

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION AUTHORIZING A SINGLE SOURCE AGREEMENT, IN ACCORDANCE WITH BOARD POLICY 110 II.H, FROM JANUARY 1, 2019 UNTIL DECEMBER 31, 2021 WITH CARPI & CLAY, INC. FOR FEDERAL LEGISLATIVE CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$375,000. FUNDS FOR THE CURRENT FISCAL YEAR ARE BUDGETED; ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

WHEREAS, the San Diego Unified Port District (District) utilizes legislative consulting professionals to represent the District's interests and assure that there is two-way communication with state and federal legislative branches and regulatory agencies;

WHEREAS, this agenda item requests that the Board of Port Commissioners (Board) authorize a single source agreement with Carpi & Clay, Inc. (Carpi & Clay) in accordance with Board Policy 110 II.H, for federal legislative professional services; and

WHEREAS, areas of specific interest to the District include but are not limited to:

- * Assisting in coordinating with Congressional Members and staff, as well as Administration officials, on tidelands issues;
- * Acting as a liaison with several industry groups and federal agencies on District matters;
- * Assisting in securing federal funding for District projects;
- * Facilitating responses to requests for information from members of Congress concerning matters of interest to the District; and
- * Reviewing and commenting on federal project submissions, such as grant proposals; and

WHEREAS, the nature of legislative consulting is unlike other types of professional services.

WHEREAS, clients generally contract with legislative consulting firms for long periods of time, forging a unique relationship between the firm and organization; and

WHEREAS, unless representation is careless or is no longer beneficial, retaining an organization's legislative firm is fundamentally beneficial to the agency as changes in representation require a considerable amount of time and resources in order to become knowledgeable in a client's distinct needs and understand how best to advocate for them; and

WHEREAS, Carpi & Clay is the District's firm of record and is a full service firm that has represented the District for the past three years;

WHEREAS, during its tenure, Carpi & Clay has provided support or advocacy for passage of legislation, monitoring potential legislation and executive actions, and coordinating communication on the District's behalf across the various channels of United States government; and

WHEREAS, Carpi & Clay proposes \$10,000 per month to represent the District, and up to \$5,000 per year for expenses incurred.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners (BPC) of the San Diego Unified Port District, hereby authorizes an agreement from January 1, 2019 until December 31, 2021, with Carpi & Clay, Inc. for federal legislative consulting services for an amount not to exceed \$375,000. Funds for the current fiscal year are budgeted; all funds required for future fiscal years will be budgeted in the appropriate fiscal year, subject to Board approval upon adoption of each fiscal year's budget.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of October, 2018, by the following vote: