

HARBOR DIVISION

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DATE: OCTOBER 18, 2022

FROM: OFFICE OF THE CITY ATTORNEY

SUBJECT: RESOLUTION NO. _____ - PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND COMPLETE DISCOVERY SOURCE INCORPORATED

SUMMARY:

The Office of the City Attorney (Office) requests approval of a professional services agreement (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and Complete Discovery Source Incorporated (CDS) for electronic discovery and document processing services. The Agreement is for a term of three years, and total compensation authority of \$300,000. The Harbor Department is financially responsible for payment of expenses incurred under the proposed Agreement.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2 (f) of the Los Angeles City CEQA Guidelines;

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2. Find in accordance to Charter Section 1022 that the scope of work of the proposed Agreement can be more economically and feasibly provided by an independent contractor than by City employees;
3. Approve the proposed Agreement with Complete Discovery Source Incorporated for a total term of three years, with a not-to-exceed amount of \$300,000;
4. Authorize the Executive Director and Board Secretary to execute and attest to the Agreement; and
5. Adopt this Resolution No. _____.

DISCUSSION:

Background and Context – In advising and representing the Harbor Department in litigation, administrative proceedings, the California Public Records Act (PRA), and other legal matters, the Office often requires discovery and document services to assist with forensic preservation and collection, review and management, and final production of electronic records.

This proposed Agreement will be used primarily to support staff and attorneys in responding to PRA requests. As the need arises, the platform and services will also be used to support litigation and any other large-scale document productions.

In recent years, the Harbor Department has seen an increase in broad and voluminous PRA requests, often requiring collection and processing of thousands of records from dozens of custodians, all done manually. The platform and services offered through this Agreement will make the process more efficient and manageable for staff and attorneys by: (1) assisting with the uploading and processing of records; (2) providing review tools for a consistent, organized, and efficient way to search and review content; (3) providing analytics if and when a more complex process and production is required; and (4) assisting with production of responsive records in a manner consistent with the law.

Selection Process – The Office of the City Attorney - Downtown issued a Request for Proposals on July 2, 2021 and received six proposals. Following an extensive review of those proposals, the panel selected CDS and entered into Contract No. C-139510 on November 29, 2021.

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ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of a professional services agreement with CDS for ongoing consultant services for electronic discovery, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA under Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

The proposed action is for the approval of an Agreement for professional services for a three-year term and compensation authority of \$300,000. The amounts for each year are estimates and will ultimately depend on PRA demand and litigation needs and may be adjusted as needed. It is possible that the full budgeted amount for each year may not be expended.

The Harbor Department is financially responsible for payment of expenses incurred under the proposed Agreement. Funding in the amount of \$50,000 is available in the Fiscal Year 2022-23 Operating Budget within the Harbor Department City Attorney's Office Account No. 54410 (Legal Fees & Services), Division No. 0120 and Program No. 000. Funding for future fiscal years if necessary, will be requested to be budgeted as part of the annual budget adoption process, upon Board approval. A funding out clause is included in the Agreement. Spending under the proposed Agreement is expected to occur as follows:

Firm	FY 22/23	FY 23/24	FY 24/25	TOTAL
Complete Discovery Source Inc.	\$50,000	\$75,000	\$175,000	\$300,000

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CITY ATTORNEY:

The Office of the City Attorney has prepared and approved the proposed Agreement as to form and legality.

TRANSMITTALS:

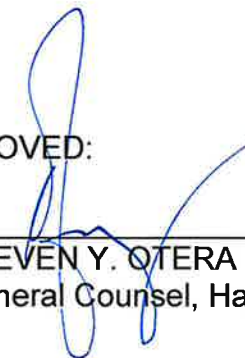
1. Professional Services Agreement with Complete Discovery Source Inc.

FIS Approval: MB


CA Approval: [Signature]



MINAH PARK
Deputy City Attorney

APPROVED:
By 

STEVEN Y. OTERA
General Counsel, Harbor Department

APPROVED:
By 

EUGENE D. SEROKA
Executive Director