



Midpeninsula Regional  
Open Space District

R-13-104  
Meeting 13-32  
November 13, 2013

## **AGENDA ITEM 3**

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Authorization to Amend a Contract with Alexander Atkins Design, Inc., to continue providing Graphic Design Services for a Total Amount Not-to-Exceed \$45,000 through March 31, 2014

### **GENERAL MANAGER'S RECOMMENDATION**

Amend a contract with Alexander Atkins Design, Inc., (ADD) to continue providing graphic design services for a total amount not-to-exceed \$45,000 through March 31, 2014.

### **SUMMARY**

The Public Affairs Department for the past twenty years has used the services of Design Concepts (Mountain View) for all of its graphic design work, including brochures, invitations, and Views newsletter. In 2012, the Board directed staff to explore the graphic capabilities of other vendors, prompting Public Affairs to hire the firm of Alexander Atkins Design, Inc., (ADD) (Los Altos) to develop a branding program for the Vision Plan Outreach Material. District staff has been extremely pleased with ADD's work, the quality of their graphic design, and their copy writing and marketing recommendations. Throughout 2013, Public Affairs and other departments have used the firm for various projects to design the graphics and layouts for new brochures, transit signage, and various outreach material. Staff recommends continuing to work with ADD to prepare the remaining outreach material for the Vision Plan.

### **DISCUSSION**

ADD is a full-service, graphic design firm focused on providing clients with intelligent, compelling, strategic, and effective visual solutions. Public Affairs hired ADD at the end of 2012 to assist with the branding of the District's Vision Plan Project titled Imagine the Future of Open Space.

Public Affairs has been very pleased with ADD's work, receiving many compliments from partners, the public, and other agencies. ADD also provided, at no charge, consultation on display material products for use at events by the District's Public Affairs Outreach Specialist.

ADD offers much benefit to the District, including strategic marketing direction to reach new, diverse audiences. Recent District work completed by the firm includes transit signs on SamTrans and CalTrain, new general brochures, multiple-language brochure design (currently in production), and Vision Plan outreach material used at public meetings. ADD donates a portion

of its creative services to non-profits, and Midpeninsula Regional Open Space District has received the non-profit rate for all of its projects. Staff recommends extending the contract with ADD to continued benefiting from ADD's design services for the remainder of the Fiscal Year.

Staff believes that this recommendation is consistent with applicable exceptions in the District's "Public Contract Bidding, Vendor, Professional Consultant Selection and Purchasing Policy" (Purchasing Policy). The Purchasing Policy provides that normally, when the cost for professional services is expected to be in excess of \$25,000, the District "shall prepare a Request for Qualifications (RFQ) outlining the professional's qualifications, relevant experience, staffing and support and hourly rates as a basis for negotiating a contract or a Request for Proposal (RFP) outlining the terms, conditions and specifications of the services require by the District. A minimum of three (3) qualified firms or individuals shall be invited to submit written proposals." (Purchasing Policy, Section III. D. 1.)

There are, however, "Special Circumstances" exceptions from the requirement to get three (3) proposals, which staff believes apply in this instance and encompass circumstances where, as here, "it is appropriate and in the best interest of the District under the specific circumstances of the project at issue, to limit the number of consultants solicited." (Purchasing Policy, Section III. D.7.) Pertinent examples of special circumstances set out in the policy include: a) the need to take immediate action on a project; b) the absence of any fiscal or competitive advantage in following these procedures; c) only one consultant is known to be available and capable of providing needed services within the required time; and d) the services to be provided are so unique that only one known consultant is qualified and available to perform them. Staff believes that each of these circumstances apply in this instance to one degree or another, based on the investment in this consultant's understanding of District needs and desires to date, and the resulting efficiency realized by the District in continuing to work with the same vendor on the ongoing projects, for which the vendor has demonstrated the ability to meet District needs in our fast paced project setting presently under way. To go back out for proposals in the middle of the projects currently underway, conversely, would create delay, uncertainty, and disruption in the work flow at this time.

The recommended term of the contract would expire at the end of March 2014. The contract can be terminated with notice by either the contractor or the District.

### **FISCAL IMPACTS**

The current FY 2013-14 Budget has sufficient funds to cover the proposed contract amendment amount.

### **BOARD COMMITTEE REVIEW**

No committee review is required.

### **PUBLIC NOTICE**

Public notice of this Agenda Item was provided per the Brown Act. No additional notice is required.

**CEQA COMPLIANCE**

This decision does not have any environmental impacts triggering the California Environmental Quality Act (CEQA).

**NEXT STEPS**

Upon approval by the Board of Directors, staff would proceed to finalize the contract amendment.

Prepared and Reviewed by:  
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