

## Local Government Lobbying & Procurement

Governmental entities, at all levels, purchase hundreds of thousands of dollars worth of goods and services from outside vendors. Becoming a government vendor can be very lucrative for private companies who understand the complexities and nuances of governmental bidding and contracting. We work closely with clients to navigate the highly structured procurement process and with clients whose businesses are impacted day to day, both positively and negatively, by local ordinances and regulations.

Our team has helped clients, in various industries, change local ordinances and win multi-million-dollar concessions and contracts for food, retail, duty free, billboards, bus benches, for hire transportation, shuttle services, luggage wrapping, luggage carts, currency exchange, phone cards, hotels, audit and accounting, parking, waste and recycling, janitorial, insurance, software and software implementation, auto tag agencies, construction and engineering services, etc.

The procurement process requires knowledge and experience in various aspects of drafting, negotiating, lobbying, and litigating procurement matters, including invitations for bids, requests for proposals, design-build contracts, change orders, bid disputes and payment and performance bond claims. The legal issues surrounding public procurement are especially complicated because each public body has a unique set of rules and regulations governing their procurement process which must be followed precisely and often require extraordinary documentation in very short timeframes to submit, petition or protest an award.

Thus, our clients who do business with governments rely on our knowledge, contacts, responsiveness and determination to get the job done. Our team is well-versed in the nuances of Request for Letter of Interest (RLI) and Request for Proposal (RFP) processes used by most state, local and quasi-governmental entities in Florida. Other members of the Local Lobbying and Government Procurement team have provided strategic and political advice, on call lobbying, helped draft responses for literally hundreds of winning concessions and contracts bids, and served as counsel on bid protests in numerous jurisdictions.

### Services Provided

- Represent clients in enacting or amending local ordinances and regulations impacting businesses, vendors or concessionaires
- Represent clients throughout the government procurement process, including assistance in review and submittal of bids and responses to requests for proposals, requests for qualifications, requests for letters of interests, and other public solicitations
- Assist clients with identifying and advocating for business opportunities with local governments
- Monitor/notify/assist with review of public advertisements and availability of public project
- Placement on public vendor list with purchasing divisions for government agencies
- Review terms and conditions of advertisements for government contracts
- Review submittal requirements set forth in procurement documents
- Assist in preparation and review of bids, proposals, qualifications, and letter of interest in government contracts
- Lobby and interact with government officials to further clients' goals
- Advise as to applicable statutory and administrative rights and remedies - re: qualification, ranking, award, and protest in government contracts
- Intervene to challenge government agency actions, preparation of protest petitions, and represent clients in all phases of contract awards, including qualifications, rankings, and contract negotiations
- Intervene to defend awards challenged by competitive bidders or third parties
- Negotiate with government agencies re: resolution of government contract disputes
- Negotiate final contracts pursuant to government contract awards, including issues such as terms of payment, contractual liability, or insurance coverage and other mandatory contractual provisions
- Assist with development and maintenance of governmental contract relations
- Negotiate and secure municipal land leases and/or CRA financial incentives for clients selected for development within urban and/or CRA Districts
- Represent and negotiate municipal contract extensions without the necessity of new RFP's

### Notable Client Accomplishments

*At Miami, Ft. Lauderdale & Palm Beach Airports:*

- **For Miami International Airport**, won a major extension for HMS Host and MCA Concessionaire in Central Terminal.
- **For Fort Lauderdale-Hollywood International Airport**, won RLI for Terminals 1 and 2 Food and Beverage and negotiated 18-year agreement and award at FLL Terminals 1 and 2.

