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Los Angeles County
Metropolitan Transportation Authority

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2nd REVISED
EXECUTIVE MANAGEMENT COMMITTEE
JANUARY 15, 2015

SUBJECT: FEDERAL CONSULTING SERVICES

ACTION: MODIFY FEDERAL CONSULTING SERVICES CONTRACT

RECOMMENDATION

A. Authorize the Chief Executive Officer to execute modification No. 2 to Contract No. PS71303218 to provide federal consulting services for a period of 12 months in the amount not to exceed \$120,000, increasing the Total Contract Value from ~~\$120,000 to \$240,000.~~ \$150,000 to \$270,000.

B. Add Contract Modification Authority to Contract No. PS71303218 for future changes in the amount of \$120,000.

ISSUE

As a public agency, we are required to utilize a variety of means to ensure that Los Angeles County's transportation interests are aggressively advanced and championed in Washington, D.C. Consultants can serve to enhance our leverage, improve our ability to communicate Board-adopted legislative goals and program objectives, and help staff to secure the county's fair share of federal transportation funding.

Federal consultants can provide depth to the agency's coverage of policy matters pending before key congressional leaders and with the Executive Branch, including but not limited to, the U.S. Department of Transportation and the Office of Management and Budget. Consultants can play a critical role in providing technical expertise as well as political guidance in navigating through the complexities of the legislative process and in positioning our agency for successful policy and budgetary outcomes. Moreover, given the high level of fiscal uncertainty in Washington, D.C., combined with anticipated significant movement on the transportation policy front over the next two years, the role of a consultant on federal issues could be especially important during the upcoming 114th Congress.

In order to be successful, Metro, along with our political advocates and consultants, must present a clear and coherent message to elected and appointed officials in Washington, D.C. This is especially true as Congress prepares to chart a new course on surface transportation policy when it seeks to authorize a new surface transportation

bill in 2015. The authorization effort is likely to break new ground on both policy and finance, and as such, it is essential that our advocates and consultants are prepared to embark on thoughtful and aggressive efforts during the 114th Congress to champion our needs before key players on Capitol Hill and to ensure that our interests are appropriately addressed.

Consistent with our Board-adopted legislative program, a cornerstone of our federal agenda, as represented by our advocates, will be leveraging Measure R funds and advancing the America Fast Forward initiative. It is essential to bring additional federal resources to bolster local dollars entrusted to us by Los Angeles County taxpayers for the highway and transit projects outlined in Measure R's expenditure plan.

DISCUSSION

In 2014, our agency initiated a sole-source contract in the amount of \$10,000 per month for consulting services from Buchanan, Ingersoll & Rooney. The contract began on December 6, 2013 and was slated to expire on December 5, 2014. On November 18, 2014, our agency moved to extend the contract with Buchanan, Ingersoll & Rooney for a period of three months, through March 5, 2014.

During the 113th Congress, Buchanan, Ingersoll & Rooney were helpful in providing consulting services to advance the goals and objectives in our Board-approved 2014 Federal Legislative Program. The firm's work was especially focused on goods movement issues and our broader, Board-approved aim, of creating a new and separate federal trust fund to provide resources for goods movement projects in Los Angeles County. The firm's work during the 113th Congress also had a strong focus on our America Fast Forward initiative. Specifically, Buchanan, Ingersoll & Rooney provided sound advice on how this initiative – which would provide an interest-free source of funds - could secure support from federal legislators and key transportation stakeholders across the United States.

The scale and scope of our Board-adopted Federal Legislative Program requires that our federal advocates and consultants have strong bi-partisan ties on Capitol Hill and an ability to convey to policymakers in the Executive Branch our policy and project based priorities. The following two individuals from Buchanan, Ingersoll & Rooney team have and would, should this Board Report be approved, continue to provide federal consulting services for our agency:

Robert L. Shuster, Co-Manager – Robert L. Shuster has provided counsel to clients on general business matters and legislative/public issues. These matters include transportation issues, employment issues, industrial development opportunities and state and federal appropriations.

