



**METROPOLITAN  
TRANSPORTATION  
COMMISSION**

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## *Memorandum*

TO: Administration Committee

DATE: October 5, 2011

FR: Executive Director

W. I. 1132

RE: Contract Amendment: Legislative Representation for FY 2009-10 and FY 2010-11: Government Relations, Inc. – Thomas J. Bulger

MTC has long been recognized as a leader in transportation policy at a national level and much of that success has resulted from the work done by our registered lobbyist, Tom Bulger (dba Government Relations, Inc.), who has served the Commission in Washington, D.C. since 1984.

Staff recommends extending MTC's contract with Government Relations, Inc. to provide legislative representation services in Washington, D.C. on a sole source basis for two years, through October 31, 2013. Tom Bulger's current contract, which began in July 2005, was last extended in October 2008 and will expire at the end of this month.

### **Sole Source Justification**

At the time the last contract amendment was approved in 2008, Commissioner Haggerty requested that staff examine Mr. Bulger's performance before the next contract amendment was approved. This memo provides that evaluation and justification for proceeding with a sole-source contract amendment.

Mr. Bulger possesses extensive experience through representing MTC during three federal transportation authorization cycles. This experience has led to close relationships with key members of Congress, members of the Administration and federal agency staff. Such relationships are invaluable in helping to resolve funding and policy issues, large and small. Mr. Bulger also has an in-depth understanding of the Bay Area, its many transportation players, and the unique roles each plays. Mr. Bulger has long served a complementary role to each of the many transportation agencies throughout the Bay Area by helping to make sure that federal policy and programs benefit the *entire* Bay Area, as opposed to focusing on funding for specific projects.

During Mr. Bulger's tenure, MTC has developed a reputation in Washington D.C. as one of the nation's most creative and effective metropolitan planning organizations. For example, MTC is regularly asked to testify before Congressional Committees. Most recently, I appeared before the Senate Environment and Public Works Committee field hearing in Los Angeles last February.

Time and again, Mr. Bulger proved his effectiveness while serving as MTC's Washington liaison for numerous Full Funding Grant Agreements (FFGAs) for Bay Area New Starts candidates, including helping to coordinate funding requests for BART, VTA, S.F. MTA and many other agencies. With the region seeking approval for two new FFGAs within the next year (S.F. MTA's Central Subway

extension as well as BART to Silicon Valley) Mr. Bulger's guidance through the process will no doubt be invaluable.

Mr. Bulger was also intimately involved in the legislative advocacy that led to the creation of the Surface Transportation Program/Congestion Mitigation and Air Quality (STP/CMAQ) programs, as well as the ability to "flex" certain federal highway funding to transit projects that has served the region so well for the last two decades. This experience will be needed as we seek to expand the federal commitment to the nation's metro areas, while also seeking broader reforms to federal transportation policies.

Finally, it is important to emphasize the close relationships Mr. Bulger has developed with the Bay Area congressional delegation over his many years serving as MTC's face in Washington. Because many of these members of Congress have served for such a long time — Senator Boxer: 28 years, Senator Feinstein: 29 years, Congresswoman Pelosi: 24 years, Congressman Stark: 38 years, Congressman Miller: 36 years, Congresswoman Eshoo: 18 years, Congresswoman Lee: 13 years, and Congressman Honda: 10 years — they have become especially reliant upon Mr. Bulger as a trusted liaison to MTC.

In conclusion, Mr. Bulger's intimate knowledge of the substantive policy and political context of federal transportation policy will be critical over the next two years. He is the right person to represent MTC in Washington, D.C. during this highly uncertain time.

### **Recommendation**

Staff recommends that Mr. Bulger's contract be extended for two additional years through October 13, 2013 at the same rate of compensation — an annualized amount of \$263,100. Funding for the second year of the contract amendment would be subject to the adoption of the Commission's annual budget in fiscal years 2012-13 and FY 2013-14.

Staff recommends that the Committee authorizes the Executive Director or his designee to enter into a contract amendment in the maximum amount of \$526,200 with Tom Bulger (dba Government Relations, Inc.), subject to approval of future agency budgets and concurrent approval by the Legislation Committee.

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Steve Heminger

SH:RL

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## REQUEST FOR COMMITTEE APPROVAL

### Summary of Proposed Contract Amendment

Work Item No.: 1132

Vendor: Government Relations, Inc. (Thomas J. Bulger), Washington, DC

Work Project Title: Legislative Analysis and Advocacy

Purpose of Project: Obtain services of a legislative advocate in Washington, D.C.

Brief Scope of Work: Provide the Metropolitan Transportation Commission (MTC) with legislative consultant services in Washington, D.C. Act as legislative advisor; monitor all legislation affecting MTC; report to the Manager of Legislation and Public Affairs, Executive Director, the Legislation Committee, and the Commission as needed.

Project Cost Not to Exceed:

\$175,400	(November 1, 2011 to June 30, 2012)
\$263,100	(July 1, 2012 to June 30, 2013, subject to inclusion in the FY 2012-13 agency budget)
\$ 87,700	(July 1, 2013-October 31, 2013, subject to inclusion in the FY 2013-14 agency budget)
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\$526,200	Total

Funding Sources: TDA, STA

Fiscal Impact: \$175,400 is included in the FY 2011-12 agency budget; remaining amounts to be included in future year agency budgets

Motion by Committee: That the Executive Director or his designee is authorized to negotiate and enter into a contract amendment with Government Relations, Inc. for the legislative consultant services of Thomas J. Bulger, and the Chief Financial Officer is directed to set aside funds in the amounts set forth above for such amendment, subject to approval of future agency budgets.

Administration Committee:

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Dave Cortese, Chair

Approved: Date: October 12, 2011

Legislation Committee:

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Scott Haggerty, Chair

Approved: Date: October 14, 2011