post-earmark environment on Capitol Hill.

## Our Experience

We are pleased to provide several relevant lobbying experience examples below.

**Regulatory.** Water Strategies successfully worked with the solicitor of the U.S. Department of the Interior to clarify Bureau of Indian Affairs right-of-way easement regulations on behalf of the Desert Water Agency in Palm Springs, California. Additionally, Water Strategies has drafted and submitted dozens of regulatory comments on behalf of our clients. These include comments on the Waters of the United States rule, EPA and Army Corps regulatory reform, and the National Environmental Policy Act.

**Bureau of Reclamation.** Water Strategies has been working with the Kennewick Irrigation District (KID) to obtain title of transferred works facilities currently managed by KID. Water Strategies drafted the title transfer legislation, which was recently reintroduced by KID's representative Congressman Dan Newhouse (R-WA) and was the subject of a House Water, Power and Oceans Subcommittee hearing in the prior Congress. In addition, Water Strategies coordinated two opportunities during the last Congress for KID's general manager to testify before the House Committee on Natural Resources. Water Strategies drafted committee testimony and prepared the general manager through a mock hearing.

**U.S. Army Corps of Engineers.** Water Strategies was instrumental in obtaining funding for feasibility studies for two of the Lower Platte Natural Resources Districts in Nebraska. The first, a flood risk management project in Lincoln, was approved for \$10 million in federal assistance under section 205 of the Flood Control Act of 1948. The second, a \$1.5 million for watershed study resumption, was included in the Army Corps' 2018 Work Plan to Congress.

**National Monument.** We have a successful track record ensuring that water infrastructure access is maintained in federal land designations. On behalf of the Desert Water Agency, Water Strategies worked closely with multiple congressional offices to avoid the designation of the water utility's service lands as part of the Sand to Snow National Monument. Our communications helped to ensure the continuation of necessary maintenance and operations and enabled the utility to support the monument designation. We have worked closely with federal officials and water managers in Colorado to advocate for H.R. 74 and S. 57 legislation providing access to water infrastructure works within the Holy Cross Wilderness Area. During their tenure on Capitol Hill, our staff also worked successfully to protect water infrastructure in the Rocky Mountain National Park Wilderness Area designation, P.L. 111-11, §§ 1952 and 1953.

**Federal Budget and Funding Issues.** Water Strategies successfully obtained report language in the Senate FY 2019 Energy & Water Appropriations bill for two clients, the Columbia Basin Development League and St. Mary Rehabilitation Working Group. On behalf of our clients, Water Strategies has also successfully pushed for increased funding for the Bureau of Reclamation and its Title XVI program. Water Strategies has submitted many requests and testimony for multiple clients to the House and Senate Appropriations Committees.

**Hearings and Testimony.** Water Strategies has a strong record of securing invitations for our clients to testify. In Congress, testifying before a committee is always by invitation, and obtaining a witness slot is a high honor. Below is a table listing the number of Water Strategies clients who have testified before a House or Senate committee over the past 5 years and the committees they testified before. On each occasion, Water Strategies wrote the testimony or assisted the client in writing the testimony. All witnesses were coached and prepared prior to the hearings.

Year	Number of witnesses	House and Senate committees
2014	3	House Natural Resources Committee; House Transportation and Infrastructure Committee
2015	5	House Natural Resources Committee; Senate Environment and Public Works Committee
2016	2	House Natural Resources Committee
2017	5	Senate Agricultural Committee; Senate Energy Committee; House Natural Resources Committee
2018	3	House Natural Resources Committee
2019	1	House Natural Resources Committee
<b>Total</b>	<b>19</b>	

**Coalitions.** Successfully tackling regulatory challenges to water infrastructure development often involves building a coalition of like-minded organizations and businesses to generate momentum around an issue. Water Strategies has organized the Safe Pipe Coalition, which consists of steel, plastic, and concrete pipe manufacturers, to defend Reclamation’s strong metallic pipe corrosion standards and ensure the longevity of Reclamation-funded water projects. Water Strategies also organized the Low Head Hydro Working Group to simplify the development and licensing process for small hydroelectric turbines. The working group had members from five western states and was active for 2 years until relevant legislation (P.L. 113-6, the Hydropower Regulatory Efficiency Act of 2013, and P.L.113-24, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act) was passed and signed into law.



## Our Work Plan and Approach

Water Strategies will engage in a program of **relationship building**, **strategic advocacy** and **messaging**, and legislative and regulatory **monitoring and reporting**. Water Strategies will work with SCV Water to develop an advocacy work plan that lays out the agency's goals and objectives.

**Relationship Building.** Strong relationships are the foundation of any effort to achieve legislative solutions or regulatory relief. To those ends, Water Strategies will

- maintain strong ties with key congressional staff and federal officials as well as helpful water groups
- plan meetings and provide advocacy materials in Washington, DC as well as local district offices
- facilitate the participation of SCV Water leadership in congressional hearings, if needed
- arrange tours for agency and congressional representatives
- provide space in our *Municipal Water Leader* magazine for regular public service messages and articles about SCV Water's activities and issues of concern

Coupled with Water Strategies' continuous communication with key congressional and agency personnel, these steps will ensure that SCV Water has strong relationships when applying for competitive grants or addressing legislative issues before Congress.

**Strategic Advocacy and Messaging.** Water Strategies believes in setting short- and long-term advocacy goals to address programmatic needs. We will work with SCV Water to identify and target

opportunities for funding; for regulatory improvements at Reclamation, the Army Corps, and the EPA; and for legislative advances. Additionally, Water Strategies will work with SCV Water on key messaging, for example, through our *Municipal Water Leader* and *Irrigation Leader* magazines.

**Monitoring and Reporting.** Water Strategies will tailor our communications to ensure that we provide the frequency and detail of communications that best fit SCV Water's needs. We can provide SCV Water with timely legislative and federal agency action information via email, teleconference, or in-person briefings. We will also produce briefing papers, articles for newsletters, presentations to boards of directors, and monthly federal reports as needed.

Water Strategies has access to critical real-time information due to our extensive congressional and agency contacts. Water Strategies will serve as the eyes and ears of SCV Water in Washington, DC, providing information on legislation, regulations, and budgets related to your projects. Our team will provide information and analysis on, among other items, congressional hearings, committee meetings, and regulatory actions, and identify opportunities to advance SCV Water's priorities. We will work with members of Congress, the staff of key congressional committees, and Reclamation and Army Corps officials to help shape your advocacy and project strategies.

Additionally, we closely monitor water issues in Washington, DC, and across the country through our subscriptions to the *E&E News* services. Water Strategies will monitor the *Federal Register* to inform SCV Water of regulatory developments relevant to its operations.

## Our Clients

Water Strategies knows western water. We are proud to advocate on behalf of irrigation and water districts, as well as water-related businesses, throughout the West. Our list of clients includes the following:

Central Platte Natural Resources District	Kinsey Irrigation District
Colorado River Water Conservation District	Loup Basin Reclamation District
Columbia Basin Development League	Lower Platte Natural Resources Districts
Desert Water Agency	National Water Resources Association
Diamond Plastics Corporation	Northwest Pipe Company
Elephant Butte Irrigation District	Roosevelt Water Conservation District
Greater Wenatchee Irrigation District	Republican River Basin Coalition
HDR Engineering, Inc.	Rubicon Water
Imperial Valley Conservation Research Center	St. Mary Rehabilitation Working Group
Kennewick Irrigation District	Washington State Water Resources Association

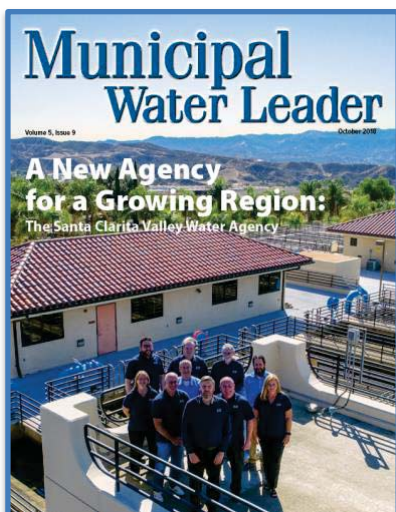
**Potential Conflicts.** Water Strategies is committed to transparency in its actions and responsibilities. With each new client and issue, Water Strategies cross-checks its new advocacy efforts with existing advocacy efforts. In the event that Water Strategies determines that there may be a potential client or issue conflict, we will immediately communicate the issue to both SCV Water and the existing client and begin a dialogue about the nature and extent of the potential conflict.

Upon review, Water Strategies has not identified any issue or advocacy conflicts between SCV Water and its existing client base. However, we do think it is important to note that Water Strategies is the managing firm for the National Water Resources Association, of which SCV Water is a member.



## Our Magazines

We began publication of *Irrigation Leader* magazine in October 2010 and *Municipal Water Leader* magazine in July 2015. Both magazines are published 10 times each year with July/August and November/December as combined issues. In both publications, we focus on solutions and the people who developed the solutions. Our rule is to never say anything critical about an individual, a business, or a government entity. It is possible to talk about difficult topics without saying unkind or unwelcome things. Additionally, all articles are reviewed by the people they are written about before publication. This insures correct spellings and quotes and happy people. In the 9 years we have published our magazines, we have never received an angry e-mail or phone call about anything we have written.



*Irrigation Leader* magazine focuses on the people and issues associated with irrigation in the 17 western states and provides a forum for irrigators and engineers to share solutions and technology. It is mailed to all irrigation district managers and their boards of directors in the 17 western states; the leadership and key staff of Reclamation; every member of Congress and the staff of key congressional committees; and a growing list of water-related organizations, engineering firms, and individuals. The magazine is also sent to every governor's office and state legislator in the 17 western states. Since our debut issue in October 2010, our circulation has more than tripled. Over 10,000 individuals receive hard copies of the magazine.

*Municipal Water Leader* magazine highlights the work of the people leading municipal water entities across the United States. *Municipal Water Leader* is supported by partnerships and advertising. In return for monthly financial support, our magazine partners receive a

package of full-page advertisements and editorial suggestions for articles. Hard copies are mailed at no expense to the 700-plus drinking and wastewater managers with annual budgets of \$10 million or more in all 50 states; EPA, Reclamation, and Army Corps officials; members of Congress and key committee staff; and a growing number water-related organizations and interested individuals. Additionally, every governor and member of Congress in all 50 states receives *Municipal Water Leader*. Total hard copy circulation is nearly 10,000.

## SCV Water Goals

The following table is taken directly from the SCV Water Request for Proposal. Water Strategies has added response language for each goal for the review and consideration of SCV Water management.

SCV Water goals	Water Strategies services
<p>Maintain a representative presence in Santa Clarita Valley, Sacramento, and Washington, DC, which monitors issues of importance to SCV Water, and the Santa Clarita Valley community as a whole, and keeps respective offices informed of issues of interest to the Agency.</p>	<p>Our office is located at 4 E Street SE, in Washington, DC; a 5-minute walk from the House Longworth Building.</p>
<p>Monitor and engage as necessary with issues of common interest in Ventura County and Los Angeles County.</p>	<p>Water Strategies has a history of partnering and working well with others on federal issues.</p>
<p>Foster and nurture relationships with elected representatives and staff, relevant committees/staff, regulatory agencies, and other key people of influence in the water industry, on behalf of SCV Water.</p>	<p>The Water Strategies business model is based on creating and building strong working relationships with key member office, committee, and regulatory agency staff members.</p>
<p>To actively engage with water industry associations and coalitions, including but not limited to SCV Chamber of Commerce and the Valley Industry Association, to foster relationships with key personnel, and to perform related activities such as advocate for Agency positions and attend meetings as necessary.</p>	<p>Water Strategies has worked closely with the Association of California Water Agencies, the National Endangered Species Act Reform Coalition, and the National Stream Gauge Coalition. We are happy to attend meetings as requested by SCV Water.</p>
<p>Foster and nurture relationships with non-profit, community and environmental groups with interests in the health of the watershed, both upstream and downstream.</p>	<p>Our <i>Municipal Water Leader</i> and <i>Irrigation Leader</i> magazines provide us with the ability to focus on the positive efforts of individuals and organizations and to bring attention to important issues. Our magazines have been key in helping our clients create and build strong working relationships with others.</p>
<p>Pursue opportunities for funding for capital projects and other initiatives to benefit SCV Water and its customers, including but not limited to emergency water storage, recycled water, stormwater capture and recharge, emergency repairs, conservation and outreach.</p>	<p>Water Strategies has successfully submitted funding requests on behalf of our clients in the key House and Senate appropriations committees. Additionally, we have helped our clients pursue and obtain Reclamation WaterSMART grants, other Reclamation funding, and Army Corps funding.</p>

SCV Water goals	Water Strategies services
<p>Monitor funding opportunities, whether through bond measures or the budget process, including advocating for inclusionary language in developing bond measures, that would assist in securing funding for Agency projects and initiatives.</p>	<p>Water Strategies currently monitors the budgets of Reclamation, the Army Corps, and the EPA on behalf of our clients. Additionally, we monitor the House and Senate appropriations process.</p>
<p>Act on those funding opportunities by assisting in the development of appropriate project/funding request submittals, and shepherding the proposals through the process.</p>	<p>Water Strategies has experience submitting funding requests in a timely manner and working with clients and their respective congressional delegations to secure funding commitments.</p>
<p>Seek funding for groundwater remediation of perchlorate, volatile organic compounds and other contaminants or broader water quality issues that may arise.</p>	<p>Water Strategies has facilitated the creation of coalitions for the purpose of improved regulatory efforts and funding. We would work with SCV Water to bring attention to your groundwater contamination issues and seek collaboration with others to obtain improved remediation funding.</p>
<p>Monitor and track proposed legislation and regulations for impacts on SCV Water or its customers, on any of the ten principles identified in the SCV Water Legislative Policy Guidelines.</p>	<p>Key issues and legislation will be identified with SCV Water and tracked by Water Strategies. Information and reports will be provided in the form and frequency desired by SCV Water.</p>
<p>Monitor, track and advise on major water industry initiatives including but not limited to the WaterFix, Sustainable Groundwater Management Act, and efforts to establish a water tax.</p>	<p>Water Strategies clients have worked on key California water initiatives. We have substantial experience working on groundwater issues in Nebraska and Washington State.</p>
<p>Actively advocate in support of or opposition to proposed legislation or regulations, to the benefit of SCV Water and its customers, in accordance with the adopted legislative guidelines.</p>	<p>Water Strategies has a 10-year track record of effectively supporting or opposing legislation and regulatory efforts at the federal level on behalf of our clients.</p>
<p>Work with SCV Water's board of directors and staff to identify any areas which might require the initiation of legislation.</p>	<p>We believe in open and regular communications with our clients and pride ourselves on seeking resolutions to issues before they are problems that require legislation. Should legislation be needed, we have experience in securing agency drafting assistance as congressional legislative counsel via committee and member offices.</p>

## SCOPE OF PROPOSED SERVICES

Work plan development	Water Strategies will work with SCV Water’s management and board of directors to develop and execute a work plan that addresses all the goals and objectives of the agency and that includes completion times for major tasks and milestones.
Federal advocacy	In coordination with the goals and objectives of the work plan, Water Strategies will execute a lobbying effort that includes tracking, promoting, opposing, and commenting on legislation according to the positions of SCV Water.
Witness opportunities	Water Strategies will work to secure invitations from key committees for SCV Water hearing witness opportunities as well as testimony submissions.
Congressional and federal agency meetings	Water Strategies will schedule and coordinate meetings with congressional member offices, committees, and federal agencies for SCV Water management and board representatives. This includes the creating talking points and pre-meeting coaching. Frequency of Washington, DC, meetings should be no less than twice a year.
Relationship building	Water Strategies will assist SCV Water in building and maintaining strong working relationships with key staff of congressional member offices, House and Senate committees, Reclamation, the Army Corps, and the EPA.
Partnerships and coalitions	Where overlapping interests exist, Water Strategies will work to position SCV Water as a helpful and active partner with other water agencies, associations, and local government entities.
Funding	Water Strategies will assist in locating all possible funding sources for the needs of SCV Water, including in the congressional budget process and the programs and budgets of Reclamation, the Army Corps, and the EPA.
Information	Information on Congress, federal agency actions, and water issues in general will be provided by Water Strategies to SCV Water in the form and frequency as requested by SCV Water management and the board of directors. Information can be conveyed via e-mail, phone calls, video calls, written reports, and in-person presentations.

Messaging	Water Strategies will use our <i>Municipal Water Leader</i> and <i>Irrigation Leader</i> magazines to identify issues and promote messages on behalf of SCV Water. Specifically, SCV Water will be provided with a full-page advertisement/public service announcement in each issue of <i>Municipal Water Leader</i> magazine. Additionally, a minimum of 5 articles regarding SCV Water issues will be published in the magazines during the year.
Capitol Hill office	Located 3 blocks from the Capitol, our office will be available for the use of SCV Water–related meetings, receptions, and events.
Executive apartment	All SCV Water personnel will have access to our fully furnished and provisioned executive apartment, located in the lower level of our office building. The apartment can accommodate a family of four and has kitchen and laundry facilities. We charge a one-time cleaning fee per stay.
<i>Cost of Proposed Services—\$7,500.00 Monthly Retainer</i>	
<i>Proposal Validity—Water Strategies will honor this proposal for a period of 12 months from date of submission.</i>	

## References

### **Mark Krause, General Manager**

Desert Water Agency  
 1200 S. Gene Autry Trail  
 Palm Springs, CA 92264  
 (760) 323-4971

### **Shane Leonard, General Manager**

Roosevelt Water Conservation District  
 2344 S. Higley Road  
 Gilbert, AZ 85295-4794  
 (480) 988-9586

### **Chris Treese, External Affairs Manager**

Colorado River Water Conservation District  
 201 Centennial, Suite 200  
 Glenwood Springs, CO 81601  
 (970) 945-8522

## Water Strategies Contact

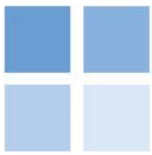
### **Kris Polly, President and CEO**

**Address** 4 E Street SE  
 Washington, DC 20003

**Office** (202) 698-0690

**Direct** (703) 517-3962

**E-mail** [kris.polly@waterstrategies.com](mailto:kris.polly@waterstrategies.com)



## Attachment—Profiles

### **Kris Polly, President and CEO**

Kris brings 25-plus years of experience in the field of water resources management and policy and has dedicated his career to finding practical and effective solutions to water resources issues. As deputy commissioner for external and intergovernmental affairs at the Bureau of Reclamation, Kris was the executive responsible for Reclamation's national relationships with federal, state, and local governments, as well as citizen and other nongovernmental groups. Then, as deputy assistant secretary for water and science at the U.S. Department of the Interior, Kris managed and directed programs supporting the development and implementation of western water policy and earth observation science.

