



Metro

Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

14

14

EXECUTIVE MANAGEMENT AND AUDIT COMMITTEE
April 15, 2004

**SUBJECT: AWARD OF CONTRACT FOR MTA FEDERAL LEGISLATIVE
ADVOCACY**

**ACTION: APPROVE CONTRACT AWARD IN THE TOTAL AMOUNT
OF \$1,960,000 FOR FEDERAL ADVOCACY SUPPORT**

RECOMMENDATION

Authorize the Chief Executive Officer to award a 4 year 8 month contract (Contract No. PS04713013) to Van Scoyoc Associates, Inc. for federal legislative advocacy services in an amount not to exceed \$1,960,000 inclusive of 3 one-year options beginning May 1, 2004.

RATIONALE

As a public agency, the MTA must utilize a variety of means to ensure that Los Angeles County's transportation interests are supported and advanced in Washington, D.C. Political advocates assist the MTA in communicating its legislative goals, its program objectives, and in obtaining 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 and as such are essential to successfully positioning the MTA in Washington, D.C. This will be especially crucial as the MTA battles for funding for the Metro Rail Eastside and other important projects and as Congress deals with the reauthorization of TEA-21.

In order to be successful, the MTA and its political advocates must present a coherent message to elected and appointed officials in Washington, D.C. This is especially true as the competition for precious bus and bus capital, ITS, and New Starts funding becomes more intense.

The last two years have been a challenge for the MTA in its effort to secure transportation funding from Congressional appropriators. Last year, the MTA suffered a setback when the Eastside Light Rail line did not receive an appropriations earmark.

With respect to the reauthorization of TEA-21, the MTA has continued to work with the House and Senate members and leaders to ensure that our programmatic and project priorities are appropriately addressed.

Legislative advocates are being heavily relied upon to assist in guiding the MTA through the FY 2005 appropriations process and ensuring that the MTA's programmatic and project priorities are included in the legislation that will replace TEA-21.

IMPACTS TO OTHER CONTRACTS

There are no impacts to any other contracts.

FINANCIAL IMPACT

The funding of \$595,509 for federal lobbying services is included in the FY 05 proposed 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 Executive Officer will be accountable for budgeting the cost in future years, including any option exercised. In CY 03 \$587,411 was expended on federal lobbying services.

ALTERNATIVES CONSIDERED

Recently the Board approved the hiring of an in-house federal staff person based in Washington DC. The role of the individual is to coordinate with the MTA's lobbyists and provide a constant MTA presence in the nation's capital. This in-house staff could conceivably provide all Legislative Advocacy services for the MTA. This alternative is not recommended since in-house staff does not have the time nor resources available to effectively influence the federal legislative process.

DISCUSSION

The recommended awardees have strong Republican and Democratic connections, a solid understanding of the appropriations and authorization processes, good relationships with the Los Angeles County and California Congressional delegation and key committee and sub-committee Chairpersons, and knowledge of the MTA and its many projects.

Van Scoyoc Associates, Inc. maintains one of Washington's most extensive and successful legislative practices. The firm currently has over 70 staff members (including professional, legislative staff and administrative assistants). Their client list includes local and municipal governments, public transit agencies, major institutions of higher learning, economic development authorities and Fortune 500 companies.

Van Scoyoc has experience working with transit agencies. Some of the firm's current transit clients are the Alameda Contra Transit District (AC Transit), Dallas Area Rapid Transit (DART), and New York State Metropolitan Transportation Authority. The firm has assisted DART in securing \$90 million in New Start funding, including \$30 million in the FY 04 appropriations cycle (the agency's full request). Van Scoyoc also has extensive experience

working on the reauthorization of TEA-21. While the MTA has already submitted its reauthorization requests, the firm will support those requests during floor and conference committee consideration of the reauthorization bills.

The Van Scoyoc Team will be comprised of the following individuals:

H. Ray Cole - Mr. Cole joined Van Scoyoc Associates, Inc. in 1999. Mr. Cole has concentrated on appropriations and federal policy for his clients, specifically in the area of transportation, defense, higher education and financial services. He served as state Director for Senator Richard Shelby of Alabama from 1993 until 1999. While state director, he was Senator Shelby's representative in Alabama, responsible for day-to-day management of constituent affairs and all special projects. He also organized, managed and responded to all political activities for the Senator.

Steven O. Palmer – Mr. Palmer has worked for Van Scoyoc Associates, Inc. since 1998 after nearly 20 years on Capitol Hill and as Assistant Secretary at the U.S. Department of Transportation (DOT). From 1993 to 1998, Mr. Palmer served as DOT's Assistant Secretary for Government Affairs where he worked on a bi-partisan basis with Congress. He helped secure passage of critical legislation such as TEA-21, as well as the annual DOT Appropriations bills. Mr. Palmer was one of three people asked by Secretary of Transportation, Norm Mineta to assist him during his transition and Senate confirmation in 2001.

