

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 9/25/2019

Staff Report No. 17-018b

TO: AC Transit Board of Directors
FROM: Denise C. Standridge, General Counsel
SUBJECT: Contract Assignment

ACTION ITEM

RECOMMENDED ACTION(S):

Consider recommendation to approve contract assignment from Law Offices of Robert Peterson to Donnell, Melgoza & Scates, LLP.

BUDGETARY/FISCAL IMPACT:

There is no budgetary/fiscal impact associated with this recommendation.

BACKGROUND/RATIONALE:

On June 24, 2017, the Board approved the contracts for various outside legal firms, one of which was Law Offices of Robert Peterson. This contract expires on June 30, 2020. However, staff was notified that Mr. Peterson was retiring and the remaining attorneys in his firm were forming their own firm. One of these attorneys, Mr. Donnell, has been working on the District's OSHA matters for some time now and it would be in the District's best interest to have him continue representing the District in these ongoing matters. Therefore, it is recommended that the Board approve this contract assignment.

Board Policy 465 requires Board approval of contract assignments for contracts that were originally approved by the Board. As stated above, this contract was approved by the Board two years ago.

ADVANTAGES/DISADVANTAGES:

The advantage of approving this contract assignment is that it provides continuity of legal representation in the District's OSHA cases.

There is no disadvantage of approving this contract assignment.

ALTERNATIVES ANALYSIS:

The alternative to approving this contract assignment is to find a new firm on the current panel of outside counsel or do another procurement for an attorney who specializes in OSHA matters. This is not recommended because Mr. Donnell has been working on the District's OSHA matters and is familiar with them and their extensive history. To bring on a new firm now would not only increase the District's costs but may jeopardize the District's representation since Mr. Donnell has established relationships in these matters.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Staff Report 17-018a: Award of contracts for outside legal services.
Board Policy 465

ATTACHMENTS:

None

Approved by:

Claudia L. Allen, Chief Financial Officer
Michael A. Hursh, General Manager

Reviewed by:

Gene Clark, Director of Procurement and Materials

Prepared by:

Denise C. Standridge, General Counsel