



# Memorandum

## AGENDA ITEM 5

**DATE:** September 16, 2021  
**TO:** Transportation Authority Board  
**FROM:** Cynthia Fong - Deputy Director for Finance and Administration  
**SUBJECT:** 10/19/2021 Board Meeting: Execute Contract Renewals and Options for Various Annual Professional Services in an Amount Not to Exceed \$725,000

<p><b>RECOMMENDATION</b>   <input type="checkbox"/> Information   <input checked="" type="checkbox"/> Action</p> <p>Execute contract renewals and options for various annual professional services in an amount not to exceed \$725,000:</p> <ul style="list-style-type: none"> <li>• Meyers Nave; Nossaman LLP; and Wendel Rosen LLP (\$325,000)</li> <li>• SPTJ Consulting (\$300,000)</li> <li>• Civic Edge Consulting and Convey, Inc. (\$100,000)</li> </ul> <p><b>SUMMARY</b></p> <p>We annually contract for certain professional support services in areas where factors like cost, work volume, or the degree of specialization required would not justify the use of permanent in-house staff. The purpose of this memo is to present the annual contract renewals and options for Fiscal Year (FY) 2021/22 and to seek approval. Attachment 1 provides summary information for the proposed contract options with brief descriptions of the recommended services and amounts in the memo below.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Fund Allocation</li> <li><input type="checkbox"/> Fund Programming</li> <li><input type="checkbox"/> Policy/Legislation</li> <li><input type="checkbox"/> Plan/Study</li> <li><input type="checkbox"/> Capital Project Oversight/Delivery</li> <li><input type="checkbox"/> Budget/Finance</li> <li><input checked="" type="checkbox"/> Contract/Agreement</li> <li><input type="checkbox"/> Other: _____</li> </ul>
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## BACKGROUND

We annually contract for certain professional support services in areas where factors like cost, work volume, or the degree of specialization required would not justify the use of permanent in-house staff. Services requested from outside firms include computer network services, general legal counsel services, and on-call strategic communications, media and community relations professional services. The contract amounts proposed are annual limitations, as these professional support services are provided through contracts where costs are incurred only when the specific services are used.

## DISCUSSION

Attachment 1 provides summary information for the proposed contract options. Below are brief descriptions of the recommended services and amounts.



<b>Meyers Nave; Nossaman LLP; and Wendel Rosen LLP</b>	<b>\$325,000</b>
<p>We maintain a bench of three legal firms experienced in matters related to the operation of public entities to provide on-call general legal counsel services. In July 2019, through Resolution 20-07 and based on the results of a competitive process, we awarded three-year professional services contracts to Meyers Nave (formerly Meyers Nave Riback Silver &amp; Wilson); Nossaman LLP; and Wendel Rosen LLP (formerly Wendel, Rosen, Black, &amp; Dean LLP), with an option to extend for two additional one-year periods, in a combined amount not to exceed \$1,000,000, for on-call general legal counsel services. The proposed action will exercise the first of two options of the initial contracts. Attachment 2 provides brief descriptions of the work assigned to the legal teams.</p>	
<b>SPTJ Consulting</b>	<b>\$300,000</b>
<p>SPTJ Consulting provides information technology support services of our computer hardware and software, office networking equipment, telecommunications systems, servers, and disaster recovery preparation. On November 27, 2018, through Resolution 19-26, we awarded a two-year consultant contract, with options to extend for three additional one-year periods to SPTJ Consulting, Inc. in an amount not to exceed \$480,000 for computer network and maintenance services. On September 22, 2020, through Resolution 21-12, we approved the first contract option in an amount not to exceed \$325,000, for a total contract amount not to exceed \$805,000. During FY 2021/22 and due to COVID-19, we anticipate the need to maintain technology support for the production of virtual Board and/or Committee meetings and for the reopening of our physical office. The proposed action will exercise the second of three renewal options.</p>	
<b>Civic Edge Consulting and Convey, Inc.</b>	<b>\$100,000</b>
<p>We regularly communicate with the public, the media, policymakers, and key stakeholders in partner agencies and the private and non-profit sectors on a wide range of agency and project-specific matters. In January 2019, through Resolution 19-37 and based on the results of a competitive process, we awarded three-year consultant contracts to Civic Edge Consulting and Convey, Inc., with an option to extend for two additional one-year periods, in a combined amount not to exceed \$300,000, for on-call strategic communications, media, and community relations professional services. Since then, the consultant teams have provided support for project-specific communications needs, assisted with development of a contacts database management system, assisted in the development of a project highlighting the half-cent sales tax, and helped hone messaging on assorted agency-wide efforts. For the upcoming year, we forecast continuous need for assistance with strategic communications, media relations and outreach related to various projects. The proposed action will exercise the first of two options of the initial contracts. Attachment 2 provides brief descriptions of the work assigned to both consultant teams.</p>	



## **FINANCIAL IMPACT**

The adopted Fiscal Year 2021/22 budget includes this year's activities and sufficient funds will be included in future budgets to cover the remaining cost of the contracts. The proposed contracts will be funded by a combination of federal and state grants, and Prop K funds.