Before his appointment to DOT, Mr. Palmer served 10 years in senior positions on the Senate Committee on Commerce, Science, and Transportation, including seven years as Staff Director of the Senate Aviation Subcommittee and three years as the Staff Director of the Space Sub-committee.

Simon Gros – Mr. Gros has been with Van Scoyoc Associates, Inc. for more than two years. His responsibilities include, but are not limited to, preparing and implementing action plans for the Congress with a primary focus on transportation issues. Mr. Gros monitors legislation and agency activity and works to maintain a seamless conduit of information between his clients and Capitol Hill. Before joining Van Scoyoc, Mr. Gros worked for more than three years as a legislative aide to Representative Frank LoBiondo (R-NJ). Mr. Gros was the senior staff contact for Congressman LoBiondo's work as a member of the Transportation an Infrastructure Committee. In this role he worked with committee staff to secure funding for transportation projects in the Congressman's District.

Mary Pat Lawrence - Ms. Lawrence serves as the Director, Government Relations and Counsel at Van Scoyoc. She joined the firm in 2003 and is responsible for providing support to clients and assisting them in identifying funding sources, developing projects and advocating requests to the Congress and federal agencies. Prior to joining Van Scoyoc, Ms. Lawrence worked on the Senate Select Committee on Intelligence, where she served as Counsel from April 2001 to July 2003 under Senator Richard Shelby. She also served as a Legislative Counsel in the office of Senator Jeff Sessions (R-AL) where she dealt with legislation considered by the Judiciary Committee.

Sarah Mc Dermond – Ms. McDermond serves as a staff assistant to Mr. Palmer and Mr. Cole. She supports clients that have a particular emphasis in financing and infrastructure development.

In addition to these individuals, Van Scoyoc and Associates, Inc., will sub-contract with the following individual for lobbying services:

Dennis Stephens – Mr. Stephens is a government relation’s counselor for Preston, Gates, Ellis LLP. He has served in various positions in the Reagan and Bush administrations including a position in the Office of Presidential Personnel in the Reagan White House. Immediately before joining Preston Gates, Dennis was the legislative director for Representative Roger Wicker (R-MS). While on the Hill, Mr. Stephens worked on issues before the House Banking, Resources and Appropriations Committees. Mr. Stephens also worked as a legislative assistant to then Majority Leader Dick Armey where he served as his top tax and budget staff person for four years. He also served as legislative director for Representatives Joe Barton (R-TX) and Richard Pombo (R-CA).

ATTACHMENTS

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

Prepared by: Gary Clark
Deputy Executive Officer, Government and Board Relations

Maria A. Guerra

Maria A. Guerra,
Chief of Staff

RS

Roger Snoble,
Chief Executive Officer

PROCUREMENT SUMMARY
FEDERAL ADVOCACY SUPPORT

1.	Contract Number: PS04713013		
2.	Recommended Vendor: Van Scoyoc & Associates		
3.	Cost/Price Analysis Information:		
	A. Bid/Proposed Price: \$1,960,000	Recommended Price: \$1,960,000	
	B. Details of Significant Variances are in Attachment A-1.D		
4.	Contract Type: FFP		
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: Pending		
	F. Conflict of Interest Form Submitted to Ethics: April 2, 2004		
6.	Small Business Participation:		
	A. Bid/Proposal Goal: No goal recommended	Date Small Business Evaluation Completed: N/A	
	B. Small Business Commitment: Details are in Attachment A-2		
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> \$1,960,000	<u>Best and Final Offer Amount:</u> N/A
	B. Evaluation Methodology: Non-Competitive		
9.	Protest Information: N/A		
	A. Protest Period End Date: 27April, 2004		
	B. Protest Receipt Date: TBD		
	C. Disposition of Protest Date: TBD		
10.	Contract Administrator: Rick Owens	Telephone Number: 922-1063	
11.	Project Manager: Raffi Hamparian	Telephone Number: 922-3769	

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 the MTA to provide Federal Advocacy Support from January 14, 2004 to April 30, 2004 in an amount not to exceed \$122,500.

B. Procurement Background

The contract was awarded as a result of a non-competitive procurement due to the unique nature of the trust, confidence, and synergy that staff has developed with Van Scoyoc, Associates, Inc. who will act as advisors 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 \$1,960,000 has been determined to be fair and reasonable based upon previous similar projects. Per month charges are consistent with the current contract with Van Scoyoc, Associates, Inc.

Bid/Proposal Amount	MTA Estimate	Recommended/Negotiated Amount
\$1,960,000	\$1,960,000	\$1,960,000

LIST OF SUBCONTRACTORS
FEDERAL ADVOCACY SUPPORT

PRIME CONTRACTOR – Van Scoyoc, Associates, Inc.

Small Business Commitment

Other Subcontractors

N/A

Preston, Gates, Ellis, LLP

Total Commitment No Goal Recommended.