Robert has experience dealing with legislative matters with both the federal government and the Commonwealth of Pennsylvania. Previously, he has worked for the Chrysler Corporation; the government relations section of a Washington, D.C., law firm; Senator Robert C. Jubelirer, the former president pro tempore of the Pennsylvania State Senate; and Congressman William F. Clinger, Jr., former chairman of the House Reform and Oversight Committee.

Robert's practice has been primarily in the area of infrastructure projects and appropriations for transportation, defense and health care. He was a member of the President George W. Bush Transportation Transition Team. He has served as the director and coordinator of two successful statewide judicial campaigns and as a regional field operative in gubernatorial campaigns. He served on Governor Ridge's transition task forces for the Department of Community and Economic Development and the Department of Transportation, as well as on Attorney General Mike Fisher's Transition Team. Most recently, he was named as a member of Governor Ed Rendell's Transportation Transition Team.

Robert has been involved in a number of start-up companies, acting as legal counsel and consultant. His responsibilities have included corporate structuring, government affairs and attracting angel/venture capital investments. The companies with which he has been associated have been technology, media, health care and transportation infrastructure oriented business.

He has been published in West's *Lobbying, PAC and Campaign Finance: 50 State Handbook*, and has lectured on the Pennsylvania and Federal Lobbying Acts. Robert continues to provide counsel to various campaign committees and private organizations on the intricacies of these areas of law.

Terence Heubert, Co-Manager –Terrence Heubert has been advocating for a variety of interests in Washington, D.C. for 15 years, focusing mainly on health care and transportation and infrastructure work. He has experience working with both the Pennsylvania and federal governments and has represented clients from across the country, including local governments, transit systems, airports and ports. Further, Terry has done significant work with health systems and health insurance plans, including work with CMS payment regulations, competitive bidding, telemedicine and star ratings, among other things.

Prior to his tenure at Buchanan, Terry was the primary federal government advisor to Pennsylvania Governor Mark Schweiker and directed the governor's Washington office; he also served under Governor Tom Ridge. Under Terry's leadership, the governor's Washington office secured more than \$150 million in federal funds to assist with rebuilding the Philadelphia School District, to pay for the rescue of the mine workers trapped underground in Southwestern Pennsylvania and to arm the Pennsylvania Air National Guard with a new psychological warfare aircraft. Additional issues areas where

Terry was instrumental include: driver license security/biometric identification issues, homeland security, correctional institution issues, gun control, public education reform and welfare. Further, he was the governor's representative to the National Governors Association and the Republican Governors Association, ensuring that the governor's views were considered within those organizations.

Terry has worked on campaigns at all levels of government and served on the Bush-Cheney Presidential Transition Team in 2001.

As an undergraduate, he wrote a socio-economic history of the protection systems employed during the Blitz on London in 1940-41. Terry studied British politics in London and remains a close advisor to the Leader of the City of Brighton & Hove (England) Council.

DETERMINATION OF SAFETY IMPACT

Staff has evaluated this recommendation and has found that there are no negative impacts to system safety.

FINANCIAL IMPACT

The funding of \$120,000 for federal consulting services ~~is will be~~ included in the FY15 adopted budget, and is proposed for the FY16 budget in Cost Center 7130, Government Relations under project number 100002 General Overhead. Since this is a multi-year contract, the cost center manager will be accountable for budgeting the cost in future years, including any option exercised.

~~Adopting this recommendation would result in an expenditure of \$50,000 in FY15.~~

Impact to Budget

A. Source of funds: Proposition A Administration funds is the funding source.

The source of funds for this activity/recommendation could be used for Bus Operations Planning & Study and/or could be eligible for Capital Planning & Study Expense.

B. The following budget categories are impacted by this action:

1. Proposition A administration budget

ALTERNATIVES CONSIDERED

Staff has considered the alternative of allowing the current federal consulting contract with Buchanan, Ingersoll & Rooney to expire, however this will leave the agency without the benefit of their representation in Washington, DC which may have a negative impact on the advancement of our Board Approved Federal Legislative program.