## **CAC POSITION**

The Community Advisory Committee will consider this item at its September 22, 2021 meeting.

## **SUPPLEMENTAL MATERIALS**

- Attachment 1 - Proposed Professional Services Expenditures
- Attachment 2 - Task Order Assignments

**Attachment 1:  
Proposed Professional Services Expenditures**

<b>Professional Services</b>	<b>Description of Services</b>	<b>Previous Year Contract</b>	<b>Increase/ (Decrease)</b>	<b>Proposed Annual Amount</b>	<b>Procurement Type/Contract Options</b>	<b>Contract Goal</b>	<b>Utilization to Date</b>
Meyers Nave; Nossaman LLP; and Wendel Rosen LLP	On-call Legal Counsel Services	\$333,333	(\$8,333)	\$ 325,000	Competitively bid. First of two renewal options.	0%	0%
SPTJ Consulting, Inc.	Computer Network and Maintenance Services	\$325,000	(\$25,000)	\$ 300,000	Competitively bid. Second of three renewal options.	15% DBE, LBE or SBE	94% DBE/LBE
Civic Edge Consulting and Convey, Inc.	On-call Strategic Communications, Media, and Community Relations Professional Services	\$100,000	0	\$100,000	Competitively bid. First of two renewal options.	17% DBE	81% DBE
	<b>Total</b>	<b>\$758,333</b>	<b>(\$33,333)</b>	<b>\$725,000</b>			

## Attachment 2

### General Legal Counsel Services Assigned Task Orders (2019 to 2021)

Legal Firm	Task Order Description	Amount
Nossaman LLP	General Legal Services <sup>1</sup>	\$225,000
	California Public Records Act	\$81,841
	Downtown Extension	\$50,000
	Sales Tax Reauthorization	\$40,000
	Federal Legislative Services	\$25,000
	Streets and Freeways Corridor Study	\$9,386
	Yerba Buena Island Southgate Road Realignment	\$4,680
<b>Total Task Orders Awarded to Nossaman LLP</b>		<b>\$435,907</b>
Wendel Rosen LLP	Yerba Buena Island Southgate Road Realignment	\$100,000
	Yerba Buena Island West-side Bridges	\$25,000
	General Legal Services <sup>1</sup>	\$25,000
<b>Total Task Orders Awarded to Wendel Rosen LLP</b>		<b>\$150,000</b>
Meyers Nave	General Legal Services <sup>1</sup>	\$100,000
<b>Total Task Orders Awarded to Meyers Nave</b>		<b>\$100,000</b>
<b>Total Task Orders Awarded to Date</b>		<b>\$685,907</b>
<b>Total Contract Amount</b>		<b>\$1,000,000</b>

<sup>1</sup> General legal services encompass activities such as attending Board and Committee meetings, assistance on contracts, advising on records requests and personnel matters, as well as providing legal services for Transportation Authority initiatives not covered by separate task orders.

## Attachment 2

### On-Call Strategic Communications, Media and Community Relations Services Assigned Task Orders (2019 to 2021)

Prime Consultant	Task Order Description	Amount
Civic Edge Consulting	Overall Communications <sup>2</sup>	\$49,985
	Outreach Guidelines	\$44,169
	Outreach Services for the Pennsylvania Avenue Extension Study	\$25,000
<b>Total Task Orders Awarded to Civic Edge Consulting</b>		<b>\$119,154</b>
Convey, Inc.	Overall Communications <sup>2</sup>	\$49,370
	30th Anniversary of the Transportation Authority	\$36,265
	Staff Survey	\$17,000
	EnviroLytical Contacts Database	\$12,629
<b>Total Task Orders Awarded to Convey, Inc.</b>		<b>\$115,264</b>
<b>Total Task Orders Awarded to Date</b>		<b>\$234,418</b>
<b>Total Amount Awarded to Disadvantaged Business Enterprise Firms (81%)</b>		<b>\$190,953</b>
<b>Total Contract Amount</b>		<b>\$300,000</b>

<sup>2</sup> Overall communications encompass activities such as overall image development and branding of the Transportation Authority and creating communication materials, including translating documents to comply with Title VI requirements. In addition, consultant teams monitor legislative, community and media activity for various Transportation Authority projects and provide comprehensive support services for Transportation Authority initiatives not covered by separate task orders.