



Midpeninsula Regional
Open Space District

R-21-141
Meeting 21-30
October 27, 2021

AGENDA ITEM 5

AGENDA ITEM

Contract Amendment for Legislative Consulting and Lobbying Services

GENERAL MANAGER'S RECOMMENDATION *den*

Authorize the General Manager to amend a contract with Energy and Environmental Consulting (EEC) for an amount not-to-exceed \$79,070 annually for three additional years to provide legislative consulting and lobbying services. The amount includes a 2% contingency (\$1,550) per year to cover travel expenses to Board meetings and project locations should it be necessary. This results in a not-to-exceed total contract amount of \$316,280 over a span of four years.

SUMMARY

The Midpeninsula Regional Open Space District (District) relies on legislative consulting and lobbying services to advance District priorities concerning environmental, natural resource, local governance, and funding issues in the California legislature. Based on the results of a Request for Proposals (RFP) issued on August 3, 2020, the Board approved the General Manager's recommendation to enter into a contract with EEC for an amount not to exceed \$79,070 for strategic planning, representation and advocacy on matters related to mission-based issues and governance at its October 28, 2020 meeting. As part of the contract, EEC subcontracts with Public Policy Advocates (PPA) to leverage their special district governance policy expertise. The original intent of the 2020 contract was to cover a four-year period to inclusive of two, two-year legislative sessions to streamline resources and allow for longer term planning, however, the word "annually" was left out of the original recommendation. The consultant's performance has been satisfactory and the General Manager recommends extending the agreement for an additional three years to fulfill the original intent. Sufficient funds are available for work in Fiscal Year 2021-22 (FY22). Additional funds will be requested in future fiscal year budgets as part of the annual Budget and Action Plan process for work in subsequent fiscal years.

BACKGROUND

For the majority of its existence, the District met its need for legislative consulting and lobbying services by contracting with Public Policy Advocates (PPA), who specialized in the type of local governance issues important to a special district. In 2017, the District expanded its legislative activity into mission-related and funding areas and initiated an RFP for both environmental and governance legislative consulting and lobbying services under a single, overarching contract. Unfortunately, no single firm met the District's governance and environmental lobbying needs, so two smaller contracts were signed in 2017 with PPA and EEC separately for a total of \$88,085 (\$38,760 and \$49,325 respectively). Each contract was renewed annually.

With the conclusion of the earlier contracts, the District proceeded to solicit proposals for a new four-year combined contract in 2020 as part of its RFP.

DISCUSSION

Consultant Selection

After the completion of a successful RFP process in 2020, EEC was selected based on their depth of knowledge and experience in relevant policy areas, as well as their approach to policy development and advocacy through fostering coalitions, which set them apart from the other applicants. EEC was selected as the most qualified consultant at a fair and reasonable price.

Over the past year, EEC, with PPA as a subconsultant, has performed very well to further District goals and priorities. Their accomplishments include:

- Worked with Assemblymember Berman’s office to secure an \$8 million state general fund budget allocation to support the potential acquisition of Cloverdale Ranch.
- Worked with Senator Cortese to secure a \$2 million state general fund allocation to support the District’s Highway 17 Crossings project.
- Worked with a coalition of stakeholders to have \$500 million allocated in the state budget over three years for long-time District partner - State Coastal Conservancy.
- Worked with a coalition of stakeholders to have \$353 million allocated in the state budget over three years for long-time Midpen partner - Wildlife Conservation Board.
- Continued to provide guidance and leadership in facilitating discussions with legislators, state agencies, the Newsom Administration, and stakeholders to promote a new definition for underserved communities to increase funding eligibility for conservation projects in the Bay Area.
- At the District’s behest, provided feedback and guidance to the California Landscape Stewardship Network in its support of the “Cutting the Green Tape” initiative like the statutory CEQA exemption pilot successfully included in the resources trailer bill, SB 155, signed by the Governor.
- Enabled the creation of a statewide Ecologically Sensitive Vegetation Management (ESVM) Working Group to channel stakeholder advocacy work supporting biodiversity protection as part of wildfire fuel reduction work.

The original intent of the 2020 contract ratified by the Board was to cover a four-year period to include two, two-year legislative sessions to streamline resources and allow for longer term planning, however the word “annually” was left out of the original recommendation. This amendment will allow the District to fulfil the original intent.

FISCAL IMPACT

There are sufficient funds in the FY22 budget to cover the cost of the recommendation this fiscal year. Sufficient funds in FY23 (the second year of the recommended two-year contract) will be included in the upcoming Budget and Action Plan development process.

BOARD AND COMMITTEE REVIEW

The Board of Directors approved a contract with Energy and Environmental Consulting on October 28, 2020. ([R-20-125](#), [meeting minutes](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act.

NEXT STEPS

Upon Board approval the General Manager will enter into a three-year contract extension with EEC. The Board of Directors will receive updates throughout each legislative session.

Responsible Department Head:
Korrine Skinner, Public Affairs Department

Prepared by:
Joshua Hugg, Governmental Affairs Specialist