



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Lee Wilcox

**SUBJECT:** SEE BELOW

**DATE:** June 3, 2019

Approved

Date

6-13-19

**SUBJECT: AGREEMENT BETWEEN THE CITY OF SAN JOSE AND HOLLAND & KNIGHT FOR FEDERAL LEGISLATIVE ADVOCACY SERVICES**

## RECOMMENDATION

Authorize the City Manager to:

- a) Negotiate and execute an agreement with Holland & Knight, LLC to provide federal legislative advocacy services for a four-year term beginning July 1, 2019 through June 30, 2023, with a maximum compensation amount not to exceed \$624,000 subject to City Council appropriation of funds.
- b) Execute up to two additional one-year options to extend the Agreement through June 30, 2025 to provide ongoing services for an estimated annual cost of \$156,000, subject to the appropriation of funds.

## OUTCOME

Council's action will allow the City to have representation at the federal level to provide strategic advocacy on the City's top legislative, funding, and regulatory priorities.

## BACKGROUND

On June 19, 2018, Council executed a one-year contract option with Squire Patton Boggs for federal legislative advocacy services through June 30, 2019.

On February 12, 2019, the City issued a Request for Proposals (RFP) for federal legislative advocacy services. The Administration posted the RFP to BidSync, the City's e-procurement

system, and closed the solicitation on March 12, 2019. The Administration conducted outreach to nineteen advocacy firms that represent local jurisdictions and private sector clients to provide information on the RFP and to encourage proposals. The Administration also posted the opportunity on listservs widely read by staffers and firms in Washington, D.C. Forty-two firms viewed and fifteen firms downloaded the RFP. The City received five qualifying proposals to the RFP solicitation.

## **ANALYSIS**

A six-member RFP evaluation team comprised of the City Manager's Office and policy focused City staff developed the scope of work and evaluation criteria in the RFP. The evaluation criteria were as follows:

***Proposal Responsiveness (Pass/Fail):*** The proposal responds to all requirements in the RFP including response to questions, all required forms, and references.

***Experience of Proposer (25%):*** The proposer has experience conducting legislative and regulatory advocacy and government relations by working with Congress, the President, federal agencies, and stakeholder groups.

***Firm's Scope of Work and Services (35%):*** The firm's scope of work and services align with the categories outlined in the RFP including legislative and regulatory advocacy, establishing an active presence for the City at the federal level, bill tracking/monitoring services, and federal budget and grant advocacy.

***Example of Firm's Success and Legislative and Regulatory Knowledge (10%):*** The firm understands policies that impact the City, and has a successful record of accomplishment of advocating for its clients' priorities.

***Customer Satisfaction/Firm Reputation (10%):*** The firm has a reputation for customer satisfaction.

***Fee Structure/Cost (10%):*** The proposed fee structure and overall contract cost.

***Local Business Enterprise (5%):*** The firm is a local business.

***Small Business Enterprise (5%):*** The firm is a small business. In accordance with City policy, only local businesses can qualify for the small business enterprise criteria.

The evaluation team met and scored the applications based on the evaluation criteria. The evaluation team also invited the top three firms: Holland & Knight, Squire Patton Boggs, and Kadash & Associates to interview. The team evaluated the interviews and combined those scores with the application scores. Table 1 lists the evaluation scores.

**Table 1 - Evaluation Scores**

	Possible Points	Holland & Knight	Squire Patton Boggs	Kadesh & Associates
<b>Experience</b>	20	16.5	16.75	12.5
<b>Scope of Work &amp; Services</b>	28	22.75	19.25	15.05
<b>Examples of Success and Legislative &amp; Regulatory Knowledge</b>	8	6	5.5	4.4
<b>Customer Satisfaction</b>	8	6.2	5.8	5.2
<b>Fee Structure</b>	8	7.68	8	5.04
<b>Local Business Preference</b>	4	0	0	0
<b>Small Business Preference</b>	4	0	0	0
<b>TOTAL</b>	<b>80</b>	<b>59.13</b>	<b>55.3</b>	<b>42.19</b>

Based on the scores, the Administration recommends the Council approve a contract with Holland & Knight for federal legislative advocacy services. The evaluation team was impressed by the depth of the firm’s experience with local government, a proven track record on raising the profile of its clients and delivering results, and the existing synergies with the firm’s other clients, including the City of Los Angeles, the City of San Francisco, and the League of California Cities.

*Protests*

No firms issued a protest during the 10-day protest period following the Notice of Intended Award.

**EVALUATION AND FOLLOW-UP**

The Administration will monitor and evaluate the performance of the federal advocacy services contract. At the end of the contract term, the Administration will conduct a RFP process for federal legislative advocacy services.

**PUBLIC OUTREACH**

The Administration will post this memorandum to the City’s Council Agenda website for the June 25, 2019 Council Meeting.

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### **COORDINATION**

The Administration coordinated this memorandum with the City Attorney's Office and the City Manager's Budget Office.

### **COMMISSION RECOMMENDATION/INPUT**

The recommended action does not have a Commission Recommendation.

### **COST SUMMARY/IMPLICATIONS**

Annual costs of \$156,000 are included in the City Manager's Office non-personal/equipment budget as outlined in the 2019-2020 Proposed Operating Budget, which the Council will consider on June 18, 2019. Table 2 identifies the fee schedule.

**Table 2 – Fee Schedule**

<b>FY 2019-2020</b>	<b>FY 2020-2021</b>	<b>FY 2021-2022</b>	<b>FY 2022-2023</b>	<b>Total</b>
\$156,000	\$156,000	\$156,000	\$156,000	\$624,000

If the City Managers exercises the two, one-year options, the estimated cost would be \$156,000 per year, subject to appropriations.

### **BUDGET REFERENCE**

Table 3 identifies the fund and appropriations to fund the contract recommended as part of this memorandum.

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**Table 3 - Budget Fund and Appropriations**

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2019-2020 Proposed Operating Budget Page*	Last Budget Action (Date, Ord. No.)
001	0112	Non-Personal/Equipment City Manager's Office	\$4,170,759	\$90,730	VIII-59	N/A
346	0112	Non-Personal/Equipment City Manager's Office	\$18,375	\$17,800	X-52	N/A
513	0112	Non-Personal/Equipment City Manager's Office	\$18,375	\$17,800	X-77	N/A
523	0112	Non-Personal/Equipment City Manager's Office	\$24,500	\$23,740	X-3	N/A
541	0112	Non-Personal/Equipment City Manager's Office	\$6,125	\$5,930	X-80	N/A

\* Subject to the adoption of the 2019-2020 Proposed Operating Budget by the City Council on June 18, 2019.

**CEQA**

Not a Project, File No. PP17 003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

/s/  
LEE WILCOX  
Chief of Staff, City Manager's Office

For questions, please contact Bena Chang, Director of Intergovernmental Relations, 408-975-3240.