



November 21, 2024

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Federal Legislative Advocacy and Consulting Services

A handwritten signature in blue ink, appearing to read "Darrell E. Johnson", is written over the "To:" and "From:" fields of the memo.

Overview

On June 24, 2024, the Board of Directors approved the release of a request for proposals for federal legislative advocacy and consulting services to begin when the present term for these services expires on December 31, 2024. An evaluation team comprised of staff and members of the Board of Directors has reviewed the proposals. Board of Directors' approval is requested to select a firm to provide federal legislative advocacy and consulting services for the two-year period beginning January 1, 2025.

Recommendations

- A. Approve the selection of Potomac Partners DC to provide federal legislative advocacy and consulting services.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2285 with Potomac Partners DC, in the amount of \$540,000, for the period of January 1, 2025, to December 31, 2026, with two, two-year option terms, to perform federal legislative advocacy and consulting services.

Background

The Orange County Transportation Authority's (OCTA) federal legislative advocacy consultants represent the agency's positions on legislation, policy issues, and funding priorities before Congress and the Administration, including the appropriate modal administrations of the United States Department of Transportation. The federal legislative advocacy consultants also provide input to the OCTA legislative platform, notify staff of relevant proposed legislation, congressional activity affecting OCTA, and provide timely updates and strategy for transportation issues and events occurring in Washington, DC.

Presently, OCTA's federal legislative advocacy and consulting services are provided by Potomac Partners DC (PPDC), whose principals are Rick Alcalde and Dan Feliz.

Procurement Approach

This procurement was handled in accordance with OCTA's Board of Directors (Board)-approved procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering factors such as qualifications, prior experience with similar projects, staffing and project organization, work plan, as well as cost and price.

On June 24, 2024, the Board approved the release of Request for Proposals (RFP) 4-2285, which was electronically issued on CAMM NET. The project was advertised in the Washington Post, Passenger Transport, as well as a local newspaper of general circulation. A pre-proposal conference was held in Washington, DC on July 16, 2024, and was attended by two firms. Two addenda were issued to make available the pre-proposal conference registration sheets and presentation, as well as to handle administrative issues related to the RFP.

On August 12, 2024, two proposals were received. An evaluation committee consisting of the OCTA Board Chair, OCTA Board Vice-Chair, OCTA Legislative and Communications Committee Chair, and OCTA staff from the Chief Executive Office and Government Relations divisions, as well as the Contracts Administration and Materials Management department, was established to review all submitted proposals. The proposals were evaluated based on the following Board-approved evaluation criteria and weightings:

- Qualifications of the Firm and Staffing 40 percent
- Work Plan 30 percent
- Cost and Price 30 percent

Several factors were considered in developing the three criteria weightings. Staff assigned the greatest level of importance to the qualifications of the firm and staffing as they are the most critical to the success of these services. A firm must be knowledgeable of the political and economic climate and the ongoing transportation issues that face Congress. Work plan, as well as cost and price, are weighted equally to ensure the firm performs the required services while maximizing cost efficiencies.

The evaluation committee reviewed both proposals listed below and short-listed Potomac Partners DC.

Firm and Location

Commonwealth Strategic Partners
Headquarters: Washington, D.C.
Project Office: Washington, D.C.

Potomac Partners DC (PPDC)
Headquarters: Washington, D.C.
Project Office: Washington, D.C.

The evaluation committee conducted a virtual interview with the short-listed firm. The interview consisted of a presentation by the firm to demonstrate the firm's understanding of OCTA's requirements. The firm's project manager and key team members had an opportunity to present their qualifications and respond to the evaluation committee's questions. Questions were related to the firm's strategies regarding grant pursuits, the firm's approach to representing OCTA's policy issues, and clarification on proposed staff assignments to the project.

Based on the evaluation of the written proposal and information obtained from the interview, the evaluation committee recommends PPDC for consideration of award to provide federal legislative advocacy and consulting services. The following is a brief summary of the proposal evaluation results.

