



RESOLUTION EXECUTING ANNUAL CONTRACT RENEWALS AND OPTIONS FOR VARIOUS ANNUAL PROFESSIONAL SERVICES IN AN AMOUNT NOT TO EXCEED \$1,409,230 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO MODIFY CONTRACT PAYMENT TERMS AND NON-MATERIAL CONTRACT TERMS AND CONDITIONS

WHEREAS, The Transportation Authority annually contracts with City and County of San Francisco departments and outside firms 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, In order to support its ongoing operations, the Transportation Authority will execute annual professional services contracts with the Office of the City Attorney for general legal counsel for \$100,000, and with the Department of Technology for video production services for Transportation Authority and Treasure Island Mobility Management Agency Board and Committee meetings for \$50,000; and

WHEREAS, In October 2010, through Resolution 11-15, the Transportation Authority awarded three-year consultant contracts, with options to extend for two additional one-year periods, to Nixon Peabody LLP and Squire Patton Boggs LLP, in a combined total amount not to exceed \$400,000 for bond counsel and disclosure counsel services; and

WHEREAS, During Fiscal Year (FY) 2017/18, we anticipate a higher level of effort due to additional bond counsel and disclosure counsel services related to issuance of a proposed \$300 million sales tax revenue bond and a proposal to extend or replace the existing revolving credit loan; and

WHEREAS, The proposed action will exercise the first of two options of the initial contract in an amount not to exceed \$355,000; and



WHEREAS, In August 2015, through Resolution 15-50, the Transportation Authority awarded three-year consultant contracts, with options to extend for two additional one year periods, to Nossaman LLP and Wendel, Rosen, Black & Dean LLP, in an amount not to exceed \$750,000 for general legal counsel services; and

WHEREAS, The proposed action will exercise the first of two options of the initial contract and maintain the annual contract amount of \$250,000; and

WHEREAS, The small staff size of the Transportation Authority does not yet warrant full-time, in-house technical support, so most technical maintenance and support tasks are outsourced to a professional consultant team that comes to the Transportation Authority offices on an as-needed basis; and

WHEREAS, In October 2014, through Resolution 15-11, the Transportation Authority awarded a three-year consultant contract, with two additional one-year extension options, to SPTJ Consulting in an amount not to exceed \$550,000 for computer network and maintenance services; and

WHEREAS, The proposed action will exercise the second of two options of the initial contract and maintain the annual contract amount of \$200,000; and

WHEREAS, The Transportation Authority has regular needs to 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; and

WHEREAS, In February 2014, through Resolution 14-54, the Transportation Authority awarded three-year consultant contracts, with options to extend for two additional one-year periods, to Civic Edge Consulting (formerly Barbary Coast Consulting) and Davis & Associates Communications, Inc., in a combined total not to exceed \$525,000, for on-call strategic communications, media and community relations professional services; and



WHEREAS, Since then, the consultant teams have provided development support of an agency-wide communications strategy, ongoing agency-wide external communications, as well as project-specific outreach and communications; and

WHEREAS, For the upcoming year, we forecast continuous need for assistance with strategic communications, media relations and outreach related to various projects; and

WHEREAS, The proposed action will exercise the second of two options of the initial contracts in a combined amount not to exceed \$185,800; and

WHEREAS, In January 2011, through Resolution 11-37, the Transportation Authority awarded a three-year consultant contract, with an option to extend for two additional one-year periods, to KNN Public Finance, Inc. in a total amount not to exceed \$250,000 for financial advisory services; and

WHEREAS, During FY 2017/18, we anticipate a higher level of effort due to additional financial advisory services related to issuance of a proposed \$300 million sales tax revenue bond and a proposal to extend or replace the existing revolving credit loan; and

WHEREAS, The proposed action will exercise the first of two options of the initial contract in an amount not to exceed \$185,000; and

WHEREAS, In June 2015, through Resolution 15-58, the Transportation Authority awarded a three-year consultant contract, with an option to extend for two additional one-year periods, to Vavrinek, Trine, Day & Co., LLP in an amount not to exceed \$300,000 for annual audit services; and

WHEREAS, The proposed action will exercise the first of two options of the initial contract in an amount not to exceed \$83,430; and

WHEREAS, The proposed annual contract renewals for various annual professional services, total to a combined amount not to exceed \$1,409,230, will be funded by a combination of



federal and state grants, funding from other agencies through memoranda of agreement, and Prop K funds; and

WHEREAS, Sufficient funds have been identified for these contracts in the proposed FY 2017/18 budget and work program; and

WHEREAS, At its May 24, 2017 meeting, the Citizens Advisory Committee considered the subject request and unanimously adopted a motion of support for the staff recommendation; now, therefore, be it

RESOLVED, That the Executive Director is hereby authorized to execute annual contract renewals and options for various annual professional services in an amount not to exceed \$1,409,230; and be it further

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

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 agreement amendments that do not cause the total contract value, as approved herein, to be exceeded and that do not expand the general scope of services.