- **For Delaware North Food and Travel Services**, we won a long-term contract extension at Fort Lauderdale Hollywood International Airport, Terminal 3 and 4. Contract term will be over 50 years without an RFP.
- **For Paradies News-Gifts**, we won a 15-year extension at Fort Lauderdale-Hollywood International Airport Terminals 3, 4.
- **For numerous clients including: Duty Free Americas, Secure Wrap, Smart Carte**, Paradies Shops, Delaware North Food and Hospitality, Inc., Fuel Facility Management, Travelex Financial and Business Services, Go Airport Shuttle, Master Concessionaire, SH&E-Concession Consulting, Keolis, Sunshine Cleaning Services, Air-IT, HMS Host, Paradies, Standard Parking, SP Plus J.V. Ground Transportation Manager, helped devise the winning strategies for concessions and contracts.
- **Helped clients win engineering, design and construction projects**, change orders, and scope changes worth hundreds of millions of dollars in contract values at Ft. Lauderdale-Hollywood International Airport such as: New South Runway Project, Exit Roadway Design Criteria Package, High Speed Taxiway/Airfield Modification and General on-call aviation Engineering for Reynolds Smith Hill, the award winning design for the Rental Car Garage – Spillis Candella-DMJM-AECOM, the design of new \$600M South Runway for Atkins RSH, Balfour Beatty – James A. Cummings JV for the construction of the new Terminal 4, Tutor Perini – Baker Concrete – HNTB Construction of new South Runway Design Build, Tutor Perini Construction Terminal 4 Apron expansion project, Turner Construction, Keith & Associates CPM Terminal Four, Gresham Smith Partners Terminals 1, 2, 3, Modernization, PSI-Vertical V – Tierra South Florida New South Runway Quality Assurance Material Testing Services, Keith and Associates on call Utilities Engineer \$8,000,000, Cartaya and Associates on call Building Projects \$7,000,000.
- **Defended three multi-million dollars contract awards for clients**, Air-IT, Limousines of South Florida, and Go Transportation at the Ft. Lauderdale-Hollywood International Airport. Bid protests challenging the awards were denied, and Becker intervened in each protest and won.
- **Extension of Sunshine Cleaning Systems contract** at FLL Airport for 27 months – total contract value \$51,728,971.
- **Settled Tutor-Perini FLL Runway Expansion Contract dispute** for \$19,000,000 for an all in contract of \$239,000,000. Settled multiple change orders disputes, delay claims, in favor of the contractor.
- **Negotiated a voluntary Settlement Agreement and Release** between Sunshine Cleaning Systems, Inc. and Broward County regarding compliance with the Business Enterprise Act of 2009.
- **Amendment to Shared Ride and Limousine Service Concession** at FLL to Go Airport Shuttle to remove minimum guarantees and other favorable adjustments.
- **Amendment with Keolis Transit America** at FLL to adjust annual management fee and other favorable adjustments – \$49,114,495.
- **Approval of two agreements with NV5 and Broward County** for consultant services for Quality Assurance Materials Testing for FLL Airport, Building, Airfield and Airside Projects – \$5,400,000.
- **Amendment and Change Order for Cummings (Tutor Perini)** – Balfour Beatty JV Construction Management Risk FLL Airport Terminal 4 Gate Replacement – Western Expansion – \$164,502,990.
- **Amendment to Agreement between Broward County and SP Plus** (Standard Parking) for Parking Management Services – \$2,371,036.
- **Amendment to ACAI Associates, Inc.** design and scope changes of Terminal 4 Federal Inspection Services Facility at FLL – \$11,400,000.
- **Amendment to the Agreement between Broward County and Tutor-Perini** FLL Terminal 4 Apron Expansion revised total \$47,995,968.
- **Various Contract Amendments for Clear Channel Interspace Airports** for advertising services at FLL for an additional two (2) years.
- **Amendment to Agreement with Gresham Smith** increasing amount from \$14,000,000 to \$25,000,000 Terminal Modernization FLL.
- **For the Palm Beach Airport Hilton Hotel**, we won (on a 7-0 vote) a lease extension with Palm Beach County.
- **Won airport ground transportation taxi contract** and County \$120,000,000 Pari-transit contract for Metro Mobility Management Group and successfully defended the 2nd ranked firm's bid protest. The victory also included defeating the local union representatives who sought to derail the award.
- **Won and successfully defended a bid protest** for Palm Beach County Misdemeanor Probation Services contract.
- **Won bid protest for Sunshine Cleaning** for janitorial services at the Palm Beach International Airport.

