



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

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EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
November 20, 2008

SUBJECT: AWARD OF CONTRACT FOR FEDERAL LEGISLATIVE ADVOCACY

**ACTION: APPROVE CONTRACT AWARD IN THE TOTAL AMOUNT OF \$680,000
FOR FEDERAL ADVOCACY SUPPORT**

RECOMMENDATION

Authorize the Chief Executive Officer to award a two year, sole source contract (Contract No. PS09713035) to Van Scoyoc Associates, Inc. for federal legislative advocacy services in an amount not to exceed \$680,000, inclusive of a one-year option, effective January 1, 2009.

RATIONALE

As a public agency, we are required to utilize a variety of means to ensure that Los Angeles County's transportation interests are advanced and championed in Washington, D.C. Political advocates greatly enhance our ability to communicate its legislative goals and program objectives and help to secure the county's fair share of federal transportation funding.

Contract lobbyists provide depth to the agency's coverage of legislative issues to key congressional leaders. They play a critical role in providing expertise and guidance in navigating through the complexities of the legislative process and positioning the agency for successful policy and budgetary outcomes. Moreover, given the high level of fiscal uncertainty in Washington fueled in large part by ongoing turmoil in the financial markets, combined with anticipated significant movement on the transportation policy front over the next two years, the role of contract lobbyists is more important than ever.

In order to be successful, we, along with our political advocates must present a clear and coherent message to elected and appointed officials in Washington. This is especially true as Congress prepares to chart a new course on surface transportation policy when it reauthorizes the "Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users" (SAFETEA-LU) in 2009. The reauthorization effort is likely to break new ground on both policy and finance, and as such, it is essential that our advocates are prepared to embark on aggressive lobbying efforts at the outset of the 111th Congress to champion our

needs before key players on Capitol Hill and to ensure that our interests are appropriately addressed.

FINANCIAL IMPACT

The funding of \$680,000 for federal lobbying services is included in the FY09 budget in Cost Center 7130, Government Relations under project number 100002 General Overhead. Since this is a multi-year contract, the cost center manager and Chief Communications Officer will be accountable for budgeting the cost in future years, including any option exercised. In FY08, \$594,999.90 was expended on federal lobbying services.

DISCUSSION

We have utilized the federal lobbying services of Van Scoyoc Associates, Inc. (VSA) since 2004. During this period of time, we have experienced successful outcomes on the policy and funding front, with VSA playing a major role in delivering numerous accomplishments for us. Highlights include the following:

Eastside Full Funding Grant Agreement (FFGA) – VSA developed a successful strategy to obtain congressional approval of the Eastside FFGA in the face of major opposition. From there, VSA helped secure \$320 million in New Starts appropriations from 2005-2008, thereby ensuring the timely flow of federal funds and enabling construction to proceed smoothly and on time.

SAFETEA-LU – The firm advocated and built political support for our programmatic and project requests, ultimately resulting in a multi-year bill that produced \$5.2 billion in highway and transit funds for Los Angeles County.

SAFETEA-LU Technical Corrections bill – Several important provisions for the Expo project, including local match language, were incorporated into the corrections bill. VSA led the effort on our behalf to secure this language.

Small Starts projects – VSA built support for and delivered FY08 appropriations for the Metro Rapid System Gap Closure Project as well as FY09 appropriations for the Wilshire Boulevard Bus Only Lane Project.

Waxman Subway Tunneling Bill – The firm devised a winning strategy to ensure the passage of legislation to repeal the prohibition on tunneling along the Wilshire Corridor.

Transit Security – Annual appropriations for transit security grants increased from \$150 million in FY07 to \$400 million in FY08. VSA played a leading role in helping to deliver this significant funding increase.

Rail safety – VSA was directly involved in the development and passage of the Rail Safety Improvement Act of 2008, which requires the implementation of positive train control technologies by 2015.

Alternative Fuels Excise Tax Credit – Congress recently extended the tax credit on a short term basis and will likely pursue a longer term extension next year. This directly benefits us in the amount of \$1.7 million/month. On our behalf, VSA has actively pushed for an extension of the tax credit.

VSA brings the following strengths:

- Strong Democratic and Republican connections;
- Sophisticated understanding of and extensive experience with the appropriations and authorization process;
- Solid relationships with the Los Angeles County and California Congressional delegation as well as House and Senate leadership and key committee and subcommittee chairmen;
- Knowledge of and familiarity with our projects and programs;
- Good understanding of the political dynamics of Los Angeles County and Southern California; and
- Credibility with Members of Congress and staff.