# Memorandum

**Date:** June 6, 2017  
**To:** Transportation Authority Board  
**From:** Cynthia Fong – Deputy Director for Finance and Administration  
**Subject:** 06/13/17 Board Meeting: Execute Contract Renewals and Options for Various Annual Professional Services in an Amount Not to Exceed \$1,409,230

<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 \$1,409,230:</p> <ul style="list-style-type: none"> <li>• Office of the City Attorney (\$100,000)</li> <li>• Department of Technology (\$50,000)</li> <li>• Nixon Peabody and Squire Patton Boggs LLP (\$355,000)</li> <li>• Nossaman LLP and Wendel, Rosen, Black &amp; Dean LLP (\$250,000)</li> <li>• SPTJ Consulting (\$200,000)</li> <li>• Civic Edge Consulting and Davis &amp; Associates Communications, Inc. (\$185,800)</li> <li>• KNN Public Finance (\$185,000)</li> <li>• Vavrinek, Trine, Day &amp; Co., LLP (\$83,430)</li> </ul> <p><b>SUMMARY</b></p> <p>The purpose of this memorandum is to present the annual contract renewals and options for Fiscal Year (FY) 2017/18 and seek their approval.</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"/> Contracts</li> <li><input type="checkbox"/> Procurement</li> <li><input type="checkbox"/> Other:</li> </ul>
---	---

**DISCUSSION**

**Background.** The Transportation Authority manages administrative costs through successful contract negotiations and through the transfer of certain routine professional service tasks to in-house staff. 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. Services requested from outside firms include general legal counsel services, video production services for Board and Committee meetings, audit services, financial advisory services, bond and disclosure counsel services, on-call strategic communications, media and community relations professional services, and computer network and maintenance 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.

**Contracts.** Attachment 1 provides summary information for the proposed contracts for FY 2017/18. Below are brief descriptions of the recommended services and amounts.

**Office of the City Attorney..... \$100,000**

The Office of the City Attorney (City Attorney) provides verbal and written legal representation, advice and counsel on matters related to the routine operations of the Transportation Authority, contracts and interagency agreements, labor matters, Brown Act, and California Public Records Act. The Transportation Authority also utilizes the City Attorney for litigation activities when appropriate.

**Department of Technology ..... \$50,000**

The Department of Technology records and telecasts all Transportation Authority Board and Committee meetings held at City Hall with a regularly scheduled playback date and time for public review. In FY 2017/18, we will continue to utilize the Department of Technology to provide record and telecast services of Vision Zero Committee meetings to support the City’s efforts to take comprehensive and coordinated actions to improve pedestrian and cyclist safety in the near-term and of the Treasure Island Mobility Management Agency (TIMMA) meetings to implement elements of the Treasure Island Transportation Implementation Plan in support of the Treasure Island/Yerba Buena Island Development Project.

**Nixon Peabody and Squire Patton Boggs LLP..... \$355,000**

In October 2010, through Resolution 11-15, the Transportation Authority awarded three-year consultant contracts, with options to extend for two additional one year periods, to Nixon Peabody LLP and Squire Patton Boggs LLP, in a combined total amount not to exceed \$400,000 for bond counsel and disclosure counsel services. The proposed action will exercise the first of two options of the initial contract. During FY 2017/18, we anticipate a higher level of effort due to additional bond counsel and disclosure counsel services related to issuance of a proposed \$300 million sales tax revenue bond and a proposal to extend or replace the existing revolving credit loan. Attachment 2 provides brief descriptions of the work assigned to both firms.

**Nossaman LLP and Wendel, Rosen, Black & Dean LLP ..... \$250,000**

In August 2015, through Resolution 15-50, the Transportation Authority awarded three-year consultant contracts, with options to extend for two additional one year periods, to Nossaman LLP and Wendel, Rosen, Black & Dean LLP, in an amount not to exceed \$750,000 for general legal counsel services. The proposed action will exercise the first of two options of the initial contract. Attachment 3 provides brief descriptions of the work assigned to both legal teams.

