



## **Request for Qualifications**

## **Communications Support**

Date of Issue: November 20, 2017

**Upper Neuse River Basin Association  
P.O. Box 270  
Butner, NC 27509**

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# REQUEST FOR QUALIFICATIONS

## Project Purpose

The Upper Neuse River Basin Association (UNRBA)<sup>1</sup> is soliciting submittals for qualifications for a *Service Provider* to assist UNRBA with the development of communications procedures and approaches for effective interaction with stakeholders inside and outside of the organization, the development of communication materials for use with its many stakeholders, including the membership and its citizens, the general and interested public, elected officials at the local, State and Federal levels, and non-governmental organizations operating in the watershed, the adjacent region and North Carolina. The *Service Provider* will be required to demonstrate the experience, ability and resources to effectively support the UNRBA with the development of its communications program plan and assist with producing materials for all media types that will allow the UNRBA to reach all its stakeholders.

The UNRBA comprises 15 jurisdictions in the Falls Lake watershed in central North Carolina. Falls Lake is the subject of a State-imposed Falls Lake Nutrient Management Strategy (Falls Rules; see NCAC 15A 02B.0275 (5)), with which all jurisdictions in the UNRBA must comply. The Falls Rules are intended to establish a framework under which water quality in Falls Lake will steadily improve. As promulgated, they involve significant costs and require actions on the part of UNRBA member governments and other regulated parties that are unprecedented. In light of the potential financial impact of these rules and the importance of Falls Lake as a resource, the UNRBA is engaged with the evaluation of alternative compliance and regulatory strategies as allowed in advance of Stage II of the Falls Rules, when more stringent requirements will be in place. The UNRBA has secured assistance in evaluating the technical bases and regulatory framework for the Falls Rules, particularly the more costly Stage II portion of the Rules (referred to herein as the “Technical Analysis”). The UNRBA’s consulting partner for the Technical Analysis was Cardno-ENTRIX (this company is now incorporated as Cardno). Cardno-ENTRIX recommended a series of monitoring programs, special studies, and water quality modeling approaches to provide a basis for future regulatory action (preliminarily identified in general terms on the UNRBA website: <https://unrba.org/reexamination>, Task 1 report). Based upon those recommendations, the UNRBA undertook an extensive multi-year water quality monitoring program of both the watershed and the lake itself. This monitoring program includes water sampling sites at lake loading stations (the point at which a stream and sub-drainage enters the lake) and jurisdictional sites (sites aimed at measuring the input from a county area or municipal area within the Falls Lake watershed). A description of the water quality parameters and monitoring locations can be found at the above referenced website. The monitoring program will be completed in either 2018 or 2019 depending upon whether it is determined that either four or five complete years of monitoring are required. In 2017, the UNRBA awarded an additional contract to Cardno to initiate the modeling program, and work under that contract has been initiated. In 2017 the UNRBA reissued its RFQs for Monitoring Program Support and Modeling and Regulatory Support. Brown and Caldwell was identified as the Service Provider for both of these ongoing efforts. The Modeling and Regulatory Support effort began in Fiscal Year 2017 and year 2 of that effort is now underway.

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<sup>1</sup> Detailed information about the UNRBA and the projects that it has completed or in which it is currently engaged can be found at [www.unrba.org](http://www.unrba.org)

The *Service Provider* will assist the UNRBA in developing a communication program that will provide relevant information about the technical analysis and policy considerations to its many stakeholders. These stakeholders include the regulators, general public, public interest groups, developers, implementers, or other regulated entities of the Falls Rules.

### Submittal Instructions

Offerors must submit all submittal components in Portable Document Format (PDF) transmitted through electronic mail (email). File size is limited to 15 MB. Paper, fax and oral copies will not be accepted. PDF files should include bookmarks that link to sections to allow easy document navigation. Address the Submittal to the following party:

[forrest.westall@unrba.org](mailto:forrest.westall@unrba.org) and  
[forrest.westall@mcgillengineers.com](mailto:forrest.westall@mcgillengineers.com)

Direct the submittal to the Upper Neuse River Basin Association (UNRBA),  
 Forrest Westall, Executive Director

In order for the UNRBA to evaluate qualifications fairly and completely, Offerors should follow the format set out herein and provide all of the information requested.

