



King County
Metropolitan King County Council
Committee of the Whole

STAFF REPORT

Agenda Item No.: 4	Date:	2 Nov 2009
Motion No.: 2009-0595	Prepared by:	Chuck Williams

SUBJECT

A MOTION authorizing the chair of the council to amend the existing contract for services with the Ferguson Group to represent the county during the 2010 United States 111th Congress, 2nd session.

SUMMARY

Since 1997, The Ferguson Group has represented King County before the U.S. Congress on a wide range of issues. Their current contract, T02793T, expires on December 31, 2009, but may be renewed for an additional year. Proposed Motion 2009-0595 (Attachment 1, pp. 3-7 of these materials) would renew the existing contract to represent King County during the 2009 United States 111th Congress, 2nd Session.

Documentation attached to this staff report includes a letter from The Ferguson Group Partner, Bill Hanka, dated October 14, 2009, requesting that King County extend the existing contract T02793T for 2010 calendar year (Attachment 2, pp. 7-8 of these materials). His letter documents the accomplishments made by The Ferguson Group on behalf of King County. Also included is The Ferguson Group Activity Report August - September 2009 detailing the status of the FY 2010 Federal Legislative Agenda (Attachment 3, pp. 9-14 of these materials).

The Ferguson Group has been very successful in its representation of King County, working with our congressional delegation to obtain \$262 million in federal funding over the past ten years (\$16,067,020 in FY 2008). Attached is a table showing the results for FY 2005 through FY 2009 and the pending interim list for FY 2010 (Attachment 4, p. 15 of these materials). Our long standing relationship with The Ferguson Group has allowed them to understand the County's issues and priorities, and their successful track record reflects this knowledge and understanding. The high quality work performed by The Ferguson Group has been recognized by our Congressional Delegation, as well as by Councilmembers and the King County Executive.

The Ferguson Group Issue Team for King County now includes three partners and one principal. The amount of this amendment 2 is \$258,000 making the total amount of the contract \$774,000.

The FY 2011 Federal Legislative Agenda is currently being prepared. Since Congress has delayed final action on many items on the FY 2010 agenda, the FY 2010 results and FY 2011 Proposed Federal Agenda will be brought to the Council for review at a later date.

INVITEES

Lorrie McKay, Senior Advisor for Federal Relations, King County Executive

ATTACHMENTS

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Signature Report

October 29, 2009

Motion

Proposed No. 2009-0595.1

Sponsors Constantine, Patterson, Phillips,
Hague and Dunn

1 A MOTION authorizing the chair of the council to amend
2 the existing contract for services with the Ferguson Group
3 to extend the term to represent the county in 2010 during
4 the United States 111th Congress, 2nd session.

5
6 WHEREAS, the county is a subdivision of the state of Washington, and
7 WHEREAS, the county's services, operations and finances are to a significant
8 extent controlled by the actions of the state and federal governments, and

9 WHEREAS, the actions of the United States Congress affect the county's
10 services, operations and finances, and

11 WHEREAS, the grants, proposals and actions of the federal executive branch
12 affect the delivery of services to the citizens of King County, and

13 WHEREAS, the current financial situation in the United States could result in
14 added issues of concern to the citizens of King County, and

15 WHEREAS, the United States 111th Congress, 2nd Session will be developing
16 the next six-year authorization for Transportation Investments, which are of great interest
17 to the citizens of King County, and

18 WHEREAS, the 111th Congress, 2nd Session will develop a new authorization
19 for the next Water Resource Development Act, which is of great interest to the citizens of
20 King County, and

21 WHEREAS, it is in the interest of the residents of the county for the county to
22 have the services of professional federal legislative and administrative advocacy and
23 representation during the 111th Congress, 2nd Session on a broad range of complex
24 issues, and

25 WHEREAS, the Ferguson Group has successfully met and exceeded every
26 contractual requirement within the original contract with the county, and

27 WHEREAS, the Ferguson Group was selected through a competitive procurement
28 process in 2007 and a staff group evaluated the proposals and unanimously selected the
29 Ferguson Group as the preferred consultant, and

