



**SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT**

Item No.
14

Meeting Date: **SEPTEMBER 2, 2010**

Subject:

Authorize the Award of an Agreement for Bond Disclosure Legal Services to Quateman, LLP

Recommendation:

Adopt Resolution No. 2010-0093, authorizing the award of an agreement for bond disclosure legal services to Quateman, LLP for a term of three (3) years with two (2) one-year options to extend the term for one (1) additional year and with a maximum amount payable of \$300,000.

Background/Justification:

On May 23, 2005, the San Diego County Regional Airport Authority ("Authority") entered into an agreement with Quateman & Zidell, LLP to provide professional legal services in matters relating to bond disclosure matters. That agreement expired May 31, 2010.

The Authority released a Request for Proposals ("RFP") on June 3, 2010, to obtain follow-on, bond disclosure legal services. The RFP response deadline was July 7, 2010. The purpose of the RFP is to obtain the services of a qualified Law Firm to work in conjunction with and at the direction of the General Counsel on legal issues relating to continuing bond disclosure matters, disclosure matters pertaining to new issues of bonds, and, if the need arises, to provide supplemental assistance as bond counsel.

Five law firms provided proposals to the RFP. They were Chapman and Cutler LLP, Sidley Austin LLP, Quateman LLP, Hawkins Delafield & Wood LLP, and Nixon Peabody LLP. The Authority's evaluation panel comprised of attorneys from the Office of General Counsel and a representative from the Procurement Department reviewed the proposals and interviewed all five firms. At the conclusion of the review and interviews, the evaluation panel awarded the best score to Quateman, LLP and recommended the new agreement for bond disclosure counsel ("Agreement") be awarded to Quateman, LLP

000068

Subject to the Board's authorization, the new Agreement with Quateman, LLP will have a term of three (3) years with two options for extending the term an additional year each. The options to extend the term may be exercised at the discretion of the President/CEO acting on the recommendation of the General Counsel. The maximum amount payable under the Agreement will be Three Hundred Thousand Dollars (\$300,000).

Fiscal Impact:

Funds to cover the new Agreement in the amount of up to \$300,000 are in the FY2011 budget.

Environmental Review:

- A. This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA, Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

The Authority's small business program promotes the use of small, local, disadvantaged, and other business enterprises, on all contracts, to provide equal opportunity for qualified firms. By providing education programs, making resources available, and communicating through effective outreach, the Authority strives for diversity in all contracting opportunities.

The Authority has a Disadvantaged Business Enterprise ("DBE") Plan as required by the Department of Transportation, 49 CFR Part 26. The DBE Plan calls for the Authority to submit an annual over-all goal for DBE participation on all federally funded projects.

This project does not use federal funds; therefore, it will not be applied toward the Authority's over-all DBE goal.

Prepared by:

EDWARD CAHILL
ASSISTANT GENERAL COUNSEL

RESOLUTION NO. 2010-0093

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AUTHORIZING THE AWARD OF AN AGREEMENT FOR BOND DISCLOSURE LEGAL SERVICES TO QUATEMAN LLP FOR A TERM OF THREE (3) YEARS WITH TWO (2) ONE-YEAR OPTIONS TO EXTEND THE TERM FOR ONE (1) ADDITIONAL YEAR WITH A MAXIMUM AMOUNT PAYABLE OF \$300,000.

WHEREAS, the Authority has a continuing need for professional legal services in matters pertaining to bond disclosure and other matters pertaining to the issuance of bonds; and

WHEREAS, the Authority's previous agreement for legal services in matters pertaining to bond disclosure issues expired May 31, 2010; and

WHEREAS, the Authority published a Request for Proposals ("RFP") on June 3, 2010, to obtain the services of a qualified law firm to work in conjunction with and at the direction of the General Counsel to provide legal advice pertaining to bond disclosure matters and, if and when requested, to also provide legal assistance pertaining to the issuance of bonds by the Authority; and

WHEREAS, the RFP specified that the Authority intended to enter an agreement with the selected firm whereby said agreement would have a term of three (3) years with two (2) options, exercisable at the discretion of the President/CEO, to extend the agreement's term for one (1) additional year each and that the maximum amount payable under the agreement would be Three Hundred Thousand Dollars (\$300,000); and

WHEREAS, the Authority received five proposals in response to the RFP; and

WHEREAS, the Authority's evaluation panel, after reviewing the proposals and interviewing the five responding law firms, recommended awarding the agreement to Quateman LLP; and

WHEREAS, the Board determines that awarding the agreement to Quateman LLP is in the best interests of the Authority.

000070

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the award of an agreement for bond disclosure legal services and other matters pertaining to the issuance of bonds by the Authority to Quateman LLP for a term of three (3) years with two (2) one-year options to extend the term of the agreement for one additional (1) year and with a maximum amount payable of \$300,000; and

BE IT FURTHER RESOLVED that the Board hereby authorizes the President/CEO to exercise the two (2) one-year options to extend the term, acting upon the recommendation of the General Counsel; and

BE IT FURTHER RESOLVED this Board Action is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065; nor is it a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a special meeting this 2nd day of September, 2010, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

000071