



THE PORT
OF LOS ANGELES

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: AUGUST 17, 2021
FROM: GOVERNMENT AFFAIRS
SUBJECT: RESOLUTION NO. _____ - APPROVAL OF AGREEMENT WITH SHAW
YODER ANTWIH SCHMELZER & LANGE, INC. FOR STATE GOVERNMENT
ADVOCACY SERVICES IN SACRAMENTO, CALIFORNIA

SUMMARY:

Staff requests approval of an Agreement for state government advocacy services in Sacramento, California for the City of Los Angeles Harbor Department (Harbor Department) with Shaw Yoder Antwih Schmelzer & Lange, Inc. The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a three-year not-to-exceed amount of \$403,200, which is \$134,400 per year, and a monthly fee of \$11,200. The Harbor Department is financially responsible for payment of expenses incurred under the proposed Agreement.

RECOMMENDATION:

It is recommended 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;
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 Yoder Antwih Schmelzer & Lange, Inc. The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a three-year not-to-exceed amount of \$403,200, which is \$134,400 per year, and a monthly fee of \$11,200;
4. Authorize the Executive Director to execute, and the Board Secretary to attest to, the proposed Agreement; and
5. Adopt Resolution No. _____

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DISCUSSION:

The Los Angeles City Charter (Charter), Section 231 (h), and Executive Directive No. 1A-2 (Oct. 29, 2004) specifies that the Office of the Mayor holds primary responsibility for City of Los Angeles 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 External Relations in Los Angeles and Sacramento to advance the Harbor Department's state 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 the maritime supply chain and port-related infrastructure, including transportation, security, trade development and environmental protection. State advocacy consultants work under the direction of the Harbor Department's Director of Policy and Legislative Affairs.

Need for Agreement - Staff has identified a continued need to retain advocacy firms to support the Harbor Department's strategic goals of maintaining and developing stronger relationships with legislators and pursuing legislative or administrative actions to enhance the Port's competitiveness. The Harbor Department requires a consistent, day-to-day presence in Sacramento to provide advocacy services, including but not limited to, the following:

- A. **Advance the Port's State Legislative Priorities:** Develop and implement strategies related to the Department's state priorities, such as supportive policies and funding for Harbor Department projects and programs, including, but not limited to, major civil works projects, dredging, transportation infrastructure, security enhancements, and environmental initiatives. Basic functions include:
- Developing and proposing changes to laws, regulations, or agency policy to support Harbor Department goals.
 - Securing sponsors and co-sponsors on specific legislative and advocacy initiatives, building support within both State Senate and Assembly, and cultivating support from Members of the State Legislature.
 - Garnering support from state agencies, including the Governor's Office, state departments, commissions, boards and their staffs to advance Harbor Department priorities.
 - Engaging in coalition building to support Harbor Department advocacy objectives, including working with industry, environmental groups, and other interest groups to garner support for specific legislative and policy initiatives.
- B. **Conduct Follow-Up and Ongoing Development of State-Level Agenda:** The Port of Los Angeles needs to continually develop and maintain positive, productive relationships with existing and incoming Administration officials, State legislators, appointed officials, and various department staff. State advocates will assist the Harbor Department with access to meetings and translate these visits into tangible legislative and/or administrative activity in Sacramento. Continued development of these relationships is most effective when staff follow-up is done on a consistent basis.

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- C. Expediting Projects and Monitoring Regulations: State advocates will assist in working with State Departments (i.e. California Department of Transportation, California Coastal Commission, Governor's Office of Business and Economic Development, etc.) to expedite delivery of major Harbor Department projects, to develop and implement supportive policies, and to support compliance with state regulations.

Consultant Selection - On March 30, 2021, the Harbor Department issued a Request for Proposals (RFP) for State Advocacy Services, in compliance with City Charter requirements and Board policies for open competition for professional services; the RFP was published on the Port of Los Angeles website, posted on the Los Angeles Business Assistance Virtual Network (LABAVN), and sent out to 648 users who signed up for notifications pertaining to advocacy services (NAICS code 541820). 31 BAVN users viewed the RFP and of those, 14 BAVN users downloaded the document. Based on GAD's industry knowledge, 7 of the firms were in the appropriate field to respond to the solicitation but only 4 met the requirement of having a physical presence in Sacramento. GAD staff also reached out to advocacy firms in Sacramento to make them aware of the RFP.

Two firms responded to the RFP, but only one was deemed responsive. The non-responsive bidder submitted an incomplete bid package to the Port. The responsive proposal was evaluated by the selection committee, consisting of two Port staff and one outside representative from the Los Angeles Department of Water and Power. The evaluation was based on the written proposal which demonstrated the firm's qualifications, experience, and references; project organization, personnel, and staffing; project management; rates, fees, and budget control; and quality and responsiveness of the proposal. The evaluation panel determined that Shaw Yoder Antwih Schmelzer & Lange, Inc. was a qualified firm for providing the requested services based on the firm's background, policy experience and expertise, and bipartisan relationships with relevant government officials. The firm has an office in Sacramento, California.

Terms - The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a three-year not-to-exceed amount of \$403,200, which is \$134,400 per year, and a monthly fee of \$11,200. The options to renew are at the discretion of the Executive Director without further board approval.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of an Agreement for state government advocacy services in Sacramento with Shaw Yoder Antwih Schmelzer & Lange, Inc., 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 in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

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FINANCIAL IMPACT:

The proposed Agreement is for a one-year term with two one-year options to extend, for a total of up to three years, with a not-to-exceed amount of \$403,200, which is \$134,400 per year, and a monthly fee of \$11,200. The total authority of the proposed Agreement is \$403,200 over three years. Funds for Fiscal Year 2021-2022 have been budgeted for the proposed Agreement in Account No. 54290 (Miscellaneous Professional Services), Center No. 260, Program No. 000. Funds for future fiscal years will be requested to be budgeted as part of the annual budget. 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 2021/2022 | \$100,800 |
| Fiscal Year 2022/2023 | \$134,400 |
| Fiscal Year 2023/2024 | \$134,400 |
| <u>Fiscal Year 2024/2025</u> | <u>\$33,600</u> |
| Total: | \$403,200 |

CITY ATTORNEY:

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

TRANSMITTALS:

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

FIS Approval: MB
 CA Approval: JS



STEPHANIE MAGNIEN ROCKWELL
Government Affairs Division



DAVID LIBATIQUE
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APPROVED:

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