30 WHEREAS, the Ferguson Group has represented King County since 1997 before
31 the United States Congress on a wide range of issues. Their current contract provides for
32 services through December 31, 2009, but may be extended for up to one additional year.
33 This amendment would extend the contract through December 31, 2010, to obtain the
34 services of the Ferguson Group to represent King County during the 111th Congress, 2nd
35 Session, and

36 WHEREAS, the Ferguson Group would provide the high level of expertise
37 needed to represent the county during the 111th Congress, 2nd Session, and

38 WHEREAS, Motion 10651, Section III, as amended, and OR 1-020 require
39 authorization by the full council for the council chair to sign consultant contracts in
40 excess of twenty-five thousand dollars;

41 NOW, THEREFORE, BE IT MOVED by the Council of King County:

42 The chair of the metropolitan King County council is hereby authorized to
43 execute contract amendment number 2 to Contract T02793T with the Ferguson Group in
44 substantially the form attached to this motion, to provide for an additional year of
45 services in an additional amount not to exceed two hundred fifty eight thousand dollars,
46 for the following services as set forth in the contract:

47 A. Representing the county before and monitoring actions by the United States
48 111th Congress, 2nd Session, and the federal administration; and

Motion

49 B. Advocating on the county's behalf on policy issues including, but not limited
50 to, those contained in the county's adopted federal agenda.

51

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

ATTEST:

Attachments A. Amendment Two to The Ferguson Group Contract

CONTRACT AMENDMENT

PROJECT NAME The Ferguson Group CONTRACT NO T02793T
 AGENCY/CONTRACTOR Council DATE ENTERED 9/28/09
 AMENDMENT NO. #2 ADDRESS 1130 Connecticut Ave. NW, Washington, DC
 AMENDMENT NO. 2 DATE ENTERED: Upon execution by both parties

AMENDMENT REQUESTED BY

COUNCIL
 Organization

CHUCK WILLIAMS
 Name

AMENDMENT EFFECTS

<input type="checkbox"/> Scope of Services	<input type="checkbox"/> Method of Payment
<input checked="" type="checkbox"/> Time of Performance	<input type="checkbox"/> Reliance
<input checked="" type="checkbox"/> Compensation	<input type="checkbox"/> Terms & Conditions
<input type="checkbox"/> Results of Services	<input type="checkbox"/>

- **Extend duration of services to include the period from January 1, 2010, to December 31, 2010**
- **Total amendment #2 amount: \$258,000**
- **Total Contract amount: \$774,000**

WITNESS HEREOF, The parties hereto have caused this amendment to be executed and instituted on the date above written.

KING COUNTY, WASHINGTON

By: _____
 Dow Constantine

Title: Council Chair

Date: _____

ACKNOWLEDGEMENT & ACCEPTANCE
 AGENCY/CONTRACTOR

By

Title

Date

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1130 Connecticut Avenue, NW
Suite 300
Washington, D.C. 20036
202.331.8500
202.331.1598 fax

October 14, 2009

The Honorable Dow Constantine
Chair, Metropolitan King County Council
King County Courthouse
516 Third Avenue, Room 1200
Seattle, WA 98104

The Honorable Kurt Triplett
King County Executive
King County Chinook Building
401 Fifth Avenue, Suite 800
Seattle, WA 98104

Dear Chair Constantine and Executive Triplett:

On behalf of The Ferguson Group, LLC (TFG) and its King County team (Bill Hanka, Christina Mattar, Kareem Murphy, Shirley Speidell, and Ron Hamm), I am writing to request that you renew our contract agreement to provide federal government services for King County. Working together we have built a strong foundation for consistently securing substantial levels of federal funding, as well as influencing legislative policy.

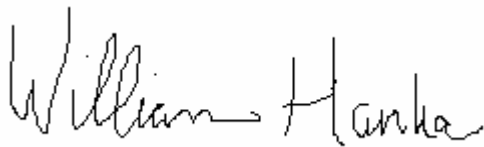
During the 13 years that TFG has represented King County in Washington, D.C., we have worked with the County and its congressional delegation to secure more than \$271 million in federally-designated funds. The figure does not reflect the significant financial benefits to the County as a result of the impact we have had on broader legislation and regulatory matters, nor does it include at least \$14 million for projects on the County's FY 2010 federal agenda, which is currently pending before Congress. The FY 2010 appropriations process is not yet complete and is expected to remain unfinished until later this year.