Prior to his work for Reclamation, Kris worked 15 years for the National Water Resources Association, a national nonprofit association that represents water users throughout the western United States; his final position there was vice president for government relations. Kris is from Nebraska, where his family has farmed for five generations. He credits his irrigated agriculture background as being helpful in understanding the practical challenges his clients face.

### **Ian Lyle, Senior Vice President**

Ian brings over 15 years of experience working in government and government relations to Water Strategies. Ian's experience includes a decade spent working in Congress. He split his tenure on Capitol Hill, working 5 years in the United States Senate and 5 years in the U.S. House of Representatives. Throughout this time, Ian worked extensively on natural resources and appropriations issues, including working 3 years for the House Committee on Natural Resources, where he focused on western water and power issues.

Ian is a knowledgeable and recognized leader in water resources policy. He has presented at numerous conferences, including the Wharton School of Business TrendLab and the Association of California Water Agencies. Ian also serves as the executive vice president of the National Water Resources Association. Ian lives in Washington, DC, but grew up in Colorado and still considers the West home. His experience, knowledge, and affinity for the West make him a valuable asset and a successful advocate for our clients.

### **Abbey Linsk, Director of Government Relations**

Abbey has worked in federal affairs in Washington, DC, for more than 6 years. She began her career at Morgan Meguire, a boutique lobbying firm that specialized in public power and irrigation, particularly in the West. She continued working on these issues as water resources advisor in the United States Senate. Abbey has worked on a number of water issues, including those related to the Colorado River, surface water storage, and Indian irrigation systems.

Abbey graduated from Indiana University with a bachelor of science in nonprofit management and a minor in political science. During college, Abbey gained valuable federal affairs experience through internships at the EPA and the U.S. Department of Energy.

### **John Crotty, Counsel**

John has more than 6 years of experience in business and natural resources law and policy. He is a licensed attorney in the District of Columbia. Prior to working at Water Strategies, John was a program coordinator for the Trust for Public Land and a secondary education volunteer in the United States Peace Corps. In addition to serving as Water Strategies' counsel, John specializes in Reclamation policy and Army Corps issues.



### **Tyler Young, Legislative Assistant**

Tyler coordinates Capitol Hill visits for our clients, produces policy memorandums, and works with congressional offices to draft testimony and legislation. He joined the firm in February 2018 as a staff assistant. Before joining Water Strategies, he served as project manager in both Jackson, Mississippi, and Little Rock, Arkansas, for a software firm that provided eGovernment and payment processing services. In 2015, Tyler obtained a degree in political economics with a public policy focus from Rhodes College in Memphis, Tennessee. During his undergraduate years, he worked for a lobbying firm and an agriculture trade association and served in a district office for a U.S. senator.

## **Senior Advisors**

### **Robert Johnson, Senior Advisor**

Robert Johnson spent more than 40 years working for the Bureau of Reclamation in a variety of capacities, including as regional director of Reclamation's Lower Colorado Region from 1995 to September 2006. As regional director, he initiated and directed significant changes in the management of the Colorado River, including the first water-sharing agreements among Arizona, California, and Nevada and the first water supply guidelines to define conditions for surplus and shortages on the Lower Colorado River. Confirmed as Reclamation's commissioner on September 30, 2006, Mr. Johnson became the 20th person to lead Reclamation. Among his many accomplishments in the position, Mr. Johnson implemented the Managing for Excellence program, which focused on improved customer collaboration, accountability, and efficiency; developed the Water for America program to address water-related problems associated with drought and climate change; and worked to implement loan guarantee and rural water planning legislation.

### **Doc Hastings, Senior Advisor**

Doc Hastings served as the U.S. Representative for Washington's 4th congressional district from 1995 until his retirement in 2015. Congressman Hastings chaired the House Ethics Committee from 2005 to 2007 and the House Committee on Natural Resources from 2011 until he left office. Congressman Hastings has two decades worth of experience working through the congressional gridlock.

### **Steven Stockton, Senior Advisor**

Steven Stockton spent more than 40 years working for the U.S. Army Corps of Engineers in a variety of capacities, including as director of engineering and technical services from 1998 to 2005. From 2005 to 2016, Mr. Stockton served as the Army Corps' director of civil works. In that position, he led, managed, and directed the policy development, programming, planning, design, construction, contingency and emergency response, operation, and maintenance activities of the \$10 billion Army Civil Works Program. He serves on several national and international water resources committees.

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ITEM NO.  
2.2

April 25, 2019

Ms. Kathie Martin  
Public Information Officer  
Santa Clarita Valley Water Agency  
26501 Summit Circle  
Santa Clarita, CA 91350

Dear Ms. Martin:

ENS Resources, Inc. (ENS) is pleased to provide its response to Santa Clarita Valley Water Agency's (SCV Water) Request For Proposals (RFP) for Federal Legislative Advocate Services. The enclosed response outlines the activities that we propose to undertake on behalf of SCV Water.

Our team enjoys a strong working relationship with the California Congressional Delegation. We also have decades of working with the House and Senate authorizing and appropriations committees' membership and professional staff that have jurisdiction over water resources, environmental protection, public health, and energy efficiency matters that are central to SCV Water's federal platform. ENS staff have a solid understanding of the Executive Branch departments and agencies that manage programs of interest to SCV Water. It provides us with the ability to deliver effective services related to federal assistance and regulatory programs of interest to SCV Water. These twin capabilities will enable us to provide a comprehensive advocacy program on behalf of SCV Water.

ENS acknowledges the conditions of the RFP. We are able to conform to the conditions of the RFP, including mandatory insurance requirements. As requested, the enclosed response remains valid for a period of twelve months from the closing date and time of the Request For Proposals to provide Federal Legislative Advocate Services.

ENS Resources, Inc.  
1901 Pennsylvania Avenue, N.W. / Suite 1005  
Washington, D.C. 20006 / Telephone 202.466.3755  
Telefax: 202.466.3787  
[www.ensresources.com](http://www.ensresources.com)

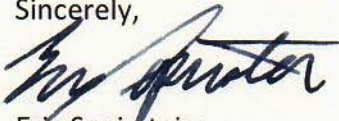
Ms. Kathie Martin  
April 25, 2019  
Page Two

All follow-up contact related to the consideration of our response should be directed to:

Mr. Eric Sapirstein  
President  
ENS Resources, Inc.  
1901 Pennsylvania Avenue, N.W.  
Suite 1005  
Washington, D.C. 20006  
(202)466-3755

We appreciate the opportunity to be considered to represent SCV Water.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Sapirstein", written over a horizontal line.

Eric Sapirstein  
President

Enclosures: 1 Original Proposal, 1 Copy, 1 Electronic Copy



**RESPONSE TO  
REQUEST FOR PROPOSALS**

**FOR**

**FEDERAL LEGISLATIVE ADVOCATE SERVICES**

**ON BEHALF OF THE**

**SANTA CLARITA VALLEY WATER AGENCY  
SANTA CLARITA, CALIFORNIA**

**SUBMITTED BY**

**ENS RESOURCES, INC.  
WASHINGTON, D.C.**

**April 25, 2019**

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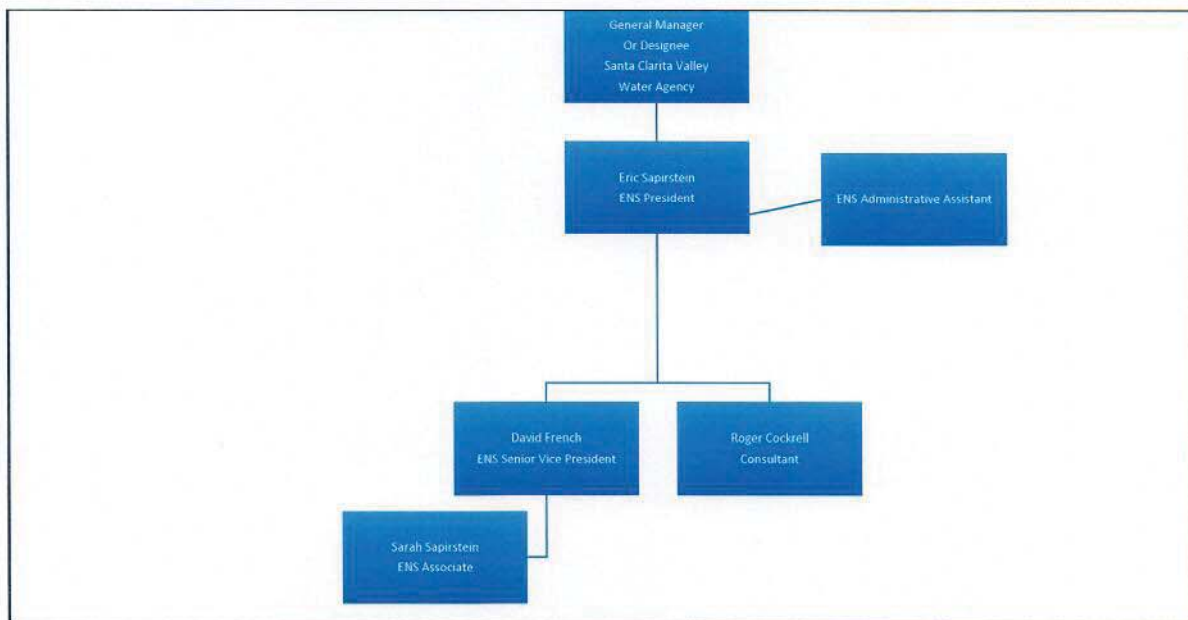
1. Federal Agenda Task Timeline
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**TAB A FIRM'S QUALIFICATIONS**

## FIRM'S QUALIFICATIONS

ENS Resources, Inc. (ENS) proposes to provide federal advocacy services to the Santa Clarita Valley Water Agency (SCV Water) relying on our proven approach employed over the past four decades. This has been demonstrated through the successful implementation of strategies that returned demonstrable benefits to our clients. These successes have included securing federal grants assistance, selection to participate in innovative infrastructure financing programs, identification of agency projects as priorities for federal assistance, enactment of legislation to advance water and solid waste infrastructure needs, development of federal rulemakings that adopt public agency needs, and permits an assortment of other legislative and regulatory initiatives that have facilitated the achievement of our clients' federal policy agenda goals and objectives.

Our proposal is grounded in our proven management approach that relies upon senior ENS staff to carry out SCV Water's federal agenda and serving as the point of contact with SCV Water staff. This commitment will be supplemented by one subcontractor that complements ENS's long-term experience and expertise within Congress and at the Executive Branch. Roger Cockrell will work with ENS on federal funding strategies related to water resources projects and the financing of such projects. As detailed in Tab C, Mr. Cockrell has decades of water resources policymaking experience. This complements our bipartisan approach to advocacy to pursue SCV Water's goals and objectives. The below organizational chart identifies our firm's structure and the management of personnel to ensure that the proposed scope of work is conducted in an effective and productive manner.



ENS believes that collaboration with state-based professionals can leverage state level support of SCV Water's federal goals and objectives. To this end, we enjoy the ability to draw upon the



services of the Sacramento-based lobbying firm Edelstein, Gilbert, Robson & Smith, LLC should such capability prove supportive of federal priorities.

For purposes of managing the day-to-day representation of SCV Water, Eric Sapirstein, President, ENS, will serve as the lead for purposes of carrying out the responsibilities detailed in the federal legislative platform and subsequently identified project priorities. However, SCV Water's federal priorities would be implemented under a team approach. This ensures that the entire range of expertise is available to position SCV Water to achieve its goals and objectives. This approach brings the added value of ensuring that SCV Water will enjoy the input of our seasoned policymaking veterans in defining the best approaches to realize success.

ENS is a Subchapter C Corporation, founded in 1986. Our office is located at 1901 Pennsylvania Avenue, N.W., in Washington, D.C. We are blocks from the White House and key federal agencies of interest to SCV Water. Our location allows for convenient access to Capitol Hill and key federal agencies of note, including the U.S. Environmental Protection Agency and U.S. Department of the Interior. All ENS staff and consultants actively involved in federal advocacy are registered lobbyists and comply with appropriate and applicable federal registration mandates.

Our years of activities on behalf of public sector agencies, with a specific focus on California, have allowed us to develop a solid reputation with senior policymakers engaged in water resources, environmental protection, and public health policymaking. Our working understanding of program administration, including water supply, wastewater, solid waste, ecosystem protection, and alternative energy production complements our federal advocacy expertise. This allows us to leverage the federal legislative and regulatory policymaking process to enhance the priority to advance SCV Water's goals and objectives. We are ideally equipped to design and implement effective strategies in coordination with SCV Water to achieve results as detailed in Tab B.

**TAB B      EXPERIENCE AND REFERENCES**

## EXPERIENCE AND REFERENCES

Our team has decades of combined federal advocacy and strategic planning experience representing our public clients' interests before the Legislative and Executive Branches of the federal government and State of California. We have served in the some of the most senior staff positions in Congress and the Executive Branch. Our staff served in senior policymaking roles within the Office of the California Governor in Sacramento. Our past positions at the U.S. Environmental Protection Agency (USEPA), U.S. Army Corps of Engineers (USACE) and Congress means that we have a comprehensive understanding of the federal policymaking process and subsequent program management. We enjoy the respect of senior federal officials, including key Presidential Appointees, and career department and agency program managers of interest to SCV Water. Our experience and solid working relationships include:

- U.S. Environmental Protection Agency, Office of Water and Office of Enforcement and Compliance;
- U.S. Army Corps of Engineers;
- U.S. Department of the Interior, U.S. Bureau of Reclamation and Office of Water and Science;
- U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy;
- U.S. Department of Commerce, Economic Development Administration;
- Council of Environmental Quality; and
- Office of Management and Budget.

We work directly with Members of Congress and their staff, and the above departments and agencies' staff on policy matters and program implementation to address: California-related water supply delivery, water infrastructure (including recycling and traditional water supply projects), groundwater remediation, ecosystem restoration and resiliency, innovative water infrastructure financing, flood protection and water conservation, and stormwater management.

We also enjoy long-standing professional relations with professional trade associations dedicated to the advocacy of policy development of interest to SCV Water, such as clean water and safe and reliable water supplies. This has been honed by our past leadership positions with such groups, including the National Association of Clean Water Agencies, Association of Metropolitan Water Agencies, and WateReuse Association; among others. We would employ these working relationships to build support for SCV Water's identified federal priorities, ranging from development of water supply projects to ecosystem restoration projects, for example.

Our relationships extend to numerous Washington-based stakeholders. Among the many groups that we work with that advocate policy that has a direct relevance to SCV Water's identified federal goals and objectives are:

- Association of California Water Agencies
- California Association of Sanitation Agencies
- National Association of Clean Water Agencies
- American Water Works Association
- Water Environment Federation
- WaterReuse Association
- National Water Resources Association
- Association of Metropolitan Water Agencies
- National League of Cities
- U.S. Conference of Mayors
- National Association of Flood and Stormwater Management Agencies

Our long-term working relationship with staff of the California Governor’s Washington Office and our working relationship with State Water Board Members will also allow us to seek support for SCV Water’s initiatives as appropriate.

As one of Washington’s top governmental affairs firms, specializing in the representation of public agencies, and specifically California agencies, we have a detailed understanding of the technical and political matters that influence the development of water resources, land management, tax policy and alternative energy policy. We would employ our knowledge of these policies to design and implement a legislative and regulatory strategy that can enhance the SCV Water’s ability to address effectively the federal platform’s goals and objectives and ultimately secure its identified priorities.

Our team’s services over the years have spanned legislative and program issues. While serving in senior management positions at the federal level, we developed agency budgets and finalized spending bills impacting water supply, water treatment, and groundwater management programs for inclusion in budget requests and spending bills.

From a policy perspective, we have developed legislative and regulatory options at federal agencies and Congress. This means that we can cogently make the case for a client’s needs whether it is requesting federal assistance or presenting testimony or technical comments.

From a water resources advocacy perspective, we have demonstrated successes. These successes include:

- Facilitating agency approvals of regional water supply and water recycling projects;
- Securing millions of dollars in federal assistance for numerous drinking water, water recycling and ecosystem restoration, and groundwater remediation projects;
- Identifying public agency projects as priorities for federal assistance;
- Facilitating alternative financing approaches for water infrastructure and enhancing the successful direct approval of project funding selection;

- Protecting existing water supply contracts, including developing rationales for contracts and related projects;
- Developing and securing multi-million dollar federal-local partnerships to upgrade infrastructure to protect against wildfires;
- Securing \$100 million increase in program authorization to permit realignment of water line;
- Securing authorization to increase authority to conserve water at a federal reservoir;
- Protecting existing long-term federal water contracts from being adversely impacted by federal legislation;
- Supporting and advancing initiatives for formal adoption of modified flow management standards on behalf of regional water purveyors;
- Supporting development of federal legislation to preserve tax credits for water efficiency, precluding adoption of federal criteria that would increase costs of water treatment due water efficiency mandates; and
- Supporting creation of grants assistance program for resiliency needs of local water agencies.

## References

Our recent years' activities on behalf of clients that reflect similar services as requested in the RFP are extensive. The following is a representative sample of our activities that are similar to the services sought under the RFP.

1. Securing grants assistance for water infrastructure and extending federal permit:
  - a. Developed and implemented an ongoing regional water infrastructure assistance initiative to address wildfire suppression needs within the Tahoe Lake Region. This successful effort has secured more than \$30 million to date over the past five years.
  - b. Secured renewal of federal special permit to allow for continued water supply conveyance eliminating threats to water supply saving ratepayers millions of dollars in project costs.
  - c. Developed and implemented a strategy to secure authorization and \$1,500,000 grants assistance to monitor and remediate groundwater supplies and replace well systems.

Contact: Shannon Cotulla, Assistant General Manager, South Tahoe Public Utility District, 1275 Meadow Crest Drive | South Lake Tahoe CA 96150 (530)544.6474

2. Federal assistance to advance collaborative forestry management and water supply reliability:
  - a. Developed and implemented a strategy to advance the demonstration of watershed management. In concert with this effort, secured an invitation to

- testify on the water supply impacts upon drinking water supply systems from wildfires as part of overall effort to legislate forestry management reforms.
- b. Worked to advance commitments from federal agency officials and congressional delegation to advance finalization of CVP-related long-term water supply contract.
  - c. Secured \$1,500,000 in direct federal assistance to demonstrate watershed water quality and forestry improvements.

