

CITY OF LEE'S SUMMIT
PROCUREMENT AND CONTRACT SERVICES DEPARTMENT
220 S.E. GREEN STREET LEE'S SUMMIT, MO 64063
Phone: 816-969-1087
deedee.tschirhart@cityofls.net

TITLE SIGNATURE PAGE

REQUEST FOR PROPOSAL NO. 2021-008

The City of Lee's Summit will accept electronically submitted proposals through Public Purchase from qualified persons or firms interested in providing the following:

**LEGISLATIVE AND INTERGOVERNMENTAL SERVICES
IN ACCORDANCE WITH THE ATTACHED SCOPE OF SERVICES**

**PROPOSALS MUST BE UPLOADED INTO PUBLIC PURCHASE E-BIDDING SYSTEM PRIOR TO THE CLOSING DATE OF
NOVEMBER 6, 2020 AT 3:00 P.M. LOCAL TIME**

It is the responsibility of interested firms to check the City's e-bidding system, Public Purchase for any addendums prior to the closing date and time of this Proposal. All addendums must be signed and included with submitted proposal.

The City reserves the right to reject any and all proposals, to waive technical defects, and to select the proposal(s) deemed most advantageous to the City.

The undersigned certifies that he/she has the authority to bind this company in an agreement to supply the service or commodity in accordance with all terms and conditions specified herein. Please type or print the information below.

Respondent is REQUIRED to complete, sign and return this form with their submittal.

The Britton Group, LLC	James L. Durnam	
Company Name	Authorized Person (Print)	
415 East High Street, P. O. Box 1708		
Address	Signature	
Jefferson City, MO 65102	Member	
City/State/Zip	Title	
(573) 634-2777	11/2/20	47-1758757
Telephone#	Date	Tax ID#
JLDJBA@aol.com	Limited Liability Company	
Fax#	Entity Type	
E-mail		

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Bid RFP #2021-008--City of Lee's Summit

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Lee's Summit Business License	Currently on file with City
Affidavit of Compliance with Section 285.530	Currently on file with City
Certificate of Insurance with City as additional insured	Currently on file with City

THE BRITTON GROUP LLC

415 East High Street | P. O. Box 1708 | Jefferson City, MO 65102 | 573.634.2777

November 2, 2020

City of Lee's Summit
Division of Procurement & Contract Services
220 S.E. Green Street
Lee's Summit, MO 64063

ATTN.: DeeDee Tschirhart

Re: RFQ No. 2021-008 *Legislative Liaison Services*

Dear Ms. Tschirhart:

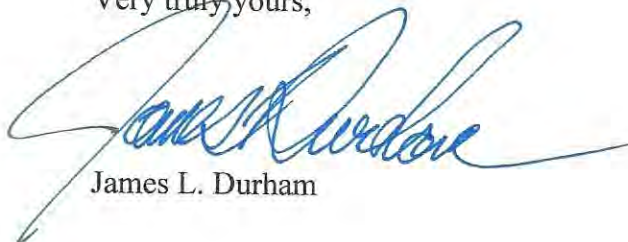
We are pleased to respond to the City's request that we submit our qualifications for governmental consulting and legislative liaison services to the City of Lee's Summit.

The Britton Group, LLC is the successor to a firm formed in 1964. The current members of the firm are Jennifer Durham and Jim Durham. More detailed information on the firm and lobbyists is included in our response to your Request.

With this letter, we are submitting (1) signed "Title Signature Page", (2) a Table of Contents for submittal, (3) a copy of the firm's Form W-9, which the City already has, (4) a substitute Form No. 3 "Experience/References" containing our qualifications and current and former clients for the prior five years, (5) Form 4 "Resumes of Key Personnel", and (6) a substitute Form 6 "Proposed Pricing" describing our proposed fees. The City already has our Lee's Summit business license on file and well as the designation of the City as an additional named insured.

If the City, or the evaluation committee, desires any additional information concerning this submission, please feel free to contact our office at the number provided above or either Jennifer Durham at (573) 353-5833 or JENMOJBA@aol.com or Jim Durham at (573) 690-0089 or JLDJBA@aol.com