The email should contain the subject line “Communications Support – [Firm Name]”. Submittals must be received no later than 5:00 pm EDT on January 8, 2018. See the section “Submittal Content and Format” for additional details on submittal requirements.

### Submittal Review Schedule

The procurement process is anticipated to follow the schedule below. **Proposers’ key personnel should hold January 17, 2018 for interviews because the interview panel has already committed to hold interviews then and does not anticipate moving the date due to the number of UNRBA participants involved.**

Table 1 Procurement Schedule

Item	Date
RFQ release date	November 20, 2017
Deadline for submittal of questions	December 4, 2017
Answers to questions posted on UNRBA website	December 11, 2017
Due date for qualifications packages	January 8, 2018
Shortlisted teams notified	January 12, 2018
Shortlist interviews held in Butner, NC*	January 17, 2018
Selected team notified	February 1, 2018

\*Proposers’ key personnel should hold January 17, 2018 for interviews.

All submitted questions must be provided to the Executive Director, via email to [forrest.westall@unrba.org](mailto:forrest.westall@unrba.org), by December 4, 2017. All questions will be answered on the UNRBA website provided in footnote 1.

The UNRBA will make every effort to adhere to this schedule. Firms and other legal entities representing themselves as *Service Providers* submitting in response to this RFQ should make arrangements to provide the UNRBA with appropriate staff for the interviews.

## Conditions

The UNRBA reserves the right to reject any or all submittals. The UNRBA will not pay any cost associated with the preparation, submittal, presentation, or evaluation of any statement of qualifications. All submittals and other materials submitted become the property of the UNRBA. Thereafter, submittals become public information.

The UNRBA anticipates issuing one contract for this RFQ.

The UNRBA is a non-profit organization composed of local governments located in the Upper Neuse River Basin in North Carolina. By signature on their Statement of Qualifications, Offerors certify that their business practices comply with:

- a. The laws of the State of North Carolina
- b. The applicable portion of the Federal Civil Rights Act of 1964,
- c. The Equal Employment Opportunity Act and the regulations issued there under by the federal government
- d. The Americans with Disabilities Act of 1990, and the regulations issued there under by the federal government, and
- e. All terms and conditions set out in this RFQ.

The UNRBA opposes discrimination on the basis of race and sex and urges all of its contractors to provide a fair opportunity for minorities, women, and other socially and economically disadvantaged individuals as defined in 15 U.S.C. 637 to participate in their work force and as sub-contractors and vendors under UNRBA contracts.

This RFQ seeks to secure a single *Service Provider* to perform the tasks identified in the Projected Scope of Work. An Offeror's familiarity and understanding of the work of the UNRBA and the issues faced under the Falls Rules, as well as, a demonstrated knowledge of the complexity and challenges of providing effective communication to a wide range of audiences, and a proven ability to develop effective communication programs will be important factors in the UNRBA's evaluation of potential *Service Providers*.

## Background

The following information is provided to help potential respondents to this RFQ better understand the complex regulatory and public policy issues the UNRBA is addressing in its projects and work.

The waters of Falls Lake have challenges meeting the demands of society and the current environmental standards in place for that waterbody, including specifically, the chlorophyll a standard as currently applied. Falls Lake is the primary source of drinking water for the City of Raleigh, Rolesville, Wendell, Knightdale, Zebulon, Garner, Wake Forest, portions of Wake

County and its 550,000 customers and is immediately downstream of several urban centers, including the City of Durham. Constructed in the early 1980's, Falls Lake is a shallow Piedmont lake with inherent difficulty meeting water quality standards for chlorophyll-*a* (a general measure of the density of algae in water) because of its geology, morphology, and its topographic location below pre-existing and established land uses like urban development and agriculture that generate runoff with more pollutants than would undisturbed forests.