TFG develops and implements, in cooperation with King County elected officials and staff, strategies on all lobbying efforts to successfully move your federal agenda and action plan. We prepare all briefing materials, letters and talking points for federal and local legislators; meet with Members of Congress and their staff, as well as federal agency officials, to promote King County, and work with national coalitions to promote policies beneficial to King County. TFG organizes and arranges for meetings for King County elected officials and staff in Washington, D.C., with key decision makers, accompanies County representatives to these meetings and ensures that the appropriate follow-up is handled accordingly. We also provide regular verbal and written reports to keep the County attuned to the status of its agenda, as well as to new

legislation and policies of interest to the County. These are just a few of the services that TFG provides that enable King County to maintain an aggressive federal presence. TFG also provides in its contract with the County the use of the eCivis grants database, which has been used by many King County staff members to successfully apply for federal and non-governmental grants. During 2009 to date, King County users have logged on to eCivis 983 times and have viewed 1,979 grant opportunities.

In 2007, The Ferguson Group was very grateful to have been chosen to remain as your federal representative after a competitive rebidding process. We feel that this was a vote of confidence for how we do business and we thank you for the opportunity to continue to represent King County. TFG has a proven record of success as King County's federal lobbyist and remains committed to seeking out new ways to provide the County with the highest quality of service. We appreciate your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "William Hanka". The signature is written in a cursive style with a long horizontal stroke at the end of the name.

William Hanka
Partner

enclosure



KING COUNTY, WASHINGTON
 The Ferguson Group Activity Report
 August - September 2009

Latest Results on King County’s Fiscal Year 2010 Federal Agenda

During August and September 2009, The Ferguson Group continued its advocacy on behalf of the County’s Fiscal Year (FY) 2010 federal agenda. *[Note: Congress was in recess for the month of August.]*

The new federal fiscal year, FY 2010, began on October 1. To date, Congress has completed work on only one of the twelve annual appropriations bills, the bill funding the Legislative Branch, which the President signed on October 1. In order to prevent a government shutdown, Congress attached a Continuing Resolution to the Legislative Branch Appropriations bill that permits federal agencies to operate at the FY 2009 level until October 31, 2009.

When Congress adjourned for its traditional August recess on August 5, the House of Representatives had passed all 12 of the annual appropriations bills. However, the Senate had only approved the Legislative Branch, Homeland Security, Energy and Water Development, and Agriculture bills. Since Labor Day, the Senate has completed work on the Transportation-HUD and Interior-EPA bills and is currently considering its Defense bill. Following Defense Appropriations will be Commerce-Justice-Science and Military Construction. The Senate must also consider Financial Services, Labor-HHS-Education and State-Foreign Operations.

The below chart updates all of the latest actions by the Committees on each of the County’s FY 2010 appropriations requests:

	PROJECT	DESCRIPTION OF REQUEST	UPDATE
1.	Transportation	Small Starts Request: \$20.2 million for the Bellevue-Redmond RapidRide Project Bus and Bus Facilities Account: 1. \$15 million for hybrid buses for the West Seattle RapidRide and hybrid fleet expansion 2. \$4.0 million for the Renewable Energy and Ultra-High Efficiency Transit Facilitation Project; Surface Transportation Program Account: 1. \$5.0 million for the South Park	The full House approved the FY10 THUD appropriations bill on July 23 and included <u>\$9.368 million</u> for the Bellevue-Redmond BRT project from Rep. Reichert. The Senate approved its version of the bill on September 17 and also included <u>\$9.368 million</u> for the project from Senator Murray. The House THUD appropriations bill also