Contact: Andrew Fecko, Director, Resource Development, Placer County Water Agency, 144 Ferguson Road, Auburn, CA 95604 (530)823-4490

3. Initiatives to Advance Effective Regulatory Water Clarifications:
  - a. Worked successfully on behalf of California Association of Sanitation Agencies to secure exemption from Waters of the U.S. rulemaking, eliminating new and costly regulatory impacts to wastewater treatment systems.
  - b. Arranged for sole public agency witness to testify before Congress on the need for NPDES permit term reforms before House Committee on Transportation & Infrastructure. Secured bipartisan letters urging committee to consider Clean Water Act legislative amendment to extend permit terms. Secured introduction of legislation to amend Clean Water Act permit terms from five years to up to up to ten years.
  - c. Develop, coordinate and manage annual Washington water policy forum that serves as a forum for California Members of Congress, senior congressional and federal agency officials, NGO and trade association stakeholders and leading Think Tank and national press officials to address attendees on a range of political and policy issues including water supply, wastewater treatment and water recycling funding; third party litigation; energy and water use efficiency technologies, alternative energy; budgets; and endangered species reforms.

Contact: Roberta Larson, Executive Director, California Association of Sanitation Agencies, 1225 8<sup>th</sup> Street, Suite 595, Sacramento, CA 95814 (916) 446.0388

4. Identifying and Securing Priority Projects for Federal Assistance:
  - a. Secured language in Water Infrastructure Improvements for the Nation Act to identify priority water agencies to secure federal project assistance.
  - b. Implemented strategy to Secure \$20 million in funding under Title XVI Water Recycling Program to develop water recycling projects.
  - c. Supported successful efforts to advance funding of Forecast Informed Reservoir Operations to allow for enhanced water conservation to supplement available water supplies.

Contact: Eleanor Torres, Director of Public Affairs, Orange County Water District, 18700 Ward Street, Fountain Valley, CA 92708 (714)378-3268

**TAB C      QUALIFICATIONS OF THE TEAM**

## QUALIFICATIONS OF TEAM

ENS is especially proud of its accomplishments achieved on behalf of public water agencies. These include successes ranging from water infrastructure, economic development to public safety and health matters. The policymaking process has undergone significant change that influences the way in which advocacy of a client's needs are pursued. Over the past several years, we formulated and implemented strategies that successfully secured congressional directives to federal agencies on how to allocate federal resources that benefit our clients. Our approach to provide services to the Department within this new environment is detailed in Tab D.

Our staff has pursued project priorities for a variety of clients ranging from trade associations dedicated to advancing funding of water infrastructure, commonsense water quality and drinking water regulations, and innovative financing to individual public and private sector interests dedicated to the provision of safe and reliable water supply, clean energy and ecosystem restoration.

Our team is comprised of four professionals with Bachelors and Masters degrees in public policy, public administration, and engineering. Our decades of work at the federal level provides expertise and experience directly related to the requested capabilities outlined in the Request For Proposals. Biographies of the individuals that would carry out the professional services to SCV Water are:



Mr. Eric Sapirstein serves as the firm's President. For organizational purposes, Mr. Sapirstein will serve as the project manager and daily point of contact. He served in senior management positions within the USEPA's Office of the Budget and Office of Legislative and Congressional Affairs where he focused on clean water, drinking water, solid waste/hazardous waste, and clean air policy issues. Subsequent to this role, he represented several national trade associations, including the National Association of Clean Water Agencies, Association of Metropolitan Water Agencies, WaterReuse Association and Council of Pollution Control Financing Agencies. He holds a Bachelor of Arts in Political Science and a Master's in Public Administration with dual concentrations in Public Finance/Budgeting and Urban Administration from The George Washington University.





Mr. David French serves as the firm's Senior Vice-President. He served as Deputy Director of Intergovernmental Affairs and Rural Affairs Liaison for then California Governor Pete Wilson. Mr. French also served as professional staff in the California Senate to retired Senator Tim Leslie. At the federal level, he brings his understanding of state, and local governmental levels and integrates that expertise to attain the policy needs of a client. He melds his understanding of the ways in which a client's goals and objectives can be achieved leveraging the resources at the different levels of government. He holds Bachelor of Arts Degree in Criminal Justice from California State University, Sacramento.



Ms. Sarah Sapirstein serves as the firm's Associate. In this capacity, she supports the firm's clients conducting research into grants assistance opportunities, developing legislative updates, attending congressional, agency and stakeholder meetings and hearings, monitoring and evaluating legislative proposals, and providing liaison with key congressional staff involved in water quality and water supply policymaking. She served as an Intern for several Members of Congress, including Subcommittee on Water Resources and Environment Chairwoman Grace Napolitano (D-CA), where she gained a working understanding of the congressional process. She holds a Bachelor of Arts Degree in Political Science from the Honors College, University of Vermont.



Mr. Roger Cockrell serves as consultant to the firm. He spent his federal agency career at the U.S. Army Corps of Engineers in Washington and USACE District Offices where he managed all aspects of USACE programs. In Congress, he served as the lead Senate Committee on Appropriations staff for both the Republican and Democrat committee members. Notably, he served as Committee Member Senator Dianne Feinstein lead staffer, responsible for developing and managing budget and policy issues impacting water supply and water quality issues before a variety of federal agencies including USACE, USDOJ and USEPA. Mr. Cockrell holds a Bachelor of Science in Engineering from Mississippi State University. He is a credentialed Civil Engineer.

**TAB D PROJECT UNDERSTANDING**

## PROJECT UNDERSTANDING

SCV Water's current legislative platform serves as the guiding document for the development of any federal advocacy strategy. The development and subsequent implementation of the strategy must ensure a focus on SCV Water's identified principles. However, it must also be flexible in its implementation to allow for opportunities that may arise due to shifts in the federal policymaking environment. For example, as Congress and the Administration consider a national infrastructure policy, opportunities to address safe and reliable water supply needs to enhance the ability to facilitate water deliveries, while protecting and restoring the Delta ecosystem, could lead to project assistance opportunities for locally developed water solutions, such as groundwater recharge or remediation. Efforts to legislate changes to address the joint operations of the State Water and Central Valley Water Projects could impact SCV Water's water supply reliability and, as such, any federal advocacy program must ensure that this situation is addressed to safeguard water supplies and allow for the flexibility to facilitate innovative solutions. This includes water transfers and storage. As part of any initiative to address water supply projects, the opportunity to advance policy to streamline transfer approvals and to eliminate Warren Act Contracts to reduce costs of conveyance would achieve an important principle of minimizing costs and facilitating transfers to mitigate drought impacts.

As climate resiliency needs grow, it is vital that local water resources be developed in a sustainable manner. The opportunity to implement a program that is designed to secure federal assistance to plan, design and construct water supply projects is a must do element of our understanding. No less important, the ability to leverage innovative approaches to enhance water supply reliability must be pursued. This could include the development of stormwater capture and reuse, and the implementation of "smart" technologies, including data management and artificial intelligence to promote integrated water resources management initiatives. In tandem with an effort to implement innovative approaches to water supply management, the opportunities to advance water use efficiency can deliver achievements consistent with SCV Water's current legislative platform. For example the U.S. Department of Energy is implementing energy water nexus programs through the National Laboratories that could offer collaborative opportunities to implement and demonstrate innovative water and energy use efficient technologies. With the U.S. Environmental Protection Agency's recent unveiling of its Water Recycling Action Plan, the ability to leverage potential assistance under the agency's Office of Water could become available and help achieve SCV Water's goal of improved water use efficiency.

The importance to secure a safe and reliable water supply also means improved water quality. Recent findings illustrate that chemical compounds like PFAS are being found in water supplies. These findings demand that any public health standards are based upon sound science and subsequently issued standards must be achievable and deliver timely protection of surface and groundwater supplies. This coupled with climate impacts, such as drought, which can reduce groundwater recharge or increase concentrations of pollutants like salts, demand federal assistance to support water treatment needs to reduce impacts on ratepayers that are not

responsible for the adverse impacts from contaminants like PFAS. On a related level, supporting federal policies to advance innovative approaches that use science and emerging technologies can help promote sustainable water resources management practices. For example, the opportunity to utilize flood protection facilities to conserve stormflows, employing state-of-the-art monitoring of atmospheric rivers could lead to improved water supply that could be stored as groundwater recharge or water transfers. Seeking federal assistance under existing programs could lead to the achievement of the platform's principles.

Taken in total, SCV Water's legislative platform remains timely and consistent with ongoing federal water resources, environment and resiliency policy discussions. This means that the guiding elements would receive a receptive audience as specific project priorities are pursued.

### Regional Collaboration to Advance Federal Goals and Objectives

We also recognize that SCV Water's interests could overlap with other regional agencies' missions. As such it demands close collaboration between the SCV Water and stakeholders to maximize successful outcomes. At the same time, when policy objectives conflict with other regional stakeholders, the ability to articulate t SCV Water's interests to such agencies must be part of any legislative and regulatory agenda to minimize misunderstandings that could lead to increased challenges and opposition. Our focus on communication is vital to our approach. The ability to maintain clear lines of communications among the various stakeholders—public, private and nongovernmental organizations—will facilitate solutions and avoid misunderstandings that might derail SCV Water initiatives. This can leverage a stronger policy voice at the federal level and deliver results on a regional basis that benefit SCV Water.

### SCV Water Priorities and the Federal Agenda

Collaboration among stakeholders is important, but not the entire picture. SCV Water will, guided by its federal priorities, seek specific funding assistance, policy and program reforms, or regulatory approval of projects. Given the diverse needs of SCV Water, ranging from water supply to groundwater remediation, the opportunities to pursue such priorities demands a comprehensive strategy.

For example, Congress approved permitting authority for local agencies to implement integrated plans and permits under the Clean Water Act. SCV Water may be able to develop such a permit and thereby reduce administrative costs of compliance and reduce pressures on ratepayers. Similarly, safe and reliable water supplies and the conveyance of such will demand innovative approaches to address resiliency, drinking water standards and alternative water supply production. To meet these challenges, it will be critical to develop solutions to secure assistance from multiple program "pots" of federal assistance. For example, water recycling infrastructure is an expensive endeavor to undertake. But it provides a proven solution to help mitigate impacts attributable to water supply uncertainty. The opportunity to develop solutions that draw upon several agencies, for example USEPA, USBR and EDA, might support a project and help to offset the costs of a project.

The legislative agenda will be the driver to address SCV Water's goals and objectives. However, it is only one prong of a two-pronged approach of an effective federal agenda. The ability to work with officials at various federal departments and agencies (political appointees and career) can spell the difference between meaningful success and the status quo that often fails to address current interests. This is best recognized in the water supply policy arena. ENS monitors federal funding opportunities, provides liaison to agency decision makers, and advises our clients on how best to respond to funding solicitations that positions any review in the most favorable light. For example, the USEPA's Water Infrastructure Finance and Innovation Act (WIFIA) provides highly subsidized assistance for water supply projects, including groundwater recharge. The ability to brief officials on a project before formal solicitations are announced allows for a comprehensive understanding of a project prior to the formal review process of an application that precludes such discussions.

Some of the management challenges that SCV Water may confront involve drinking water standards compliance, water and energy use efficiency standards and related technologies, and ecosystem or groundwater protection restoration. These federal mandates are evolving; especially under the current Administration's priority to develop standards that have an acceptable cost benefit ratio and can be implemented without needless delays that have become all too common when seeking to permit a project or address standards in general.

Our decades of federal employment and experiences representing public agencies, with a focus on California, coupled with our academic training in policy, engineering and public administration, provides us the insight into how best to deliver value and success. We understand the technical, political and administrative elements of the factors that influence regulatory outputs and outcomes. Our capabilities allow us to develop policy recommendations in collaboration with SCV Water and to communicate to policymakers and stakeholders views that are both technically and politically feasible.

**TAB E      WORK PLAN**

## WORK PLAN

Our proposed scope of work that addresses SCV Water's focuses on the many facets of protecting public health and ensuring a safe and reliable water supply for its service area. Federal advocacy before Congress and the Executive Branch demands an approach that is grounded in collaboration with SCV Water. This has been a winning approach that we have employed with success throughout the years, regardless of which party controls Congress or the Executive Branch. In these times of legislative and regulatory disruption, our experience and expertise provide the insights and capabilities to develop a strategy to secure desired outputs and to realize outcomes that meet the criteria of SCV Water's goals and objectives.

We will meet with SCV Water leadership to review its goals and objectives relative to the current legislative and regulatory environment. This review would then permit us to identify the legislative and regulatory priorities that offer the highest return for success, based upon SCV Water's mission of protecting public health and the environment, advancing cost effective water quality improvements, ensuring water supply reliability, and promoting effective and equitable infrastructure assistance for all facets of SCV Water's mission. We then would implement the federal strategy.

### Scope of Work

We would work with SCV Water's General Manager or designee to ensure that our activities are consistent with agreed-upon priorities. To maximize success, our approach encompasses the following elements:

- Legislative and Executive Branch Liaison and Representation
- Washington-based Stakeholder Liaison

#### a. Legislative and Executive Branch Liaison and Representation

We would continue to rely upon the process that proved successful over the past years and as outlined below. This approach is especially relevant given SCV Water's new Member of Congress. With this point in mind, we believe the tasks identified below illustrate how specific categories of activities will be executed.

- i. Convene a meeting with SCV Water officials to review goals and objectives and reach agreement on legislative and regulatory program priorities;
- ii. Draft a strategy to achieve priorities for SCV Water officials to review and approve;
- iii. Communicate federal priorities to the congressional delegation and key congressional committee leadership including the House and Senate committees with jurisdiction over environmental policy and public infrastructure;
- iv. Track status of legislative, regulatory and grants proposals that offer opportunities (authorizations and appropriations) of interest and provide appropriate email alerts

- and analyses, detailed updates, and a matrix of consequential legislation and regulations to the SCV Water (Appendix 4 and 5);
- v. Track federal agency grant opportunities including a focus on infrastructure, climate resiliency, water conservation, and groundwater remediation at U.S. Environmental Protection Agency, Department of the Interior and U.S. Department of Energy;
  - vi. Draft detailed legislative and regulatory communications, legislative language, report and regulatory language, testimony, and other appropriate materials for review, approval and use by SCV Water to support the identified goals and objectives and to update SCV Water;
  - vii. Provide frequent legislative and regulatory updates (Appendix 3);
  - viii. Draft for review issue papers, briefing materials, and talking points for use in meetings with Members of Congress, congressional committee staff, federal agency officials as well as stakeholders, including ACWA, NACWA, National League of Cities, NAFSMA, CASA, and other appropriate groups;
  - ix. Arrange and coordinate congressional and federal agency meetings for SCV Water officials independent or in conjunction with regional stakeholder visits to Washington;
  - x. Arrange and coordinate tours of SCV Water facilities by congressional delegation Members, their staff and committee staff and senior federal agency staff; and
  - xi. Work with the White House – Office of Management and Budget and Council on Environmental Quality and appropriate federal agencies to advance formal budget requests and/or programmatic increases of value to SCV Water.

We have provided a perspective federal agenda task timeline (Appendix 1) and staff time allocation chart (Appendix 2) as examples of how these tasks would be accomplished.

#### b. Washington-based Association Liaison

Over several decades, our team has either worked as lead staff to many of the key water-related trade associations in Washington or helped to launch such organizations. For example, we helped to transition the WaterReuse Association from a state-based group to a nationally recognized organization, supported the creation of the Association of Metropolitan Water Agencies, and served as a lead for the National Association of Clean Water Agencies (formerly AMSA). Over the years, we have developed strong working relationships with groups like U.S. Conference of Mayors, National League of Cities, Association of California Water Agencies and the Washington Office of the California Governor to name a select group of that play pivotal roles in the policymaking process.

We would work with key stakeholders located in Washington to enlist support for SCV Water policy and program initiatives. We would employ our extensive liaison network to achieve this support. Our liaison would target the State of California Governor's Washington Office, U.S. Conference of Mayors, National Association of Clean Water Agencies, Water Environment Federation, WaterReuse Association of California Water Agencies, Natural



Resources Defense Council, California Association Sanitation Agencies, and National Association of Flood and Stormwater Managers.

#### ENS Subcontractor

ENS enjoys a collaborative relationship with Mr. Roger Cockrell whose biography is enclosed with our response. ENS relies on Mr. Cockrell to supplement our activities before Congress and the U.S. Department of the Interior and U.S. Army Corps of Engineers. As a former senior USACE official and staff to the Committee on Appropriations for several Senators, including as the lead committee staff for water issues on behalf of Senator Dianne Feinstein, he provides exceptional guidance on behalf of our clients. ENS has worked with Mr. Cockrell for more than fifteen years on water resources, water quality and water supply policies and appropriations as they impact agencies like the SCV Water.

#### Demonstration of Strong Legislative and Executive Branch Capabilities

Our team has served in key positions at USEPA, USACE, and in Congress, the California State Legislature and the California Governor's office. ENS has the requisite experience and expertise to advocate policy initiatives before numerous federal departments and agencies including: the U.S. Army Corps of Engineers, U.S. Department of Justice, U.S. Department of the Interior, U.S. Environmental Protection Agency, U.S. Department of Transportation, and the U.S. Department of Commerce. This knowledge is especially relevant to our ability to identify federal programs and funding sources, including grant opportunities that the SCV Water can seek to support its local needs. We would utilize our experience with the State of California policymaking process, including working with the Governor of California's Washington office, to help facilitate the successful implementation of SCV Water's defined federal initiatives.

Over more than five decades, ENS and its consultants developed an extensive working relationship throughout the Legislative and Executive Branches. We achieved this by serving in senior appointments in each Branch with responsibility for the Clean Water Act, Safe Drinking Water Act, Resource Recovery and Conservation Act, Superfund, WRDA, U.S. Army Corps of Engineers, and the related annual spending bills impacting the implementation of these laws.

Through these positions and our ongoing activities to address local governmental needs, we enjoy solid professional working relationships with Members of the California Congressional Delegation, including SCV Water's direct delegation and the region at-large and/or their senior staff. This is complemented by our decades of representing public agencies before the key House and Senate committees with jurisdiction over water quality, water supply, water recycling, water resources mandates. In the House of Representatives, this includes working on a bipartisan basis with senior staff to the Committees on Transportation & Infrastructure, Energy and Commerce, Natural Resources, and Appropriations. In the U.S. Senate, our bipartisan approach with the Committees on Environment and Public Works, Energy and Natural Resources, and Appropriations provides meaning opportunities to provide substantive input on vital legislative issues of the moment. Similarly, at the Executive Branch our past

positions as well as representing our clients has equipped us to serve as a bridge for clients to communicate their needs cogently to political and career officials.

