



Midpeninsula Regional
Open Space District

R-19-113
Meeting 19-20
August 14, 2019

AGENDA ITEM 6

AGENDA ITEM

Contract Amendment for Legislative Consulting Services with Environmental and Energy Consulting

GENERAL MANAGER'S RECOMMENDATION *den*

Authorize the General Manager to amend a legislative consulting services contract with Environmental and Energy Consulting (EEC) for an additional \$13,750 for a not-to-exceed total of \$58,750.

SUMMARY

In late December 2018, Midpeninsula Regional Open Space District (District) considered sponsoring state legislation intended to provide an exemption from local and county permit requirements. In order to craft and promote successful legislation, additional expertise and effort were needed to develop an appropriate legislative strategy and conduct active interfacing with public agencies. On January 16, 2019, to support this unanticipated legislative effort within an aggressive legislative timeline, the District redirected and amended EEC's existing contract for core legislative work (\$3,750 per month) to include this special initiative at a cost of an additional \$5,000 per month for a total of \$8,750 per month, not to exceed their current contract limit of \$45,000. With this accelerated expenditure rate, it was understood that a contract amendment would be needed later in the year to backfill the funds that were redirected towards the unanticipated legislative effort for EEC to continue providing general legislative support throughout the remainder of the year. Following Board direction given in March 2019, further legislative work on a potential bill ceased at the state level, reducing the total incurred contract cost for the District to a total amount of \$13,750 for the 2019 legislative year. Due to an internal oversight, this amendment is coming to the Board two months later than planned to cover general legislative core work completed in July and August, and to continue receiving these services through the end of the October (end of the 2019 legislative year). The Fiscal Year 2019-20 Budget contains sufficient funds for the recommended contract amendment.

DISCUSSION

The District utilizes EEC to advocate for District interests on state legislative matters. Their original \$45,000 base contract covers core legislative work and does not include special legislative initiatives. In late December 2018, the District considered sponsoring state legislation to provide the District with an exemption from city and county permit requirements. Due to the aggressive legislative timeline and need for assistance, the District started by redirecting and

amending EEC's contract to support this unanticipated initiative at a cost of an additional \$5,000 a month, for a total of \$8,750 per month, not to exceed their current contract limit of \$45,000.

By adding this initiative with EEC's core legislative work, it was known that this contract would need to be augmented later in 2019 to cover these new expenses and possibly the cost of an entire year of legislative support if the Board decided to actively pursue this permit-streamlining legislation. The base \$45,000 contract would not cover the entire year at the enhanced expenditure rate (core legislative work plus District-sponsored legislation support).

At the March 13, 2019 Board meeting, the Board opted not to pursue state legislation during the 2019 legislative calendar. EEC was notified and their additional billing concluded. Over the course of January, February, and March 2019, EEC was paid \$13,750 for additional consulting services.

This new contract amendment increases EEC's total contract amount to \$58,750 to include the funds expended on the earlier special initiative (\$45,000 + \$13,750), reduces their monthly payment back to \$3,750 per month, and removes the additional scope to support District-sponsored legislation during the 2019 legislative year.

Table 1: EEC Contract Expenditures through the end of the Contract Term (October 2019)

Month-Year	Core Legislative Services	District-sponsored Legislation Support	Total Monthly Expenditure	Total Expenditure	Notes
November 2018	\$3,750	\$0	\$3,750	\$3,750	
December 2018	\$3,750	\$0	\$3,750	\$7,500	
January 2019	\$3,750	\$3,750 ¹	\$7,500	\$15,000	Enhanced contract
February 2019	\$3,750	\$5,000	\$8,750	\$23,750	Enhanced contract
March 2019	\$3,750	\$5,000	\$8,750	\$32,500	Enhanced contract
April 2019	\$3,750	\$0	\$3,750	\$36,250	
May 2019	\$3,750	\$0	\$3,750	\$40,000	
June 2019	\$3,750	\$0	\$3,750	\$43,750	Contract exhausted
July 2019	\$3,750	\$0	\$3,750	\$47,500	
August 2019	\$3,750	\$0	\$3,750	\$51,250	
September 2019	\$3,750	\$0	\$3,750	\$55,000	
October 2019	\$3,750	\$0	\$3,750	\$58,750	
Total:	\$45,000	\$13,750	\$58,750		

¹ January cost is prorated.

The proposed contract Amendment #2 removes the added scope of work from Amendment 1, reduces the monthly rate back to \$3,750, and increases the total contract to \$58,750 (\$45,000 + \$13,750) to account for the additional special assignment expenses incurred between January and March 2019.

FISCAL IMPACT

There are sufficient funds in the adopted FY2019-20 budget to cover the cost of the recommended action.

BOARD COMMITTEE REVIEW

No Board Committee previously reviewed this item.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. No additional notice is required.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act.

NEXT STEPS

Upon approval by the Board of the proposed contract amendment, the General Manager will execute the required documents. The next legislative cycle contract with EEC is anticipated to be considered by the Board in the fall of 2019 prior to the November 15, 2019 contract expiration.

Responsible Department Head:
Korrine Skinner, Public Affairs Manager

Prepared by:
Joshua Hugg, Governmental Affairs Specialist