VSA, which has become known as one of Washington's most effective and successful lobbying firms, has over 80 staff members (including professional, legislative staff and administrative assistants). The firm represents local and municipal governments, transit agencies, universities, economic development authorities and Fortune 500 companies. In addition to us, some of the firm's current transit clients include Alameda-Contra Costa Transit District (AC Transit) and Dallas Area Rapid Transit (DART). VSA has assisted DART in securing more than \$230 million in New Starts funding since FY04. The firm also has extensive experience in working on previous surface transportation reauthorization bills, including TEA-21 in 1998 and SAFETEA-LU in 2005.

In summary, VSA has delivered significant policy accomplishments on our behalf. The firm has performed at high levels in terms of building and maintaining key relationships on Capitol Hill and the Administration, consistently communicating our needs to policymakers, undertaking coalition building efforts and keeping us apprised of anticipated developments and opportunities. Their extensive contacts in Congress and the Administration, combined with their expertise, credibility and knowledge, have directly benefitted us.

The Van Scoyoc team is comprised of the following individuals:

Steven O. Palmer – Mr. Palmer arrived at VSA in 1998 after nearly 20 years in public service on Capitol Hill and as Assistant Secretary at the U.S. Department of Transportation (USDOT). Over the past ten years at VSA, Mr. Palmer has focused exclusively on transportation, homeland security, and economic development issues.

In 1993, Mr. Palmer was nominated by President Clinton and confirmed by the United States Senate to be USDOT's Assistant Secretary for Governmental Affairs, the key legislative strategist for the Secretary of Transportation and all of USDOT. He was the longest serving Assistant Secretary for Governmental Affairs in history. Before his appointment to USDOT, Mr. Palmer spent more than 10 years on the Senate Committee on Commerce, Science, and Transportation, where he was staff director of two different

subcommittees. He began his congressional career on the Senate Budget Committee after having completed a two-year appointment as a Presidential Management Fellow at the Department of Transportation. He received his Bachelor of Arts in political science from Kalamazoo College in 1978 in Kalamazoo, Michigan and a Masters of Public Affairs from the Lyndon B. Johnson School of Public Affairs at the University of Texas at Austin in 1980.

Ray Cole – Mr. Cole specializes in federal legislative policy issues, including transportation. Mr. Cole helps craft and execute government relations campaigns to align clients' needs with Administration and Congressional priorities. He provides strategic counsel across a full range of legislative issues, helping clients use policy initiatives to leverage new programs and projects, including regulatory and policy changes, government contracts and grants, research projects, and other opportunities that emerge through the legislative process.

Mr. Cole served as the State Director for U. S. Sen. Richard Shelby from 1993 until 1999. He served as Campaign Manager and Finance Director for the Senator's 1998 reelection campaign. Mr. Cole graduated with a Bachelor of Science in Commerce and Business Administration from The University of Alabama.

Patrick Holtz – Mr. Holtz serves as Director, Government Relations and Counsel at VSA. Prior to joining VSA in 2004, he was a Washington Representative for the American Motorcyclist Association (AMA) where he advocated on behalf of motorcyclists before Capitol Hill and the Administration. During his four years at VSA, Mr. Holtz has provided support to the firm's many transportation clients. He received a Bachelor of Arts degree in Government and Politics from George Mason University and a Juris Doctor degree from the Cleveland-Marshall College of Law. He is a member of the bar in Washington, D.C. and Maryland.

Brian Robinson – Mr. Robinson serves as Director, Government Relations and Counsel at Van Scoyoc Associates. His primary responsibilities include close contact with the firm's clients and with congressional and agency staff, and research and analysis of a broad range of federal issues.

Prior to joining VSA, Mr. Robinson was a senior legislative assistant and legislative counsel to California Congresswoman Juanita Millender-McDonald. During this time, his main focus was related to the Congresswoman's Transportation and Infrastructure Committee assignment. Prior to joining Congresswoman Millender-McDonald's staff, he served as a legislative assistant to Congresswoman Sheila Jackson Lee of Texas. Mr. Robinson received his Bachelor of Arts degree in political science from La Salle University, and his Juris Doctorate from the Catholic University. He is a Captain in the United States Army Reserve, having recently served a one-year tour of duty in Iraq in support of Operation Iraqi Freedom.

Bryan Blom – Mr. Blom serves as Manager, Government Relations at Van Scoyoc Associates, where he supports the funding and policy priorities of the firm's clients.

