




EXPOSITION METRO LINE CONSTRUCTION AUTHORITY

6.a

DATE: OCTOBER 12, 2005

TO: BOARD OF DIRECTORS

FROM: RICHARD D. THORPE 
INTERIM CHIEF EXECUTIVE OFFICER

ACTION: AUTHORIZE CEO TO NEGOTIATE AND EXECUTE A
CONTRACT FOR GENERAL COUNSEL SERVICES

RECOMMENDATION

Authorize the Chief Executive Officer (CEO) to negotiate and execute a Contract for General Counsel Services with the firm selected by the Board of Directors.

SUMMARY

At its September 2005 meeting, the Board of Directors authorized the CEO to issue a Request for Proposals (RFP) for solicitation of a General Counsel for the Exposition Metro Line Construction Authority (Authority). The RFP was issued on September 2, 2005, and six proposals were received by the due date, September 28, 2005. The Board further directed that the initial evaluation of proposals be assigned to an evaluation team composed of representatives appointed by the County and Cities. Evaluation by the appointed representatives will be completed and the finalist presented to the Board at its meeting on October 12, 2005.

DISCUSSION

As a new public agency, the Authority requires the services of a General Counsel to assist it with keeping its policy and management activities on a sound legal course, both procedurally and substantively as it moves forward to accomplish its goals and objectives. The duties and tasks of the General Counsel includes reviewing certain Board agenda items for legal consistency; rendering formal opinions and attending meetings of the Board to advise on the legal effect of actions; providing legal opinions to the CEO and staff regarding contractual issues; drafting, reviewing and negotiating contracts and agreements; and representing the Authority in court and at public hearings and meetings of state and local agencies.

In recognition of the need for General Counsel Services, the Board at its September meeting passed a motion authorizing the Interim CEO to issue an RFP to solicit the required services. The RFP was issued September 2, 2005, and six proposals were received on the due date, September 28, 2005. In accordance with Board direction, an

evaluation team consisting of a representative appointed by the Board Members from the City of Los Angeles, a representative appointed by the Board Members representing the Los Angeles County and a representative appointed jointly by the Board members representing the Cities of Culver City and Santa Monica was formed. Also invited to participate was Counsel that participated in the preparation of the Authority's Negotiated Design-Build Request For Proposals. These evaluation team members performed their individual evaluations of each of the six proposals and met on October 10 with the evaluation team chairman, Richard Thorpe, to review their individual evaluations and determine the finalists to be presented to the Authority Board for consideration.

The recommended finalists will be interviewed by the Board during a Special Closed Session Meeting immediately prior to the regular meeting. Depending on Board Action, direction to negotiate with the selected General Counsel is scheduled during open session of the Board.

FINANCIAL IMPACT

The estimated costs of the proposed General Counsel services are within the Project Budget for such services.

ATTACHMENT(S)