**SPTJ Consulting ..... \$200,000**

The staff size of the Transportation Authority does not warrant full-time, in-house technical support, so most technical maintenance and support tasks are outsourced to a professional consultant team that comes to the Transportation Authority offices on an as-needed basis. In October 2014, through Resolution 15-11 and based on the results of a competitive process, the Transportation Authority awarded a three-year consultant contract with two additional one-year extension options to SPTJ Consulting, in an amount not to exceed \$550,000, for computer network and maintenance services. In addition to maintenance and ongoing tasks, SPTJ Consulting has been instrumental in the

Agenda Item 9

development of a secure and robust hardware and database setup, providing server updates, system maintenance, and security management for the Transportation Authority’s Enterprise Resource Planning (accounting) software, Microsoft Dynamics AX. In addition, the team is continuously providing operating system and software updates, and file server and backup system upgrades. Furthermore, the team helped with the implementation of advanced reporting functions and increased office hours on site in order to be more responsive to staff requests. For the upcoming year, SPTJ Consulting will continue to provide similar maintenance and ongoing tasks in addition to several larger system upgrade tasks. The proposed action will exercise the second of two options of the initial contract.

**Civic Edge Consulting and Davis & Associates Communications, Inc..... \$185,800**

The Transportation Authority has regular needs to 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 February 2014, through Resolution 14-54 and based on the results of a competitive process, the Transportation Authority awarded three-year consultant contracts, with options to extend for two additional one year periods, to Civic Edge Consulting (formerly Barbary Coast Consulting) and Davis & Associates Communications, Inc., in a combined total not to exceed \$525,000, for on-call strategic communications, media and community relations professional services. Since then, the consultant teams have provided development support of an agency-wide communications strategy, ongoing agency-wide external communications, as well as project-specific outreach and communications. Attachment 4 provides brief descriptions of the work assigned to both consultant teams. 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 second of two options of the initial contracts.

**KNN Public Finance ..... \$185,000**

In January 2011, through Resolution 11-37, the Transportation Authority awarded a three-year consultant contract, with an option to extend for two additional one year periods, to KNN Public Finance, Inc. in a total amount not to exceed \$250,000 for financial advisory services. The proposed action will exercise the first of two options of the initial contract. During FY 2016/17, we anticipate a higher level of effort due to additional financial advisory services related to issuance of a proposed \$300 million sales tax revenue bond and a proposal to extend or replace the existing revolving credit loan.

**Vavrinek, Trine, Day & Co., LLP..... \$83,430**

In June 2015, through Resolution 15-58, the Transportation Authority awarded a three-year consultant contract, with an option to extend for two additional one year periods, to Vavrinek, Trine, Day & Co., LLP, in an amount not to exceed \$300,000 for annual audit services. The proposed action will exercise the first of two options of the initial contract.

**FINANCIAL IMPACT**

The proposed FY 2017/18 budget includes sufficient funds to accommodate the recommended action. The proposed contracts will be funded by a combination of federal and state grants, funding from other agencies through memoranda of agreement, and Prop K funds.

Agenda Item 9

**CAC POSITION**

The CAC considered this item at its May 24, 2017 meeting and unanimously adopted a motion of support for the staff recommendation.

**SUPPLEMENTAL MATERIALS**

Attachment 1 – Proposed FY 2017/18 Professional Services Expenditures

Attachment 2 – Bond Counsel and Disclosure Counsel Services Work Assignments

Attachment 3 – General Legal Counsel Services Work Assignments

Attachment 4 – On-Call Strategic Communications, Media and Community Relations Task Orders



