



**San Francisco
County Transportation
Authority**

BD110822

RESOLUTION NO. 23-18

RESOLUTION EXECUTING CONTRACT RENEWALS AND OPTIONS FOR VARIOUS PROFESSIONAL SERVICES IN AN AMOUNT NOT TO EXCEED \$1,025,000 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO MODIFY CONTRACT PAYMENT TERMS AND NON-MATERIAL CONTRACT TERMS AND CONDITIONS

WHEREAS, The Transportation Authority annually contracts 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; and

WHEREAS, The Transportation Authority seeks general legal counsel services and computer networking and maintenance services; and

WHEREAS, On November 27, 2018, through Resolution 19-26, the Transportation Authority awarded a two-year professional services contract, with options to extend for three additional one-year periods in an amount not to exceed \$480,000 for computer networking and maintenance services to SPTJ Consulting, Inc.; and

WHEREAS, On September 22, 2020, through Resolution 21-12, the Transportation Authority exercised the first of three renewal contract options in an amount not to exceed \$325,000 for a total contract amount not to exceed \$805,000; and

WHEREAS, On November 16, 2021, through Resolution 22-15, the Transportation Authority exercised the second of three renewal contract options in an amount not to exceed \$300,000 for a total contract amount not to exceed \$1,105,000; and

WHEREAS, During Fiscal Year (FY) 2022/23, the Transportation Authority



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anticipates an elevated level of technology support in preparation for a potential upgrade to its enterprise resource planning system; and

WHEREAS, Transportation Authority staff is recommending that the agency exercise the third of three renewal options in an amount not to exceed \$400,000 for a total contract amount not to exceed \$1,505,000; and

WHEREAS, On July 23, 2019, through Resolution 20-07, the Transportation Authority awarded a three-year professional services contract, 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 to Meyers Nave (formerly Meyers Nave Riback Silver & Wilson); Nossaman LLP; and Fennemore Wendel (formerly Wendel Rosen LLP); and

WHEREAS, On November 16, 2021, through Resolution 22-15, the Transportation Authority approved the exercise of the first of two additional one-year options in an amount not to exceed \$325,000 for a total contract amount not to exceed \$1,325,000; and

WHEREAS, The Transportation Authority maintains a bench of three legal firms experienced in matters related to the operation of public entities to provide on-call general legal counsel services; and

WHEREAS, Transportation Authority staff is recommending that the agency exercise the second of two one-year options in an amount not to exceed \$325,000 for a total contract amount not to exceed \$1,650,000; and

WHEREAS, In order to support its ongoing operations, the Transportation Authority staff is requesting approval to execute a professional services contract with the Office of the City Attorney for general legal services; and



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WHEREAS, At the request of the Office of the City Attorney, Transportation Authority staff is proposing to increase the contract term from a one-year period to a three-year period, maintaining a \$100,000 annual rate, for a total contract amount not to exceed \$300,000; and

WHEREAS, The contract amounts proposed are limitations, as the subject professional support services are provided through contracts where costs are incurred only when the specific services are used; and

WHEREAS, The adopted FY 2022/23 budget includes this year's activities and sufficient funds will be included in future budgets to cover the remaining cost of the contracts; and

WHEREAS, The proposed contracts will be funded by a combination of federal grants, state grants and Prop K funds; and

WHEREAS, At its October 26, 2022 meeting, the Community Advisory Committee considered the proposed action to execute contract renewals and options for various professional services as summarized in Attachment 1 and unanimously adopted a motion of support for the staff recommendation; now, therefore, be it

RESOLVED, That the Transportation Authority hereby authorizes the Executive Director to execute contract renewals and options for the aforementioned professional services in an amount not to exceed \$1,025,000; and be it further

RESOLVED, That the Executive Director is hereby authorized to negotiate contract payment terms and non-material contract terms and conditions; and be it further



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RESOLVED, That for the purposes of this resolution, "non-material" shall mean contract terms and conditions other than provisions related to the overall contract amount, terms of payment, and general scope of services; and be it further

RESOLVED, That notwithstanding the foregoing and any rule or policy of the Transportation Authority to the contrary, the Executive Director is expressly authorized to execute agreements and amendments to agreements that do not cause the total agreement value, as approved herein, to be exceeded and that do not expand the general scope of services.

Attachment:

- Attachment 1 - Proposed Professional Services Expenditures



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The foregoing Resolution was approved and adopted by the San Francisco County Transportation Authority at a regularly scheduled meeting thereof, this 8th day of November, 2022, by the following votes:

Ayes: Commissioners Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronin, Safai, Stefani, and Walton (10)

Nays: (0)

Absent: Commissioner Dorsey (1)

DocuSigned by:
Rafael Mandelman 11/29/2022
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Rafael Mandelman Date
Chair

DocuSigned by:
Tilly Chang 11/30/2022
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ATTEST:

Tilly Chang Date
Executive Director