A complex set of rules, guidance, and policies governs activities in the Falls Lake watershed. Falls Lake Nutrient Management Strategy (Falls Rules) overlay several previous regulations, including the Neuse River Basin Nutrient Sensitive Waters Management Strategy, the MS4 NPDES Phase I and Phase II stormwater management requirements of the Clean Water Act, and state Water Supply Watershed Protection regulations.

In 2008, the North Carolina Division of Water Quality (NC DWQ) and US Environmental Protection Agency (USEPA) placed Falls Lake on the Section 303(d) list of impaired waters because of violations of the State's water quality standards for chlorophyll-*a*, a proxy for algae. DWQ and EPA also listed Falls Lake above I-85 as impaired for turbidity in 2008.

In 2005, the North Carolina General Assembly enacted Session Law 2005-190 (Senate Bill 981, Clean Lakes Act), which directed the North Carolina Environmental Management Commission (EMC) to develop and adopt a nutrient management strategy by July 1, 2008 (later extended to July 1, 2009) to reduce nitrogen and phosphorus pollution in Falls Lake. In 2009, the General Assembly enacted SL 2009-486 (SB 1020, Improve Upper Neuse River Water Quality), which extended the deadline again until January 15, 2011 and also allowed for a system crediting early adoption of nutrient reductions and requiring stricter sedimentation and erosion control measures in the watershed.

In 2010, recognizing that major political disagreements over water quality in Falls Lake would affect their ability to solve other critical regional problems, many impacted local governments developed a set of "Consensus Principles" to help shape the proposed rules. The principles included three fundamental agreements: (1) that any rules would need to protect Falls Lake for the purpose of maintaining the drinking water supply, (2) that additional water quality monitoring would provide useful information, and (3) that North Carolina should consider that new information before going beyond those actions necessary to protect Falls Lake for the purpose of water supply. The City of Durham, Durham County, Granville County, City of Raleigh, Wake County, Orange County, Person County, Butner, Creedmoor, and the South Granville Water and Sewer Authority adopted the Consensus Principles in their comments on the rules. Section Nine of the Consensus Principles, which is most relevant to this RFQ, states the following:

"The process by which the proposed regulatory scheme has been developed relied on a limited data base which will be substantially enhanced by a more rigorous program of sampling, monitoring and analysis. In addition, it may not be feasible to attain all currently designated uses in the Upper Lake and attempting to do so may result in substantial and widespread economic and social impact. The EMC should therefore begin a re-examination of its nutrient management strategy for Falls Lake by January 1, 2018 [*later changed by rule to 2021*]. **The re-examination should consider, among other things, (i) the physical, chemical, and biological conditions of the Lake with a focus on nutrient loading impacts and the potential for achieving the Stage I goal by 2021** [*later changed in the final rule to 2024*] **as well as the feasibility of both achieving the Stage II**

**reduction goals and meeting the water quality standard for chlorophyll-a in the Upper Lake, (ii) the cost of achieving, or attempting to achieve, the Stage II reduction goals and the water quality standard in the Upper Lake, (iii) the existing uses in the Upper Lake and whether alternative water quality standards would be sufficient to protect those existing uses, and (iv) the impact of the management of Falls Lake on water quality in the Upper Lake.** As the first step in the re-examination, a Scientific Advisory Board should analyze and review the information identified above along with the additional monitoring and modeling data compiled since the model was approved and should present its recommendations for changes in the Nutrient Management Strategy and its implementing rules to DWQ and the EMC by January 1, 2019 [*later changed in the final rule to 2024*]. In light of the report from the Science Advisory Board, the EMC should direct the DWQ to prepare proposed rule revisions, if any, and an updated fiscal note on Stage II by August 1, 2019 [*later changed in the final rule to 2025*]. In its development of any proposed rule revisions, DWQ shall consult with the local governments and other interested parties. Except to the extent that management measures identified as a part of Stage II are required to achieve the Stage I goal, local governments should not be required to begin implementing Stage II management measures without **a determination by the EMC of whether alternative goals and/or standards should be established for the Upper Lake.**” [emphases added]