		<p>Bridge Replacement Project;</p> <ol style="list-style-type: none"> 2. \$4.0 million for the Novelty Hill Road Improvement Project; 3. \$3.0 million for the S.R. 202 Bridge Improved Flood Conveyance Project. <p>Transportation and Community System Preservation Program Account:</p> <ol style="list-style-type: none"> 1. \$2.3 million Bike Sharing Program and Facility Enhancements; 2. \$425,000 for Electric Vehicles and Charging Stations; 3. \$1.0 million for construction of the East Lake Sammamish Trail Project 4. \$1.0 million for planning, design and construction of the Lake-to-Sound Trail Project. 	<p>contained \$600,000 for the West Seattle RapidRide and Hybrid Bus Program from Rep. McDermott.</p> <p>(NOTE: the House and Senate THUD bills each contained a \$6,815 designation for the Pacific Highway South BRT.)</p>
2.	King County Passenger Ferry System	<p>Ferry Boats and Ferry Boat Terminals Account:</p> <p>\$10.0 million for Lease/Acquisition of Passenger-Only Ferry Vessels</p>	<p>The House-approved version of the FY10 THUD appropriations bill of July 23 and the Senate-approved version of the bill of September 17 did not include funding for this project.</p>
3.	King County International Airport	<p>Secure the following in the Transportation Appropriations bill in the Airport Improvement Project Account:</p> <ol style="list-style-type: none"> 1. \$7.79 million for the King County International Airport (KCIA) Taxiway Alpha Project; 2. \$5.0 million for the KCIA Air Rescue Fire Fighting Facility Project; 3. \$713,000 for Airport Security Improvements. 	<p>The House-approved version of the FY10 THUD appropriations bill of July 23 and the Senate-approved version of the bill of September 17 did not include funding for these projects.</p>
4.	Salmon Recovery	<p>Secure the following in the Energy and Water Appropriations bill:</p> <ol style="list-style-type: none"> 1. \$6.5 million for the Duwamish/Green Ecosystem Restoration Program; 2. \$5.0 million for the Puget Sound Nearshore Ecosystem Restoration Project; <p>Support \$90 million in Department of</p>	<p>On September 30, the House/Senate Conference Committee filed a conference report on the FY10 Energy and Water appropriations bill containing: (1) \$2.6 million for the Duwamish/Green project from Sens. Murray and Cantwell and Reps. Dicks,</p>

		Commerce Appropriations for the Pacific Coastal Salmon Recovery Program, which is critical to habitat recovery projects in King County.	McDermott, Reichert, and Smith and (2) \$341,000 for the Puget Sound Nearshore project from Sens. Murray and Cantwell and Reps. Baird, Dicks, Inslee, Larsen, McDermott, and Smith. The Senate Appropriations Committee approved the FY10 Commerce/Justice/State appropriations bill on June 25 and designated \$80 million for the Pacific Coastal Salmon Recovery program from Sen. Murray. The House passed its version of the bill on June 18, but did not include funding for the program.
5.	Homeland Security/Emergency Management	Secure the following in the Homeland Security Appropriations bill: <ol style="list-style-type: none"> 1. \$5.0 million for floodplain buyouts and home elevations to reduce flood risks for the residential area of North Bend; 2. \$1.6 million for the acquisition and installation of Chemical, Biological, and HazMat detection system, in the Downtown Seattle Transit Tunnel. 	On October 13, the House/Senate Conference Committee filed a conference report on the FY10 Homeland Security appropriations bill containing \$750,000 for the North Bend Flood Mitigation project from Sen. Murray and Rep. Reichert.
6.	Reclaimed Water	Secure \$1.5 million in the Interior and Environment Appropriations bill in the EPA's State and Tribal Assistance Grant (STAG) program for construction of reclaimed water distribution facilities for agricultural irrigation in the Sammamish Valley.	The House-approved version of the FY10 Interior and Environment appropriations bill of June 26 and the Senate-approved version of the bill of September 24 did not include funding for these projects.
7.	Public Safety	Secure the following in the Commerce, Justice, Science Appropriations bill: <ol style="list-style-type: none"> 1. \$550,000 for the School Resource Officers Project; 2. \$500,000 for the Gang Intervention Initiative Project; 3. \$1.0 million for the Community E-Policing Technology Project. 	The House passed the FY10 Commerce/Justice/State appropriations bill on June 18 and included \$200,000 for the Gang Intervention project from Rep. McDermott. The Senate Appropriations Committee approved its version