#### Cumulative Experience and Understanding of Municipal Utilities

Our team has extensive experience of representing public agencies, including special districts, either directly or indirectly through national trade associations. We represented the National Association of Clean Water Agencies, Association of Metropolitan Agencies, WaterReuse Association, Water Environment Federation. Additionally, we represent or represented regional water supply and wastewater treatment operations that serve the needs of numerous cities and whose Boards are comprised of elected officials.

As mentioned earlier in this response, our team is schooled in the policy matters affecting CA water agencies and special districts. Our academic training, tenure within the Legislative and Executive Branches and representation of local governmental agencies affords us a deep appreciation of the governmental operations of utilities. This, coupled with ongoing activities related to water quality and supply, provides critical insights into the political and technical factors influencing project funding and selection that are of importance to a utility like SCV Water.

**TAB F COST PROPOSAL**

## COST PROPOSAL

ENS proposes to provide the services outlined in the project plan based upon a monthly retainer of eight thousand dollars (\$8,000.00), not to exceed ninety-six thousand dollars (\$96,000.00) over a 12-month period. We propose to bill our travel costs for visits to meet with SCV Water officials as requested under the RFP.

Appendix 2 provides an approximate time allocation for anticipated tasks. It is important to highlight that the identified tasks and specific activities were developed based upon the RFP's stated needs, but we expect that other actions could be required to be initiated. Additional tasks would be added based upon the strategic planning exercise. It is also important to note that the activities would be conducted in a manner that allows for us to utilize the most appropriate team member working along with the project manager, Eric Sapirstein.

**TAB G      REQUIRED STATEMENTS/DOCUMENTS**

## REQUIRED STATEMENTS/DOCUMENTS

Consistent with the provisions of the RFP, ENS makes the following affirmations.

- No team members will be substituted without the approval of SCV Water staff.
- We have no known conflict of interest.
- The insurance requirements as outlined in the RFP are acceptable and will be complied with as part of any final contract agreement.
- The submitted proposal is not to be considered proprietary.
- This proposal remains valid for 12 months from date and time of closing.

**TAB H      EXCEPTIONS**

## EXCEPTIONS

We make no requests related to the requirements of the RFP, including the Sample Contract.

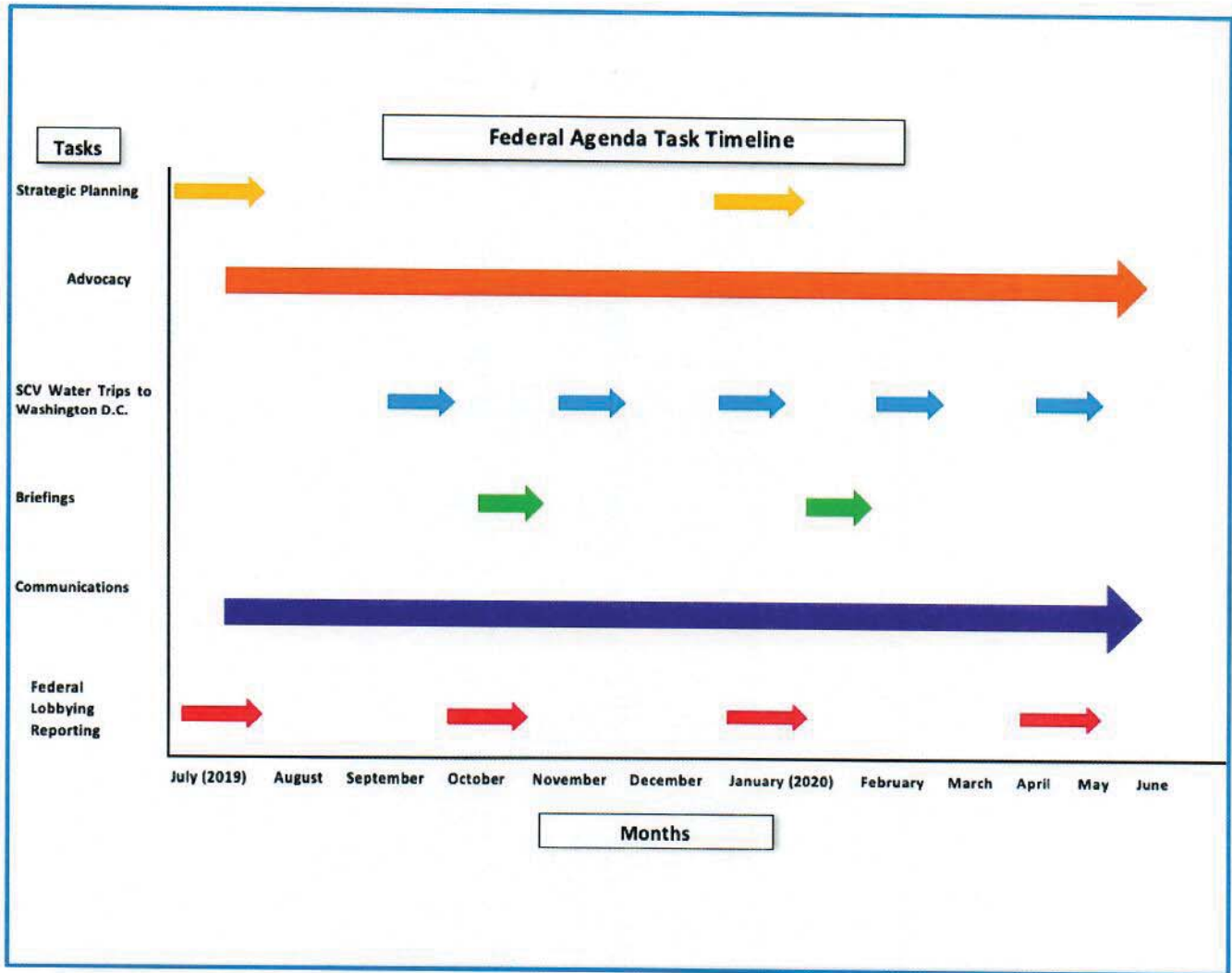


**TAB I      COMPETENCY OF PROPOSERS**

## COMPETENCY OF PROPOSERS

The proposers can provide the services in a timely manner and have no pending bankruptcies, liens, stop payment notices, judgements, lawsuits, arbitrations, mediations, foreclosures and any similar actions filed or resolved in the past seven (7) years. There has not be a client termination with the firm for breach of contract.

## **APPENDICES**



**LABOR RESOURCES ALLOCATION BY SCOPE OF WORK TASK TIMELINE  
(HOURS PER MONTH UNLESS OTHERWISE NOTED)**

TASK	ERIC SAPIRSTEIN	DAVID FRENCH	ROGER COCKRELL	SARAH SAPIRSTEIN	HOURS
<b>STRATEGY (20 Hours)</b>					
<ul style="list-style-type: none"> <li>Meeting with SCV Water to develop Strategic Plan and Priorities</li> </ul>	X	X	X		20 (one-time)
<b>ADVOCACY ( 43 Hours)</b>					
<ul style="list-style-type: none"> <li>Draft and finalize, in coordination, with SCV Water legislative and regulatory positions, testimony, advocacy materials and other communications in support of Department priorities</li> </ul>	X	X	X		10
<ul style="list-style-type: none"> <li>Provide advocacy and liaison before Legislative and Executive Branch on behalf of SCV Water</li> </ul>	X	X		X	10
<ul style="list-style-type: none"> <li>Conduct legislative and regulatory monitoring, analyzing and reporting (written and oral) on SCV Water priorities and interests related to legislation, regulations, budget and federal departments' and agencies' meetings to achieve goals and objectives</li> </ul>	X		X	X	15
<ul style="list-style-type: none"> <li>Conduct stakeholder liaison to identify potential partners and challenges to further goals and objectives</li> </ul>	X				5
<ul style="list-style-type: none"> <li>Identify grant opportunities and support development of grant assistance responses</li> </ul>	X	X	X	X	3

**LABOR RESOURCES ALLOCATION BY SCOPE OF WORK TASK TIMELINE  
(HOURS PER MONTH UNLESS OTHERWISE NOTED)**

<b>TASK</b>	<b>ERIC SAPIRSTEIN</b>	<b>DAVID FRENCH</b>	<b>ROGER COCKRELL</b>	<b>SARAH SAPIRSTEIN</b>	<b>HOURS</b>
<b>COMMUNICATIONS (32.5 Hours)</b>					
• Participate in bi-monthly teleconference updates	X	X	X	X	1.5
• Draft written and oral monthly updates (including matrix of legislation and regulations)	X	X			3.0
• Conduct meeting preparations and staffing of D.C. meetings by SCV Water (including drafting briefing papers, talking points and other materials)	X	X		X	20 per meeting
• Brief SCV Water twice a year	X		X		4 per meeting
• Assist in preparation of annual end of session report	X	X		X	8
<b>ADMINISTRATION (4 Hours)</b>					
• Comply with lobby registration requirements	X				1 per quarter

## ENS WASHINGTON REPORT



### Washington Policy and Regulatory Updates

Our ENS Federal Report provides a summary and the status on select legislative and regulatory actions. We normally issue a Report when both Chambers are in session.

### ENS Federal Report – March 29, 2019

#### **Congress Starts FY2020 Budget Process; Water Infrastructure Highlighted in Hearing**

This week, the House and Senate Committees' on Appropriations subcommittees held hearings to consider the President's Fiscal Year 2020 budget request, including the [U.S. Army Corps of Engineers \(USACE\)](#), [U.S. Bureau of Reclamation \(USBR\)](#), [U.S. Department of the Interior](#), and the [U.S. Forest Service](#). Members denounced the budget request's proposed cuts. Below are key points raised at the hearings.

#### House Subcommittee on Energy and Water Development, and Related Agencies

The USACE and USBR budget requests received withering reviews. Chairwoman Marcy Kaptur (D-OH), opened the hearing stating that water is one of most vital resource for the country and identified water infrastructure as essential infrastructure in need of investment in order to ensure resilient operations. She stated that the budget request woefully underfunds water infrastructure. Ranking Member Mike Simpson (R-ID) agreed with Kaptur, stating that again, the budget requests large cuts to the agencies' water infrastructure programs and that he hopes the subcommittee will address this issue as they develop their budget.

#### House Subcommittee on Interior, Environment, and Related Agencies

The hearing on the FY 2020 Budget for the U.S. Forest Service, Chairwoman Betty McCollum (D-MN) praise the request for the budget \$1.95 billion to address fire suppression costs. However, she was critical of proposed cuts to forest management programs. McCollum highlighted a proposed 46% reduction to the State and Private Forest Program, stating that the subcommittee will not accept these proposed cuts. Rep. Mike Simpson (R-ID) placed blame for the reductions on overall spending levels set by the Budget Control Act of 2011 for defense and non-defense discretionary programs through FY 2021. Simpson urged his colleagues to increase the caps to provide for appropriate funding to address forest management needs. Vicki Christiansen Chief, U.S. Forest Service testified that the budget supports collaborative decision-making with States and partners to increase treatment across forest landscapes. Christiansen emphasized that the Forest Service is actively implementing forest management reforms, authorized in the 2018 Omnibus and 2018 Farm Bill, to reduce wildland fire risk and improve forest and grassland conditions.

The hearing on the FY 2020 budget request for the U.S. Department of the Interior (USDOI), [Principle Deputy Assistant Secretary for Policy, Management and Budget Scott Cameron](#) testified to the Administration's budget request for USDOI. During the hearing's discussion, Representative Brenda Lawrence (D-MI), noted the important role USDOI plays in monitoring and reporting on the nation's water quality. She asked Cameron how USDOI can fulfill these responsibilities when the agency's budget is limited. Cameron responded that the agency provides water quality data to the appropriate regulating agencies and that USDOI will continue to provide scientific information. Cameron added that when the FY2020 budget is finalized, USDOI will prioritize based on highest known risk to human health.

Now that the subcommittees have considered the Administration's budget request, members begin developing FY2020 budgets for the agencies. Fiscal Year 2020 begins on October 1.

## LEGISLATIVE MATRIX

116th Congress - 1st Session								
Bill Number	Title	Introduced	Sponsor	Cosponsors	Latest Action Date	Last Action	Committees	Summary
H.R. 34	Energy and Water Research Integration Act of 2019	1/3/19	Johnson, Eddie Bernice (D-TX)	1	3/27/19	Reported out of Subcommittee on Energy as amended by voice-vote	House: Science, Space, and Technology	To ensure consideration of water intensity in the Department of Energy's energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources.
H.R. 535	PFAS Action Act of 2019	1/14/19	Dingell, Debbie (D-MI)	32	2/7/19	Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials	House: Energy and Commerce, Transportation and Infrastructure	Requires the USEPA Administrator to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, compensation, and Liability Act of 1980.
H.R. 658	National Infrastructure Development Bank Act.	1/17/19	DeLauro, Rosa (D-CT)	61	2/7/19	Subcommittee on Economic Development, Public Buildings, and Emergency Management	House: Energy and Commerce, Transportation and Infrastructure, Financial Services, Ways and Means	Facilitates efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Bank, and for other purposes
H.R. 1162	Water Recycling Investment and Improvement Act	2/13/19	Napolitano, Grace (D-CA)	24	3/4/19	Referred to Subcommittee on Waters, Oceans, and Wildlife	House: Natural Resources	To establish a grant program for the funding of water recycling and reuse projects, and for other purposes.
H.R. 1497	Water Quality Protection and Job Creation Act of 2019.	3/5/19	DeFazio, Peter (D-OR)	18	3/6/19	Referred to Subcommittee on Water Resources and Environment	House Transportation and Infrastructure	Provides nearly \$23.5 billion in direct infrastructure investment over the next five years to address wastewater infrastructure and local water quality challenges. This bill allocates \$20 billion in grants for the Clean Water State Revolving Fund.



## REGULATORY MATRIX

Issue	Title & Status	Background Information	Contact(s)	Comments	Link to Federal Register
Integrated Water Management	<b>Integrated Municipal Stormwater and Wastewater Plans</b>  <b>Final Framework released June 2012.</b>	Framework for public agencies to develop integrated municipal stormwater and wastewater planning. USEPA proposes to allow agencies to address stormwater controls and general wastewater plans through an integrated management process that would establish priorities within otherwise competing water quality mandates. Any integrated plan would be subject to full Clean Water Act enforcement.  Adopting an Integrated Planning Approach to CWA obligations is voluntary. This effort is a collaborative one between USEPA, NPDES permit authorities and USEPA and State enforcement officials. The intent is to use the flexibilities in both permits and enforcement to work with communities towards common goals.	Deborah Nagle, Director, Water Permits Division nagle.deborah@epa.gov  Mark Pollins, Director, Water Enforcement Division pollins.mark@epa.gov	USEPA and local governments are meeting to clarify how the Clean Water Act (CWA) provides flexibility to consider a community's financial circumstances when developing schedules for municipal projects necessary to meet CWA obligations. On January 18, 2013, USEPA issued a memorandum to USEPA Regions that described the status of the dialogue.	Link to Final Framework: <a href="http://cfpub.epa.gov/npdes/integratedplans.cfm">http://cfpub.epa.gov/npdes/integratedplans.cfm</a>
Water Quality	<b>Perchlorate</b>	EPA made a determination to regulate perchlorate under the SDWA on 2/2/11. Draft EPA Science Advisory Board report held up for months over the scientific evidence to regulate perchlorate.	Russ Perkinson, Office of Ground Water and Drinking Water, U.S. Environmental Protection Agency; telephone (202) 564-4901 or by email to perkinson.russ@epa.gov.	Last public meeting 3/29/2013. SAB submitted final report to EPA using novel method for assessing risk to children 5/29/2013. Draft MCL delayed until 2015.	
Water Quality	<b>Chromium VI California</b>	California proposed MCL of 10 ppb on 8/22/13. Current state standard for total chromium is 50 ppb and the federal standard is 100 ppb. Total chromium and chromium VI added to EPA's UCMR 3 5/2/12.	Ted Berner, National Center for Environmental Assessment telephone: 703-347-8583	State released final proposed regulatory package establishing the MCL at 10 ppb on 4/15/14. It will become effective on 7/1/2014. EPA added Chrom. VI to agenda of June meeting on IRIS and released scoping documents for public comment on 4/17/14.	Federal Register Volume 76, Number 70 [Pages 20349-20350
Water Quality	<b>Water Quality Standards Regulatory Clarifications</b>	EPA is extending the comment period for the proposed rule "Water Quality Standards Regulatory Clarifications" published 4 September 2013. EPA is extending the comment period in response to stakeholder requests for a 30-day extension. Comments must be received on or before 2 January 2014. The comment period was originally scheduled to end on 3 December 2013.	Janita Aguirre, EPA Headquarters, Office of Water, Office of Science and Technology, at 202-566-1860 or email: WQSRegulatoryClarifications@epa.gov	Rule focuses on 6 areas: determination that a new or revised standard is necessary; designated uses; triennial review requirements; enhanced implementation of antidegradation; procedure to allow variances; and compliance schedule authorization.	Federal Register <a href="http://www.gpo.gov/fdsys/pkg/FR-2013-11-27/html/2013-28522.htm">http://www.gpo.gov/fdsys/pkg/FR-2013-11-27/html/2013-28522.htm</a>

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**ITEM NO.  
2.3**

1050 Thomas Jefferson Street, NW  
Seventh Floor  
Washington, DC 20007  
(202) 298-1800 Phone  
(202) 338-2416 Fax

Jason Larrabee, Senior Policy Advisor  
202-298-1800  
larrabeej@vnfsolutions.com

April 29, 2019

Kathie Martin  
Public Information Officer  
SCV Water  
26501 Summit Circle, Santa Clarita, CA 91350  
[kmartin@scvwa.org](mailto:kmartin@scvwa.org)

**RE: Federal Legislative Advocate Services**

Dear Kathie Martin:

VNF Solutions LLC, a wholly owned subsidiary of Van Ness Feldman LLP (VNF or firm), is pleased to submit this proposal to provide federal legislative advocate services to the Santa Clarita Valley Water Agency (SCV Water or Agency).

Since our inception over 40 years ago, VNF has offered clients substantive, bipartisan representation before Congress and the Executive Branch. The vision of our policy practice by our founders remains the dominant mission of our practice today—to provide thought leadership and policy strategy to clients navigating the complex intersection between business and government.

VNF Solutions draws on the diverse experience of all of the professionals at VNF in order to provide clients with non-legal advisory services and solutions to complex issues in energy, environment, natural resources, infrastructure, transportation, cyber security, tax, real estate, land use, and health care areas.

