

STAFF REPORT

SUBJECT: State Legislative Advocacy

MEETING DATE: April 15, 2010

AGENDA ITEM: 14

STAFF CONTACT: Jim Kemp, Gregg Hart

RECOMMENDATION:

Authorize the Chair to execute a contract with Shaw, Yoder, Antwih, Inc. for state legislative advocacy services for the term May 1, 2010 to June 30, 2011 at a cost not to exceed \$ 52,500.

SUMMARY:

At the February SBCAG Board meeting, the board voted unanimously to authorize the release of a Request for Proposal (RFP) for state advocacy and lobbying services. On March 2, 2010 the RFP was sent to 8 firms with state government lobbying expertise and particular experience in transportation funding advocacy. Five firms responded to the RFP: California Consulting, California Strategies, Capital Representation Group, Shaw/Yoder/Antwih, Inc., and Smith, Watts & Company. The proposals ranged in cost from to \$36,000 to \$168,000 per year.

The SBCAG Executive Committee (Chair Carbajal, Vice Chair Armendariz, Past Chair Alvarez, Supervisor Farr and Mayor Schneider) was designated by Chair Carbajal to review all of the proposals received by SBCAG and recommend the most qualified firm. The committee met to conduct telephone interviews with four of the five proposing firms on Wednesday, April 7th. The committee members in attendance, (Chair Carbajal, Mayor Alvarez and Supervisor Farr) unanimously recommended SBCAG negotiate a contract with Shaw/Yoder/Antwih, Inc. for state lobbying services and to begin the contract as soon as possible. The recommended firm proposed a fee of \$3,750/month (\$45,000/year) which includes all direct expenses (eg., travel). Staff is recommending that the board authorize the Chair to execute a contract for a 14 month period starting May 1, 2010 at a not-to-exceed amount of \$52,500.

DISCUSSION:

Many regional agencies in the State of California of similar size to SBCAG utilize state lobbyists to advocate on behalf of the agencies' interests in Sacramento. Given the need to leverage \$500 million in state or federal funding to deliver Measure A projects and programs, it is particularly important for SBCAG to be well represented in Sacramento.

As directed by the board, staff has prepared a Request for Proposals for State Advocacy/Lobbying Services to initiate contracting with a state government advocacy firm for FY 2010/11. The scope of services described in the RFP are as follows:

Member Agencies

1. Advise SBCAG of the political and financial feasibility of the SBCAG legislative agenda and develop appropriate strategies in consultation with SBCAG staff.
2. Advise on presentation (organization, formatting, etc.) of legislative materials.
3. Assist in drafting materials and correspondence to support advocacy for legislative agenda.
4. Advise SBCAG of state funding opportunities to help deliver SBCAG's high priority transportation projects and assist SBCAG securing these funds.
5. Monitor and provide analysis of pending legislation and state budget proposals pertaining to legislative agenda and keep SBCAG apprised of legislation.
6. Represent SBCAG in Sacramento in terms of communicating SBCAG's legislative platform to the appropriate elected representatives, key Committee members, California Transportation Commission and other state agencies as needed.
7. Participate in the crafting of itineraries and facilitating meetings with Sacramento legislators, commissioners and staff for SBCAG Board members as needed.
8. Travel to Santa Barbara County as needed, with a minimum of one visit a year to report to the SBCAG board. Participation via teleconference with SBCAG staff at least quarterly.
9. Assist SBCAG in obtaining maximum funding through the transportation infrastructure bonds and other like programs, particularly for the US 101 HOV Lane project (Phases 1 thru 4), and the other named regional projects contained in the Measure A Investment Plan.
10. Work with Caltrans, the California Transportation Commission, the Legislature, the Governor's Office, and other appropriate groups to advance revenues to the US 101 HOV project.
11. Obtain support in Sacramento for receiving a "fair share" of STIP interregional funds, or CMIA cost savings, as a match to \$275 M in Measure A (our half cent sales tax, renewed in 2008) and regional STIP funds we have allocated for the 10 mile, Highway 101 HOV Lane project in the south part of our county, leading to/from Ventura County.
12. Obtain support from Sacramento for improving passenger rail service between Santa Barbara\Goleta and Ventura to serve as an alternative to driving in the 101 corridor. SBCAG is seeking a fair share of funding for capital and operations improvements from the Interregional Rail program, and support for stimulus funding, to match our planned Measure A funded investments on rail.
13. Assist in obtaining STIP interregional funds or cost savings from SHOPP stimulus projects to construct the Highway 101 Santa Maria River Bridge Widening project, in north Santa Barbara County. The project is ready for construction and was the last project dropped off the recommendation list for Prop 1B CMIA funding in early 2007.