Prior to joining VSA in January 2008, Mr. Blom was a Legislative Clerk for the House Judiciary Committee where he was responsible for the development of all Committee Reports, drafted floor statements for the Chairman, and briefed legislative assistants and

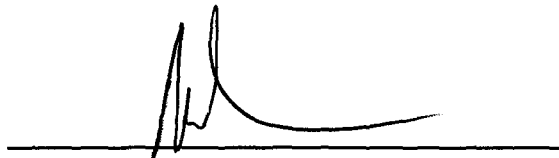
counsels from other House offices on the Committee's legislative agenda. Mr. Blom also served as a legislative assistant to the former Chairman of the House Appropriations Committee, where he handled transportation and other issues. Having worked on both the majority and minority side, Mr. Blom has a solid understanding of parliamentary procedures and the legislative and appropriations process.

Sarah McDermond – Ms. McDermond serves as Manager, Government Relations and is part of VSA's team for us. Her primary responsibilities center around supporting clients that have a particular emphasis in financing transportation programs. She has assisted clients in identifying funding sources, developing projects, and advocating requests to Congress. Ms. McDermond is a graduate from DePauw University and has been with VSA since the beginning of 2003.


ATTACHMENTS

Attachment A-1	Procurement Summary
Attachment A-2	Procurement History
Attachment A-3	List of Subcontractors

Prepared by: David Kim
Deputy Executive Officer, Federal Advocacy & Government Relations

A handwritten signature in black ink, appearing to read 'Matthew Raymond', is written over a solid horizontal line.

Matthew Raymond
Chief Communications Officer

A handwritten signature in black ink, appearing to read 'Roger Snoble', is written over a solid horizontal line.

Roger Snoble
Chief Executive Officer

PROCUREMENT SUMMARY

1.	Contract Number: PS09713035		
2.	Recommended Vendor: Van Scoyoc Associates, Inc.		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$680,000	Recommended Price: \$680,000	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: Firm Fixed Price		
5.	Procurement Dates: N/A		
	A. Issued: N/A		
	B. Advertised: N/A		
	C. Pre-proposal Conference: N/A		
	D. Proposals Due: N/A		
	E. Pre-Qualification Completed: October 24, 2008		
	F. Conflict of Interest Form Submitted to Ethics: November 3, 2008		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: No goal recommended	Date Small Business Evaluation Completed: N/A	
	B. Small Business Commitment: N/A		
7.	Invitation for Bid/Request for Proposal Data:		
	Notifications Sent: N/A	Bids/Proposals Picked up: N/A	Bids/Proposals Received: N/A
8.	Evaluation Information:		
	A. Bidders/Proposers Names: Van Scoyoc, Associates, Inc.	<u>Bid/Proposal Amount:</u> \$680,000	<u>Best and Final Offer Amount:</u> N/A
	B. Evaluation Methodology: Non-Competitive		
9.	Protest Information: N/A		
	A. Protest Period End Date:		
	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: 213.922.7416	

PROCUREMENT HISTORY

FEDERAL ADVOCACY SUPPORT

A. Background on Contractor

Van Scoyoc Associates, Inc. is headquartered in Washington, D.C. Van Scoyoc, Associates, Inc. has been in business since 1990 with over 70 employees that provide legislative representation to over 200 clients on a variety of issues including: general appropriations, taxation, health care reform, scientific research, energy, environmental restoration and waste management. Van Scoyoc Associates, Inc., is currently under contract with us to provide Federal Advocacy Support from May 1, 2004 to December 31, 2008 in an amount not to exceed \$1,960,000

B. Procurement Background

The contract was awarded as a result of a non-competitive procurement due to our desire to build upon the unique relationship of trust and confidence that has been established through the firm's long term relationship with federal officials and staff. Van Scoyoc Associates, Inc. provides unique services in its capacity as an advisor to Staff for federal legislative advocacy issues.

C. Evaluation of Proposals

N/A

D. Cost/Price Analysis Explanation of Variances

The recommended not-to-exceed- (NTE) amount of \$680,000 has been determined to be fair and reasonable based upon previous similar projects. Per month charges are consistent with the monthly charges established under the current contract with Van Scoyoc, Associates, Inc.

LIST OF SUBCONTRACTORS
FEDERAL ADVOCACY SUPPORT

PRIME CONTRACTOR – Van Scoyoc Associates, Inc.

Small Business Commitment

Other Subcontractors

N/A

N/A

Total Commitment 0.0%