NEXT STEPS

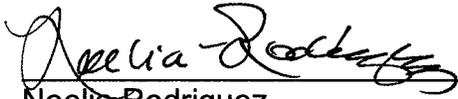
Authorizing this procurement action will permit our agency to have federal consulting services in place with Buchanan, Ingersoll & Rooney as the 114th Congress begins its work in early 2015.

ATTACHMENTS

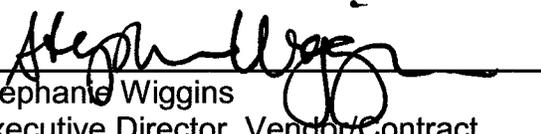
- A. Procurement Summary
- B. Contract Modification Change Log

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Arthur T. Leahy
Chief Executive Officer

PROCUREMENT SUMMARY

MODIFY FEDERAL CONSULTING SERVICES CONTRACT NO. PS71303218

1	Contract Number: PS71303218			
2	Contractor: Buchanan, Ingersoll & Rooney PC			
3	Mod. Work Description: Federal Consulting Services			
4	Contract Work Description: Federal Consulting Services			
5	The following data is current as of: December 18, 2014			
6	Contract Completion Status		Financial Status	
	Contract Awarded:	10.31.13	Contract Award Amount:	\$120,000
	Notice to Proceed (NTP):	12.06.13	Total of Modifications Approved:	\$30,000
	Original Complete Date:	12.31.14	Pending Modifications (including this action):	\$120,000
	Current Est. Complete Date:	03.05.16	Current Contract Value (with this action):	\$270,000
7	Contract Administrator: Maria V. Lechuga		Telephone Number: (213) 922-7206	
8	Project Manager: Raffi Hamparian		Telephone Number: (213) 922-3769	

A. Procurement Background

This Board Action is to approve Modification No. 2 issued in support of the federal consulting services provided by Buchanan, Ingersoll & Rooney PC.

This Contract Modification is processed in accordance with Metro’s Acquisition Policy and the contract type is a Firm Fixed Price.

On October 31, 2013, Metro awarded a non-competitive 12-month, firm fixed price contract to Buchanan, Ingersoll & Rooney PC in amount of \$120,000. This award was made in compliance with Metro’s policies and procedures in order to acquire the services of Buchanan, Ingersoll and Rooney to advance the goals and objectives in the Board-approved 2014 Federal Legislative program.

Metro works with a variety of stakeholders in Washington, DC to advance our Board-approved federal legislative program. This work includes collaboration with public officials, Executive Branch officials, lobbyists and consultants, among others. With respect to federal consultants, they can provide depth to our agency’s coverage of policy matters pending before key the Executive Branch and the U.S. Congress. Consultants, like those at Buchanan, Ingersoll & Rooney, can play a positive role in providing technical expertise as well as political guidance in navigating through the complexities of the legislative process and in positioning our agency for successfully advancing our Board-approved federal legislative program.

Refer to Attachment B – Contract Modification/Change Order Log.

B. Cost/Price Analysis

The recommended price has been determined to be fair and reasonable based upon price analysis. Buchanan, Ingersoll and Rooney have proposed the same fee of \$10,000 per month currently authorized in the contract. This amount is less than other fees currently billed by other consultants performing a similar service. Add Contract Modification Authority to Contract No. PS71303218 for future changes in the amount of \$120,000, of which \$30,000 will be amended to the FY15 budget.

Proposed Amount	Metro ICE	Negotiated Amount
\$120,000	\$120,000	\$120,000

C. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) did not recommend a Small Business Enterprise (SBE) goal for this non-competitive, single-source procurement due to lack of subcontracting opportunities. The scope of work is expected to be performed by two individuals within Buchanan, Ingersoll & Rooney that possess the unique capabilities for the required services.

D. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this modification.

CONTRACT MODIFICATION/CHANGE LOG

MODIFY FEDERAL CONSULTING SERVICES CONTRACT NO. PS71303218

Mod. no.	Original Contract	10.31.13	\$120,000
1	Three Month Extension	11.13.14	\$30,000
2	Twelve Month Extension Pending Board Approval	01.22.15	\$120,000
	Total:		\$270,000