



Item #17-10-3

Government Relations & Public Affairs Committee Action

September 25, 2017

Procurement for Legal Services

Issue: Extension of contract for legal services and release of Request for Proposals (RFP).

Recommendation: That the Government Relations & Public Affairs Committee recommend that the Board extend the existing contract for legal services with Renne Sloan Holtzman Sakai, LLP through January 31, 2018, and authorize the CEO to release an RFP for legal services.

Discussion: From 2005 to 2011, SACOG contracted for legal services with Miller, Owen & Trost. In April 2011, Kirk Trost joined SACOG as Chief Operating Officer and General Counsel, and SACOG continued legal services through the contract with Miller & Owen, splitting its services between in-house General Counsel and contract legal services. In 2012, the Board awarded a five-year contract to Miller & Owen (now Renne Sloan Holtzman Sakai, LLP).

Staff is asking the Board to extend this contract through January 2018 to allow time to issue an RFP to solicit proposals and negotiate a new contract with the selected firm. Staff recommends an initial three-year term, with two optional one-year extensions. The contract is for a broad range of legal services, but particularly focuses on contracts, with some specialized services in employment and litigation.

Below is the anticipated schedule for the legal services procurement:

October 19, 2017	Board approval to release RFP
November 21, 2017	Proposals due from consultants
December 11-13, 2017	Conduct interviews
January 18, 2018	Board approval to enter into contract
February 1, 2018	New contract effective date

Attached is the draft scope of work. As noted above, staff will seek authorization to enter into a contract with the selected firm at the January 2018 board meeting.

Approved by:

James Corless
Chief Executive Officer

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Attachment

Key Staff: Kirk Trost, Chief Operating Officer/General Counsel, (916) 340-6210
 Erik Johnson, Manager of Policy & Administration, (916) 340-6247

Legal Services Draft Scope of Work

The tasks and services provided by outside legal counsel include the following:

1. Provision of all legal advice to SACOG through General Counsel, Chief Executive Officer, Board members, and other designated personnel as appropriate.
2. Monitoring and advising the Chief Operating Officer, Chief Executive Officer, Board members, and other designated personnel as appropriate, of legislation and case law affecting SACOG.
3. Provision of legal review and advice on documents, agreements, and responsibilities related to transportation planning and funding.
4. Representing SACOG in the administration of all claims and litigation filed by or against it; provided, however, that special counsel may be retained to defend or prosecute actions requiring special expertise; further provided, that outside counsel shall be retained in the event of a conflict of interest which disqualifies the attorney(s) from such representation.
5. Rendering advice and assistance to SACOG's representatives on labor relations matters, reviewing memoranda of understanding or other labor agreements, drafting implementing legislation or other pertinent documents and representation of SACOG before mediators or arbitrators on matters arising from memoranda of understanding or the SACOG's personnel rules.
6. Rendering advice and assistance in the administration of SACOG's general liability risk management and insurance programs.
7. Monitoring activities of any special counsel retained by SACOG.
8. Attendance at all SACOG Board meetings, and/or other SACOG meetings deemed necessary or as requested by General Counsel or Chief Executive Officer.
9. Attendance at staff level or committee level meetings deemed necessary or as requested by General Counsel or Chief Executive Officer of SACOG.
10. Providing conflict of interest assistance to SACOG and staff on behalf of SACOG and assisting members and staff in seeking advice from the Fair Political Practices Commission.