

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

DATE:	September 8, 2010
TO:	Riverside County Transportation Commission
FROM:	Budget and Implementation Committee Aaron Hake, Government Relations Manager
THROUGH:	Anne Mayer, Executive Director
SUBJECT:	Agreement with Smith, Watts & Company, LLC for State Legislative Advocacy Services

BUDGET AND IMPLEMENTATION COMMITTEE AND STAFF RECOMMENDATION:

This item is for the Commission to:

- 1) Award Agreement No. 10-14-105-00 to Smith, Watts & Company, LLC for state legislative advocacy services for a two-year term, and two, two-year options to extend the agreement, in an amount not to exceed \$408,000; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement, including option years, on behalf of the Commission.

BACKGROUND INFORMATION:

The Commission has required an increasingly robust government relations program in Sacramento over the last several years. The Commission has sought authorizing legislation for the State Route 91 and Interstate 15 projects and design-build authority. The Commission has also needed to fend off attempts by the Legislature to raid transportation funding to balance the state's budget and to keep state-funded projects moving forward despite the state's fiscal condition. Implementation of the Proposition 1B bond program and ensuring that Riverside County receives its adequate share has required a strong presence in the Capitol. All of the above speaks to the need to have daily representation in Sacramento by a transportation policy and political expert working on behalf of the Commission.

The Commission's current contract for state legislative advocacy services with Smith, Watts, & Company, LLC expires September 30, 2010. While staff has been exceedingly pleased with the performance of Smith, Watts & Company, LLC, the Commission recently issued a competitive request for proposal (RFP) in order to ensure that the Commission continues to receive premium representation at a value that reflects current economic conditions. The RFP sought firms with political as well as technical expertise in the transportation field. The Commission's advocacy program requires a proactive and savvy approach that is built on a strong

knowledge base of the mechanics of state transportation funding, the legislative process, the California Transportation Commission (CTC), and other state offices. The Commission sought firms that could demonstrate a mastery of infrastructure issues. Relationships to key decision-makers on both sides of the aisle in Sacramento that are relevant to the Commission's agenda were also a priority.

Procurement Process

The Commission sought a competitive solution to meet the foregoing requirement for state legislative advocacy services. Staff determined that the issuance of a negotiated solicitation, or RFP, would be in the Commission's best interest as it affords staff the opportunity to evaluate and discuss price and other technical factors with proposers. Non-price factors used to evaluate the proposers under this RFP included elements such as experience, the relative qualifications of the firms, references, and the firms' relative ability to provide the services set forth under the terms of the RFP. Price comprised 15% of the maximum possible points under the evaluation criteria.

Staff released RFP No. 10-14-105-00 on May 20, 2010, to secure services from a qualified firm to represent the Commission in matters of state government. The item was advertised in a local newspaper of general circulation, made available for download on the Commission website, and forwarded directly via e-mail to approximately 25 legislative advocacy firms.

Commission staff responded to all questions submitted by potential proposers prior to the June 8 deadline date. Two firms submitted responsive and responsible proposals prior to the June 17 proposal deadline date. Utilizing the evaluation criteria set forth in the RFP, the firms' proposals were evaluated and scored by an evaluation committee comprised of Commission staff and a representative from the Orange County Transportation Authority (OCTA). Smith, Watts & Company, LLC earned the highest total evaluation score. The respective evaluation ranking, inclusive of pricing, and separate price rankings were as follows:

Firm	Overall Rank	Price Rank
Smith, Watts & Company, LLC	1 st	1 st
Ecoconsult	2 nd	2 nd

Smith, Watts & Company, LLC earned the highest total evaluation score among the proposers and also offered the most advantageous pricing terms. The technical, non-price factors that earned Smith, Watts & Company, LLC the high score were related to its reference, experience, qualifications, and technical personnel. Pricing was evaluated based upon the firms' fixed fees.

As a result, staff recommends the award of Agreement No. 10-14-105-00 to Smith, Watts & Company, LLC for the provision of state legislative advocacy services for a two-year term, and two, two-year options to extend the agreement, for a total period of up to six years, in an amount not to exceed \$408,000. The parties will utilize the Commission's standard form professional services agreement.

Smith, Watts & Company's, LLC rates are considered fair and reasonable based upon adequate price competition and historical costs incurred by the Commission for comparable services. Smith, Watts & Company, LLC has provided services for the Commission and performed satisfactorily. In addition, the firm has successfully provided similar professional services for a variety of transportation entities located throughout the state of California, including OCTA and Placer County Transportation Planning Agency, and San Bernardino Associated Governments.

Financial Information					
In Fiscal Year Budget:	Yes N/A	Year:	FY 2010/11 FY 2011/12	Amount:	\$45,000 \$75,000
Source of Funds:	Measure A			Budget Adjustment:	No
GL/Project Accounting No.:	001001 65506 00000 0002 101 14 65520				
Fiscal Procedures Approved:	<i>Sherisia Iuvino</i>			Date:	08/12/10

Attachment: Smith, Watts & Company, LLC – Statement of Work

STATEMENT OF WORK

AGREEMENT NO. 10-45-105-00

STATE LEGISLATIVE ADVOCACY SERVICES

1.0 GENERAL INFORMATION

1.1 Introduction

1.1.1 The Riverside County Transportation Commission (RCTC) is a county transportation planning agency governed by the representatives of the twenty six cities and the five members of the Board of Supervisors within Riverside County.