On November 18, 2010, the EMC adopted the nutrient management rules for Falls Lake, with an effective date of January 15, 2011. The North Carolina Rules Review Commission approved the rules with minor technical language changes and the rules took permanent effect on January 15, 2011. The rules address the re-examination prior to implementing Stage II in section 15A NCAC 02B.0275. Section (5)(f) describes specific requirements of any stakeholder desiring to submit data or modeling to the NCDWQ regarding Falls Lake and the requirement to re-examine the Stage II goals. This section of the rule follows:

- (f) Recognizing the uncertainty associated with model-based load reduction targets, to ensure that allowable loads to Falls Reservoir remain appropriate as implementation proceeds, a person may at any time during implementation of the Falls nutrient strategy develop and submit for Commission approval supplemental nutrient response modeling of Falls Reservoir based on additional data collected after a period of implementation. The Commission may consider revisions to the requirements of Stage II based on the results of such modeling as follows:
  - (i) A person shall obtain Division review and approval of any monitoring study plan and description of the modeling framework to be used prior to commencement of such a study. The study plan and modeling framework shall meet any division requirements for data quality and model support or design in place at that time. Within 180 days of receipt, the division shall either approve the plan and modeling framework or notify the person seeking to perform the supplemental modeling of changes to the plan and modeling framework required by the Division;
  - (ii) Supplemental modeling shall include a minimum of three years of lake water quality data unless the person performing the modeling can provide information to the Division demonstrating that a shorter time span is sufficient;

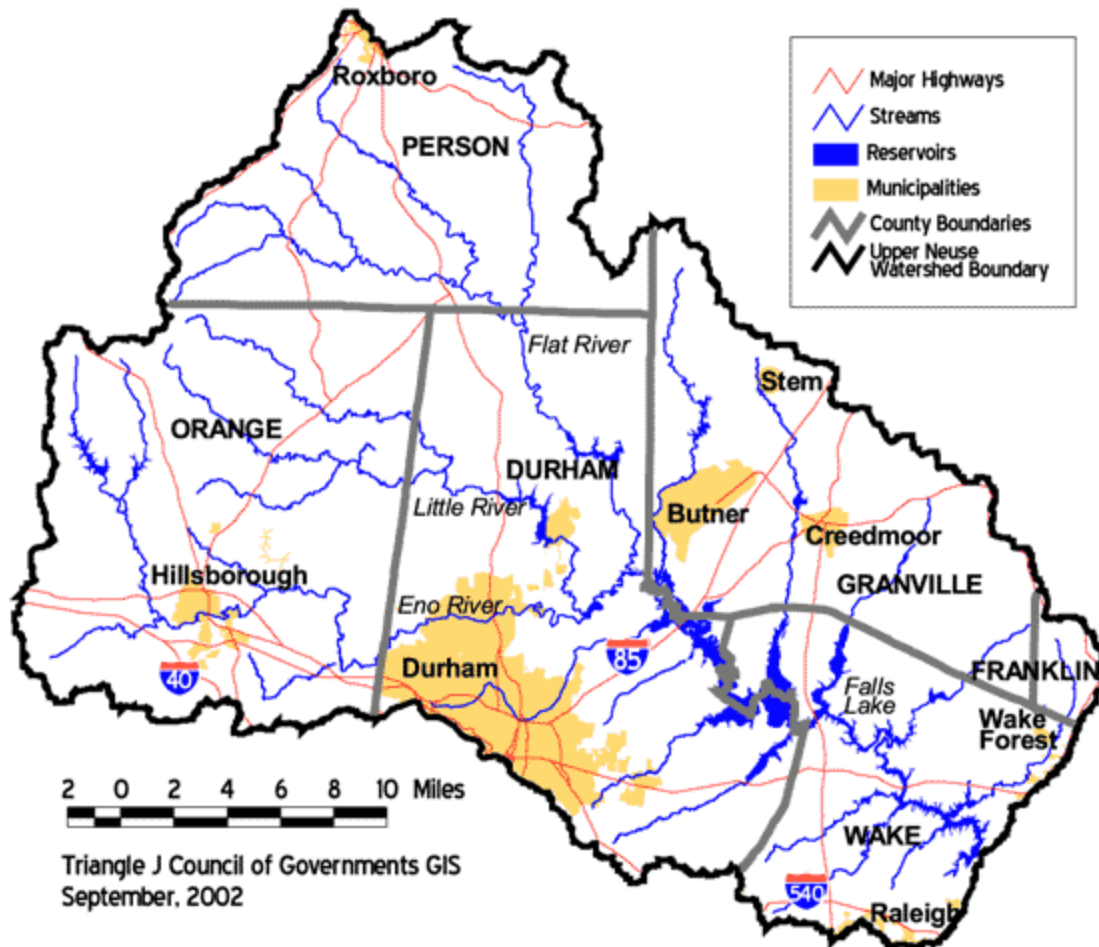
- (iii) The Commission may accept modeling products and results that estimate a range of combinations of nitrogen and phosphorus percentage load reductions needed to meet the goal of the Falls nutrient strategy, along with associated allowable loads to Falls Reservoir, from the watersheds of Ellerbe Creek, Eno River, Little River, Flat River, and Knap of Reeds Creek and that otherwise comply with the requirements of this Item. Such modeling may incorporate the results of studies that provide new data on various nutrient sources such as atmospheric deposition, internal loading, and loading from tributaries other than those identified in this Sub-item. The Division shall assure that the supplemental modeling is conducted in accordance with the quality assurance requirements of the Division;
- (iv) The Commission shall review Stage II requirements if a party submits supplemental modeling data, products and results acceptable to the Commission for this purpose. Where supplemental modeling is accepted by the Commission, and results indicate allowable loads of nitrogen and phosphorus to Falls Reservoir from the watersheds of Ellerbe Creek, Eno River, Little River, Flat River, and Knap of Reeds Creek that are substantially different than those identified in Item (3), then the Commission may initiate rulemaking to establish those allowable loads as the revised objective of Stage II relative to their associated baseline values;