The approach at VNF Solutions is to make available all of our team members to produce the best results for our clients. While this will be true for SCV Water, the lead federal advocate will be Jason Larrabee, Senior Policy Advisor.

VNF Solutions is well situated to assist SCV Water with their federal advocacy goals, having also provided federal advocacy representation to several public agencies in California and

throughout the west, including the Tri-Dam Project (wholly owned by Oakdale and South San Joaquin Irrigation Districts), the Los Angeles Department of Water and Power, the Metropolitan Water District of Southern California, and the West Stanislaus Irrigation District.

Per instructions in the Request for Proposal (RFP), we have thoroughly reviewed the terms and conditions in the RFP and the professional services agreement and acknowledge receipt of all amendments and/or addenda to the RFP.

I will be serving as the main point of contact for this response, and my contact information can be found above. If you have any questions about the materials contained herein, please do not hesitate to contact me. We look forward to having the opportunity to discuss our proposal with you in person, if we are deemed qualified.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Larrabee', with a long horizontal stroke extending to the right.

Jason Larrabee  
Senior Policy Advisor

**A. QUALIFICATIONS OF FIRM**

**Firm Profile**

VNF Solutions LLC is a wholly owned subsidiary of Van Ness Feldman LLP, a nationally recognized law firm providing legal counsel, thought leadership, and policy strategy to clients navigating the complex intersection between business and government.

Founded in Washington, DC in 1977 by four former Congressional and Executive branch legal counsel, VNF has grown to include over 100 lawyers and policy professionals in our Washington, DC, Seattle, and San Francisco Bay Area offices.

Over the years, our team has grown with an influx of both lawyers and public policy professionals who have worked for Democratic and Republican Administrations and Members of Congress. With this bipartisan and interdisciplinary team, we have been able to help our clients succeed through many transitions in administrations and in both houses of Congress. The firm is best known for its work in energy, environment, land use, natural resources, and native affairs matters.

The firm’s public policy professionals serve a diverse clientele. VNF has represented a large number of interests in the Western United States, including cities, and local and regional agencies both small and large. The firm has also done legislative and regulatory work on behalf of a multitude of cities, counties, and states throughout the country. In addition, we represent, and participate in, a wide variety of trade associations, and numerous federal policy coalitions, which broadens our reach and knowledge base.

The lead federal advocate for the SCV Water will be Jason Larrabee, Senior Policy Advisor, who will be responsible for team coordination and communication with the Agency. Tracy (Nagelbush) Tolk, Partner, and Sean Taylor, Senior Director, will lead specific tasks and assist the overall representation of the SCV Water Agency in Washington, D.C. More specific details on the team and tasks is outlined below.

**Experience and References**

<b>Client Name, Contact, and Dates of Work Performed</b>	<b>Nature of Work</b>	<b>VNF Solutions Contact</b>
<p><b>Tri-Dam Project</b>            Ron Berry, General Manager            PO Box 1158            Pinecrest, CA 95364            Phone: (209) 965-3996 , ext. 120            Email: <a href="mailto:RBerry@TriDamProject.com">RBerry@TriDamProject.com</a>            (2018-present)</p>	<p>Coalition building and policy advocacy to influence federal regulations before Congress, Department of the Interior, and Environmental Protection Agency</p>	<p>Jason Larrabee</p>

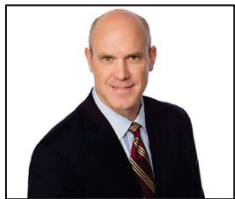
<b>Client Name, Contact, and Dates of Work Performed</b>	<b>Nature of Work</b>	<b>VNF Solutions Contact</b>
<p><b>Los Angeles Department of Water and Power (LADWP)</b>            Winifred Yancy            Director of Federal, Local, and Community Relations            111 N. Hope Street, Room 1531            Los Angeles, CA 90012            Phone: (213) 367-0025            E-mail: <a href="mailto:winifred.yancy@ladwp.com">winifred.yancy@ladwp.com</a>            (2012-present)</p>	<p>Policy advocacy to influence federal regulations before Congress, Department of Energy, and Environmental Protection Agency</p>	<p>Tracy (Nagelbush) Tolk</p>
<p><b>Metropolitan Water District of Southern California</b>            Dee Zinke            Deputy General Manager, External Affairs            700 North Alameda Street            Los Angeles, CA 90012-2944            Phone: (213) 217-6139            E-mail: <a href="mailto:dzinke@mwdh2o.com">dzinke@mwdh2o.com</a>            (2016-present)</p>	<p>Policy advocacy before Congress, Department of the Interior, White House, Environmental Protection Agency, Bureau of Reclamation, and Army Corps of Engineers</p>	<p>Sean Taylor</p>
<p><b>West Stanislaus Irrigation District</b>            Bobby Pierce            General Manager            116 E Street            Westley, CA 95387            Phone: (209) 894-3091            E-mail: <a href="mailto:bobby.pierce@weststanislausid.org">bobby.pierce@weststanislausid.org</a>            (2019-present)</p>	<p>Coalition building and federal funding before Congress, the Bureau of Reclamation and White House to secure federal appropriations to construct a new fish screen facility</p>	<p>Jason Larrabee</p>

## **B. QUALIFICATIONS OF TEAM**

VNF Solutions adheres to the concept of firm representation, whereby the collective talents, expertise, and contacts of the firm are available and fully utilized to maximize the quality of our representation to each client. For purposes of this representation, the Agency would have access to the full resources of all Members of the firm in assisting them in achieving its objectives. As stated previously, Jason Larrabee would serve as the primary lead and day-to-day boots on the ground in Washington, DC. While all of our professionals would be at the Agency's disposal, we will not substitute the individual team members listed below without the Agency's prior approval.

Brief biographies about the proposed team members are below:

### **Core Team**



**Jason Larrabee, Senior Policy Advisor:** Jason has over 20 years of advocacy, public policy, management and public affairs experience. Throughout his career, he has worked as a liaison between elected officials and government, representing businesses, non-profit organizations and private citizens in their dealings with local, state and federal government. He has worked extensively with senior Members of Congress and congressional staff, senior officials in the Executive Branch, federal agencies, trade associations, and local and state elected officials in California. From 2017-2018, Jason was the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks at the U.S. Department of the Interior where he provided oversight of day-to-day operations as well as policy development and implementation for the U.S. Fish and Wildlife Service and the National Park Service, which encompass over \$6.5 billion annually in federal spending and 30,000 employees. Prior to joining the Department, Jason was Chief of Staff to Congressman Jeff Denham (R-CA) managing all aspects of his Congressional offices. Jason previously worked for former Congressmen Doug Ose and John T. Doolittle, handling their energy and natural resources, agriculture, transportation and affiliated portfolios. Jason's practice at the firm primarily focuses on providing clients with policy guidance and strategic advice on agriculture, energy, natural resources, and transportation funding and policy.

[larrabeej@vnfsolutions.com](mailto:larrabeej@vnfsolutions.com)



**Tracy (Nagelbush) Tolk, Partner:** Tracy is a forceful advocate for clients in need of effective communications with the federal government on public policy matters in the climate change, clean technology, transportation, alternative energy deployment, cybersecurity, energy efficiency, and natural resources development areas. She understands the needs and language of both business people and decision-makers inside the beltway and is experienced at finding creative solutions and for building lasting relationships across party lines. As a seasoned veteran of Capitol Hill, she brings clients the benefit of many connections and strong bipartisan relationships on the Hill and with federal agencies, thereby advancing clients' goals and protecting their interests.

Prior to coming to the firm, Tracy's rich political background included serving as a senior advisor to former Congressmen Jay Inslee (D-WA), now Governor of Washington State, and Jim Davis (D-FL). During her tenure on Capitol Hill, she managed all energy, environment, and

transportation policy issues for the Congressmen who were assigned to the Energy and Commerce and Natural Resources Committees as well as the Select Committee on Energy Independence and Global Warming. [NagelbushT@vnfsolutions.com](mailto:NagelbushT@vnfsolutions.com)



**Sean Taylor, Senior Director:** Sean Taylor has over a decade of experience representing municipalities and local governments on water infrastructure, agriculture, transportation, federal regulations, public lands issues, and a variety of appropriations matters. Sean began his career in the U.S. Senate working for Senator Connie Mack of Florida and Senator Judd Gregg of New Hampshire, before serving as a Natural Resources Policy Analyst to Governor Jeb Bush of Florida. As Governor Bush's lead staffer in Washington, DC, Sean gained considerable experience developing regional and national coalitions to help mold national energy legislation, influence ocean policy, and expand aquatic ecosystem restoration, and land & water conservation programs for the state. Sean has spent the last 14 years representing cities and agencies throughout the State of California on a variety of federal policy issues. [taylor@vnfsolutions.com](mailto:taylor@vnfsolutions.com)

### **C. STATEMENT OF QUALIFICATIONS AND LEAD BY TASK**

VNF Solutions' policy professionals and lawyers are a bipartisan array of former senior Congressional Members and staffers with hands-on experience in energy and environmental policy, budget and appropriations, transportation, agriculture, and disaster recovery. In addition, many of our colleagues formerly served as senior officials at the Environmental Protection Agency, Department of the Interior, Department of Energy, Department of Transportation, the Council on Environmental Quality, and the White House. By combining this diverse federal expertise with a team approach to clients, we are able to provide a thorough and sophisticated suite of services.

Building on their past government service, our professionals work with Members of Congress, Congressional authorizing and appropriations committees, the White House and Executive Branch agencies, state and local agencies, coalitions, and trade associations to identify policy issues and opportunities, develop creative solutions, and promote specific policy or program goals. We annually secure federal funding for our clients, help clients engage effectively on key legislative and regulatory issues, and work with clients to successfully navigate the changing agendas of Congress and the Administration. We have a unique understanding of the rules and decision-making processes of Congress and the Executive Branch; know how to efficiently identify and reach key policymakers; and excel at effectively positioning our clients to succeed in the federal policy arena.

As stated earlier, the lead federal advocate for the Agency will be Jason Larrabee, Senior Policy Advisor, who will be responsible for team coordination and communication with the Agency. Tracy (Nagelbush) Tolk, Partner, and Sean Taylor, Senior Director, will lead specific tasks and assist the overall representation of the SCV Water Agency in Washington, D.C.



## **D. SCOPE OF WORK**

To support the SCV Water’s priorities and goals, VNF Solutions will (task lead):

- Maintain a presence in Washington, D.C. on behalf of SCV Water and represent the Agency daily at the federal level by fostering and nurturing relationships within Congress, Federal agencies, and the water community. (All)
- Develop and maintain strong working relationships between SCV Water and the California congressional delegation, key congressional committees, federal agencies, and the Executive Branch. (All)
- Identify potential federal funding opportunities that match the Agency’s funding needs and priorities, focusing on groundwater, water storage, conservation and recycled water supplies. (Jason/Sean)
- Work with SCV Water officials in the identification and application of grants offered by federal agencies, and provide follow-up support on competitive applications. (Jason/Sean)
- Actively engage with water industry associations and coalitions such as ACWA, CalDesal, and NWRA for relationship building for the benefit of SCV Water. (Jason/Sean)
- Monitor the progress of funding and grant applications through appropriate federal agencies on behalf of the Agency. (Jason/Sean)
- Travel, as appropriate, to work with the SCV Water Board of Directors and staff to identify federal goals, objectives, and discuss legislation and proposals which will benefit SCV Water. (All)

### **Federal Funding**

Our team has a long history of assisting clients in accessing federal funds for critical projects. With the Congressional ban on earmarks, and uncertainty surrounding Congress’s ability to reliably pass annual spending legislation, increased control over federal funding decisions has moved from Congress to the departments and agencies of the Executive Branch.

### **Federal Initiatives**

Our team has been involved in a wide range of legislative debates, including securing appropriations for projects large and small throughout the country; infrastructure projects through highway and water resources development bills; environmental cleanups and brownfields redevelopment; and important economic development issues related to local commerce, industry, and tourism.

Our professionals are intimately familiar with federal appropriations and funding, and the underlying authorizations, having in many cases participated in the development of these statutes and processes while working in the federal government. Our team will monitor and identify funding opportunities relevant to SCV Water throughout the Congressional budget and appropriations process and across the Executive Branch for the full range of federal funding opportunities that could support the Agency’s priorities.

The current political environment in Washington, DC, has created many questions about the future of federal funding, including for the Environmental Protection Agency, Bureau of Reclamation, and Army Corps civil works projects. There is tremendous pressure to refocus federal spending on near-term and transformative projects that reduce the federal government's role in future funding. Earmarks are not available to individual Members of Congress at this time; therefore a concise focus on grants is key to securing federal funding.

### **Ground Water Remediation, Water Reclamation, & Recycling**

Our proposed team has extensive experience working with communities throughout the country to secure federal funding through the Army Corps of Engineers for alternative water supply projects. These projects ensure economic stability for the region, preserve natural habitat that relies on ground water and surface water flows, and decrease the reliance on costly and unreliable imported water. We have strong relationships with the Los Angeles District office of the Army Corps and can facilitate conversations between SVC Water and the Army Corps on relevant issues, such as remediation efforts of groundwater.

Establishing a funding stream through federal, state, and local partnerships is important for successfully addressing groundwater contamination. Our team has worked closely with other California communities including Los Angeles Department of Water and Power (LADWP) and the San Gabriel Basin Water Quality Authority (WQA) to authorize federal remediation projects to address perchlorate contamination and other volatile organic compounds VOC's found in the local water supply. These federal appropriations have contributed to the design, construction, and operation of water projects to contain and treat spreading groundwater contamination in the San Gabriel and Central Groundwater Basins. To date, we have successfully secured over \$85 million in direct federal funding to support these cleanup efforts.

The federal government offers a number of funding and financing programs to help alleviate the local burden on these projects. Programs include the EPA's low interest loan program (WIFIA) established by Congress in 2014, the Bureau of Reclamations Title XVI water recycling and restoration program, and the State Revolving Loans (SRF) program through the EPA.

Federal funding for large groundwater remediation projects has been stymied in recent years due to the lack of congressionally directed earmarks. However, even with the focus moving to the federal agencies, Congress holds the power of the purse and is responsible for overseeing Agency allocation of funding. Our firm's past experience and proven success places our team in an ideal position to assist the Agency with its groundwater contamination needs.

### **Legislative Monitoring and Guidance Efforts**

VNF has nationally recognized expertise providing strategic policy guidance and legislative advocacy services to clients on a wide array of issues. Our team's broad exposure to the workings of Congress and the Executive Branch will enable the firm to closely monitor activities of interest to SCV Water.

We will seek to capture content generated by SCV Water to share with the California Congressional Delegation and key federal contacts, and we will provide writing and editorial support to the Agency in drafting background and position papers, testimony, correspondence,

and legislative language, as necessary. Furthermore, we will provide the following services to meet the goals set forth by SCV Water:

- Identify federal legislation of interest to SCV Water, monitor action on these initiatives, and advocate for the Agency's interests when appropriate.
- Communicate the Agency's interests to the appropriate elected representatives and staff, key Committee members, federal agencies, and other individuals.
- Provide full witness preparation services, including development of briefing papers and talking points when SCV Water officials are requested to testify before a Congressional committee or meet with legislative staff.
- Work with appropriate federal agencies and officials to resolve issues on Agency's behalf.
- Provide grass roots advocacy guidance in an effort to build broad local and regional support for SCV Water's priorities.

### Communications/Deliverables

VNF Solutions will provide the City with written monthly updates and an annual report detailing developments on significant issues and actions taken to address SCV Water interests and priority issues. In addition, we will monitor relevant activities pertinent to any legislation, rules, or regulations, and other Federal policies or programs that may affect the Agency and its citizens, either directly or indirectly, and provide briefings, as needed.

## **E. WORK PLAN**

Once selected, our team will work immediately with SCV Water Board of Directors and staff to:

- Understand existing project funding agreements with federal agencies, proposals, and appropriations requests submitted and develop an action plan. (first 30 days)
- Travel to SCV Water for meetings with SCV Water Board of Directors and staff and perform site visits of SCV Water facilities and projects. (first 30 days)
- Identify upcoming grant opportunities that meet the goals and objectives of SCV Water's strategic plan and legislative platform and assist Agency staff in drafting, editing, and reviewing proposals prior to submission. (first 30 days and ongoing)
- Alert SCV Water staff to legislation which the Agency can support or oppose. (first 30 days and ongoing)
- Engage with the congressional delegation members and staff who represent the SCV Water in Congress of the Agency's priorities and objectives. (first 30 days and ongoing)
- Alert the water industry associations and coalitions of SCV Water priorities and objectives. (first 30 days and ongoing)
- Represent SCV Water priorities within Congress by tracking legislation and regulations which benefit SCV Water and its customers. (ongoing basis)
- Develop a funding strategy for SCV Water's capital projects. (within 3 months)
- Provide an appropriations status report on funding amounts and riders of importance to SCV Water, as well as an overall legislative synopsis of year-end activities. (within 4 months and ongoing)
- Develop, draft, and introduce any legislative measures meeting SCV Water's strategic plan or legislative platform as directed by the Agency. (within 4 months and ongoing)
- Assist SCV Water with requests for the fiscal year 2021 appropriations cycle, including drafting and submittals. (within 9 months)
- Provide an annual report to SCV Water on activities and accomplishments of our team on behalf of the Agency. (within 12 months)

## **F. COST PROPOSAL**

Van Ness Feldman is committed to providing efficient and valuable work to our clients. Based upon the scope of work included in the RFP, and the issues that SCV Water wishes to address at the federal level, we propose a monthly retainer of \$15,000.00, plus any reimbursable expenses, for year one of the contract.

Reimbursable expenses would consist of reasonable lobbying expenses (i.e. ground transportation to and from meetings) and any additional travel expenses incurred as a result of a request by the SCV Water for meetings with Agency officials and staff to establish and implement federal goals and objectives.

If selected, we welcome further discussions about our cost proposal during our initial negotiation process.

## **G. PROPOSAL VALIDITY**

This proposal and its contents will remain valid until April 29, 2020 and constitutes our acceptance of all terms and conditions within the RFP.