**Attachment 1:  
Proposed Fiscal Year 2017/18 Professional Services Expenditures**

<b>Professional Services</b>	<b>Annual Services</b>	<b>Previous Year Contract</b>	<b>Increase/ (Decrease)</b>	<b>Proposed Fiscal Year 2017/18 Contract</b>	<b>Procurement Type/Contract Options</b>	<b>Contract Goal</b>	<b>Utilization to Date</b>
CCSF-Office of the City Attorney	General Counsel Services	\$ 100,000	-	\$ 100,000	Sole Source	N/A	N/A
CCSF-Department of Technology	Video Production Services for Transportation Authority Committee and Board Meetings	\$ 50,000	-	\$ 50,000	Sole Source	N/A	N/A
Nixon Peabody and Squire Patton Boggs LLP	Bond Counsel and Disclosure Counsel Services	\$ 133,333	\$ 221,667	\$ 355,000	Competitively bid. First of two renewal options.	N/A	N/A
Nossaman LLP and Wendel, Rosen, Black & Dean LLP	General Legal Counsel Services	\$ 250,000	-	\$ 250,000	Competitively bid. First of two renewal options.	10% DBE	10% DBE
SPTJ Consulting, Inc.	Computer Network and Maintenance Services	\$ 200,000	-	\$200,000	Competitively bid. Second of two renewal options.	25% DBE/LBE /SBE	90% DBE/LBE
Civic Edge Consulting and Davis & Associates Communications, Inc.	On-call Strategic Communications, Media and Community Relations	\$ 175,000	\$10,800	\$185,800	Competitively bid. Second of two renewal options.	17% DBE	28% DBE
KNN Public Finance	Financial Advisory Services	\$ 83,333	\$ 101,667	\$ 185,000	Competitively bid. First of two renewal options.	5% DBE	12% DBE
Vavrinek, Trine, Day & Co., LLP	Annual Audit Services	\$ 81,000	\$ 2,430	\$ 83,430	Competitively bid. First of two renewal options.	10% DBE	14% DBE
	<b>Total</b>	<b>\$ 1,072,666</b>	<b>\$ 336,564</b>	<b>\$ 1,409,230</b>			

**Attachment 2:  
Bond Counsel and Disclosure Counsel Services Work Assignments  
Completed and Current Task Orders**

<b>Prime Consultant</b>	<b>Work Assignment Description</b>	<b>Amount</b>
Nixon Peabody	General and Bond Counsel	\$319,863
Squire Patton Boggs LLP	Disclosure Counsel <sup>1</sup>	\$0
<b>Total Work Assignments Awarded to Date</b>		<b>\$319,863</b>

---

<sup>1</sup> Disclosure counsel services will be call upon for activities related to the issuance of a proposed \$300 million sales tax revenue bond.

**Attachment 3:  
General Legal Counsel Services Work Assignments  
Completed and Current Task Orders**

<b>Prime Consultant</b>	<b>Work Assignment Description</b>	<b>Amount</b>
Nossaman LLP	General Legal Services <sup>2</sup>	\$277,230
	Presidio Parkway	\$37,432
	Yerba Buena Island Ramps	\$27,793
	Geary Bus Rapid Transit	\$18,681
	Vision Zero	\$10,000
	San Francisco Transportation Plan	\$6,775
	Treasure Island Mobility Management Agency	\$5,529
	Van Ness Bus Rapid Transit	\$3,002
	Quint-Jerrold Connector Road	\$342
<b>Total Work Assignments Awarded to Nossaman LLP</b>		<b>\$386,784</b>
Wendel, Rosen, Black & Dean LLP	Treasure Island Mobility Management Agency	\$32,760
	General Legal Services <sup>2</sup>	\$25,000
	Yerba Buena Island Ramps and Bridge Structures	\$24,500
	I-280 Balboa Park Interchange	\$15,000
<b>Total Work Assignments Awarded to Wendel, Rosen, Black &amp; Dean LLP</b>		<b>\$97,260</b>
<b>Total Work Assignments Awarded to Date</b>		<b>\$484,044</b>

---

<sup>2</sup> General legal services encompasses activities such as attending Board and Committee meetings, advising on records requests and personnel matters, as well as providing legal services for Transportation Authority initiatives not covered by separate work assignments.

**Attachment 4:  
On-call Strategic Communications, Media and Community Relations Task Orders  
Completed and Current Task Orders**

<b>Prime Consultant</b>	<b>Task Order Description</b>	<b>Amount</b>
Civic Edge Consulting (formerly Barbary Coast Consulting)	Overall Communications <sup>3</sup>	\$228,650
	Geary Corridor BRT	\$218,975
	BART Travel Incentives Program	\$65,000
	Treasure Island Mobility Management Agency	\$29,125
	Geneva-Harney BRT	\$28,675
	Quint-Jerrold Connector Road	\$7,350
	San Francisco Parking Supply and Utilization Study	\$1,531
<b>Total Task Orders Awarded to Barbary Coast Consulting</b>		<b>\$579,306</b>
Davis & Associates Communications, Inc.	San Francisco Transportation Plan 2050	\$39,988
	Overall Communications <sup>1</sup>	\$20,000
	Communications Assessment	\$16,843
	Chinatown Community-Based Transportation Plan	\$11,417
<b>Total Task Orders Awarded to Davis &amp; Associates Communications, Inc.</b>		<b>\$88,248</b>
<b>Total Task Orders Awarded to Date</b>		<b>\$667,554</b>

---

<sup>3</sup> Overall communications encompasses 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.