#### Public

- **For Palm Beach County School Board**, secured and defended a multiyear multimillion dollar contract for an education services client to provide supplemental academic instructional services, and overcoming a series of challenges at the Fourth District Court of Appeals, Division of Administrative Hearings, and at the School Board level.
- **For the City of Lauderhill**, approval of additional funding from Broward County for Performing Arts Center.
- **With FDOT**, intervened and defended an FDOT award for a Severe Incident Recovery Team, LLC, which was protested by a competitor. The towing contract involves servicing a portion of the Florida Turnpike.
- **Emergency Employee Loan Program** award to BMG Money, School Board of Broward County and multiple cities in South Florida.
- **Won Employee Benefit Plan** for BMG Money with Office of the Tax Collector of Palm Beach County.

#### Private

- **For ProChamps**, to provide its web-based registration platform for foreclosed properties in the City of Doral and help the city manage and control blight and health and safety issues with these properties
- **For Motorola Solutions**, successfully helped expedite a \$3.5M contract in the City of Miami for the Police Department. This award will help the Department update its CAD technology with the latest software systems.
- **For ShotSpotter** (gunfire detection), additional efforts to help improve safety and security in the City of Miami. The team was the first to work with the elected's and administration to help implement and expand ShotSpotter to make the city a model for large municipalities
- **For Embraer Aircraft**, coordinated the long-term lease extension aircraft maintenance and parts distribution center adjacent to the North Runway at Ft. Lauderdale-Hollywood International Airport

