



Board Agenda Item 27

DATE: October 24, 2023
TO: Board of Supervisors
SUBMITTED BY: Paul Nerland, County Administrative Officer
SUBJECT: Agreement for Federal Legislative Advocacy Services

RECOMMENDED ACTION(S):

- 1. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34) determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with Carpi & Clay, Inc. for the provision of Federal legislative advocacy services; and**
- 2. Approve and authorize the Chairman to execute an Agreement with Carpi & Clay, Inc., for Federal Legislative Advocacy Services in Washington D.C., effective January 1, 2024, not to exceed two consecutive years, which includes a one-year base contract and one optional one-year extension, total not to exceed \$168,000.**

Approval of the recommended actions will provide for Federal legislative advocacy services for the County of Fresno with Carpi & Clay, Inc. at an annual cost of \$84,000, including expenses, for all years of the recommended agreement including the one-year base contract and one optional one-year extension. The current agreement with Carpi & Clay for Federal Legislative advocacy services is set to expire on December 31, 2023. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, the County would forego Federal legislative advocacy services with this firm moving forward.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The request to determine that an exception to the competitive bidding process consistent with Administrative Policy No. 34 is warranted results from the Department's belief that continuity of Federal legislative advocacy services with the current vendor would be in the best interest of the County. Due to the limited staff time available to work on Federal legislative issues, it is crucial that the individuals advocating on the County's behalf be current and familiar with County issues. The Internal Services Department - Purchasing concurs with the Department's request to determine this exception to the competitive bidding process.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The recommended agreement has an annual compensation amount of \$84,000, including expenses, for all years of the recommended agreement including the one-year base contract and one optional one-year extension.

Funding for Federal legislative advocacy services is included in the FY 2023-24 Adopted Budget, Interest and Miscellaneous Expenditures Org 2540, and will be included in future requested budgets.

DISCUSSION:

On December 4, 2018, the Board approved Agreement No. 18-665 with Carpi & Clay, Inc., for Federal Legislative Advocacy Services, effective January 1, 2018 to December 31, 2023 which includes a three-year base contract and two optional one-year extensions. This agreement was subsequently amended on September 24, 2019 to remove the Professional Liability insurance requirement from the Agreement No. 18-665 with no change to the compensation amount or term.

Carpi & Clay, Inc. is the current provider of Federal Legislative Advocacy Services for the County and possesses the required experience/expertise to identify and advocate for County needs and issues based on similar agreements with other Central Valley counties, their knowledge of County Federal Advocacy needs, and their strong working relationships with the California State Association of Counties and the National Association of Counties. Carpi & Clay, Inc. has offered to continue providing their services at a reasonable and adequate cost to the County. Carpi & Clay, Inc. has the expertise, experience, and knowledge that would best benefit the County in meeting the County's Federal Legislative Advocacy needs.

Approval of the recommended actions will allow the Administrative Office to continue its relationship with Carpi & Clay, Inc. on behalf of the County in providing Federal Legislative Advocacy Services with no lapse in services over the coming presidential-election year and allows for the County to prepare for a possible request for proposal for future Federal legislative advocacy services beyond the term of the recommended agreement.

It should be noted that the Professional Liability insurance requirement has not been included in the recommended agreement, as the vendor does not employ licensed staff (e.g., attorneys, engineers, etc.) in providing services to the County. Risk Management has been apprised of the omission of the Professional Liability insurance requirements and has no concerns with the change.

REFERENCE MATERIAL:

BAI #26, September 24, 2019
BAI #36, December 4, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition
On file with Clerk - Federal Legislative Advocacy Services Agreement

CAO ANALYST:

Fine Nai