Very truly yours,



James L. Durham

ENCLOSURES
JLD/sm

FORM NO. 1: PROVIDER PROFILE

1. Lead Service Provider/ Firm(s) (or Joint Venture) Name and Address: The Britton Group, LLC
415 East High Street,
P. O. Box 1708
Jefferson City, MO 65102
- 1a. Provider / Firm is: ___ National Regional ___ Local
- 1b. Year Provider/ Firm Established: Initial Formation-1964; LLC created 2014
- Years of Experience providing RFP identified services/ project for municipalities: over 20 years
Year of Experience providing Legislative and Intergovernmental Services 56 years
- 1c. Licensed to do business in the State of Missouri: Yes ___ No
- 1d. Principal contact information: Name, title, telephone number and email address: James L. Durham, member
office: (573) 634-2777; cell: (573) 690-0089
e-mail: JLDJBA@aol.com
- 1e. Address of office to perform work, if different from Item No. 1: same
2. Please list the number of persons by discipline that your Firm/ Joint Venture will commit to the City's project or the services to be provided: see Letter of Transmittal or Form 4
3. If submittal is by Joint Venture or utilizes subcontractors, list participating firms / providers and outline specific areas of responsibility (including administrative, technical, and financial) for each firm:
- 3a. Has this Joint Venture previously worked together? ___ Yes ___ No

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Name (as shown on your income tax return)

The Britton Group, LLC

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:

Individual/sole proprietor C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ **P**

Other (see instructions) ▶

Exemptions (see instructions):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

Address (number, street, and apt. or suite no.)

415 East High Street, P. O. Box 1708

City, state, and ZIP code

Jefferson City, MO 65102

List account number(s) here (optional)

Requester's name and address (optional)

Print or type
See Specific Instructions on page 2.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

			-			-			
--	--	--	---	--	--	---	--	--	--

Employer identification number

4	7	-	1	7	5	8	7	5	7
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below), and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here

Signature of U.S. person ▶

Jennifer Durham

Date ▶

9/5/14

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. The IRS has created a page on IRS.gov for information about Form W-9, at www.irs.gov/w9. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the

withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

Statement of Qualifications
The Britton Group, LLC
Submitted in Response to RFQ 2021-008

The Britton Group, LLC, and its predecessor, John Britton Associates, have been providing legislative consulting and liaison services since 1964. The firm represents a wide variety of business entities, associations and public agencies. We have included a listing of our current clients, most of which have been with us for decades, and we have included a list of prior clients covering the past five years.

Among our clients is the City of Lee's Summit which we have represented since 2001, so we believe that we are intimately acquainted with the City and its legislative approach. In twenty years, the City has only once requested enactment of legislation unique to the City; in 2005, we succeeded in passage of a bill to authorize the municipal court to contract with the City to provide probation services. Lee's Summit has generally been in accord with the position of the Missouri Municipal League (MML) in either supporting or opposing legislation affecting all municipalities. Our firm has developed a very good working relationship with MML. We believe the City's active participation and leadership roles in MML have facilitated our ability to provide our services in the past and, hopefully, in the future at substantially lower cost than most cities encounter.

During our representation of Lee's Summit, we have been actively involved in either opposing or revising legislation affecting the City. Over the years those issues have included (1) sales taxes on cellular phone services and, more recently and continuing, the City's ability to regulate the siting of transmission towers and equipment, (2) assuring that assorted sales tax "holidays" are limited to state sales taxes and the City is given the ability to "opt-in", and not required to "opt-out", (3) limiting the record-keeping and reporting obligations of the City for a wide range of revenue sources, most recently municipal court revenues, and (4) retaining the City's ability to regulate matters within the City without State interference into matters such as the use of the right-of-way, the regulation of the use of property, or the licensing of businesses and professions within the City.

Currently, the major issues impacting the City are enactment of a *Wayfair* sales tax so the City can recover revenue from on-line sales of merchandise and the effort by the cable television industry to reduce or eliminate the cable franchise fees. More recently, the coronavirus has created a significant financial strain on the City that we doubt CARES Act money from the State

has solved. Although we believe the City will need to rely more on federal funds, those monies will almost certainly go through State appropriations before they reach the City.

Services We Are Currently Providing:

Most of the services requested by the City are ones we have been providing, such as the following:

- Status reports to the City. During the legislative session for each bill potentially affecting the City, we provide the text, a brief summary and a recommendation as to which Department within the City would most likely be impacted by the bill. Unfortunately, this usually involves 180 to 200 bills (plus revisions to those bills during the legislative process) which are sent to the City during session. We also provide weekly reports on the status of those bills and upcoming committee hearings. As session progresses, we cull those bills which are not progressing or which the City or we identify as not impacting the City. Following the end of session, we provide (1) a summary and report on all bills Truly Agreed and Finally Passed, (2) a report on the Governor's action with respect to these bills, (3) a report following veto session in September, (4) a report on likely legislative issues in the upcoming session and, lately, (5) a report prior to and following an Extraordinary Session. If authorized by the City, we can easily provide reports to any elected or appointed officials the City designates.
- Representation of the City during session. Where the City has identified or acknowledged concern about an issue, we notify the City of any upcoming committee hearings or other proceedings. It has been the prior preference of the City that we not testify to committees on behalf of the City without prior specific authorization; even then, our testimony has usually consisted of simply echoing either the testimony of MML or the testimony of cities which were able to provide an elected or appointed official to testify. We do, however, inform and seek to persuade individual legislators of the City's position, especially those legislators who do not represent portions of the City, unless a member of the City's legislative contingency has either not heard from the City or is taking a position adverse to the City's position.
- Availability. We are currently available to the City by business line, cell phone, fax, e-mail and text messages, most of which have been used in the past. We have also been available in-person both in Lee's Summit and Jefferson City when requested.
- Assistance in the City's communications with legislators. We can certainly assist the City in drafting "talking points" on legislation, but we frankly have not been requested or found a need to alter the City's communications. We have assisted in reviewing the City's usual annual statement of legislative priorities and positions and we have consistently offered our evaluation of the prospects for bills and issues.
- Compliance with State laws. Although not specified in the RFQ, we are registered with the Missouri Ethics Commission, and have been since the Commission was created. We

also, for seventeen years, have prepared and filed the “Principal Report” required from the City each March 15 and May 30.

Specific Services Requested by the City:

The proposed scope of services is broader than our current representation of the City, but we believe we are well-suited to provide these additional services which include:

- Representation before Executive branches of State government. We have always followed up with agencies on the implementation of legislation affecting the City, but if more proactive contact is sought, we have good working relationships with the Department of Revenue, the Department of Economic Development, and other administrative departments and agencies which might affect the City.
- Assistance in the formulation of State policy agenda. We have previously provided reports to the City Administrator’s office of potential legislative issues, and we have previously worked with several Departments of the City in responding to legislation. We would welcome the ability to work with the City and the Council in developing a prospective legislative agenda, particularly if prepared prior to session commencing.
- Representation of the City in the budget process, and identify and solicit bonds and grants. This has not previously been a function requested by the City, other than a generalized goal to get the legislature to address funding for transportation and an effort to promote “rails to trails” status and funding for a railroad right-of-way. However, we are involved in the budget process for other clients and have passed legislation providing funding for client projects in a wide range of other areas from sports facilities to business expansion to education and research funding.
- Coordinate with the City’s contracted Federal lobbyist. We have never been aware that the City had a lobbyist representing its interests at the federal level, but we would be pleased to work with him or her to achieve the City’s goals.
- Communication with the City. We believe our weekly reports to the City Administrator’s office throughout the legislative session, special sessions and veto session, as well as our “forecast” for the next legislative session can easily be expanded to include the Mayor, the Councilmembers, and any Departments the City chooses. In addition, we already forward the text of all bills, and any changes made as they progress through the legislative process if they potentially affect the City to the City Attorney, usually with our recommendation of specific Departments of the City which may be affected by the proposed law. We can easily expand the recipients of these e-mails, although we would caution that in the past we are often covering 200 bills that might affect the City; we could reduce that number by nearly half if you want us to evaluate the chance of passage. In the past, we have usually advised the City of the prospects for passage, but left it to the

City to decide whether it wishes to follow the bill, although we do cull obviously dead bills from our weekly reports.

- New “Communication with the City” requirements. The City’s RFQ includes a requirement to “represent the City on a year round basis” by attending “Task Force/Work Group meetings”; it also includes two in-person reports to the Council. If the former refers to Interim Legislative Committees, we already do this on a limited, as-directed basis, but if it refers to activities of Council committees, we can certainly comply. However, in the past seventeen years, we have attended at most three council meetings at the request of the City and attended three or four breakfast or luncheon gatherings among the City, the Chamber of Commerce and local legislators and one meeting between members of the City Administrator’s office and representatives of the Chamber of Commerce; we also used to attend the annual Eastern Jackson County dinners in Jefferson City, but we were not invited when the dinners were limited to Lee’s Summit. We also used to attend the MML pre-session planning meetings. We have no problem with a requirement for two in-person reports to the Council, although we would urge that the one meeting during the legislative session be scheduled during legislative Spring Break in order to avoid a conflict with our efforts to represent the City.

Members of the Firm:

The Britton Group is currently composed of two sibling members; these are:

Jennifer Durham

Jennifer has represented clients before the Missouri General Assembly for forty-seven years, first as an associate and soon thereafter as partner in John Britton Associates before forming The Britton Group, LLC. She is well-known, well-respected and well-appreciated by the staff and members of the Missouri General Assembly.