- **For Siemens Industry**, Dade mobility and consultant services
- **For Mitsubishi Heavy Industries**, government relations services
- **At Jackson Memorial Hospital**, represented Star One Staffing, a company providing nursing, staffing services in documenting procurement irregularities that led to rejection of an RFP
- **For our client, American Traffic Solutions**, won a bid protest in the City of Doral for the installation of ten cameras. Doral had initially intended to award the contract to a competitor; however, based upon the protest, the decision was reversed in favor of American Traffic Solutions
- **Won a bid protest for Horsepower Electric** in the City of Weston. Horsepower was the third-place bidder and successfully knocked out first- and second-ranked firms
- **Award of SFRTA** - Tri-Rail Commuter Connector Bus Service - Keolis Transit America (Dade, Broward, Palm Beach) - \$39,000,000 5 year contract
- **For Consulate General of Japan**, government relations services
- **For Consulate General of Canada**, government relations services
- **For Hollywood Beach Golf and Country Club and City of Hollywood**, approval of License and Management Services Agreement
- **At Port Everglades, represented Florida Stevedore and Hallmark Stevedore** before the Broward County Commission in opposition to waiving or changing the rules and Code regarding new Stevedore franchises at Port Everglades. Represent FPL on the \$1.2B new power plant project at Port Everglades
- **For Limousines of South Florida (Tectrans)**, intervened and defended a \$5M-plus paratransit contract in Collier County working closely with Collier County Attorney, Administrator, staff and Commission to uphold award
- **On behalf of client Vacant Property Security**, won a bid protest in the City of Miami which upheld the City's Chief Procurement Officer finding of non-compliance of competitor bids. We also secured passage of ordinance on behalf of client
- **Won hotly contested waste disposal contract for SWS/Sun-Bergeron J.V.** breaking a Waste Management's 25-year monopoly in the City of Miramar. Won additional franchises in Lauderhill, Oakland Park, Deerfield, Davie, Lauderdale by the Sea, and other cities
- **Successfully represented H.J. Paving** on bid protest in Miami-Dade County
- **Successfully represented McKinley Insurance** in bid specification issue and secured addendum to clarify specifications before the Orange County Commission
- **Successfully represented McGladrey Accounting** firm on a City Audit contract in the City of Pompano Beach
- **Successfully represented ORACLE** on software purchases in the City of Miami
- **For client Limousines of South Florida**, won City Trolley Service in the City of Hollywood
- **For Pinnacle Housing**, successful bid protest in the City of Hollywood
- **For Related Group Development Apogee**, obtained \$1M impact fee reduction
- **U.S. Legal** on the award for legal insurance services for Broward County employees
- **Quarterbacked a coalition lead by the Florida Retail Federation** and hundreds of national and local retailers and shopping center owners in opposition to an Ordinance that would have required mandatory security cameras in all retail parking lots in Broward County
- **Plante & Moran** on the Third Party Assurance Contract for the County's ERP computer procurement
- **Bergeron Emergency Services** for the County's hurricane debris removal contract and Bergeron Land Development for the Port Everglades Turning Notch Wetland Mitigation project
- **DeRose Design Consultants** for the on-call parking consultant
- **First Broward Auto Tag and Deerfield Auto Tag** for the private tag agencies
- **Saltz Michelson** on hurricane hardening of government buildings and design-engineering of the new Broward Addiction and Recovery Center and the Cotterman Sexual Assault Treatment Center
- **Seawood Builders/H.J Russell** team for design and build of \$50 million Central Broward Regional Park and Cricket Stadium including significant change orders, code interpretations, and design criteria issues
- **James A. Cummings on the Broward County Courthouse \$187,000,000 award.** Defended Bid Protest in month long trial with dozens of witnesses, evidence and cross examination, and ultimate award by County Commission
- **Spillis-DMJM (AECOM) Heery-Cartaya JV**, as the design professional for the Broward County Courthouse
- **Seawood Builders** on the award of the \$20 million Mills Center design-build project and a \$10 million CM at Risk renovation of TY Park in Hollywood
- **Kronos** for the time and attendance software system for workforce management
- **Award of solid waste disposal contract** to Sun-Bergeron breaking a 25 year monopoly by Waste Management
- **Award of \$12,854,000 contract to Horsepower Electric** for Roadway and Traffic Construction and award of two successive Mast Arm Design Builds \$8,649,000 and \$8,145,335
- **For American Traffic Solutions (ATS):** quarterbacked the winning strategy to provide red light cameras in the cities of Miami, Hollywood, North Bay Village and many other cities. Also won a bid protest and a 5-0 unanimous vote. Won contracts in Homestead, Doral, Hialeah, Key Biscayne, Palmetto Bay Boca Raton, Miami Springs, and Cutler Bay. Increased number of cameras and extended contract in City of Miami
- **Award to Brown & Caldwell Water and Wastewater Studies** contract and Reclaimed water plant expansion contract
- **For the City of Lauderhill CRA:** Two grants from Broward County - \$128,250 and \$150,000
- **For City of Lauderdale Lakes:** Successfully won approval from county for deferred repayment plan for BSO debt
- **Award of consultant engineering services** for potable water storage tanks and pumping systems - Carollo Engineering, Inc. - \$3,584,484.
- **Award of consultant engineering services** for water and sanitary sewer system improvements - Chen Moore Associates, Inc. - \$11,171,569.
- **Approval of City of West Park** - Broward County Operating Agreement for McTyre Park.
- **Approval of #1 Ranking Matthews Southwest** to develop 800 room Broward County Convention Center Hotel and 300,000 sq.ft. expansion of Convention Center.
- **Award Bond Consulting Engineering Services Port Everglades**, Ammann and Whitney - \$2,000,000.
- **Approval of Property Assessed Clean Energy (PACE)** improvement provider agreement with Ygrene for funding of energy conservation and efficiency improvements, renewable energy improvement and wind resistance improvements.
- **Agreement with Van Dee Fulfillment** for mailing service and marketing for Broward County's Greater Fort Lauderdale

Convention and Visitors Bureau.

