

Metropolitan Transportation Commission Administration Committee

March 11, 2020

Agenda Item 3d

Contract – Washington, D.C. Legislative Representative: Summit Strategies Government Affairs LLC (\$900,000)

Subject: A request for Committee approval of a three-year contract with Summit Strategies Government Affairs LLC in an amount not to exceed \$900,000 (\$300,000/year) for federal legislative advocacy services, with an option to extend for another three years.

Background: MTC has been represented in Washington, D.C. by Tom Bulger, President, Government Relations, Inc. for nearly 40 years. Mr. Bulger in 2019 informed staff of his plan to retire and the Commission acted to extend his current contract until October 31, 2020 as part of a transition plan.

In December 2019, MTC issued a Request for Qualifications (RFQ) for federal legislative advocacy services for an initial three-year contract with an option to extend for an additional three years. In order to ensure a smooth transition prior to Mr. Bulger's departure, the new contract would commence in March 2020. The RFQ indicated the contract budget would be approximately \$300,000 each fiscal year, which is slightly less than the current \$325,000 in this year's budget and on par with the amount transportation agencies in the Bay Area and across California are paying for federal lobbying services.

Procurement Process

The RFQ was posted through MTC's online procurement system. Recipients included more than 40 known federal lobbyists and hundreds of public agency and private sector partners who work on legislative issues in order to ensure wide distribution to potential proposers. There was initial interest from a number of contract candidates—357 firms opened the consultant contact email and 24 downloaded the RFQ. MTC received proposals from the following four teams: Alcalde & Fay, Nossaman LLP, Summit Strategies Government Affairs LLC (Summit Strategies), and Tai Ginsberg & Associates. The proposals were reviewed by an evaluation panel of MTC staff based on the following factors:

1. Firm and team qualifications (50%)
2. Demonstrated knowledge of federal transportation policy and funding issues (20%)
3. Potential conflicts of interest representing MTC and other clients (20%)
4. Annual rates and cost to MTC (10%)

Though each team met the minimum qualifications and had strong experience, two—Summit Strategies and Nossaman LLP—scored much

higher than the others in our initial staff evaluation. The other two firms had direct conflicts of interest, which were concerning to the evaluation panel and resulted in much lower scores. Even without those conflicts, those firms' average scores were lower than the other two. Given this, staff invited Summit Strategies and Nossaman LLP for interviews.

Interviews with both firms were completed on February 14, 2020. The evaluation panel included MTC staff as well participation by MTC Chair Scott Haggerty, Commissioner Jim Spering and Tom Bulger. Vice Chair Pedroza and Legislation Committee Chair Mackenzie planned to participate but were unable due to schedule conflicts.

Evaluation Criteria—Team Comparison

Summit Strategies proposed a team approach bringing together six individuals into a syndicate arrangement that impressed with a strong team with both broad and deep qualifications. The team collectively has many years of experience, as members have served in senior roles in the U.S. House of Representatives and U.S. Senate on transportation authorizing and appropriations committees, worked at the U.S. Department of Transportation, and advocated on behalf of transportation clients. The team's existing relationships with key committee staff will be particularly important in the coming years, given the upcoming transportation reauthorization and the ever-expanding role of the Appropriations Committee in policy decisions with the dissolution of earmarks. Importantly, the team has a deep knowledge of MTC and the Bay Area, with Jason Pavluchuk having worked for a decade with MTC's longtime advocate, Tom Bulger, organizing MTC's annual March visits to Washington and advocating for MTC priorities. Nossaman LLP also had strong relationships in Washington, D.C., but that firm's familiarity with MTC and the Bay Area was limited.

On the second evaluation factor, demonstrated knowledge of federal transportation policy, both firms again had strong qualifications. However, while Summit Strategies had depth and breadth of expertise across all transportation modes, Nossaman LLP's experience was primarily highway with very limited exposure and experience related to the Bay Area.

Neither firm held direct conflicts of interest with Bay Area transportation agencies. However, Nossaman LLP represents both Los Angeles Metro and the Port of Los Angeles, which could create an advocacy conflict, particularly with our Senate delegation, in the event that the Bay Area's priorities differ from our Southern California partners.

On the cost factor, which was weighted at 10 percent, the Summit Strategies proposal came in at \$300,000/year (the funding level listed in

the RFQ) while Nossaman LLP proposed \$150,000/year for a smaller, less experienced team.

The Summit Strategies team—which includes Summit Strategies, O’Keeffe Shahmoradi Strategies (OS Strategies), Pavluchuk & Associates, and Capitol Transportation Consulting—does not include small business or disadvantaged business enterprises. The team has no subcontractors.

Discussion:

Based on the evaluation panel review of submitted proposals and subsequent interview, we are confident that the Summit Strategies team—comprised of Mark Dedrick and Jim Kolb of Summit Strategies, James O’Keeffe and Heideh Shahmoradi of OS Strategies, Jason Pavluchuk of Pavluchuk and Associates, and Devon Barnhart of Capitol Transportation Consulting—is well-suited to serve as MTC’s legislative advocate in Washington, D.C.

The team understands the importance of maintaining and growing MTC’s well-earned reputation as one of the most creative and effective metropolitan planning organizations in the nation and is well positioned to support us in securing the resources and policy priorities set forth in our advocacy program. Collectively the team will provide MTC with top-notch access to the Bay Area Congressional Delegation legislators and staff, U.S. House of Representatives and U.S. Senate committee staff with jurisdiction over transportation issues, and Administration officials at the United States Department of Transportation and other relevant agencies. Importantly, the Summit Strategies team’s in-depth knowledge of MTC and the Bay Area ensures that they will be able to hit the ground running.

Recommendation:

Staff recommends that the Committee authorize the Executive Director or designee to negotiate and enter into a three-year contract with Summit Strategies not to exceed \$300,000/year for federal legislative advocacy services, subject to the agency’s operating budget approval process, with an option to extend for another three years, subject to the parties’ agreement on renewal terms.



Therese W. McMillan

REQUEST FOR COMMISSION APPROVAL

Summary of Proposed Contract

Work Item No.:	1132
Consultant:	Summit Strategies Government Affairs LLC
Work Project Title:	Federal Legislative Advocacy Services
Purpose of Project:	To provide lobbying services in Washington, D.C.
Brief Scope of Work:	Represent MTC's interests at the federal level before the United States Congress, United States Department of Transportation and other Administration officials, and with national transportation partners.
Project Cost Not to Exceed:	\$900,000 \$100,000 for the remainder of FY 2019-20 \$300,000 for FY 2020-21 \$300,000 for FY 2021-22 \$200,000 for FY 2022-23 through February 28, 2022
Funding Source:	TDA, STA
Fiscal Impact:	Funds for FY 2019-20 are programmed in FY 2019-20 adopted agency budget; future fiscal years are subject to the agency budget approval process.
Motion by Committee:	That the Executive Director or designee is authorized to negotiate and enter into a contract with Summit Strategies Government Affairs LLC for lobbying services as described above and in the Administration Committee Summary Sheet dated March 11, 2020 and the Legislation Committee Summary dated March 13, 2020, and the Chief Financial Officer is directed to set aside funds as specified above for such a contract, subject to the agency budget approval process in future fiscal years.
Administration Committee:	<hr/> Federal Glover, Chair
Date Approved:	March 11, 2020
Legislation Committee:	<hr/> Jake Mackenzie, Chair
Date Approved:	March 13, 2020