Qualifications of the Firm and Staffing

The principal and founder of PPDC, Rick Alcalde, has represented OCTA since 2003. During this period of time, he and PPDC have developed a fluency in OCTA priority projects and programs, including the Interstate 405 (I-405) Improvement Project and 91 Express Lanes, OC Streetcar Project, and work on the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN). Leveraging this knowledge, he has demonstrated an ability to keenly represent OCTA interests with members of the Orange County congressional delegation and congressional leadership to inform them of OCTA federal legislative priorities. This has led to several favorable outcomes including the securing of a Transportation Infrastructure Finance and Innovation Act loan for the I-405 Project, a full funding grant agreement for the OC Streetcar Project, implementation of permitting reforms under OCTA's Breaking Down Barriers

proposal, and funding to maintain transit operations during the coronavirus pandemic.

PPDC has also done a superior job of highlighting OCTA projects of interest to key congressional leadership, bringing them to tour projects in Orange County. These contacts include the Chairs of the House Transportation and Infrastructure Committee and the House Appropriations Committee. PPDC's conversations with these leaders are always focused on OCTA's priorities.

The proposed team would continue the staffing and project organization which has worked successfully for OCTA in the past. Rick Alcalde is proposed to continue serving as the lead advocate and program manager and will continue to provide in-depth technical skills and excellent knowledge of the legislative process. Dan Feliz will be another principal advocate for the contract, bringing in-depth technical knowledge in multiple areas including transportation, environmental, defense, housing and land use. Adam Cross, appropriations specialist will use his appropriations expertise to continue to successfully help OCTA apply for congressionally directed spending and community project funding requests.

Work Plan

A key attribute of PPDC is their strong relationship with Congressional members and federal officials, from both parties. Their proposal indicates a strong knowledge of OCTA's major initiatives, such as advancing federal surface transportation reauthorization legislation which builds on the funding levels included in the Infrastructure Investment and Jobs Act (IIJA), securing funding and permitting reforms to protect the LOSSAN rail corridor, protecting funding provided under the IIJA and Inflation Reduction Act for OCTA, and pursuing regulatory and permitting reforms to streamline project delivery. The work plan also outlines a comprehensive approach to achieving not only those goals, but also pursuing future grant funding, facilitating meetings in Washington D.C., and bringing key leadership to tour OCTA projects.

Cost and Price

Scores were based on a formula that assigned the highest score to the lowest proposed price and ranked the remaining price based on its relation to the lowest proposed price. Although PPDC proposed a higher price, it is deemed fair and reasonable as it is comparable to the price for these services paid by other transportation agencies such as the Metropolitan Transportation Commission and Metrolink. While PPDC has been under contract with OCTA since 2005, they have not seen an increase in their prices since 2011 when OCTA had two federal legislative advocacy and consulting contracts. The proposed budget is \$22,500 per month for a two-year initial contract term.

Procurement Summary

The next few years will likely bring significant legislative challenges relating to overall transportation funding and reauthorization of surface transportation programs. The evaluation committee determined that PPDC's proposal contained the best qualifications, staffing, and work plan to represent OCTA in the 119th Congress. As such, the evaluation committee recommends the selection of PPDC as the top-ranked firm to provide federal legislative advocacy and consulting services.

Fiscal Impact

This contract can be accommodated in the OCTA Fiscal Year 2024-25 Budget, Account No. 1412-7519-A3201-E58, and is funded with local funds.

Summary

Staff is recommending the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-4-2285 between the Orange County Transportation Authority and Potomac Partners DC, in the amount of \$540,000, for a two-year initial term with two, two-year option terms to provide federal legislative advocacy and consulting services.

Attachments

- A. Review of Proposals RFP 4-2285, Federal Legislative Advocacy and Consulting Services
- B. Proposal Evaluation Criteria Matrix, RFP 4-2285 Federal Legislative Advocacy and Consulting Services
- C. Contract History for the Past Two Years - RFP 4-2285: Federal Legislative Advocacy and Consulting Services

Approved by:



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