The full text of NCAC 02B.0275 (5) also provides requirements for data development related to assessing Lake conditions and reporting to the EMC on progress in improving water quality under these rules. It is the UNRBA's objective with its monitoring program to see that all data collected can and will be used under the provisions of the Falls Lake Rules and for all State activities related to assessment of Falls Lake.

Consistent with the Consensus Principles and beyond the formal reexamination process identified in the Falls Lake Rules, the UNRBA has performed a preliminary evaluation of potential regulatory alternatives that may better reflect the conclusions reached through the UNRBA's monitoring and modeling work.

The Falls Lake Nutrient Management Strategy implementing rules were not adopted as a result of a TMDL (Total Maximum Daily Load—a provision of Section 303 of the Federal Clean Water Act) conducted by the State. Instead, the State used an alternate methodology and developed a nutrient sensitive waters strategy. Based on that adoption, EPA has determined that the State can show Falls Lake as an impaired waterbody with a strategy in place to address its impairments of water quality standards. The entire lake was shown to be in violation of the chlorophyll-a standard when the rules were adopted. The lower part of the lake is now in attainment for chlorophyll-a. The upper part of the lake, west of the I-85 causeway, is also impaired for turbidity. Reference the map below for distinguishing the lower and upper parts of the lake as divided by the I-85 causeway.





### *Project planning*

*Service Providers* responding to this RFQ should consider how the UNRBA is proceeding with its Falls Lake Nutrient Management Strategy Reexamination, its need to communicate with its audiences throughout the process and the challenges of communicating the results of this effort. The UNRBA is currently engaged in a comprehensive monitoring program to support the Reexamination (background information can be found at the UNRBA website: <https://unrba.org/>, under the appropriate tabs). The monitoring program began in August 2014 and will continue for a minimum of four years, with an additional year as an option if needed to supplement data due to unusual hydrologic or weather conditions. The UNRBA may, following the current monitoring plan, continue with an ongoing monitoring program depending on its progress toward a successful reexamination and the need for continued monitoring to evaluate the modified strategy.