- **Approval Broward Redevelopment Program Grants** to City of West Park and Lauderhill CRA public improvements, roadway improvements and redevelopment.
- **Award of Construction Manager at Risk Agreement** to James B. Pirtle Construction Company Broward Addition Recovery Center and Nancy J. Cotterman Center - \$18,165,656.
- **Amendment to Spillis Candela (AECOM)/Heery/Cartaya JV** for project design new Broward County Courthouse project - \$19,714,308.
- **Waiver of the Procurement Code** and to extension for an additional 5 year term to the Agreement with First Broward Auto Tag Agency and South Broward Auto Tag Agency for Private Auto Tag Agency Services.
- **Amendment between Broward County and James A. Cummings (Tutor Perini)** - \$14,900,000 for a new 500 car secure parking garage and Courthouse plaza. Total contract \$203,666,479.
- **Amendment to Mediterranean Shipping Company (MSC) and Broward County** for extension of the 39.8 acre marine terminal at Port Everglades through October 31, 2014.
- **Won bid protest for Hilton Hotels**, where the County sought to disqualify them in the competitive procurement for the Palm Beach Convention Center hotel.

## Notable Client Representations

### Public

- **City of Hollywood**
- **City of Lauderdale Lakes**
- **City of Lauderhill**
- **City of West Park**

### Private

- **Acai Associates, Inc.**
- **Advanced Green Technologies, Inc.**
- **Airport Express/Tri County Transportation**
- **Amadeus Air-Transport It Services**
- **American Traffic Solutions**
- **B & L Service, Inc.**
- **BMG Money, Inc.**
- **Breezetrack, LLC**
- **Brown & Caldwell**
- **Cartaya & Associates, Architects P.A.**
- **CDL Technical & Motorcycle Driving School**
- **Chen Moore & Associates, Inc.**
- **Clear Channel Outdoor, Inc.**
- **Community Champions Corp.**
- **Consulate General of Canada**
- **Consulate General of Japan**
- **CSS of South Florida, Inc.**
- **Delaware North Companies Travel**
- **DeRose Design Consultants, Inc.**
- **Embraer Aircraft**
- **First Broward Auto Tag Agency, Inc.**
- **First Broward Auto Tag Agency of Lauderhill, Inc.**
- **Florida Pipeline Corp.**
- **Fort Lauderdale Business and Currency**
- **FRS Caribbean**
- **Fuel Facility Management**
- **Gelin Benefits Group**
- **GFA International**
- **Gresham Smith and Partners**
- **Hensel Phelps**
- **Hilton Hotels**
- **HMS Host**
- **HorsePower Electric, Inc.**
- **Keith & Associates, Inc.**
- **Keolis Transit America**
- **Keolis Transit Services, LLC**
- **Louis Berger**
- **Luar Investments**
- **Mast Acquisitions LLC**
- **Master Concessionair LLC**
- **Matthews Southwest**
- **Mitsubishi Heavy Industries**
- **Motorola Solutions**
- **National Health Transport, Inc.**
- **NV5, Inc.**
- **Olsen Associates, Inc.**
- **Paradies Shops LLC**
- **Pirtle Construction Company**

- **ProChamps**
- **Related Urban**
- **Reynolds Smith and Hills, Inc.**
- **Ross & Baruzzini**
- **RSM US, LLP**
- **Safeguard America Inc.**
- **Saga South Development**
- **Salty Donut**
- **Saltz Michelson Architects, Inc.**
- **ShotSpotter (SST, Inc.)**
- **Siemens Industry, Inc.**
- **Sixt Rent a Car**
- **SLH Investments**
- **South Broward Tag Agency, Inc.**
- **SP Plus Curbside Management Joint Venture**
- **Standard Parking**
- **Star One Staffing**
- **Stiles Pirtle Joint Venture**
- **Sunshine Cleaning Systems**
- **U.S. Legal Services, Inc.**
- **V&E Restaurants**
- **Van Dee Fulfillment**
- **Wade Trim**
- **Westcare Foundation**
- **Yellow Airport Limousine Service d/b/a Go Airport**
- **Ygrene Energy Fund Florida LLC**