Agenda Item: 3
REVISED

METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Administration Committee DATE: November 13, 2013

FR: Executive Director W. I. 1132

RE: Contract - Sacramento Legislation Representation: Carter, Wetch & Associates ($345,000)

Staff seeks the approval of the Legislation and Administration Committees of a three year contract with Carter, Wetch & Associates in the amount of $345,000 to provide legislative representation in Sacramento, with 3 one-year options to extend.

Background
MTC has been represented in Sacramento by Carter, Wetch & Associates since January 2006. The original contract was for three years and was amended four times, most recently in November 2011 when it was extended through the end of October 2013. The proposed contract will start on November 18, 2013 and continue through November 17, 2017.

Procurement Process
This past summer, MTC issued a request for qualifications (RFQ) for state legislative advocacy services. Information on the RFQ was posted on our web site and sent directly to a list of known lobbying firms in Sacramento and to a distribution list of over 100 public agencies who work on legislative issues in order to get the widest possible distribution in order to contact prospective contract candidates.

We received three proposals that were reviewed by an evaluation committee of MTC, and Alameda County Transportation Commission staff. The evaluation criteria included: (1) experience, qualifications and expertise; (2) potential conflict of interest; and (3) cost. The RFQ stated that the first and second criteria were more important than cost.

The costs of the three proposals were as follows:

Firm	Amount Per Year
Wildhorse Consulting	$91,500
Smith, Watts & Martinez, LLC	$104,000
Carter, Wetch & Associates	$115,000

The Committee determined that the proposal submitted by Wildhorse Consulting did not demonstrate sufficient experience or qualifications with respect to transportation and, as a result, did not interview the firm.

The panel interviewed Smith, Watts & Martinez and Carter, Wetch & Associates on October 25, 2013. With respect to the first criterion — experience, qualifications and expertise — the review panel members gave the firms very close rankings, though for different reasons. The team members of Smith, Watts & Martinez collectively possess over 50 years' expertise in the transportation arena and have unparalleled experience working with transportation interests statewide. Carter Wetch & Associates has strong experience in the specifics of transportation policy and demonstrated a superior degree of expertise with respect to political strategy and strong relationships in Sacramento among members and the Administration. Given that MTC staff also possesses extensive experience and knowledge about state transportation policy and local and statewide coalition building, the panel determined that this was less important than finding a firm that could most effectively help *implement* the agency's legislative priorities.

Another major consideration of the panel was with respect to the conflict of interest criterion. Carter, Wetch & Associates has no other transportation clients and focuses this part of their practice exclusively on MTC. Smith, Watts & Martinez represent numerous other transportation agencies, including some in the Bay Area. The panel was concerned that conflicts between the policy priorities of existing clients and MTC could at times compromise the firm's ability to represent MTC.

Under MTC's current contract, Carter, Wetch & Associates has repeatedly demonstrated their ability to oppose adverse legislation as well as the ability to shepherd legislation sponsored or supported by MTC to the finish line, such as SB 375 (Steinberg, 2008) and more recently, AB 57 (Beall, 2012), the first bill to restructure MTC's board since its inception in 1970. The original team of Scott Wetch, Duncan McFetridge and Paul Bauer shifted during the current contract with Justin Fanslau now serving as the third member of the team, replacing Paul Bauer. Staff is confident that the current team provides the agency with top notch access to legislators and staff in the State Assembly and Senate as well as the Brown Administration.

Recommendation

Staff recommends that this Committee authorize the Executive Director or his designated representative to negotiate and enter into a three-year contract with Carter, Wetch & Associates not to exceed $345,000 for state legislative advocacy services, subject to future fiscal years' budget approval processes, with an option to renew for three additional one-year periods, subject to the parties' agreement on renewal terms.

Steve Heminger

SH: RR

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REQUEST FOR COMMITTEE APPROVAL
Summary of Proposed Contract

Work Item No.:	1132
Consultant:	Carter, Wetch & Associates, Sacramento, CA
Work Project Title:	Sacramento Legislative Advocacy Services
Purpose of Project:	Advocate on behalf of MTC, MTC SAFE, BATA, BAHA, and BAIFA with the California Legislature & Administration
Brief Scope of Work:	• Assist MTC in advocating for or against pending legislation, consistent with MTC's adopted legislative program • Assist in scheduling meetings with appropriate members of the Legislature as well as with other state officials • Assist in preparation of materials, testimony and written communication with regard to MTC's interests concerning legislation, programs and other activities
Project Cost Not to Exceed:	$345,000 $71,890 for the remainder of FY 2013-14 $115,000 each for FYs 2014-15 and 2015-16 $43,110 for FY 2016-17 through November 17, 2017
Funding Source:	TDA, SAFE
Fiscal Impact:	Funds for FY 2013-14 are programmed in FY 2013-14 adopted agency budget; future fiscal years are subject to the agency budget approval process.
Motion by Committee:	That the Executive Director or his designated representative to negotiate and enter into a contract with Carter, Wetch & Associates for up to three years with the option to renew for three additional one-year periods, as described above and in the Executive Director's November 1, 2013 memorandum, and the Chief Financial Officer is directed to set aside funds as specified above for such a contract, subject to inclusion in annual agency budgets.

Legislation Committee

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Scott Haggerty, Chair

Date Approved: November 8, 2013

Administration Committee:

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Adrienne J. Tissier, Chair

Date Approved: November 13, 2013