



June 21, 2018

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Amendment to Agreement with Platinum Advisors, LLC, for State Legislative Advocacy and Consulting Services

Overview

On June 23, 2014, the Orange County Transportation Authority Board of Directors approved an agreement with Platinum Advisors, LLC, for state legislative and consulting services for a two-year initial term, with two, two-year option terms. The first option term was exercised with an additional five-month duration through December 31, 2018, to align the contract term with the California legislative session. Staff is requesting approval to exercise the second option term effective January 1, 2019 through December 31, 2020.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-4-1412 between the Orange County Transportation Authority and Platinum Advisors, LLC, to exercise the second option term of the agreement, in the amount of \$420,000, for state legislative advocacy and consulting services. This will increase the maximum obligation of the agreement to a total contract value of \$1,347,500.

Discussion

From December 2002 until March 2014, the Orange County Transportation Authority (OCTA) contracted with Sloat Higgins Jensen and Associates (SHJA) for state legislative advocacy services. On March 10, 2014, the OCTA Board of Directors (Board) voted to end the contract with SHJA and directed staff to procure interim state advocacy services, while simultaneously beginning the process to release a new request for proposals for advocacy services to coincide with the 2015-16 legislative session. On April 4, 2014, a contract for interim state advocacy services was entered into with Platinum Advisors, LLC (Platinum), with a scheduled contract completion date of July 31, 2014. As part of the interim contract, the services of Topp Strategies, LLC, as a subcontractor, were

included, with Moira Topp serving as the lead legislative advocate for OCTA. Since 2007, Moira Topp served as OCTA's primary legislative advocate through her former employment with SHJA and as a subcontractor on the current contract with Platinum.

Since Platinum's representation started in 2014, Platinum has demonstrated a high level of excellence and responsiveness in advancing OCTA's positions and priorities by building coalitions, establishing relationships, and providing critical insight and strategic guidance on key policy matters. Annual evaluations performed by staff and adopted by the Board have consistently rated Platinum as "Excellent," "Very Good," or "Good" in both efforts and outcomes of key OCTA policy objectives.

Platinum's most recent successes include: securing an audit by the State Auditor on the impacts of online sales on the Local Transportation Fund, which led to the introduction of legislation to change the situs rules related to such; the introduction of a sponsor bill to allow for flexibility in the use of Low Carbon Transit Operations Program funding for the benefit of disadvantaged communities; preventing the passage of legislation that would negatively impact the Interstate 405 Improvement Project and general tolling policies; and preventing the passage of legislation that would change the formula for the allocation of state funding for capital projects. Platinum has also been consistently engaged in the ongoing discussions related to transportation funding and transportation reform, ensuring OCTA is at the table as proposals are put forward. This includes advocacy related to SB 1 (Chapter 5, Statutes of 2017) and cap-and-trade funding allocations.

Many of the above policy issues are expected to be ongoing in the upcoming legislative session. It is, therefore, recommended that the Board exercise the second option term to coincide with the 2019-20 legislative session.

Procurement Approach

The procurement was originally handled in accordance with OCTA's Board-approved procedures for professional and technical services. On June 23, 2014, the Board approved award of the agreement with Platinum. The original agreement was awarded on a competitive basis and included a two-year initial term with two, two-year option terms, in the amount of \$420,000. On April 25, 2016, the Board authorized exercising the first option term of the agreement and extending the term of the first option by five months through December 31, 2018, in the amount of \$507,500, to align with the California 2017-18 legislative session. The second option term will extend the

term of the agreement through December 31, 2020, in the amount of \$420,000, bringing the total contract value to \$1,347,500.

In accordance with the current agreement, Platinum's firm-fixed monthly fee will remain the same as originally negotiated. The agreement was awarded with no increases to the firm-fixed monthly fee.

Platinum has provided excellent service to OCTA throughout the term of the agreement. Extending the term of the agreement will allow Platinum to continue providing state legislative advocacy and consulting services through December 31, 2020.

Fiscal Impact

The project was approved in OCTA's Fiscal Year 2018-19 Budget, Government Relations, Account 1412-7519-A320-K5H, and is funded through the Local Transportation Fund.

Summary

Based on the information provided, staff recommends the Board authorize the Chief Executive Officer to negotiate and execute Amendment No. 2 to Agreement No. C-4-1412 with Platinum Advisors, LLC, to exercise the second option term in the amount of \$420,000, for continued state legislative advocacy and consulting services effective January 1, 2019 through December 31, 2020.

Attachments

- A. Sacramento Legislative Advocacy and Consulting Services Scope of Work
- B. Platinum Advisors, LLC, Agreement No. C-4-1412 Fact Sheet

Prepared by:

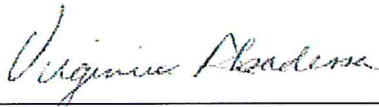


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