The UNRBA has established a budgetary line item for communication support and efforts at \$30,000 for the current fiscal year. This RFQ has been issued to identify an appropriate *Service Provider*. A detailed scope of work and contract will be developed following selection.

## SCOPE OF WORK

The UNRBA requires assistance from a qualified and experienced *Service Provider* to provide communications support. The selected *Service Provider* must be capable of effectively guiding and providing communications support over the period of the contract. While a specific scope of work will be developed following the selection of a *Service Provider*, the UNRBA has identified the following anticipated tasks:

### **Task 1. Assess the communication needs of the UNRBA.**

The *Service Provider* will identify and perform an analysis of the different communication audiences, internal and external, that are important to the UNRBA in successfully completing and putting into action the recommendations from the Reexamination. This analysis will identify the particular challenges associated with reaching each audience and identify communication methods/approaches that will be effective for each audience.

Deliverables:

1. Gather and organize contact information for a list of groups and stakeholders that are believed to be important to the communication needs of the UNRBA;
2. Provide a draft list to PFC for review.
3. Evaluate methods and approaches that will be most effective in providing information to these stakeholders to include
  - a. Identification of messages,
  - b. Identification of audiences,
  - c. Identification of means to deliver the message; and
4. Provide a draft evaluation to PFC for review.
5. Create final Report and present final results to the UNRBA Path Forward Committee (PFC) for approval of framework associated with a draft Communication Plan.

### **Task 2. Working with the UNRBA, Develop a Communications Plan for approval by the PFC and the UNRBA Board.**

The *Service Provider* will use the information developed in Task 1 to craft a detailed Communications Plan that the UNRBA should follow to effectively reach its audiences. This plan will be developed in close coordination with the UNRBA and will reflect the resources available for implementation of the Plan. If additional resources are determined to be necessary to effectively follow the plan, the *Service Provider* will make recommendations about the ongoing resources that will need to be provided to see that all components of the Plan can be accomplished.

Deliverables:

1. Review, develop and edit the draft Communication Plan, key messages, and timing of messages;
2. Coordinate with of stakeholders and groups;
3. Select social media platforms, development social media engagement rules and recommend social media managers;
4. Identify and describe other media outlets that the UNRBA should use:

5. Coordinate any public meetings to review Plan (including invitations, reservation, presentation/graphics, and facilitation);
6. Provide regular updates; and
7. Finalize draft Plan for presentation and discussion with the PFC and presentation of the final Plan to the UNRBA Board for adoption.

### **Task 3. Develop Communications Presentation, Written, or Visual Materials**

The *Service Provider* will use the information developed in Task 1 and the Plan developed in Task 2 to identify key presentation materials, in the appropriate media form, for use by the UNRBA in implementing the Communications Plan. This task will be consistent with the resources of the UNRBA to use these materials and will carefully consider the total budget level available for this project.

#### **Deliverables**

1. Assist with creating, printing and mailing communication materials;
2. Video creation assistance with script and shooting short (around 3 minutes) videos about the Falls Lake Nutrient Management Strategy, the UNRBA, the Path Forward and the Modeling and Monitoring framework;
3. Write social media messages about the project;
4. Completed materials for presentation to appropriate audiences.

All deliverables and written communication with the UNRBA and its members should be prepared and sent with the understanding that they are subject to the North Carolina Public Records Act. Meetings with the UNRBA may be subject to the North Carolina Open Meetings Law.

The anticipated contract timeframe is 12 months with options to extend the contract terms and tasks. However, final contract and scope of work will establish the timeframe.

