



Midpeninsula Regional
Open Space District

PROCUREMENT AGENDA ITEM

R-24-153
Meeting 24-32
December 11, 2024

AGENDA ITEM 9

AGENDA ITEM

Award of Contract for Federal Legislative Consulting and Lobbying Services

GENERAL MANAGER'S RECOMMENDATION

Authorize the General Manager to enter into a four-year contract with The Fergusson Group for an amount not to exceed \$218,400 for legislative consulting and lobbying services.

DISCUSSION

The Midpeninsula Regional Open Space District (District) relies on legislative consulting and lobbying services to advance District priorities concerning environmental, natural resource, local governance, and funding issues in the federal government. Based on the results of a Request for Proposals (RFP) issued on September 6, 2024, the General Manager recommends entering into a four-year contract with The Fergusson Group (TFG) for an amount not to exceed \$218,400 for strategic planning, representation and advocacy on matters related to mission-based issues and governance. A four-year contract would cover two, two-year federal legislative sessions.

For the majority of its existence, the District did not have general federal legislative consulting and lobbying services. However, between 2007 and 2012, Midpen enlisted the services of TFG to successfully secure a \$3.5 million federal earmark to support the cleanup of the Almaden Air Force Station on top of Mount Umunhum from Congressman Honda. In 2021, the District expanded legislative activity into federal, mission-related policy and funding areas and contracted with TFG on an annual, sole-source basis. In 2023, the District resolved to pursue a RFP. With the impending conclusion of the TFG contract at the end of 2024, the District proceeded to re-solicit proposals for a new four-year contract beginning in 2025.

BUDGET / FISCAL IMPACT

The current fiscal year budget contains:

- sufficient funds.
- insufficient funds; the next quarterly budget update will include a reallocation of unspent funds from other project budgets to cover for this expenditure.
- insufficient funds; approval of this item requires a fiscal year budget augmentation.
- future fiscal year budgets will include additional funds to complete the contracted work.

Measure AA

- No, this contract is not part of a Measure AA project.
- Yes, this contract is part of a Measure AA project.

PROCUREMENT PROCESS AND SELECTION

An RFP was issued on September 6, 2024, and posted on BidSync to solicit interest from qualified legislative consulting and lobbying firms. The deadline for submission was August 27, 2024. The scope of work covered strategic planning, representation, advocacy services, as well as assistance fostering relationships with the District's federal legislative delegation and relevant federal agency officials.

A total of three proposals were received, as shown below:

Firms	Proposed Annual Fee
The Fergusson Group	\$54,600
Carpi+Clay	\$96,000
Ferrox Strategies	\$185,400

Following a review of the proposals and consultant qualifications, District staff interviewed the three firms and unanimously ranked the proposal by TFG as the most qualified and best suited for the service, at a fair and reasonable price. Their depth of knowledge and experience in relevant policy areas, as well as their approach to advocacy set them apart from the other applicants and made them a good fit to work with District staff. They also represent special districts as the lobbyist for the National Special Districts Coalition (NSDC), which has been actively advocating for grant eligibility parity with other local governments. Among their many District-related accomplishments over the last four years, TFG has:

- Facilitated discussions with Congresswoman Eshoo's staff that resulted in the successful \$400,000 Community Program Fund request for the Highway 17 Crossings Project (Spooky Knoll Trail)
- Facilitated discussions with Congresswoman Speier's staff that resulted in the successful \$740,000 Community Program Fund request for the Wildland Fire Resiliency Program
- Arranged meetings with National Park Service staff to discuss concerns regarding eligibility criteria for funds from the Land and Water Conservation Fund (LWCF)
- Arranged meetings with U.S. Fish and Wildlife and Federal Highway Administration staff to discuss potential avenues to support the District's Highway 17 Crossings project
- Worked with Congresswoman Eshoo's staff to advocate for an allocation of \$350 million in wildlife corridor funding in the federal Surface Transportation Reauthorization bill and facilitated the inclusion of the District's Highway 17 Crossings project in its justification
- Facilitated District support positions on two pieces of legislation (HR 610 (Speier): San Francisco Bay Restoration Act and HR 4833 (Lowenthal): Migratory Bird Protection Act of 2021)

PRIOR BOARD ACTION SUPPORTING THE PROJECT

This contract is in support of the 2025-28 Legislative Programs, which are considered and adopted by the Board each year. The 2025 Legislative Program will be considered for Board approval at the December 11, 2024 Board meeting. The program was earlier reviewed by the Legislative, Funding, and Public Affairs Committee (LFPAC) at its November 12, 2024 meeting ([R-24-132](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act.

NEXT STEPS

Pending Board approval, the General Manager would direct staff to enter into a contract with TFG. The Board of Directors will receive updates of progress made on various federal legislative priorities throughout each legislative session.

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