



October 18, 2018

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Agreement for Federal Legislative Advocacy and Consulting Services

Overview

On June 25, 2018, 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, 2018. An evaluation team comprised of staff and members of the Board of Directors has reviewed the proposals and conducted interviews with a short list of proposers. 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, 2019.

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-8-1750 with Potomac Partners DC, in the amount of \$20,000 per month, for the period of January 1, 2019 to December 31, 2020, with two, two-year options, 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 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, whose principals are Richard Alcalde and Daniel Feliz. Potomac Partners DC has been part of the OCTA legislative advocacy team since 2003. The firm is currently paid \$20,000 per month, and their contract expires on December 31, 2018.

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 effective 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 25, 2018, the Board approved the release of Request for Proposals (RFP) 8-1750, which was electronically issued on CAMM NET. The project was advertised in the Washington Post, Roll Call, Passenger Transport, as well as a local newspaper of general circulation. A pre-proposal conference was held in Washington, DC on July 11, 2018, and was attended by three firms. One addendum was issued to make available the pre-proposal conference registration sheets and handle administrative changes to the RFP.

On August 13, 2018, five proposals were received. An evaluation committee consisting of the OCTA Board Chair, OCTA Chairman, Finance and Administration Committee, and OCTA Vice Chairman, Legislative and Communications Committee, as well as OCTA staff from the Chief Executive Office, Government Relations, and Contracts Administration and Materials Management was established to review all submitted proposals. The proposals were evaluated based on the following Board-approved evaluation criteria and weights:

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| • 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 weights. 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 and cost and price are weighted equally to ensure the firm performs the required services while maximizing cost efficiencies.

The evaluation committee reviewed all proposals and short-listed the following firms listed below in alphabetical order:

Firm and Location

Akin Gump Strauss Hauer & Feld, LLP
Washington, DC

Potomac Partners DC
Washington, DC

Squire Patton Boggs, LLP
Washington, DC

Van Scoyoc Associates, Inc.
Washington, DC

The evaluation committee conducted interviews with the short-listed firms in Washington, DC. The interview consisted of a brief overview of the firms' organization, as well as an opportunity to respond to the evaluation committee's questions.

After considering the responses to the questions asked during the interview and the information provided in the proposals, the evaluation committee reviewed the preliminary ranking and made adjustments to individual scores; however, the ranking of the firms did not change.

Based on the evaluation of the written proposals and information obtained from the interviews, the evaluation committee recommends Potomac Partners DC (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 Firm and Staffing

The principal and founder of PPDC, Rick Alcalde, has represented OCTA since 2003. During this period of time, he has consistently shown the ability to communicate well with members of the Orange County congressional delegation to inform them of OCTA federal legislative concerns. Beyond that, Mr. Alcalde has done a superior job of reaching out to key members of the Administration, congressional leaders, and their staff to carry OCTA's message and mission for surface transportation. These contacts include the Chair of the House Transportation and Infrastructure (T and I) Committee, as well as key T and I subcommittee chairs and ranking members. His conversations with these leaders are always exclusively focused on OCTA's priorities. He has been able to bring many of these leaders to Orange County and Southern California to visit OCTA's facilities and see OCTA's projects. These activities have contributed significantly as OCTA sought a Transportation Infrastructure Finance and Innovation Act loan for the Interstate 405 Improvement Project and a Full Funding Grant Agreement for the OC Streetcar. In addition, the key proposed team would continue the staffing and project organization which has worked successfully for OCTA in the past. Dan Feliz will continue to provide in-depth technical skills and excellent knowledge of the legislative process. Adam Cross and Reed Bourgeois will provide legislative analysis and transportation research.

Work Plan

A key attribute of PPDC is their strong relationship with Congressional members and federal officials. Their exclusive representation of OCTA has successfully translated OCTA's legislative goals into relevant policy discussions with members of Congress and their staffs. Their proposal indicates a strong knowledge of OCTA's major initiatives, such as advancing federal surface transportation reauthorization legislation which contains a robust freight and bus capital program, seeking methods to stabilize and provide continued funding for the Highway Trust Fund, advocating for favorable Congressional action to equitably distribute any new funding generated from out-of-state online sales, supporting the continuation of the alternative fuels tax credit, and further streamlining the delivery of federally funded projects.

Cost and Price

Scores were based on a formula that assigned the highest score to the lowest proposed price and ranked the remaining prices based on their relation to the lowest proposed price. PPDC proposed a price within the established OCTA budget and there was no increase over their current rates.

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 116th Congress.

Fiscal Impact

OCTA staff is not recommending any increase in the total contract amount for federal legislative advocacy services above what has been authorized by the Board in the Fiscal Year 2018-19 Budget. The proposed funding will be at \$20,000 per month for a two-year initial contract term. This amount is included in the OCTA Fiscal Year 2018-19 Budget, Account 1412-7519-A3201-E58.

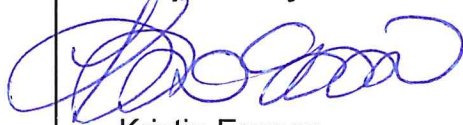
Summary

The Board approved the release of RFP 8-1750 for federal legislative advocacy and consulting services to begin when the current contract for these services expires on December 31, 2018. An evaluation team comprised of staff and Board members has reviewed the proposals and is recommending approval for the Chief Executive Officer to negotiate and execute Agreement No. C-8-1750 with Potomac Partners DC in the amount of \$20,000 per month for legislative advocacy and consulting services for the two-year period from January 1, 2019 to December 31, 2020, with two, two-year options.

Attachments

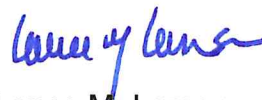
- A. Review of Proposals RFP 8-1750, Federal Legislative Advocacy and Consulting Services
- B. Proposal Evaluation Criteria Matrix (Short-Listed Firms), RFP 8-1750 Federal Legislative Advocacy and Consulting Services
- C. Contract History for the Past Two Year - RFP 8-1750 Federal Legislative Advocacy and Consulting Services

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