**ITEM NO.  
2.4**

*PROPOSAL TO PROVIDE FEDERAL LEGISLATIVE ADVOCATE SERVICES FOR THE:*

***Santa Clarita Valley Water Agency***



*Submitted by:*

*Geoff Bowman & Pete Evich  
Van Scoyoc Associates Inc.  
800 Maine Avenue Southwest  
Suite 800  
Washington, D.C. 20024  
202-737-8165  
[gbowman@vsadc.com](mailto:gbowman@vsadc.com)*

*April 26, 2019*

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## Cover Letter

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April 26, 2019

Kathie Martin  
Public Information Officer  
Santa Clarita Valley Water Agency  
26501 Summit Circle  
Santa Clarita, California 91350

Dear Ms. Martin:

On behalf of Van Scoyoc Associates, Inc., (VSA) I am honored to provide you with our qualifications for federal advocacy services to the Santa Clarita Valley Water Agency (SCV Water). We have extensive experience working on behalf of water districts, advocating for federal funding, passing legislation, and modifying regulations and agency policies to address local and regional concerns.

VSA is uniquely qualified to represent SCV Water. Our proposed team has experience influencing legislation, regulations, guidance, and permitting in ways that can expedite projects and programs. This knowledge has been gained through our backgrounds as former Capitol Hill staff, as well as our decades of experience representing local government entities on issues dealing with the U.S. Army Corps of Engineers, the Department of the Interior, and the Environmental Protection Agency (EPA).

We have assembled a team for SCV Water that I believe is ideally suited to meet your needs. Vice Presidents Geoff Bowman and Pete Evich will be your VSA team for SCV Water.

Mr. Bowman recently served as the Staff Director for the House Transportation and Infrastructure Committee's Water Resources and Environment Subcommittee, where he shepherded passage of the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016. He has almost 20 years of experience in public policy as it pertains to the nation's water resources development infrastructure. He can be contacted at 202-737-8165 or [gbowman@vsadc.com](mailto:gbowman@vsadc.com) regarding questions relating to these qualifications.

Mr. Evich has been helping water agencies and local government entities achieve their federal priorities before Congress and Executive Branch agencies for over 16 years as a principal at Van Scoyoc Associates. Mr. Evich, a former Legislative Director for a California House Member who served on the Energy and Water Appropriations Subcommittee and Chaired the House Natural Resources Subcommittee on Water and Power. He can be contacted at 202-737-8728 or [pevich@vsadc.com](mailto:pevich@vsadc.com) regarding questions relating to these qualifications.

Thank you for the consideration of our qualifications. VSA's proposal will be valid for a period of twelve months from the closing date of this solicitation. VSA would be honored to work on behalf of the Santa Clarita Valley Water Agency and help achieve your federal objectives.

Sincerely,



H. Stewart Van Scoyoc, President and CEO

## Experience

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### Demonstrated Successes

The availability of water and the maintenance and growth of water infrastructure and treatment services are major issues for entities throughout the nation, including the Santa Clarita Valley Water Agency (SCV Water). According to Environmental Protection Agency (EPA) estimates, national clean water needs exceed \$270 billion, while national drinking water needs exceed \$380 billion.

VSA has extensive experience representing water districts, cities, counties, and state agencies to address water resource issues of supply, quality, water, stormwater management, and flood control. Our professionals also have a broad range of expertise related to the laws that impact these issues, like the Water Resources Development Act, the Clean Water Act, the Endangered Species Act, the Fish and Wildlife Coordination Act, the National Environmental Policy Act, and countless other statutes that govern the nation's water resources and public lands. We have helped our clients achieve success in water infrastructure issues including the development of water supply and reuse, stormwater management, improvement of wastewater treatment systems, planning and construction of flood damage reduction projects, and guiding clients through contentious processes involving biological opinions. VSA also advocates each year for funding for the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, and the Water Infrastructure Finance and Innovation Act (WIFIA) loan program.

VSA has experience working closely with the Army Corps of Engineers (Corps), the Bureau of Reclamation, the Federal Emergency Management Agency, the Environmental Protection Agency, the Department of Defense, the United States Department of Agriculture, and the United States Fish and Wildlife Service. Additionally, VSA has strong working relationships with the House and Senate Appropriations Committees, the House Transportation and Infrastructure Committee, the House Natural Resources Committee, the Senate Energy and Natural Resources Committee, and the Senate Environment and Public Works Committee. VSA also coordinates with many national associations such as the National Water Resources Association, the National Association of Clean Water Agencies, the Association of Metropolitan Water Agencies, the National Association of Flood and Stormwater Management Agencies, the National Waterways Conference, the Association of California Water Agencies, the California Association of Sanitation Agencies, and the WateReuse Association, on issues of national importance.

VSA has had continued success over the years engaging with the Army Corps of Engineers on behalf of our clients. We ensure that we are up-to-date on the major policy proposals and changes at the Army Corps of Engineers, while maintaining focus on our clients' individual projects. We have helped clients get a feasibility study initiated or accelerate a current study or construction project. We work to ensure that both Congress and the Army Corps of Engineers understands the importance of projects to the local community and help to advance projects towards completion.

VSA prides itself on demonstrated success in securing funds for projects and programs of interest to SCV Water. We have worked extensively with the Army Corps of Engineers to help clients receive federal funding in the absence of earmarks for water infrastructure projects. Over the past three years, VSA has helped two water districts receive over \$11 million in funding from the Army Corps of Engineers annual work plan for environmental infrastructure projects and obtained a significant reimbursement for a client that funded part of a federal flood damage reduction project. VSA has also obtained several project authorizations and project modifications on behalf of our clients in the 3 most recent Water Resources Development Acts in 2014, 2016,



and 2018. We have also worked directly with the Corps to solve problems with projects or studies, encouraged the Corps to take quick action on studies, and worked proactively with the Corps to address potential problems.

In Fiscal Year 2019 alone, Van Scoyoc Associates was responsible for obtaining more than \$200 million for its clients through Army Corps of Engineers programs. These funds cover a spectrum of activities, including operation and maintenance, construction initiation and continuation, and funds to initiate phases of project studies, like preconstruction, engineering, and design.

Recently, VSA worked on behalf of our clients to make necessary changes to the Bureau of Reclamation Title XVI Reclamation and Reuse program. VSA was very engaged with Congressional Members and staff in both the House and the Senate regarding proposed language to convert the existing Title XVI program into a competitive grant program. Ultimately, the language was incorporated into the final bill passed in the 114<sup>th</sup> Congress, the “Water Infrastructure for Improvements to the Nation (WIIN) Act.”

VSA has the ability to form coalitions to help our clients achieve success. VSA helped organize a coalition of local government entities working with the National Association of Counties, the National League of Cities, and the U.S. Conference of Mayors to modify pending stormwater mandates for local governments. The success of this coalition effort resulted in subsequent EPA regulations that established less costly requirements for municipalities whose separate storm sewer systems would be treated as industrial dischargers. Our efforts helped persuade EPA not to move forward with additional stormwater regulations that would have proven to be very costly to local governments. Additionally, VSA works with several national associations on the Army Corps of Engineers and Environmental Protection Agency’s recent rule to define the Waters of the United States (WOTUS).

## References

VSA is proud of our track record representing local government entities. Below are a few of our current clients.

### **Eastern Municipal Water District, CA**

Van Scoyoc Associates has represented Eastern Municipal Water District (EMWD) since 2005 on water supply, water reliability, groundwater recharge, and water desalination. VSA has successfully represented EMWD before the Corps of Engineers, helping EMWD receive over \$10 million in work plan funds over the last four fiscal years. VSA also helped EMWD receive grant funding from the Bureau of Reclamation for a water desalination pilot project.

Contact: Jolene Walsh, Senior Director of Public and Governmental Affairs  
Eastern Municipal Water District  
2270 Trumble Road  
Perris, CA 92570  
(951) 928-3777 x 4347  
[walshj@emwd.org](mailto:walshj@emwd.org)

### **West Basin Municipal Water District, CA**

Van Scoyoc Associates has represented West Basin Municipal Water District (WDMWD) since 2017 on water supply, water reliability, groundwater recharge, and water desalination. One of our key efforts has led to obtaining legislation modifying an existing Corps of Engineers environmental infrastructure project in the vicinity of Los Angeles, California. The modification includes increasing the authorized level of funding by \$35 million to expand the distribution system for the Harbor-South Bay project. This legislation is currently incorporated in

both House and Senate Water Resources Development Acts, which is anticipated to be enacted before the end of 2018.

Contact: E.J. Caldwell, Esq.; Water Policy and Resources Development Manager  
West Basin Municipal Water District  
17140 S. Avalon Boulevard  
Carson, CA 90746  
(310) 660-6286  
[Edwardc@westbasin.org](mailto:Edwardc@westbasin.org)

**San Joaquin County Flood Control Agency, CA**

Van Scoyoc Associates has represented the San Joaquin County Flood Control Agency (SJAFCA) since 2005 on flood control and flood insurance issues. VSA has successfully represented SJAFCA before the Corps of Engineers, helping SJAFCA receive funding for the Lower San Joaquin River Feasibility Study in work plan over the last several fiscal years. Last year, VSA assisted SJAFCA is securing Congressional language to authorize the agency's \$1 billion flood control project in a major water measure that was signed into law. Additionally, VSA has helped SJAFCA address policy and regulatory issues with the Federal Emergency Management Agency.

Contact: Chris Elias, Executive Director  
San Joaquin Area Flood Control Agency  
22 E. Weber Avenue, Room 301  
Stockton, CA 95202  
(209) 937-8339  
[Chris.Elias@stocktonca.gov](mailto:Chris.Elias@stocktonca.gov)

## **Description of Your VSA Team**

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VSA has extensive experience representing water districts in Washington, D.C. We are uniquely qualified to ensure effective advocacy for the Santa Clarita Valley Water Agency (SCV Water) most critical federal legislative issues. VSA will help SCV Water define specific goals and objectives, develop strategies to achieve those objectives, and undertake all the work necessary to secure funding and authorization for SCV Water's projects and programs. Your VSA team will bring close working relationships with House and Senate leaders of both parties and will use them to ensure that SCV Water's interests are advocated at the highest levels of Congress.

**Geoff Bowman** is one of the nation's leaders on water resources and infrastructure policy. Having spent 15 years as a Professional Staff Member at later Staff Director on the House Transportation and Infrastructure Committee, Geoff offers clients an insider's perspective on the policy, players, and politics involved in those issues.

Before joining VSA 18 months ago, Geoff was the Staff Director of the House Transportation and Infrastructure Committee's Water Resources and Environment Subcommittee, where he shepherded passage of the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016. Prior to that, he was instrumental in the passage of WRDA 2007, WRRDA 2014, and other critical water quality laws. Geoff has also worked closely with the many federal agencies under the Committee's jurisdiction, including the Army Corps of Engineers and the Environmental Protection Agency (EPA).

Geoff's nearly two decades of water and infrastructure policy experience make him a valuable resource to states, communities, and other organizations looking to partner with the federal government. He can guide clients through both the legislative process and the bureaucracy at the Corps, EPA, and other relevant federal agencies.

**Pete Evich** has been providing advice on a wide range of issues to Members of Congress and to clients for over two decades. Drawing on his experience as a top aide for a Member of the California Congressional Delegation and Appropriations Committee, Pete guides his clients through the often complex legislative and administrative processes in the areas of appropriations, health care, transportation, and natural resources.

Clients particularly value Pete's wealth of relationships with Members and staff on key Committees and throughout the federal agencies. As a Vice President at VSA, he is well-regarded for his experience and know-how in developing and implementing advocacy plans tailored to achieve the specific goals of each client. He has an impressive record helping clients achieve their federal objectives, including securing legislative language, stopping or amending adverse Congressional proposals or agency regulatory policies, and securing federal funding.

In addition to providing federal representation to cities, water districts, and other public entities, Pete has become a leading policy expert in integrative health. He serves as a voice in Washington for long-established trade associations in the dietary supplement and homeopathic drug industry.

## Qualifications

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Van Scoyoc Associates (VSA) is a bipartisan, full-service federal government relations firm that provides comprehensive Legislative and Executive Branch strategic advice, liaison service, and advocacy. VSA's strength lies in our ability to work with federal decision-makers to achieve our clients' objectives. VSA is known for substantive and procedural knowledge and broad experience, allowing VSA to develop and implement creative solutions to seemingly intractable problems. Simply put, we are known for achieving results.

VSA was established in Washington, D.C. in 1990 by H. Stewart Van Scoyoc. Our office is located minutes from Capitol Hill and many federal agencies and houses all our employees. The company's organization is anti-bureaucratic and designed for quick action. Our personalized team approach allows us to tailor a government relations strategy to fit each client's needs. The formula for our success lies in the fact that we remain engaged with our clients daily through every step of the legislative and regulatory process. This hands-on approach assures our clients they receive the highest level of professional service, resulting in greater success. Thus, our retention rate is higher than our competitors.

We have a strong track record of working with key legislators, committee staff, and federal agency officials under the highest ethical standards and professional conduct. We are well experienced in all aspects of federal advocacy and can help ensure the SCV Water's federal agenda is fully implemented. We have assembled a team for that is ideally suited to meet your needs. These professionals have the knowledge, skills, and relationships in Washington to successfully represent and carry out your agenda. While Geoff Bowman and Pete Evich will be working on your behalf on a day to day basis, they will be able to access the skills and relationships of the entire VSA workforce of 60 professionals if needed.

Geoff Bowman and Pete Evich have spent decades working with and working on behalf of municipal water districts. Both Geoff and Pete are sought after for their experience with the Army Corps of Engineers, the Environmental Protection Agency, and the Bureau of Reclamation. However, it is not uncommon for municipal water districts like SCV Water to interface with other federal agencies like the Department of Defense, the Federal Emergency Management Agency, the Department of Agriculture, the Department of Commerce, and other relevant federal agencies on behalf of our municipal water district clients.

By way of example of ongoing work, Geoff Bowman and Pete Evich are currently working with municipal water district clients in California and Texas related to Department of Defense installation sustainability initiatives to ensure stable and secure sources of water supplies for decades in the future for the Department of the Air Force and the Department of the Army respectively.

## Scope of Work

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VSA will be SCV Water's "eyes and ears" and "arms and legs" in Washington, D.C., providing timely information on all legislative and budgetary issues of concern. We will provide up-to-the-minute information and analysis to SCV Water officials and staff. We will identify and define short and long-term funding trends well before they become apparent and identify the intersection of SCV Water's priorities and federal opportunities. We will work with SCV Water's Congressional delegation and their staff, key authorizing committees, and officials at the federal departments and agencies to emphasize your budget and policy priorities, and in that context, help shape your legislative strategy.

VSA will maintain day-to-day contact with Senators Dianne Feinstein, as well as Representative Katie Hill and other Congressional leaders and senior staff. We will provide liaison services as needed to the Congressional committees to implement SCV Water's legislative strategy. We will also reach out to other Congressional offices in California on issues of regional or national significance. VSA will keep your Congressional delegation abreast of the SCV Water's funding and legislative priorities. In addition, VSA will help raise SCV Water's profile among the Congressional committees and federal agencies, making the SCV Water more competitive for grant funding and ensuring that legislation addresses your needs.

VSA will monitor all legislation and federal agency actions important to SCV Water. Based on your priorities, VSA will track the progress of legislation and advocate your position on pending legislation, seeking to introduce, support, revise, or halt bills that affect SCV Water. VSA will also monitor regulations and policy developed in the federal agencies. We will confer with agency officials to ensure that the SCV Water's concerns are addressed. We have influenced federal actions in such diverse matters as navigation improvements, floodplain management, stormwater, and the environment. VSA will coordinate actions with many national associations such as the National Water Resources Association, the National Association of Clean Water Agencies, the Association of Metropolitan Water Agencies, the National Association of Flood and Stormwater Management Agencies, the National Waterways Conference, the Association of California Water Agencies, the California Association of Sanitation Agencies, and the WaterReuse Association to ensure SCV Water priorities are also their priorities.

VSA has extensive experience representing municipal water districts in Washington, D.C., and we are uniquely qualified to ensure effective advocacy for SCV Water's most critical federal legislative issues. VSA will help SCV Water define specific goals and objectives, develop strategies to achieve those objectives, and undertake the work necessary to secure funding and authorization for SCV Water's projects and programs.

For instance, each year VSA advocates for increased funding levels for programs of importance to our clients. We work with agencies, as well as the Office of Management and Budget to ensure project-specific items are included in the President's budget. As the Congressional appropriations process follows, VSA engages Members of Congress and the Committees of jurisdiction to advocate for programmatic funding in the annual appropriations bills.

VSA will leverage our experience with the federal agencies and program contacts to track and anticipate upcoming grant opportunities and eligible program funding based on budget execution plans and federal appropriations. We will identify short-term and long-term funding trends and opportunities, often before they become officially announced. We will work with SCV Water to seek agency advice and understand agency priorities prior to the submission of your grant applications. We will list strategies, review criteria, milestones, schedules, responsible assignees for input, and recurring coordination to measure progress. As part of the

specific coordination steps, VSA will include meeting with the agency grant representatives during the preannouncement time window to screen proposal ideas, eligibility, and other criteria. Additionally, we will let the federal agencies know that SCV Water plans to submit a grant application. This approach has led to successful grant awards for our clients.

VSA will reach out to your Congressional delegation to engage them at the appropriate time in support of your authorizations, funding, and grant requests. In addition, we will identify and seek out the key Committee Members and their staffs to educate. VSA will schedule meetings so that SCV Water is delivering the right message to the right person at the right time. VSA will work with SCV Water to produce materials to leave behind at meetings that succinctly describe the ask. Also, VSA will draft letters to legislators, regulators, and administration officials as well as draft letters for legislators to send to those officials expressing support for the SCV Water agenda. VSA will draft legislative language and amendments as needed to achieve SCV Water's goals.

Washington has seen significant changes in advocacy in recent years. Securing federal funding or affecting legislation and regulations now requires an understanding of the new environment and an ability to work with both the Congress and the federal agencies. Your federal advocates need to understand every aspect of working with your Congressional delegation, the leadership of Congressional committees, and federal agency staff. They need to have the ability to access a Senator's office, understand program requirements, prepare detailed legislative submissions, and be aware of how policy proposals will impact SCV Water and your customers. For these reasons, securing the federal resources needed to advance your priorities will require vigilance, expertise, and a coordinated and sustained effort.

VSA's professionals also have extensive experience working with Executive Branch departments and agencies, having either carried out oversight actions while on Capitol Hill, helped write the laws that impact these departments and agencies, or with them to help clients resolve policy or regulatory issues. We know how to help SCV Water navigate the policy, budgetary, and legislative processes to secure funding, grants, and address changes in regulations. We have worked issues from the lowest levels of an agency through the Office of Management and Budget and the White House. The VSA team for SCV Water brings an insider's understanding of how, when, and where decisions are made on budget proposals, legislative initiatives, new regulations, and grant awards that affect municipal water districts. We meet regularly with both senior political appointees and career officials at the Bureau of Reclamation, the Army Corps of Engineers, the Environmental Protection Agency, and the Department of Agriculture, the Federal Emergency Management Agency, and the Department of Defense. VSA will use these connections, coupled with our experience, to ensure that federal agencies understand your needs and how federal programs either help or adversely impact your customers.

