



Metro

Metropolitan Transportation Authority

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**BOARD MEETING
MAY 28, 2009**

SUBJECT: FEDERAL LEGISLATIVE ADVOCACY

**ACTION CONSIDER PROCESS FOR SELECTION OF FEDERAL LEGISLATIVE
ADVOCACY FIRM**

RECOMMENDATION

Establish an Ad Hoc Committee of the Board to evaluate the proposers and/or proposals for the selection of a Federal Legislative Advocacy Firm.

DISCUSSION

Given the importance to Metro of the functions performed by its federal legislative advocate, the Board must be confident in its advocate's abilities to effectively represent the Board's interests in Washington. For instance, consistent with our board-adopted legislative program, a cornerstone of our federal advocate's agenda will be leveraging Measure R funds. Other priority issues include expediting project delivery, streamlining the environmental review process, restructuring the Federal Transit Administration's New Starts and Fixed Guideway Modernization programs, developing a mechanism to recognize and reward "self-help" counties that invest significant local resources towards capital projects, and ensuring that climate change legislation specifically sets aside funds from a cap and trade system for efficient transportation programs that reduce greenhouse gas emissions. In short, it is essential that the team demonstrate the ability and capacity to accomplish these and other important goals that will enhance Metro's ability to deliver major capital projects in the years ahead.

In November 2008, the Board decided to not renew the contract for the firm that had lead the federal advocacy team since May 1, 2004. As a result, a request for proposal was issued in January 2009 to secure firm(s) and or individual to lead our federal advocacy efforts.

Source Selection Committee Process

In March 2009, the Source Selection Committee was convened and conducted a comprehensive technical evaluation of the eight proposals received. The Source Selection Committee held oral discussions with each firm. Metro staff utilized a Performance Price Tradeoff selection process which permits tradeoffs between price and the evaluation of past

performance of an offeror with a technically acceptable proposal. This methodology was deemed the most advantageous to Metro in light of the nature of the required services. Tradeoffs may occur on the basis of the comparative assessment of an offer or past performance information and its evaluated price. Based on this methodology, and the evaluation criteria stipulated within the request for proposal solicitation, Manatt, Phelps & Phillips, LLP (Manatt) received the highest rank among all eight proposals.

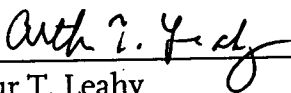
Based on the evaluation factors in the request for proposal, the Source Selection Committee deemed Manatt to be the responsive and responsible firm whose proposal was determined to be of greatest value to Metro.

A Request for a Best and Final Offer was issued to Manatt regarding the firm's commitment to direct all project communications through its Washington, D.C. office. Manatt agreed that all project assignments will be directed through its Washington, D.C. offices; however, other locations may be called upon if needed for specific expertise and/or resources.

Notwithstanding the Source Selection Committee's determination, the Board may wish to engage in its own independent evaluation of the proposers to enable it to make an informed decision as to which proposer the Board deems most appropriate to effectively represent Metro's interests in Washington.

ATTACHMENT

Attachment A-1 Procurement Summary



Arthur T. Leahy
Chief Executive Officer

PROCUREMENT SUMMARY

1.	Contract Number: PS09713039		
2.	Recommended Vendor: Manatt, Phelps & Phillips, LLP		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$1,015,000	Recommended Price: \$1,015,000	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Firm Fixed Price		
5.	Procurement Dates:		
	A. Issued: 01/29/09		
	B. Advertised: 01/29/09		
	C. Pre-proposal Conference: 02/23/09		
	D. Proposals Due: 03/12/09		
	E. Pre-Qualification Completed: 04/06/09		
	F. Conflict of Interest Form Submitted to Ethics: 03/24/09		
6.	Small Business Participation: No Goal Recommended		
	A. Bid/Proposal Goal: N/A	Date Small Business Evaluation Completed: N/A	
	Small Business Commitment: N/A		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: 12	Bids/Proposals Picked up: 30	Bids/Proposals Received: 8
8.	Evaluation Information:		
	A. Bidders/Proposers Names:	<u>Bid/Proposal Amount:</u>	<u>Best and Final Offer Amount:</u>
	Manatt, Phelps & Phillip, LLP	\$1,015,000	\$1,015,000
	Pattton Boggs, LLP	\$1,087,500	
	Gephart Group	\$1,450,000	
	Van Scoyoc Associates	\$812,000	
	Mayer Brown LLP	\$870,000	
	Akin Gump Strauss Hauer	\$812,000	
	Dutko Worldwide	\$725,000	
	Carpi Clay & Smith	\$667,000	
	B. Evaluation Methodology: Details are in Attachment A-1.C		
9.	Protest Information:		
	A. Protest Period End Date: 03/21/09		
	B. Protest Receipt Date: TBD		
	C. Disposition of Protest Date: TBD		
10.	Contract Administrator: Rick Owens	Telephone Number: 213.922.1063	
11.	Project Manager: David Kim	Telephone Number: 202.349.1483	

