



CITY OF
FOLSOM
DESTINY BY NATURE

Folsom City Council Staff Report

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| MEETING DATE: | 7/26/2022 |
| AGENDA SECTION: | Consent Calendar |
| SUBJECT: | Resolution No. 10892 – A Resolution Authorizing the City Manager to Execute Contract Amendment No. 5 Extending the Term for the Consultant and Professional Services Agreement with The Ferguson Group for Federal Legislative Advocacy Services (Contract No. 173-21 09-026) |
| FROM: | Public Works Department |

RECOMMENDATION / CITY COUNCIL ACTION

The Public Works Department recommends that the City Council pass and adopt Resolution No. 10892 – A Resolution Authorizing the City Manager to Execute Amendment No. 5 Extending the Term for the Consultant and Professional Services Agreement with The Ferguson Group for Federal Legislative Advocacy Services (Contract No. 173-21 09-026).

BACKGROUND / ISSUE

Since January 1995, the City of Folsom has engaged the services of The Ferguson Group to provide federal legislative advocacy consultant services. The Ferguson Group has assisted the city in all matters of interest to the city pertaining to the federal government, including federal funding; legislative, regulatory, and other administrative matters not directly related to federal funding; and a variety of special issues and projects, including advocacy and funding related to water supply and the Folsom Lake Crossing project, among many others.

The city's current three-year consultant and professional services agreement (Amendment No. 4 of Contract No. 173-21 09-026) with The Ferguson Group expired on June 30, 2022. Staff proposes that the City Manager amend the current agreement to extend the term for another three years, from July 1, 2022, through June 30, 2025. Staff feels that it is particularly important to provide for a three-year extension to ensure consistency and continuity.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, agreements costing \$66,141 or greater shall be approved by the City Council.

ANALYSIS

The Ferguson Group has proven to be a staunch and able advocate of the city's interests and has consistently demonstrated outstanding professional skills in support of the city.

A key element to the success of any consultant-client relationship is the rapport and familiarity established between the parties over time. Unlike other consultant relationships that are typically created for a specific project and have a known end date, legislative advocacy consultant relationships are intended to extend over a much longer period. This longevity is invaluable as the legislative advocacy consultant becomes intimately familiar with the city's needs and desires; that consultant becomes even more effective in representing those interests. The Ferguson Group is an excellent example of the fruitfulness of this type of successful, long-term consultant-client relationship.

Since it started representing the city, The Ferguson Group alone has been instrumental in helping secure nearly \$14 million in congressional appropriations to meet the city's various capital needs, plus another \$77 million toward the design and construction of the Folsom Lake Crossing. In total, since 1997, the city has received federal appropriations totaling over \$91 million. The Ferguson Group advocated over the past several years for repayments to the city from the Corps of Engineers related to the bridge project. As bridge and Joint Federal Project budgeting have wound down, the city and The Ferguson Group have been reviewing the city's federal agenda and moving forward with new and additional priorities, most notably in the area of transportation and infrastructure generally.

The Ferguson Group has been proactive in educating staff on the contents, schedule, and criteria of the Infrastructure Investment and Jobs Act (IIJA) of 2021. They also made staff aware that Congressionally-Directed Funds (CDF), formerly known as Federal earmarks, have been reinstated into the Federal budget and they assisted the city in successfully adding \$4 million in CDF requests to Congress Member Ami Bera's list of funding priorities to fund the Riley Street Sidewalk Project.

The Ferguson Group interacts regularly with the U.S. Bureau of Reclamation, the U.S. Army Corps of Engineers, the Federal Aviation Administration, and many other federal departments, bureaus, and agencies on behalf of the city – both in Washington, D.C. and locally. The Ferguson Group's strong relationships with key officials and staff members in these agencies are critical to the success of the city's ongoing federal lobbying program.

In addition, The Ferguson Group's existing relationship with other local clients, including the City of Roseville and San Juan Water District, broadens The Ferguson Group's access to other congressional representatives in this region which, directly and indirectly, can help further the City of Folsom's interests.