Communication is critical to the success of any relationship. Through the course of our work experience, we have found that it is not uncommon to spend as much time communicating with the client as we spend advocating your agenda to federal officials. VSA prides itself on ensuring the client has the most up-to-date information available and that opportunities and progress toward achieving them are well-understood. VSA will establish open lines of communication with SCV Water officials and staff through both regularly scheduled and time-sensitive phone calls and emails. We also anticipate and commit to at least one visit each year to SCV Water to meet with officials and senior staff as appropriate.

VSA will work with SCV Water to draft and implement a federal advocacy plan. Additionally, VSA is committed to preparing and submitting regular reports on activities and meetings, as well as time-sensitive reports on federal activities that affect each part of this process. These reports may include summaries of Congressional hearings, committee meetings, floor debates, regulatory actions, budgetary proposals, and third-party analysis

of issues of concern. VSA will also draft legislation as needed, analyze relevant federal proposals, and prepare briefings and updates for dissemination to SCV Water officials and staff.

VSA will work with SCV Water to build and communicate local grass roots support for each project and activity to demonstrate local needs and benefits, and work with SCV Water to communicate local and regional support of priorities to the Congressional delegation. VSA will also work to mobilize the support of national coalitions and organization to advance SCV Water's agenda to ensure your interests are reflected in the broader efforts of these associations.

VSA will maintain day-to-day contact with your Congressional delegation and other Congressional leaders and senior staff. We will provide liaison services as needed to the Congressional Committees to implement SCV Water's legislative strategy. We will also reach out to other Congressional offices in California on issues of regional or national significance. VSA will keep your Congressional delegation abreast of the SCV Water's funding and legislative priorities. In addition, VSA will help raise SCV Water's profile among the Congressional committees and federal agencies, making SCV Water more competitive for grant funding and ensuring that legislation addresses your needs.

VSA will handle all aspects of coordinating SCV Water's Washington, DC lobby trips. Prior to your arrival in Washington, VSA will prepare a list of potential meetings for SCV Water officials and staff to attend. Once the SCV Water has reviewed and approved the potential meeting list, VSA will schedule all meetings on Capitol Hill and with the federal agencies. Upon arrival in Washington, VSA will brief SCV Water officials and staff prior to our meetings to ensure that the proper message and tone is conveyed in each meeting. We will attend all meetings and complete all follow-up items resulting from the meetings.

The VSA team has close working relationships with House and Senate leaders of both parties and will use them to ensure that IRWD's interests are advocated at the highest levels of Congress. On the Senate side, VSA has close relationships with Senate Majority Leader Mitch McConnell, Majority Whip John Thune, and Democratic Leader Senator Chuck Schumer. On the House side, we have close working relationships with senior staff in the Offices of Speaker Nancy Pelosi, Majority Leader Steny Hoyer, Minority Leader Kevin McCarthy, and Minority Whip Steve Scalise. In addition, your VSA team's experience working for Congressional committees and advocating for existing clients before both House and Senate has allowed us to maintain working and personal relationships with key committee Members and their staffs. The upcoming election and retirements and reassignments will bring new faces to leadership positions. VSA can quickly identify the new targets that need to be approached and educated.

Similarly, we have worked with the Army Corps of Engineers, the Bureau of Reclamation, the Environmental Protection Agency, and the Office of Management and Budget for decades. At those, and other Executive Branch agencies, we maintain relationships with the political appointees, high-level leaders, and senior executives.

## Work Plan

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The House and the Senate have placed a moratorium on earmarks. In the absence of earmarks, VSA is equally effective in advocating for federal program funding important to clients and seeking discretionary grants from federal agencies. VSA is well-positioned to help the SCV Water navigate this changing environment in Washington, D.C. It is increasingly important to work with the various federal agencies to secure discretionary grant funding. VSA prides itself on demonstrated success in securing funds for projects and programs of interest to SCV Water. Without earmarks, more of the project funding decisions are made in the federal agencies. We can help SCV Water manage the policy, budgetary, and legislative processes to secure grants.

VSA follows each step of the federal funding process to find opportunities to input clients' fiscal requirements. Each year, VSA advocates for increased funding levels for programs of importance to our clients in the President's budget. We work with agencies, as well as the White House Office of Management and Budget, to ensure project-specific items are included in the President's budget, and annual agency work plans. As the Congressional appropriations process follows, VSA engages Members of Congress and the appropriate committees to advocate for programmatic funding in the annual appropriations bills.

VSA will reach out to your Congressional delegation, Senators Dianne Feinstein and Kamala Harris, as well as Representative Katie Hill, to engage them at the appropriate time in support of your grant and other funding requests. We can also explore new initiatives with federal agencies, allowing you to develop programs and projects consistent with federal objectives. Additionally, should SCV Water submit a grant application and be unsuccessful, VSA can help set up a debriefing meeting with the respective federal agency to find out how the City can submit a more competitive application in the future.

The Request for Proposal mentions several SCV Water funding priorities, like emergency storage, recycled water, stormwater capture, emergency repairs, and water conservation. In addition, the region has sought and continues to seek funding for groundwater remediation due to perchlorate contamination. VSA has also reviewed the 2019 Legislative Platform, which was adopted by the SCV Water Board of Directors on November 15, 2018.

After award of a contract, Geoff Bowman and Pete Evich would visit SCV Water for a brief tour and overview of your facilities. Following that, VSA would propose to hold strategic discussions to review each one of SCV Water's funding, legislative, and regulatory priorities, and then identify potential federal funding programs and other federal initiatives applicable to the specific water challenge. This strategic mapping exercise allows SCV Water to set priorities and provides clear guidance to VSA professionals who will carry out the monitoring, strategic development, and advocacy for each of the priorities.

VSA professionals are monitoring and influencing as many as 3 federal budget cycles at one time. Geoff Bowman and Pete Evich are working on behalf of clients who are receiving funding through Fiscal Year 2019 Appropriations, working on behalf of clients who are seeking funding through Fiscal Year 2020 Appropriations, and working on behalf of clients who are seeking funding through the Fiscal Year 2021 President's Budget, due for delivery to Congress in February 2020. In addition, some federal agencies like FEMA have unspent funds from previous natural disasters stretching back to 2005.

In carrying out strategic planning for funding priorities for SCV Water for Fiscal Year 2020, VSA would recommend immediate engagement with its Congressional delegation and with the House and Senate



Committees on Appropriations. While the Committees have largely completed their hearings for Fiscal Year 2020, the annual House of Representatives Appropriations bills will be “marked up” during the month of May 2019 and likely approved on the Floor during the month of June 2019. Typically, the Senate process runs a few weeks behind the House process, with a goal of having all the Appropriations bills delivered to the President for his signature no later than the end of the Fiscal Year 2019 on September 30, 2019.

However, since the 1990’s, Congress has missed the Fiscal Year deadline for most of the Appropriations bills. By way of example, for Fiscal Year 2019, while several bills were sent to the President on September 21, 2018, including legislation funding the Bureau of Reclamation and the Army Corps of Engineers, a significant number of the Fiscal Year 2019 Appropriations bills were not sent to the President until February 2019.

VSA begins its planning process for the next fiscal year and following fiscal year during the summer and fall of the current fiscal year. For instance, VSA would recommend begin setting priorities for the President’s Fiscal Year 2021 Budget and Fiscal Year 2021 Congressional Appropriations no later than the period between July and September 2019. This provides SCV Water the opportunity to influence decision-makers at the agencies like the Bureau of Reclamation, the Army Corps of Engineers, and the Environmental Protection Agency during the development of the President’s Fiscal Year 2021 Budget. We would also recommend engaging with the White House Office of Management and Budget at this time to ensure they are aware of SCV Water’s priorities.

After engaging the Executive Branch in the summer and fall of 2019, VSA would encourage SCV Water to engage its Congressional delegation and the House and Senate Committees on Appropriations in February or March 2020 to ensure they are familiar with SCV Water’s priorities for Fiscal Year 2021. To ensure your voices are heard, VSA would recommend executives and Board Members of SCV Water take 1 or 2 trips annually to Washington, D.C.

## ***Rate Schedule***

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Van Scoyoc Associates structures its relationships with clients in a way that ensures complete and open communication. We typically charge a flat fee for services on a monthly retainer basis. We believe this payment structure allows for open and unhindered communication with our clients. We base our retainer rates on the number of principals and staff devoted to a client and the expected scope of work.

While negotiable, based on our initial analysis of the scope of work for SCV Water, VSA proposes a full and complete Professional Government Relations Advocacy Services for a monthly retainer of \$10,500, with the addition of reasonable costs for directly related business expenses, which VSA would offer to cap at \$5,000 annually. Long-distance, pre-approved travel, if required, would be in addition to these amounts. All legislative advocacy services/activities outlined in the proposal would be included in the monthly retainer rate. As previously stated, VSA's proposal will be valid for a period of twelve months from the closing date of this solicitation.

**GEOFF BOWMAN**

800 Maine Avenue SW, Suite 800, Washington, D.C. 20024, 202-737-8165, [gbowman@vsadc.com](mailto:gbowman@vsadc.com)

**PROFESSIONAL EXPERIENCE**

**2017-Present Vice President, Van Scoyoc Associates**

Washington consultant and advocate for municipal water districts, public and private seaports and inland ports, flood control districts, and other entities with water resources development challenges. Represent clients before the U.S. Congress and federal agencies. Specialize in issues related to water supply, water quality, navigation improvements, flood damage reduction improvements, environment, water rights, transportation, public works, and energy. Negotiate and write federal legislation and regulations. Work effectively with all level of government, private business, and news media. Organize coalitions of interest groups and individuals seeking to influence public policy.

**2003-2017 Professional Staff (2003-2014) and Staff Director (2014-2017), House of Representatives Committee on Transportation and Infrastructure**

Advised Members of Congress on legislative matters within the jurisdiction of the House Committee on Transportation and Infrastructure. Developed and evaluated policy alternatives for matters within the Committee's jurisdiction through specialized knowledge and expertise. Represented the Committee during legislative and policy negotiations, discussions, and other activities. Directed, managed, and promoted Committee agenda related to issues relevant to the United States Army Corps of Engineers, the Environmental Protection Agency, the Tennessee Valley Authority, the Natural Resources Conservation Service, the National Ocean Service, the International Boundary and Water Commission, and the St. Lawrence Seaway Development Corporation.

**2000-2003 Senior Legislative Assistant, Representative Walter Jones (R-NC)**

Drafted legislation, floor statements, speeches, and constituent correspondence. Developed and evaluated legislation related to natural resources, transportation, energy, commerce, budget, appropriations, agriculture, and trade. Managed constituent and interest group relations in relevant areas. Responsible for all of Congressman Jones's parochial matters on the House Committee on Natural Resources, including forest health, public lands, and fisheries.

**1999-2000 Legislative Director/Senior Legislative Assistant, Representative Rick Hill (R-MT)**

Drafted legislation, floor statements, speeches, and constituent correspondence. Developed and evaluated legislation related to natural resources, transportation, energy, commerce, budget, appropriations, agriculture, and trade. Managed constituent and interest group relations in relevant areas. Responsible for all of Congressman Hill's parochial matters on the House Committee on Natural Resources and House Committee on Small Business.

**1995-1999 Manager, Congressional Relations, The Environmental Industry Associations**

Advocate, and grassroots program manager for national trade association representing waste management, equipment, and technology industries. Monitored legislative and regulatory activities for three trade associations, National Solid Waste Management Association, Hazardous Waste Management Association, and WASTEAC.

**1993-1995 Staff Assistant, Senator Conrad Burns (R-MT)**

Wrote letters to constituents regarding legislative issues and other general information. Assisted systems administration and maintenance, user support and troubleshooting, and active mailroom operations.

**EDUCATION**

B.A. in Political Science, Elon University, Burlington, NC, 1993.

## PETER J. EVICH

800 Maine Avenue SW, Suite 800, Washington, D.C, 20024, 202-737-8728, pevich@vsadc.com

### PROFESSIONAL EXPERIENCE

2006 - Present **Vice President, Van Scoyoc Associates, Inc.**

Washington consultant and advocate for municipal governments, water districts, transportation districts, trade associations and energy and defense companies. Represent clients before the U.S. Congress and federal agencies. Specialize in issues related to land use, economic development, environment, water rights, transportation, public works, health care, energy, and bio-defense. Negotiate and write federal legislation and regulations. Work effectively with all level of government, private business, and news media. Organize coalitions of interest groups and individuals seeking to influence public policy.

2003 – 2006 **Associate Vice President, Van Scoyoc Associates, Inc.**

Washington advocate for municipal governments, water districts, transportation districts, trade associations and energy and defense companies. Represent clients before the U.S. Congress and federal agencies. Specialize in issues related to land use, economic development, environment, water rights, transportation, public works, health care, energy, and bio-defense. Negotiate and write federal legislation and regulations. Work effectively with all level of government, private business, and news media. Organize coalitions of interest groups and individuals seeking to influence public policy.

1998 – 2002 **Legislative Director, U.S. Representative John Doolittle (R-CA)**

Advised and consulted directly with Member of Congress on all legislative areas with a special focus on the Member's assignment to the House Appropriations Committee. Responsible for handling several issues, including: appropriations, transportation, health care, energy & natural resources, environment, defense, and business & regulatory related matters. Formulated and developed policy positions and initiatives. Recommended and implemented legislative strategies and tactics. Coordinated long-term and short-term legislative planning. Acted as a point of contact for corporations, interest groups, and key constituents for most legislative areas. Monitored and reported to Member on day-to-day legislative activity.

1994 – 1998 **Legislative Aide, U.S. Representative Dan Manzullo (R-IL)**

Assisted in the development of policy positions and legislative initiatives for the following issues: budget, appropriations, taxes, transportation, social security, health care, and business & labor. Prepared policy statements, drafted speeches, and wrote legislative briefing papers. Assisted in the drafting of press releases and coordination of media events. Recommended and managed several legislative initiatives.

### EDUCATION

B.A. Political Science, St. Joseph's University, Philadelphia, PA, 1993. M.A. Public Policy, George Washington University, DC, 1995.



ITEM NO.  
2.5

April 25, 2019

Santa Clarita Valley Water Agency  
*Attention: Kathie Martin, Public Information Officer*  
26501 Summit Circle  
Santa Clarita, CA 91350

Dear Ms. Martin,

Attached please find the response from Anchor Consulting, LLC to the Santa Clarita Valley Water Agency's (SCV Water) Request for Proposal (RFP). We appreciate the opportunity to respond to the RFP, as well as your attention to this document and review for your consideration.

The document was prepared and sent via Federal Express on April 25, 2019 at 4:00 PM. The point of contact within Anchor Consulting, LLC is:

Harry G. Henderson, Jr., Founder and Partner  
Anchor Consulting, LLC  
5101 Cherokee Avenue  
Alexandria, VA 22312  
Phone: (703) 333-6013 (office) -- (703) 927-5443 (cell)  
email: henderson@anchor-consult.com

We look forward to hearing back from you on this important document and discussing the matter in-depth and in-person. Furthermore, we thank the Agency for its continued support and for the long relationship with our firm and its professionals. Please feel free to contact me with any questions or comments you may have.

Thank you again for your review of this proposal and we stand ready to defend our efforts.

Sincerely,

Harry G. Henderson, Jr.  
Founder, Anchor Consulting, LLC



**Proposal for Federal Representation for the Santa Clarita Valley Water Agency (SCV Water)**

By Anchor Consulting, LLC ~ April 25, 2019

I. Anchor Consulting, LLC: Introduction, Background, Team, Qualifications and References:

Anchor Consulting, LLC is a government relations firm that focuses its professional expertise on strategically assisting not-for-profit organizations, local government agencies, and commercial concerns to create opportunities that result in the federal government investing resources in projects that enable our clients to advance their own causes and/or enhance performance. Anchor Consulting employs the government relations capabilities of strategy development, planning, lobbying, and in some cases, public relations, advertising, and opinion polling.

We are your staff in Washington dedicated to researching, writing, planning, targeting and executing the legislative, executive and federal agency strategies agreed upon by you. Our firm will be your source for information, intelligence and analysis of new ideas, government actions and opportunities that can help advance your goals.

*Experience:*

Our firm has represented the Castaic Lake Water Agency and subsequently SCV Water for the entirety of our existence. In total, Anchor professionals have worked with both CLWA and SCV Water in various capacities for over 24 years. We know and understand your needs, goals, and agenda. In fact, we have helped you write the entirety of your Federal agenda. Our founding partners included Scott Wilk, the current State Senator for the Santa Clarita Valley, and Harry Henderson, a long-time Congressional staff member for Representative Howard P. "Buck" McKeon.

*Consultant Team:*

- Mr. Henderson will serve as the lead team Member on this account and the primary point of contact for the Agency. He will be responsible for all Federal lobbying on your behalf as he has been for the past decade.
- We also have two grant writers on staff with our firm:
  - Mr. David Marks, the former Chief of Staff to the Maryland Department of Transportation and an elected County Councilman in Baltimore County, and
  - Ms. Mary Catherine Kulik, who is the past grant writer for two major water non-profit organizations and is based in San Francisco, California.
- Mr. Gary Schlueger will serve as a coordinator for activities with the United States Senate. He has worked with both CLWA and SCV Water in the past and understands your agenda. He has extensive contacts within the Senate and has worked closely with both Senator Feinstein and Senator Harris on a variety of issues. He has over 25 years of experience lobbying the United States Senate with a high level of success.



- Major (ret.) Don Wellen also will join the team as our resident expert of dealing with the Department of Defense. He has spent over 35 years working with the Department of Defense and the United States Navy in both procurement and reserve functions.
- Ms. Catherine Harper will handle all administrative actions within the firm associated with your account.

While Senator Wilk is not a current Member of our firm, he is still a key part of our culture. Senator Wilk is a trusted friend and colleague. We continue to work with him, and he provides crucial advice when necessary. While he is not specifically and directly involved in your affairs on our behalf, he is a key part of our long-term success.