Jim Durham

Jim is a 1981 graduate of the University of Missouri-Columbia School of Law, was a partner/member of a mid-sized Clayton, Missouri law firm for approximately fifteen years, a City Attorney for a St. Louis County municipality for over twenty years and has been a lobbyist for twenty years.

The firm does not have any employees, but does use standing agreements with outside contract lobbyists to help cover committee hearings and assist in the rare situations when focused, urgent action is required.

The Britton Group Client List

CURRENT:

Anheuser-Busch Companies, LLC
Association of Missouri Electric Cooperatives
City of Lee's Summit
Community Associations Institute—Heartland
Consumer Technology Association, f/k/a Consumer Electronics Association
EMASS (Eastern Missouri Alternative Sentencing Services, Inc.)
Entertainment Software Association
Hunt Midwest
Kansas City Chiefs Football Club
Missouri Association of Insurance & Financial Advisors
Missouri Dairy Products Association
Missouri Housing Authorities
Missouri Land Title Association
Missouri Railroad Committee
Missouri Rental Dealers Association
Motion Picture Association of America

FORMER:

BNSF Railway Company
Enterprise Holdings, Inc.
Express Scripts Holdings Company
Luxottica Retail
Missouri Economic Development Financing Association
St. Louis Zoo

FORM NO. 4: RESUMES OF KEY PERSONNEL

Brief resume of key persons, specialists, and individual service providers that shall be assigned to the City project:

- a. Name and Title: James Durham, member
- b. Project Assignment:
- c. Name of Service Provider/ Firm with which associated: The Britton Group, LLC
- d. Years Experience:
With this service provider/firm 22 years other service providers/ firms ____
- e. Education: Degree(s)/ Year/ Specialization: BA-1976, MS in Community Development/Urban Planning-1978, Juris Doctor-1981--all degrees from Univ. of MO at Columbia
- f. Current Registration(s): Missouri Ethics Commission, Missouri Bar Association
- g. Other Experience & Qualifications relevant to the proposed project:

Lobbyist for the City of Lee's Summit for approximately 18 years.
Lobbyist for the Missouri Public Housing Authorities for 22 years.
City Attorney, Sycamore Hills, MO from about 1985 to 2010.

FORM NO. 4: RESUMES OF KEY PERSONNEL

Brief resume of key persons, specialists, and individual service providers that shall be assigned to the City project:

- a. Name and Title: Jennifer Durham, member
- b. Project Assignment:
- c. Name of Service Provider/ Firm with which associated: The Britton Group, LLC
- d. Years Experience:
With this service provider/firm 46 years other service providers/firms
- e. Education: Degree(s)/ Year/ Specialization:
- f. Current Registration(s): Missouri Ethics Commission
- g. Other Experience & Qualifications relevant to the proposed project:

Lobbyist for the City of Lee's Summit for approximately 18 years.
Lobbyist for the Missouri Public Housing Authorities for at least 30 years.

Proposed Pricing

The Britton Group offers annual, semi-annual, quarterly, or monthly retainer agreements. We also offer fee arrangements limited to the regular legislative session from pre-filing in December through the close of session at the end of May; although these arrangements generally cover special sessions and definitely include veto session in mid-September as part of the original compensation.

Our fee is based on anticipated time and effort depending upon the expressed objectives and requirements of the client. Our fees also reflect the actual or anticipated involvement and ability of the client in reaching out to local legislators on their own. We would also note that we take into account the source of funds to pay our fees and have, historically, been very conservative when charitable or tax-payer funds are the source of our retainer.

In addition, our practice has always been to internally cover any expense we incurred in representing a client unless the client either directed or agreed to assume that expense. That remains our practice. You will not be billed for copying, for mailing, for dinners, for mileage or for accommodations; you will not be billed for any expense we incur unless you have specifically directed or specifically authorized that expense.

Lee's Summit is a current client for which we originally provided legislative liaison services only during session at a session-fee of \$6,000 payable in arrears at the rate of \$1,000 a month for December through May. That rate remained unchanged for over ten years. In 2017, the City requested expanded services which we have provided for the past three years at a rate of \$9,000 per year.

In response to the current RFP, we would propose an annual fee of \$12,000, payable in such installments as the City would choose. We would also be agreeable to renewing the contract for two additional one-year terms at that same rate of \$12,000 per year.

We have enjoyed many years of representing the City, and we look forward to continuing to represent Lee's Summit.