Importantly, The Ferguson Group's history with and breadth of knowledge of the city's needs and interests have become even more valuable over the last several years due to the retirement of key city senior staff members involved in federal issues. Because of city staff turnover, a significant portion of the city's institutional "memory" on key federal issues, projects, and programs, particularly the Folsom Lake Crossing project, rests with The Ferguson Group staff who have served the city for many years.

The amendment to the agreement with The Ferguson Group will be in a form acceptable to the City Attorney.

FINANCIAL IMPACT

The Ferguson Group proposes to continue providing federal legislative advocacy services to the city for a monthly retainer of \$7,495, plus \$5,000 annually for expenses for a new three-year term beginning July 1, 2022.

The amendment to the contract will be for 36 months, from July 1, 2022 through June 30, 2025. Funding in the amount of \$7,495 for the monthly retainer and \$5,000 annually for expenses (for a total not to exceed \$94,940) for the first year of the proposed extended term is included in the Fiscal Year 2022-23 Budget in the General Fund; funding for the subsequent years of the new term (total not to exceed \$94,940 for Fiscal Year 2023-24 and total not to exceed \$94,940 for Fiscal Year 2024-25 for retainer plus expenses) will be budgeted on an annual basis.

ATTACHMENT

Resolution No. 10892 - A Resolution Authorizing the City Manager to Execute Amendment No. 5 Extending the Term for the Consultant and Professional Services Agreement with The Ferguson Group for Federal Legislative Advocacy Services (Contract No. 173-21 09-026)

Submitted,



Mark Rackovan, PUBLIC WORKS DIRECTOR

RESOLUTION NO. 10892

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 5 EXTENDING THE TERM FOR THE CONSULTANT AND PROFESSIONAL SERVICES AGREEMENT WITH THE FERGUSON GROUP FOR FEDERAL LEGISLATIVE ADVOCACY SERVICES (CONTRACT NO. 173-21 09-026)

WHEREAS, since January 1995, the city has engaged the services of The Ferguson Group to provide federal legislative advocacy consultant services; and

WHEREAS, The Ferguson Group has assisted the city in all matters of interest to the city pertaining to the federal government, including federal funding; legislative, regulatory, and other administrative matters not directly related to federal funding; and a variety of special issues and projects, including advocacy and funding related to water supply and the Folsom Lake Crossing project, among many others; and

WHEREAS, the term of the city's current consultant and professional services agreement with The Ferguson Group (Contract No. 173-21 09-026, Amendment No. 3) expired June 30, 2022; and

WHEREAS, The Ferguson Group has provided outstanding service and the city wishes to extend the term of the current agreement by three years beginning July 1, 2022, through June 30, 2025, with the same retainer and expenses as contained in the original agreement; and

WHEREAS, funding in the amount of \$7,495 for the monthly retainer and \$5,000 annually for expenses (for a total not to exceed \$94,940) for the first year of the proposed extended term is included in the Fiscal Year 2022-23 Budget in the General Fund, and funding for the subsequent years of the new term (total not to exceed \$94,940 for Fiscal Year 2023-24 and total not to exceed \$94,940 for Fiscal Year 2024-25 for retainer plus expenses) will be budgeted on an annual basis, and

WHEREAS, the amendment to the agreement with The Ferguson Group will be in a form acceptable to the City Attorney:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Folsom that the City Manager is hereby authorized to execute Amendment No. 5 (for a total not to exceed \$94,940 for Fiscal Year 2022-23, not to exceed \$94,940 for Fiscal Year 2023-24, and not to exceed \$94,940 for Fiscal Year 2024-25) extending the term for three years for the consultant and professional services agreement with The Ferguson Group for federal legislative advocacy services.

PASSED AND ADOPTED on this 26th day of July 2022, by the following roll-call vote:

AYES: Councilmember(s)
NOES: Council Member(s)
ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

Kerri M. Howell, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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