Staff believes that it is especially important to select a lobbyist who has expertise and a demonstrated track record in the area of state transportation funding since SBCAG will need to have an aggressive and sustained effort to obtain discretionary funding from the state to deliver the projects that were promised to the voters in the Measure A Investment Plan.

Five firms submitted proposals in response to SBCAG's RFP. Staff evaluated the proposals submitted and identified a short list of the most qualified firms to be interviewed by the committee. The firms on the shortlist and their proposed costs are as follows:

- California Consulting - \$36,000 plus costs
- Capital Representation Group - \$49,200 plus costs
- Shaw/Yoder/Antwih - \$45,000 including costs
- Smith, Watts & Co. - \$60,000 including costs

One of the firms which submitted a proposal (California Strategies and Advocacy) proposed a fee of \$168,000 (including costs) which exceeds SBCAG's proposed budget by more than \$100,000. Staff, in consultation with Chair Carbajal, recommended that this firm not be interviewed by the Executive Committee.

The SBCAG Executive Committee (Chair Carbajal, Vice Chair Armendariz, Past Chair Alvarez, Supervisor Farr and Mayor Schneider) was designated by Chair Carbajal to review all of the proposals received by SBCAG. The committee met to conduct telephone interviews with four of the five proposing firms on Wednesday, April 7th. The committee members in attendance, (Chair Carbajal, Mayor Alvarez and Supervisor Farr) unanimously recommended SBCAG negotiate a contract with Shaw/Yoder/Antwih, Inc. for state legislative advocacy services and to begin the contract as soon as possible.

Shaw/Yoder/Antwih, Inc. is a Sacramento-based firm providing legislative advocacy, association management and consulting services on a broad range of government programs. The firm is well-known in Sacramento for serving local governments and transportation agencies including Los Angeles MTA, Transportation Authority of Marin, Fresno County Transportation Authority among others. The firm has had significant successes in the enactment, defeat, or amendment of legislation for their clients and has played a role in most major transportation policy or funding issue in Sacramento in recent years (eg., Propositions 42 and 1B, the gas tax swap just approved in the 09/10 state budget, a favorable state supreme court ruling for state transit funding). They have also successfully helped clients access hundreds-of-millions of dollars in state appropriations, grants and bond funds. They enjoy regular access to and success in working with the leadership of both parties and both Houses of the California Legislature, state transportation agencies and the Governor's Administration. The firm's principals are recognized in Sacramento as transportation and local government experts. Joshua Shaw and Paul Yoder have been lobbying for transportation agencies and local governments, including transit systems, regional transportation planning agencies, cities and counties, since they began their California lobbying careers in 1990. Andrew Antwih and Gus Khouri each worked in the Capitol for nearly 25 years between them, and both served as senior consultants to the influential Assembly Committee on Transportation.

Following Board direction on the selected firm, staff will negotiate a contract with the recommended firm for execution by the chair. Staff believes that it could be very helpful to start the contract immediately particularly because the California Transportation Commission will be considering which new projects to fund with cost savings that have been realized due to low bids on Proposition 1B CMIA funded projects. The 101/Santa Maria River bridge project is a leading candidate for this funding and bringing our legislative advocate on board immediately could help in our efforts to secure the \$32 million in state funds needed to close the project's shortfall.

The proposed contract amount is approximately the same cost as SBCAG's federal lobbyist contract. The adopted FY 09/10 budget includes sufficient funding to cover the contract costs

for the current year. The draft 2010/11 budget to be presented to the board in May will include appropriations from Measure A and SBCAG's general fund to pay for the contract services.

RECOMMENDATION:

Authorize the Chair to execute a contract with Shaw/Yoder/Antwih, Inc. for state legislative advocacy services for the term May 1, 2010 to June 30, 2011 at a cost not to exceed \$ 52,500.

COMMITTEE REVIEW:

The SBCAG Executive Committee met on April 7th and interviewed prospective state legislative advocacy firms and unanimously recommended that the board approve a contract with Shaw/Yoder/Antwih.