			of the bill on June 25 and included \$400,000 for the Gang Intervention project from Sens. Murray and Cantwell and \$300,000 for the School Resource Officers project from Sens. Murray and Cantwell.
8.	Health Care Reform	Secure \$350,000 in the Department of Health and Human Service's Center for Medicare & Medicaid Services Appropriations for the Puget Sound Health Alliance for the development of a health information database to measure and share quality of care information across employers and health plans in the Puget Sound region.	The House-approved version of the FY10 Labor/HHS/Education appropriations bill of July 24 and the Senate Appropriations Committee -approved version of the bill of July 30 did not include funding for these projects.
9.	Housing and Community Development Funds	Secure the following in Housing and Urban Development Appropriations: \$1.9 million for relocation costs for low income floodplain residents at high risk of flooding (40-50 trailers @ Cedar Grove Mobile Home Park).	The House-approved version of the FY10 THUD appropriations bill of July 23 and the Senate-approved version of the bill of September 17 did not include funding for this project.
10.	Energy Efficiency	Secure the following in the Energy and Water Development Appropriations bill in the Energy Efficiency and Renewable Energy Account: <ol style="list-style-type: none"> 1. \$750,000 for the Issaquah Highlands Zero Energy Affordable Housing Project; 2. \$240,000 for the Low-Energy Bus Yard Lighting Project. 	On September 30, the House/Senate Conference Committee filed a conference report on the FY10 Energy and Water appropriations bill containing \$500,000 for the Issaquah Highlands Zero Energy Affordable Housing Project.
11.	Superior Court	Secure \$2.0 million in the Commerce, Science, Justice Appropriations bill in the COPS Technology Account for the development and implementation of the King County Superior Court Criminal Tracking System.	The House-approved version of the FY10 Commerce/Justice/State appropriations bill of June 18 and the Senate Appropriations Committee-approved version of June 25 did not include funding for the project.

12.	Flood Control	Secure \$7.0 million in the Energy and Water Appropriations bill under the Army Corps of Engineers for the Horseshoe Bend 205 Levee Rehabilitation Project.	On September 30, the House/Senate Conference Committee filed a conference report on the FY10 Energy and Water appropriations bill. The conference report did not include funding for this project.
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Visit of Mr. Chuck Williams to Washington, D.C.

On September 8-11, Mr. Chuck Williams traveled to Washington, D.C. to meet with the County’s Congressional delegation to discuss the status of the County’s FY 2010 agenda and urgent County matters, including emergency funding for the repair of the Howard Hanson Dam abutments and the Green River levees.

The Ferguson Group arranged and participated in meetings for Mr. Williams regarding all of the projects and issues on the County’s agenda, including meetings with staff members in the following offices: Senator Murray, Sen. Cantwell, Congressman McDermott, Congressman Reichert, and Congressman Smith.

FY 2011 Agenda Meetings in King County

On September 14-15, The Ferguson Group (TFG) traveled to King County to meet with Councilmembers and County staff to begin work on the Fiscal Year 2011 federal agenda. TFG is preparing the first draft of the federal agenda and will send it to the Council and Executive staff by mid-October for their review and comment. In all of the meetings, TFG was accompanied by Chuck Williams, Tom Bristow, Lorrie McKay, and Carmela Ennis.

OFFICE OF THE SHERIFF

TFG met with the Sheriff’s staff to discuss the status of the projects on the Sheriff’s FY 2010 federal agenda and to discuss the projects for the FY 2011 agenda, including the School Resource Officers Project, the Gang Intervention Initiative Project, and the Community E-Policing Technology Project.

