



Memorandum

Date: 10.13.15 **RE:** Finance Committee
October 20, 2015

To: Finance Committee: Commissioners Avalos (Chair), Mar (Vice Chair), Campos, Cohen, Kim and Wiener (Ex Officio)

From: Amber Crabbe – Assistant Deputy Director for Policy and Programming *Ac*

Through: Tilly Chang – Executive Director *TCC*

Subject: **ACTION** – Recommend Awarding a Three-Year Consultant Contract, with an Option to Extend for Two Additional One-Year Periods, to Smith, Watts and Hartmann in an Amount Not to Exceed \$135,000 for State Legislative Advocacy Services, and Authorizing the Executive Director to Negotiate Contract Payment Terms and Non-Material Contract Terms and Conditions

Summary

The Transportation Authority seeks to contract with a legislative advocate experienced in transportation legislation and in the state legislative process to monitor and analyze proposed state legislation affecting the Transportation Authority, assist in the development of new legislation, and develop strategies for advancing legislative initiatives beneficial to the Transportation Authority and its programs. On August 12, 2015, the Transportation Authority issued a request for proposals (RFP) for state legislative and advocacy services. By the proposal deadline of September 14, 2015, one firm submitted a bid, which included both a technical and cost component. Based on the process defined in the evaluation criteria of the RFP document, the selection panel, comprised of Transportation Authority staff, recommended award of the state and legislative advocacy services contract to the firm of Smith, Watts and Hartmann.

BACKGROUND

The Transportation Authority contracts with City and County of San Francisco (City) departments and outside firms for certain specialized professional services in areas where factors like costs, work volume or the degree of specialization required would not justify the use of in-house staff. The Transportation Authority is seeking a legislative advocate experienced in transportation legislation and in the state legislative process to monitor and analyze proposed state legislation affecting the Transportation Authority, assist in the development of new legislation, and develop strategies for advancing legislative initiatives beneficial to the Transportation Authority and its programs. The Transportation Authority uses these services to take positions on bills affecting its role as administrator of local transportation sales tax funds, as the Congestion Management Agency for San Francisco, as the San Francisco Program Manager for the Transportation Fund for Clean Air Program, as the administrator of Prop AA vehicle registration fee and as the Treasure Island Mobility Management Agency.

The Transportation Authority's current contract with Smith, Watts, and Hartmann for state legislative analysis and advocacy services is in its fifth year and will expire on October 31, 2015. The Transportation Authority's policy is to competitively re-bid professional services contracts after five

years.

DISCUSSION

The purpose of this memorandum is to describe the procurement process and recommend award of the advocacy services contract to Smith, Watts, and Hartmann.

This consultant is expected to provide the Transportation Authority effective representation and advocacy on all state surface transportation, congestion management, transportation funding, infrastructure finance and delivery, transportation-related land use, climate change and clean air initiatives before the Legislature, state agencies and related interest groups.

The consultant will perform the following tasks:

- Provide advice, counsel and assistance to the Transportation Authority on all state legislative issues involving transportation policy, transportation funding, infrastructure finance and delivery, congestion management, transportation-related land use, climate change and clear air issues;
- Monitor pending legislation and advise the Transportation Authority of the status and impact of legislation affecting the Transportation Authority and/or its programs;
- Assist the Transportation Authority in developing an annual overall state transportation legislative/appropriations strategy, in coordination with other City and regional transportation agencies;
- Act as liaison, as needed and requested by the Executive Director, to the Senate and Assembly Transportation Committees of the Legislature, as well as to the California Department of Transportation, the California Air Resources Board and the California Transportation Commission;
- Suggest, develop and help implement legislation which supports the Transportation Authority's goals and objectives;
- Coordinate legislative initiatives with the Metropolitan Transportation Commission and other self-help counties in the region and the state;
- Coordinate legislative initiatives with the City's Sacramento legislative advocate, to ensure synergy and avoid duplication of efforts on issues on which both City and Transportation Authority may choose to take positions;
- Provide timely responses to legislative requests for testimony or information on Transportation Authority initiatives or bills affecting the Transportation Authority;
- Represent the Transportation Authority's interests before the legislature or in individual meetings with legislators and staff, as directed;
- Assist the Transportation Authority in developing an annual overall state transportation legislative and appropriations strategy, in coordination with other city and regional transportation agencies;
- Provide other legislative services as needed.

Written reports will be required, as follows:

- Monthly progress/cost reports on pending legislation and specific legislative activities performed by category, staff assignment, and hours worked;
- Presentations to the Citizens Advisory Committee, Finance Committee and/or Board, upon request;
- Memoranda on specific issues as requested by the Executive Director or the Chief Deputy Director;
- Updates on bills monitored by the Transportation Authority during legislative sessions; and
- Draft report advising the development of the Annual State Legislative Program.

On August 12, 2015, the Transportation Authority issued a Request for Proposals (RFP 15/16-01) for state legislative and advocacy services. By the due date of September 14, 2015, we received one proposal in response to the RFP. The review panel, consisting of Transportation Authority staff, reviewed the proposal based on the qualifications and other criteria detailed in the RFP. Based on the selection panel's evaluation of the proposal, the panel recommended award of the contract to the firm of Smith, Watts & Hartmann. The contract will be for a three-year term, with options to renew for two additional one-year terms at the Transportation Authority's discretion, based on satisfactory performance and annual negotiation of costs.

For this contract, we have established a Disadvantaged Business Enterprise (DBE)/Local Business Enterprise (LBE)/Small Business Enterprise (SBE) goal of 10%, accepting certifications by the Transportation Authority, the City, the California Department of General Services, or the California Unified Certification Program. We took steps to encourage participation from DBEs, LBEs and SBEs, including distributing the RFP to the Transportation Authority's mailing list, DBEs, LBEs, SBEs, the Bay Area and cultural Chambers of Commerce, and the Small Business Councils. We also advertised the RFP in seven newspapers: Nichi Bei Weekly, San Francisco Bay View, San Francisco Chronicle, San Francisco Examiner, Sacramento Bee, Small Business Exchange, and the Western Edition. Smith, Watts and Hartmann is a certified SBE and has pledged a total SBE utilization of 100% for the proposed contract.

ALTERNATIVES

1. Recommend awarding a three-year consultant contract, with an option to extend for two additional one-year periods, to Smith, Watts and Hartmann, in an amount not to exceed \$135,000 for state legislative advocacy services, and authorizing the Executive Director to negotiate contract payment terms and non-material contract terms and conditions, as requested.
2. Recommend awarding a three-year consultant contract, with an option to extend for two additional one-year periods, to Smith, Watts and Hartmann, in an amount not to exceed \$135,000 for state legislative advocacy services, and authorizing the Executive Director to negotiate contract payment terms and non-material contract terms and conditions, with modifications.
3. Defer action, pending additional information or further staff analysis.

CAC POSITION

The CAC considered this item at its September 30, 2015 meeting and unanimously adopted a motion of support for the staff recommendation.

FINANCIAL IMPACTS

The total cost of the contract will not exceed \$135,000 for the initial three years. A portion of the first year's activity was included in the Transportation Authority's adopted Fiscal Year 2015/16 budget. Sufficient funds will be included in future budgets to cover the cost of this contract.

RECOMMENDATION

Recommend awarding a three-year consultant contract, with an option to extend for two additional one-year periods, to Smith, Watts and Hartmann, in an amount not to exceed \$135,000 for state legislative advocacy services, and authorizing the Executive Director to negotiate contract payment terms and non-material contract terms and conditions.