1.1.2 The Commission provides short and long-term planning services relating to transportation, air quality, congestion management, and freeway call boxes. The Commission allocates Local Transportation Funds and the State Transit Assistance funds provided for support of public transit and local streets.

1.1.3 The Commission is responsible for the administration of Riverside County Measure A, the voter-approved half cent transportation transactions and use tax for funding major freeway construction, commuter rail services, local street and road improvements, specialized transit service for the elderly and persons with disabilities population and traffic management and environmental enhancement efforts. In 2002, Riverside County voters approved a 30-year extension of Measure A by more than a two-thirds margin.

1.1 General Scope of Services

1.1.1 The Consultant shall represent the Commission in matters of state government. Activities will include, but not limited to, presenting policy recommendations to agencies and elected officials; monitoring legislation and policy as it pertains to Commission programs and administration; securing public sector funding; and influencing legislation.

1.1.2 The Consultant(s) must have sound knowledge of public policy, clear understanding of the legislative process, solid political networks, knowledge of key agency programs and staff, familiarity with current state issues, effective communication skills, and a successful track record in securing appropriations on behalf of similar public sector clients. They should also have demonstrated experience in bipartisan relationships with a network of access to legislators, administrative and relevant agency staff, representatives in the Office of the Governor, and current gubernatorial candidates.

1.1.3 The scope of the consultant's services shall consist of, but not be limited to, ensuring that the Commission maintains a visible presence in Sacramento. The Commission's primary advocacy priorities are to protect state transportation funding for projects in Riverside County and promote policies that enable the efficient delivery of projects, respect local control, and "reward self-help" counties. The Commission places a high emphasis on having a Sacramento-based advocate who

is knowledgeable of the technical and political aspects of transportation funding and also has strategic relationships with key legislators from all political parties, the California Transportation Commission (CTC), and the Administration.

2.0 CONSULTANT'S RESPONSIBILITIES

2.1 The scope of services will include, but is not limited to, the following requirements:

- Regular communication and collaborative interaction with Riverside County legislative delegation, their staffs, and members and staff of relevant committees concerning the Commission's legislative interests;
- Remaining up-to-date with the Commission's legislative platform, board actions, and positions on bills, budget proposals, and items before the CTC;
- Coordination of overall advocacy strategy and tactics at the state level;
- Testifying on behalf of the Commission at legislative hearings, or preparing testimony for Commissioners or staff;
- Scheduling meetings with key offices and individuals for Commissioners and staff;
- Timely, insightful analysis and tracking of relevant legislation, budget proposals, and actions by the CTC and Administration;
- Providing occasional verbal reports to the Commission as needed;
- Providing leadership and coordination on Commission-sponsored bills;
- Building alliances and coalitions with like-minded entities to advance the Commission's legislative interests;
- Developing public relations and communications strategies to promote and support the Commission's legislative interests;
- Developing an annual work plan identifying objectives, barriers, approach, strategy, tactics, budgets, milestones and metrics;
- Developing and implementing appropriate State legislative agenda and strategy for the Commission;
- Arranging for facilitated meetings with key policymakers, staff, and others in state government; lead the preparation for those meetings and conduct those meetings, as appropriate, with agency and/or departmental representatives in Sacramento and elsewhere; provide assistance coordinating activities during Commission representative visits to stakeholders,

- Arranging for Commission representatives to participate in the legislative process including arranging or preparing for testimony, meetings, and/or written communications with legislators and agency boards and directors;
 - Maintaining direct contact with the legislature, state departments, agency staffs, and boards and commissions;
 - Advising the Commission on effective lobbying strategies;
 - Monitoring state legislation and regulations affecting the Commission and keeping the Commission and staff regularly informed on these matters;
 - Reviewing and analyzing proposed legislation and regulations to determine if they may be beneficial or adverse to Commission and advise Commission of such legislation. Work with Commission to determine Commission's position and seek to carry out the Commission's position;
 - Assisting the Commission with introduction and passage of legislation sponsored by Commission, as needed, to address agency funding or operational matters. This may include necessary actions to prepare draft legislation, obtain legislative sponsorship of bills, support committee analysis, obtain witnesses, and lobby appropriate officials as necessary to pass such bills;
 - Monitoring key agencies such as the Department of Transportation, California Air Resources Board and CTC;
 - Coordinating with other lobbying groups and individuals with similar legislative needs; Identifying potential partnerships with other public entities or other organizations with an interest in Commission or common transportation matters; and
 - Working to restore, preserve and expand state and regional transportation capital and operating funds that could be used to support Commission projects and programs.
- 2.2 Consultant shall comply with all state lobbying disclosure requirements and maintain the highest ethical standards both, publicly and privately, including the avoidance of conflicts of interest.
- 2.3 Consultant shall provide other services within the individual's and/or firm's ability as requested.
- 2.4 The Commission reserves the right to competitively bid any or all portions of work addressed in this agreement.

3.0 RECORDS AND AUDIT

Contractor(s) shall maintain records and books of account showing all costs and expenses incurred by the contractor for the contract. The Commission shall have the right, upon reasonable notice, to audit the books, records, documents, and other evidence and the

accounting procedures and practices, where needed, to verify the costs and expenses claimed. The Commission retains this right for at least three years after final payment and until all disputes, appeals, litigation, or claims have been resolved. This right to audit shall also include inspection at reasonable times of the consultant's office or facilities which are engaged in the performance of the contract. In addition, the consultant shall, at no cost or expense to the Commission, furnish reasonable facilities and assistance for such an audit. Audit findings shall, to the extent allowed by law, be treated by the Commission as confidential.

End of Statement of Work