

# M · E · M · O

## Alameda Corridor Transportation Authority

September 22, 2017

|                 |  |
|-----------------|--|
| <b>To:</b>      | Governing Board  |
| <b>From:</b>    | John T. Doherty, Chief Executive Officer   |
| <b>Subject:</b> | <i>Approval of Amendment No. 16 to Agreement No. C0693 with Manatt, Phelps &amp; Phillips, and Amendment No. 7 to Agreement No. C0840 with Vasquez &amp; Company, LLP (Approval)</i> |

### Recommendation:

Approve amendments to two ACTA agreements and authorize the Chief Executive Officer or Chief Financial Officer to execute the amendments as follows:

1. Amendment No. 16 to Agreement No. C0693 – Manatt, Phelps & Phillips for federal advocacy services – 3-month extension through January 31, 2018 and \$15,000 increase to contract value;
2. Amendment No. 7 to Agreement No. C0840 – Vasquez & Company, LLP for internal auditing services – 3-month extension through January 31, 2018 with no increase to contract value.

### Discussion:

The two existing contracts described below must be extended through January 31, 2018 to enable completion of the selection and award process for a replacement contract for federal advocacy services and completion of the remaining auditing scope of work for FY17 for the internal auditing services.

#### Federal Advocacy Services – Agreement No. C0693

##### *Manatt, Phelps & Phillips*

The existing federal advocacy contract with Manatt, Phelps and Phillips has been in place since January 1, 2003 and will expire October 30, 2017.

ACTA utilizes federal advocacy services to support ACTA's interests in Washington, D.C., which have included, among other efforts, securing over \$16 million in project funding under transportation bill legislation for the SR-47 Project, securing an \$84 million Railroad Rehabilitation & Improvement Financing (RRIF) loan to support ACTA's debt service, and successfully advising the California Congressional delegation against supporting proposed



California State legislation regarding how and from whom ACTA may collect corridor fees to pay its debt service.

The cost of these services is a fixed rate of \$5,000 per month. It is recommended that the contract be extended for three months with an additional \$15,000 budget to enable a new competitive selection process to be completed and a new contract awarded. The Request for Proposals is scheduled to be released in late September 2017 and a new contract is anticipated to be awarded in December 2017 or January 2018.

*Internal Auditing Services – Agreement No. C0840*

*Vasquez & Company LLP*

An internal auditing services contract with Vasquez & Company LLP has been in place since July 2013 and will expire October 30, 2017. ACTA requires internal auditing services to complete ACTA's Audit Plan, which is approved by ACTA's Audit Committee each year. An RFP was issued in February 2017 and at ACTA's April 2017 Board meeting the Board approved an agreement with the selected firm, BCA Watson Rice – Western Region, LLP, which became effective on July 1, 2017 for FY18 services.

It is recommended that the contract with Vasquez & Company LLP (Vasquez) be extended for three months to allow time for Vasquez to complete work assignments for FY17. Vasquez was tasked with performing audits on three of the four Alameda Corridor Engineering Team (ACET) joint venture firms and Balfour Beatty Infrastructure, Inc. (BBII), the Corridor Maintenance Contractor. Vasquez is in the process of completing two of these audits, but the audit analysis and testing, along with the audit report, may not be finished prior to the October 30, 2017 contract end date. Vasquez has remaining contract value, therefore no additional budget funding is being requested.

It is recommended that the Board approve the two amendments and authorize the Chief Executive Officer or Chief Financial Officer to execute the amendments as requested above.

***Budget Impact:***

Funds for the services, where applicable, are included in the FY18 Program Budget.

Attachments:

- Amendment No. 16 to Agreement No. C0693 – Manatt, Phelps & Phillips
- Amendment No. 7 to Agreement No. C0840 – Vasquez & Company, LLP