### **SUBMITTAL CONTENT AND FORMAT**

Submittals must document that the *Service Provider* will comply with all of the provisions and conditions in this RFQ. Submittals must be signed by an individual empowered to bind the firm or legal entity submitting as a *Service Provider*.

#### **Form, Content and Length of Statement of Qualifications**

Proposers' statements of qualifications should be structured as to form, content, and length as described in this section. The statement of qualifications should provide information that allows the interview panel to understand how the proposed *Service Provider* is able to provide the services described and fulfill the needs of the UNRBA as described in this RFQ. Submittals must include the complete name and address of the firm or other legal entity applying as the *Service Provider* and the name, mailing address, email address, and telephone number of the person the UNRBA should contact regarding the submittal.

Proposals may not use less than 10 point Times New Roman font. (Other fonts are acceptable but the size should be no smaller than 10 point in Times New Roman.) Since qualification packages

are to be submitted electronically, page limitations in this section refer to pages of content. The page limitations do not include front cover, back cover, section dividers, table of contents, non-collusion certification, exceptions, and conflicts of interest.

### ***Cover Letter (Maximum of 1 page)***

The submittals should contain a cover letter, signed by a principal of the *Service Provider*, indicating his or her title, that he or she has authority to submit the Statement of Qualifications on behalf of the *Service Provider*, including the cover letter. The cover letter should contain the following statement:

*“The undersigned has the authority to submit this submittal on behalf of the name of company in response to the Upper Neuse River Basin Association RFQ for “Legal and Regulatory Support.”*

### ***Qualifications (Maximum of 15 pages, including all sub-items)***

#### Firm(s) description(s)

Submittals must include a firm overview and brief description of the firm’s history. Also include the complete name and address of the firm or other legal entity applying as the *Service Provider* and the name, mailing address, email address, and telephone number of the person the UNRBA should contact regarding the submittal.

#### Project organizational chart and description

The submittal should provide a description of the project team structure and qualifications. Senior and key members of the project team should be included in the organizational chart.

#### Relevant Experience

. The submittal should demonstrate past and ongoing experience in the following areas:

- Development of communication programs for local governments and non-profits.
- The development of user friendly materials that can convey highly technical information to audiences with a variety of different educational and technical backgrounds.

The ability and experience to create communication products and materials using a variety of presentation technologies. Implementation of Communication Plans in public and private organizations with various levels of resources and staffing.

Provide examples of work, including the year completed, preferably using hyperlinks to example products. List any subconsultants used for example work.

#### References

The submittal should include at least three references.

### ***Project Team Résumés (Maximum of 10 pages)***

One-page resumes for each team member. The office location of each team member should be specified on the résumés. The submittal should state the role of each team member. If teaming arrangements or sub-consultants are proposed, provide information for their teams(s) as well.

## Non-Collusion Certification

The Upper Neuse River Basin Association prohibits collusion, which is defined as a secret agreement for a deceitful or fraudulent purpose. Include and sign the following with your submittal:

The Upper Neuse River Basin Association prohibits collusion, which is defined as a secret agreement for a deceitful or fraudulent purpose.

*I, \_\_\_\_\_ affirm that I have not engaged in collusion with any UNRBA employee(s), other person, corporations or firms relating to this submittal. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.*

*Signature: \_\_\_\_\_*

## Exceptions

Any and all exceptions to the RFQ must be listed on an item-by-item basis and cross-referenced with the RFQ document. If there are no exceptions, Offerors must expressly state that no exceptions are taken.

## Conflicts of Interest

Each submittal shall include a statement indicating whether or not the firm or any individuals that may work under contract has a possible conflict of interest (e.g., anyone working for or on behalf of the State of North Carolina, the Upper Neuse River Basin Association, or one of the UNRBA's member governments) and, if so, the nature of that potential conflict. The UNRBA Board of Directors reserves the right to use this information as selection criteria if any interest disclosed from any source could either give the appearance of a conflict or cause speculation as to the objectivity of the potential *Service Provider* in performing the work required. The Board's determination regarding any questions of conflict of interest shall be final.