



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the

Board of Harbor Commissioners

DATE: SEPTEMBER 12, 2018
FROM: GOVERNMENT AFFAIRS
**SUBJECT: RESOLUTION NO. _____ - APPROVAL OF AGREEMENT
WITH SHAW, YODER, ANTWIH, INC., FOR STATE GOVERNMENT
ADVOCACY REPRESENTATION IN SACRAMENTO**

SUMMARY:

Staff recommends approval of the Agreement with Shaw, Yoder, Antwih, Inc. (Shaw), for California State (State) government advocacy representation for the City of Los Angeles Harbor Department (Harbor Department). The proposed Agreement is for a one-year term, with two one-year options, with a not-to-exceed amount of \$120,000 per year, for a total amount of \$360,000. The Harbor Department is financially responsible for expenses incurred under the proposed Agreement.

RECOMMENDATION:

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

1. Find 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 as determined by the Director of Environmental Management;
2. Find that in accordance with the Los Angeles City Charter (Charter), Section 1022, work under the subject Agreement is temporary in nature and can be performed more feasibly by an independent contractor rather than by City of Los Angeles (City) employees;
3. Approve the proposed Agreement with Shaw, for a one-year term, with two one-year options, with a not-to-exceed amount of \$120,000 per year, for a total amount of \$360,000;
4. Authorize the Executive Director or Designee to execute, and the Board Secretary to attest to, the proposed Agreement; and
5. Adopt Resolution No. _____.

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DISCUSSION:

City of Los Angeles (City) Representation – The Los Angeles City Charter (Charter), Section 231 (h), and Mayor Eric Garcetti's Executive Directive No. 4 (June 24, 2014) specifies that the Office of the Mayor holds primary responsibility for the City's intergovernmental relations. The Charter provision and the procedures adopted to carry out this provision are designed to ensure a unified voice and coordinated legislative strategy when representing the City's interests.

The Harbor Department's Government Affairs Division (GAD) works closely with the Mayor's Office of Legislative and Intergovernmental Relations at the State level to advance the Harbor Department's legislative agenda, support the Harbor Department's strategic goals, and pursue a broad range of Harbor Department objectives, including protecting and securing funding and developing policy related to port-related infrastructure, security, trade development, and environmental protection.

Need for Agreement – The Harbor Department currently has a State advocate agreement in place that will expire on October 8, 2018. The need for representation in Sacramento by a State advocate will remain and is essential to support the Harbor Department's strategic goal of maintaining and developing stronger relationships. Fostering partnership opportunities at the State level continues to promote the goals of the Harbor Department. Specifically, the Harbor Department requires a consistent, day-to-day presence in Sacramento by an advocate that is accountable to the Harbor Department, in order to do the following (this is not an exhaustive list):

- A. **Advancing and Protecting our Interests within Pending State Legislation:** Bills related to transportation funding, international trade, security, environmental policies, including the California Environmental Quality Act (CEQA), greenhouse gas (GHG) reduction, and Cap and Trade are being monitored closely by Government Affairs Division staff.
- B. **Conduct Follow-Up and Ongoing Development of our State-Level Agenda:** The Harbor Department continues to receive increased interest and attention from the State Government. This is apparent through increased visits and meetings with State legislators, appointed officials, and various agency staff. A State advocate will assist the Harbor Department with follow-up and translate these visits into tangible legislative and/or administrative activity in Sacramento. Continued development of these relationships is best fostered when staff follow-up is done on a consistent, face-to-face basis.

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- C. Expediting Projects and Monitoring Regulations: A State advocate will assist in working with State agencies (i.e. California Transportation Commission (CTC), California Department of Transportation (Caltrans), California Energy Commission (CEC), California Air Resources Board (CARB), and the State Lands Commission) to expedite delivery of major Harbor Department projects and compliance with environmental regulations.
- D. State-Level Coordination to Augment State Freight Strategy Development: Following the November 2018 election, a new Governor's Administration will begin to govern and depending on the outcome of Proposition 6: Road Repair and Accountability Act which proposes to repeal a 12¢ per gallon fuel tax that was passed by the Legislature known as Senate Bill 1, freight infrastructure funding will remain a focus. Ensuring our needs remain a priority focus will require a greater level of coordination with and advocacy with the State government (esp. the Governor's Office, the California Air Resources Board, the California Department of Transportation, and California Transportation Commission).

In addition to the aforementioned, Shaw will provide a consistent presence at the State level on behalf of the Harbor Department. Shaw will keep the Harbor Department informed of new and ongoing State legislation, regulations, and funding opportunities to advance Harbor Department programs and projects and ensure our interests are protected. Shaw will develop and maintain positive relationships with State elected officials, appointed officials, staff members, and organizations, and will provide guidance to the Harbor Department regarding interactions with State officials. A complete list of the City and Department's requirements of Shaw, Yoder, Antwih, Inc. can be found in the Agreement and Exhibit A "Scope of Work."

Consultant Selection – The Harbor Department carried out the following process to identify the best consultant. The Harbor Department issued a Request for Proposals (RFP) keeping with the City Charter requirements and Board policies of open competition for professional services. The RFP was published on the Port of Los Angeles website and posted on the Los Angeles Business Assistance Virtual Network.

The proposals were evaluated by the Selection Committee, consisting of two port staff and a representative from the California Association of Port Authorities. Evaluations were based on the written proposal that demonstrated knowledge of port issues, familiarity with the City of Los Angeles, and the overall maritime industry; strong experience working with the Governor's Administration, the California Legislature, State

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Departments and/or regulatory agencies; ability to develop legislative language and strategy, funding plan development and implementation, sound project team organization, relevant experience and expertise; and comprehension of the Harbor Department's major areas of interests: transportation, security, economic development and environmental policy and projects. The Selection Committee recommended three specific firms for interviews.

The Harbor Department interviewed the recommended firms, and selected Shaw, Yoder, Antwih, Inc. as the most qualified bidder. This firm was selected based on its background, policy experience, and bipartisan relationships with relevant government officials. Shaw, Yoder, Antwih, Inc. will work under the direction of the Harbor Department's Director of Legislative Affairs.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of an agreement with Shaw, Yoder, Antwih, Inc. for State government advocacy representation for the Harbor Department. As an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Article II Section 2 (f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

The proposed three-year Agreement is for a not-to-exceed amount of \$120,000 per year. The total authority amount for the three-year Agreement is \$360,000. Funds for the Fiscal Year 2018-2019 have been budgeted in the amount of \$120,000 for the proposed agreement in Account No. 54290, Center No. 260, Program No. 000. Funds for future fiscal years will be requested as part of the annual budget adoption process. A funding out clause has been included in the proposed Agreement.

It is anticipated that funds for this Agreement will be expended as follows:

Fiscal Year 2018/2019	\$120,000
Fiscal Year 2019/2020	\$120,000
Fiscal Year 2020/2021	\$120,000
Total:	\$360,000

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CITY ATTORNEY:

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

TRANSMITTAL:

1. Agreement between the City of Los Angeles and Shaw, Yoder, Antwih, Inc.
2. RFP Evaluation Score Sheet and Interview Score Sheet

FIS Approval: MB (initials)

CA Approval: JML (initials)



MARISELA CARABALLO DIRUGGIERO
Director of Legislative Affairs



DAVID LIBATIQUE
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APPROVED:


FOR

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