DEPARTMENT OF TRANSPORTATION

TFG met with the Department of Transportation staff to discuss the status of transportation projects on the FY 2010 agenda, the upcoming reauthorization of federal surface transportation programs (currently known as the “SAFETEA-LU” legislation) and the pending TIGER grant program. For FY 2011, new projects were discussed, including the Aurora RapidRide, Ballard-Uptown RapidRide and West Seattle RapidRide projects, a transit on board closed-circuit television project, the Alvord T Bridge Removal Project; the Berrydale Overcrossing project, the Woodinville-Duval/Avondale ITS Project, and the KCIA Snow Removal Equipment Project.

PUBLIC HEALTH

TFG met with Public Health staff to discuss the following issues: the reauthorization of the Ryan White HIV/AIDS Treatment and Modernization Act and the Child Nutrition and WIC legislation, supporting the Prevention and Public Health Fund, and supporting National Prevention and Wellness priorities.

DEPARTMENT OF NATURAL RESOURCES AND PARKS

TFG met with the Natural Resources and Parks staff, to discuss the status of the FY 2010 federal agenda. For FY 2011, the projects that were discussed include: the Pacific Coastal Salmon Recovery program, Puget Sound recovery funding, funding for the Duwamish/Green and Puget Sound Nearshore projects, North Bend floodplain buyouts, improved flood conveyance at the S.R. 202 Bridge, and the pending endangered species listing for kokanee salmon.

DEPARTMENT OF COMMUNITY AND HUMAN SERVICES

TFG met with Community and Human Services staff to discuss the status of the FY 2010 federal agenda and key federal programs, including the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships program, the McKinney/Vento Homeless Assistance program and the Shelter Plus Care program, the Section 8 program, the Section 811 Supportive Housing for Persons with Disabilities program, the housing foreclosure assistance legislation, the 10-Year Plan to End Homelessness in King County, the Workforce Investment Act and mental health issues.

MEETING WITH SUPERIOR COURT

TFG met with Superior Court staff to discuss the status of the FY 2010 defendant tracking project, funding for riot control at the juvenile facility and a pending FY 2010 Byrne Grant application.

(Submitted by The Ferguson Group Team: Bill Hanka, Christina Mattar, Kareem Murphy, Ron Hamm, Shirley Speidell and Jennifer Dean).

KING COUNTY, WASHINGTON

The Ferguson Group Results FY 2005-2010*

Project Name	FY 2005	FY 2006	FY 2008	FY 2009	FY 2010 (Pending)
Bellevue-Redmond RapidRide				\$10,950,000	\$9,368,193
Biogas			\$500,000		
Bus Radio Replacement		\$2,000,000			
Cedar Green Partnership	\$1,600,000	\$2,000,000			
Hybrid Buses	\$5,000,000		\$294,000	\$237,500	\$600,000
County-wide Signal Program	\$2,000,000				
Court Technology			\$305,500		
Duwamish/Green	\$1,250,000	\$1,875,000	\$1,626,000	\$1,914,000	\$2,600,000
Influenza Pandemic Preparedness					
Issaquah Highlands Zero Energy					\$500,000
Lake Washington Ship Canal	\$450,000	\$235,000			
Maury Island Conservation Initiative	\$1,500,000				
Molten Fuel Cell Demonstration	\$400,000				
North Bend Flood Mitigation					\$750,000
Pacific Highway Bus Rapid Transit			\$13,794,480	\$281,520	\$6,815
Passage Point			\$490,000		
Puget Sound and Adjacent Waters	\$500,000	\$1,500,000			
Puget Sound Nearshore	\$525,000	\$750,000	\$1,279,000	\$1,434,000	\$341,000
Puyallup/White River	\$450,000				
Sheriff's Office Gang Intervention					@\$300,000
Sheriff's Office School Officers					\$300,000
Sheriff's Office Digital Information				\$300,000	
Tolt Bridge Replacement		\$250,000			
Vashon Island Passenger Only Ferry		\$1,400,000	\$588,000	\$950,000	
Total	\$13,675,000	\$10,010,000	\$18,876,500	\$16,067,020	@\$14,800,000

*NOTE: there were no domestic earmarks funded by Congress in FY 2007.

Gray shading denotes projects that were not on the agenda in that fiscal year.