A few quick points to know about our firm:

- Anchor Consulting has combined over 105 years of experience in the U.S. federal system, working with both the legislative and the executive branches of government.
- We are a "boutique" firm that is small enough to guarantee clients receive the full attention of all senior staff, and large enough to champion clients before the entire federal system.
- Anchor professionals have secured millions of dollars in federal funding for its clients - including all Federal funding that has been received by the Agency in the last fifteen years.
- Anchor professionals have worked with several municipal elected water agencies over the past fifteen years, including San Diego County Water Authority. We have represented issues ranging from the Delta to desalination to reclaimed/recycled water and perchlorate. We know the issues and landscape of California Water.
- Anchor has represented numerous elected municipal agencies including Community Colleges, School Districts, and Water Agencies in our past. We understand the challenges that come with an elected board and the benefits as well. We know how to work with you and the impact of both success and failure.
- We know the rules and regulations of individual federal agencies and specific accounts to target for our clients' projects. We understand how to develop and market initiatives for funding.
- We know the history of legislative and regulatory action, which impacts billions of dollars.

*References:*

While normally we would provide you with a list of outside references of our work capabilities, we have represented the Agency in all its forms for the past 15 years. We have worked closely with Dan Masnada, Matt Stone, Mary Lou Cotton, Dirk Marks, Steve Cole, and Kathie Martin. Each know what we are capable of and what we have done for the Agency. We would urge you to discuss our efforts with these



individuals as well as others throughout the Santa Clarita Valley. Specifically, we have represented Henry Mayo Newhall Hospital (Diana Vose and Roger Seaver), California Institute of the Arts (Steve Levine) and worked with the City of Santa Clarita (Mike Murphy). Please feel free to contact these individuals for a reference of what we are can accomplish.

## II. Statement of Proposed Approach to the Project (scope of work)

Specifically, Anchor sees the scope of the work being done for the Agency falling into three categories:

1. Obtaining Federal funding for targeted projects within the Agency’s goals (Federal Funding);
2. Developing positive relationships where possible across the Federal government, local community and affiliated organizations (Relationship building);
3. Identifying and assisting with key policy changes that are of importance to SCV Water (Policy Changes).

As you are aware, Anchor listens carefully to our clients. We listen to their concerns, their needs, wants and desires. We consider obstacles that they might not have otherwise considered. We want to know where they want the organization to be in three years, five years, ten years. We then craft a strategy and plan to meet those objectives and work diligently to make those efforts a reality. We have done this for the Agency for 15 years and we continue to do it today.

Per the RFP, you had requested that “proposals should incorporate various levels of support according to the following legislative goals...”. As such, below is where each of these goals falls into the scope of work that Anchor would be and has been performing. We have also included a brief statement about how that process would and has been taking place.

### 1. *Federal Funding*

- a. Pursue opportunities for funding for capital projects and other initiatives to benefit SCV Water and its customers, including but not limited to emergency water storage, recycled water, storm water capture and recharge, emergency repairs, conservation, and outreach.
- b. Monitor funding opportunities, whether through bond measures or the budget process, including advocating for inclusionary language in developing bond measures, that would assist in securing funding for Agency projects and initiatives.
- c. Act on those funding opportunities by assisting in the development of appropriate project/funding request submittals and shepherding the proposals through the process.
- d. Seek funding for groundwater remediation of perchlorate, Volatile Organic Compounds, and other contaminants or broader water quality issues that may arise.

### *Procurement of Federal funds:*

Over the years, we have been focused on delivering Federal funding for the Agency resulting mainly from the perchlorate contamination plume at the former Whittaker Bermite facility in the center of Santa Clarita. We have been successful in providing the Agency with a road map for Federal funds, but changes





in Congress as of late have hampered those efforts. However, we have changed our tactics and found a pathway forward in recent years that has resulted in a new line of Federal funds for the Agency.

Our strategy for the Agency moving forward is no different than it was 15 years ago when we first started working on your behalf. We want to sit down with the leadership of the Agency, identify the key points of interest, develop projects and funding streams for those efforts, and then put together a strategy for success. Much of this work is already done. Since the November elections, Anchor has worked closely with Steve Cole, Matt Stone, and Kathie Martin to establish a successful general message with your newly elected Member of Congress. However, there are clearly more steps that need to be taken to accomplish the goals of SCV Water.

While we are pleased that Anchor has been successful in obtaining \$6 million in funding for the Emergency Water Storage project and are on track for success in securing \$7 million for the procurement of Volatile Organic Compound filters from the Department of Defense, we echo the interest that some have made to get additional funds in higher dollar figures. For instance, we have been working with the Agency to identify a project that would fit within the Water Infrastructure Finance Investment Act (WIFIA); these projects have traditionally been funded in the \$40-\$80 million range. In fact, Anchor has been proposing to do something on this front for over 18 months.

Unfortunately, and to no one's fault, SCV Water is not currently prepared to seek that large a funding stream due to environmental restrictions and the like. However, Anchor and the Agency are in a strong position to move forward on these projects once environmental reviews are complete and a project can be formulated. As Matt Stone, Dirk Marks, and Steve Cole can attest, Anchor has been working and promoting this type of program for some time now.

## *2. Relationship Building*

- a. Maintain a representative presence in Santa Clarita Valley, Sacramento and Washington D.C., which monitors issues of importance to SCV Water and the Santa Clarita Valley community as a whole, and keeps respective offices informed of issues of interest to the Agency.
- b. Foster and nurture relationships with elected representatives and staff, relevant committees/staff, regulatory agencies, and other key people of influence in the water industry, on behalf of SCV Water.
- c. To actively engage with water industry associations and coalitions, other water industry advocates, and other affiliate organizations including but not limited to the SCV Chamber of Commerce and the Valley Industrial Association. Foster relationships with key personnel and perform related activities such as advocate for Agency positions and attend meetings as necessary.

### *Development of Relationships:*

For the first time in nearly 40 years, the Santa Clarita Valley is represented by a Democrat, Representative Katie Hill. Over the past four months, Anchor has developed a strategy to help improve and develop a



relationship with a new Member of Congress and one that had relatively little experience working with an Agency such as SCV Water. We re-wrote the entire Federal messaging agenda for the Agency. We established a plan of action and created a pathway forward.

The result of this effort has been a relationship that is the envy of most organizations within the Santa Clarita Valley. We have a standing, monthly appointment with her local District Office. We have a friendly relationship with her Senior Aide, Ben Steinberger, who contacts us on a regular basis to determine our position on initiatives of interest to the Congresswoman. We have tours scheduled with the Representative's office to identify the areas where her office can be helpful. Other entities within the Santa Clarita Valley have contacted the Agency, indicating they have been in communication with Rep. Hill's office, discussing their interest in SCV Water and its various Federal initiatives. In the Representative's Washington office, we are the only Santa Clarita Valley entity that has a prominently displayed plaque. To say our efforts here have been successful would be an understatement.

These efforts require maintenance. They require regular contact with the office to ensure that the staff and Member of Congress are aware of your needs and concerns are heard. We understand this and are prepared to continue this successful strategy with her office.

While the example of our work with Representative Hill's office showcases our capabilities, it is not the only example of our work. During the KHHS trip to Washington, Anchor assisted in setting up meetings, whether it involved the Agency, or not. For instance, just this past year, we helped set up meetings with the Department of Health and Human Services, the Department of Transportation, the US Chamber of Commerce's Hiring our Heroes program, the Department of Labor, the Department of Education, the House Education and Workforce Committee, ACWA, the Water Subcommittee of the House Transportation Committee, and the Motion Picture Association of America.

We did this because it would help the Agency develop relationships across the entirety of the Santa Clarita Valley (specifically with the SCV Chamber and VIA) as well as certain media outlets (KHHS and Carl Goldman). Furthermore, we regularly speak with groups such as ACWA and others to ensure that we are aware of what is going on within the industry that could impact the Agency. While these efforts did not result in a direct financial return, the reality is that the efforts were valuable to the Agency. Over the coming term of this contract, we would continue to work on efforts like these and others to ensure that the Agency is seen as a strong community partner.

### *3. Policy Changes*

- a. To actively engage with water industry associations and coalitions, other water industry advocates, and other affiliate organizations including but not limited to the SCV Chamber of Commerce and the Valley Industrial Association. Foster relationships with key personnel and perform related activities such as advocate for Agency positions and attend meetings as necessary.
- b. Monitor and track proposed legislation and regulations for impacts on SCV Water or its customers, on any of the ten principals identified in the SCV Water Legislative Policy Guidelines.



- c. Actively advocate in support of opposition to proposed legislation or regulations, to the benefit of SCV Water and its customers, in accordance with the adopted Legislative Guidelines.
- d. Work with the SCV Water Board of Directors and staff to identify any areas which might require the initiation of legislation.

### *Policy Changes that Impact the Agency*

Over the past 15 years, Anchor has followed, identified, and influenced countless policy changes that have impacted SCV Water. While Federal funding efforts are often thought of as the best way to judge success and failure, the reality is that policy often has as important a financial impact as any other aspect of what we do.

For instance, two years ago, the United States Congress completed a massive tax overhaul measure. In the beginning of that process, nearly four years prior, proposals were batted around about making municipal bond interest taxable income. There also were proposals suggesting that local municipalities that collect income should follow the same guidelines as private corporations. Both proposals would have had vastly negative impacts on the Agency. Anchor established a strategy and worked within a coalition to ensure that SCV Water was protected.

On the other side of that coin, SCV Water (at the time CLWA) was in the process of completing its purchase of the Valencia Water Company. The changes in the tax code saved the Agency significant financial resources (approximately \$3 million) because the terms of the tax bill allowed SCV Water to complete the sale at a time when the tax code would drop by over 18%. This is a savings to the ratepayers directly connected to our efforts.

At first glance, tax measures would not appear to be something that would impact a municipal water agency, but because Anchor understood the business of SCV Water, we knew how it could and would be of interest to the organization. We have numerous examples of legislation that is of importance to the Agency – whether it be PFAS, the CEMEX Mining operation, the Colorado River Plan, the California Drought measure, or others. Anchor has always been able to raise issues of importance and make sure that the Agency’s position is known to the right individuals in Congress and the Administration.

Moving forward, we will continue to identify these efforts and ensure that the right position is known and communicated effectively.

### III. DRAFT Work Plan, Schedule, Tasks and Milestones

Let us begin with a basic word of caution. The proposed work plan and schedule are just that -- proposed. The Federal government legislative and procurement process are often filled with delays and postponements. Issues arise that change the schedule and impact the ability for Congress or the Administration to complete tasks in a timely and, often, required fashion. This no fault of anyone, but rather just a political reality. As such, while we have a workplan/strategy put together, please understand that it is a draft plan and is flexible to the challenges we may realize.



From our vast experience working with the Agency, Anchor believes that two items are of critical importance:

- Obtaining the \$6 million in Emergency Storage funding; and
- Securing the \$7 million in Department of Defense funding associated with the Volatile Organic Compound filters.

Both of these items need to be completed over the next six to eight months.

### Emergency Water Storage Project

Anchor worked hard to ensure that this funding was included earlier this year for the Agency. It is part of a larger western drought relief measure. Anchor has already spoken to key Federal agency staff on this matter and have communicated with SCV Water on the timetable associated with the project. Given that the funding is available for two Fiscal Years (FY) from the date of award, Anchor and SCV Water need to delay the award until after October 1, 2019, to realize two additional years to utilize this funding. This is due to environmental actions that need to be completed prior to the funds being used. Our basic schedule is as follows:

- *Early August 2019* – Announcement of funding opportunities within the Federal Register
- *September/October 2019* – Anchor will assist the Agency in putting together the request for the funding associated with the project
- *November 2019* – Letters of support associated with the project provided by local/Federal elected officials
- *December 2019/January 2020* – Announcement of Award
- *October 2021* – Deadline for funds to be utilized

There are challenges to this effort. For instance, the recently approved Colorado River Plan has a lawsuit currently pending against the Metropolitan Water District. This has created some consternation within the Federal government about how to proceed with funding. There have also been concerns associated with activities of the new Interior Secretary on the Colorado River Plan and his former employment. We do not believe that these represent non-traversable obstacles, but they are challenges and Anchor will monitor and advise as best we can.

### Volatile Organic Compound (VOC) Filters

One of the best examples of the way that Anchor works is how SCV Water currently stands on the verge of realizing \$7 million in Defense Department funding for the four well filters associated with the perchlorate plume and VOC's. We worked closely with Steve Cole and others at the Agency to identify a recent court case where the Pentagon is required to provide 33% of all future costs associated with the remediation of the former Whittaker Bermite site.

Anchor took this information and worked with Representative Katie Hill and Senators Feinstein and Harris to require the Department of Defense to also pay for the filters for the impacted wells. By doing



so, we have identified a Defense Department account that can be used in the future for any and all perchlorate related funding needs.

While the FY2020 Defense Appropriations Act has not yet been approved, we have been informed that our request will be included in the House introduced measure. This is the first step in the process, but also a main reason why Anchor will be utilizing Don Wellen as a Defense Department expert on procurement.

A basic schedule for this project is as follows:

- *March 2019* – Requests for projects submitted (completed)
- *May 2019* – Draft of the FY2020 Defense Appropriations Act by the House Appropriations Committee
- *June/July 2019* – House consideration of the FY2020 Defense Appropriations Act
- *October to December 2019* – Final Consideration for FY2020 Defense Appropriations Act
- *March 2020* – Federal Register Announcement for funding
- *May 2020* – Awards announced
- *October 2021* – Deadline for funds expenditure

We would also note that Anchor would want to sit down with the leadership of SCV Water and begin to map out the next projects associated with the perchlorate plume and VOC's to ensure a steady stream of funding from this Defense account.

#### Mid-Term and Long-Term projects

In addition to the two mentioned above, Anchor believes that two additional legislative vehicles should be considered during the term of this contract. First, the Water Resources Development Act (WRDA) is expected to be considered in early 2020. This bi-annual authorization act, primarily for the Army Corps of Engineers, is a perfect location for projects associated with flood control and environmental remediation efforts. Anchor has already laid considerable ground work for this effort but will be working closely with SCV Water to ensure that our efforts are successful.

In addition to WRDA, Anchor has followed closely the recent efforts associated with Per- and Polyfluoroalkyl Substances (PFAS). This issue has come to the attention of Congress and specifically

Representative Katie Hill through her position on the House Government Reform and Oversight Committee. We expect that legislation on this topic will move sometime in the next 12 months. As such, Anchor wants to make sure that the Agency can utilize this measure for their own benefit. Over the next 10 months, Anchor would like to get a better understanding of this issue and its impact on SCV Water, prepare a project request, and then work with Representative Hill to ensure it is included in upcoming legislation. While this is not as pressing as the either the Emergency Water Storage project or the VOC

Filter program, we want to make sure that SCV Water is well positioned for success in the future on a topic that is likely to be considered and impactful moving forward.



Finally, Anchor understands and respects the desire of some board members to see larger financial returns similar to those in other communities. Anchor continues to urge the Agency to move toward a WIFIA project for recycled/reclaimed water as quickly as feasible. We fully understand that environmental impact statements are required and action cannot begin prior to that. However, in order to realize the kind of results that some Board Members have desired, Anchor would strongly urge the Agency to proceed when possible and we stand ready to move forward with this key opportunity for funding.

### Relationship Building

This is an ongoing effort. Anchor has helped to develop a strong relationship with Representative Hill. As we mentioned earlier, this effort requires maintenance. Anchor and SCV Water have developed a strategy, a basic message that has realized tremendous benefits for the Agency, and a continued presence with the Congresswoman's office. At the same time, Anchor continues to work with Senators Feinstein and Harris.

As we move forward with the Department of Defense and the former Whittaker Berrite site, Anchor is already working with the Pentagon to ensure a smooth transition for SCV Water to realize the funding opportunities through their accounts. Both Harry Henderson and Don Wellen carry security clearances and can access the Pentagon when necessary for the Agency.

We also expect that Carl Goldman will again come to Washington in 2020 with a group from the Santa Clarita Valley. Anchor will gladly continue our efforts to ensure broad meetings across numerous Government Agencies. We strongly believe that this effort pays dividends for SCV Water and the SCV Community at large. As we tell Mike Murphy, there are some issues that are just good for everyone. That is why we continue to meet with and talk to the other key Federal advocates for interests throughout the Santa Clarita Valley.

### Policy Measures

We do not guess when it comes to the future of legislative action. Instead, we like to know facts, make informed decisions, and look for key details to tell us where the next action of Congress or the Administration might take us. For individuals inside key positions of the government associated with water, the criminal actions in Flint, Michigan and the recent lifting of "drought conditions" in the west provide some insight about where we can expect action.

Anchor will again monitor Committee action, speak with key Administrative officials, follow targeted media and business outlets to determine the policy advancements we can expect over the next 18 months. However, it is safe to presume that the House (currently controlled by the Democratic Party) will have a larger focus on climate change issues, environmental regulations, and other matters. The Senate (controlled by the Republican Party) will have a more deregulatory approach in environmental matters. Obviously, the current Administration has a far more business-friendly approach to water and

environmental issues. As such, we will look for places where all three branches converge for the areas where the Agency needs to be on notice and prepared to respond.



#### IV. Compensation and Agreement

Given the level of success that Anchor Consulting has realized over the past 24 months of our contract, we would respectfully request that the same terms that we currently are under with the Agency continue.

Over the past 15 years, SCV Water and CLWA have paid Anchor Consulting over \$1.5 million in fees. In that time frame, just on a financial return, the Agency has realized over 6 times return on its investment. This does not take into account the information provided by Anchor or the relationships fostered by Anchor that provided value. This also does not take into account the expected \$7 million from the Department of Defense for the VOC filters.

As such, Anchor respectfully requests that the terms of the agreement provide for 24 months with termination options after the first 6 months of the agreement. Anchor would be compensated at a rate of \$9,000 per month, to be paid quarterly. We would respectfully request reimbursement for travel taken outside of the Washington, DC area on behalf of the Agency and approved in advance.

#### V. Conclusion

Anchor Consulting is honored to represent SCV Water. We have worked with some of the best in the business in Matt Stone, Steve Cole, Kathie Martin, Dirk Marks, Mary Lou Cotton, and Dan Masnada. We have had the pleasure of working with tremendous board members during that same time frame. We appreciate your business and respect the importance of the work we are tasked with.

It has not always been easy, and not always as successful as we or others wished it would be. However, Anchor has consistently provided superb Federal representation for SCV Water, of which it can be proud. We have helped navigate multiple Administrations, different Members of Congress, different controlling political parties, etc. We have always provided a value for the Agency respectful of the financial obligation being made.

Anchor strongly believes that the best days of the Agency are ahead of them. We see a pathway forward with stronger funding realities, stronger partnerships, and more influential voices. The new Agency formation was the first step in that process. Anchor is ready to take the next step with you.

Thank you again for your business and we look forward to answering any and all questions you may have.