

Eco-Rapid Transit, formerly known as the Orangeline Development Authority, is a joint powers authority (JPA) created to pursue development of a high speed, grade separated transit system that is environmentally friendly and energy efficient. The system is designed to enhance and increase transportation options for riders of this region utilizing safe, advanced transit technology to expand economic growth that will benefit Southern California. The Authority is composed of the following public agencies:

- City of Artesia
- City of Bell
- City of Bell Gardens
- City of Bellflower
- City of Cerritos
- City of Cudahy
- City of Downey
- City of Glendale
- City of Huntington Park
- City of Maywood
- City of Paramount
- City of Santa Clarita
- City of South Gate
- City of Vernon
- Burbank-Glendale-Pasadena Airport Authority

- Chairman
Luis Marquez
Council Member
City of Downey
- Vice Chairman
Maria Davila
Council Member
City of South Gate
- Secretary
Rosa E. Perez
Vice Mayor
City of Huntington Park
- Treasurer
Michael McCormick
Mayor
City of Vernon
- Auditor
Scott A. Larsen
Council Member
City of Bellflower
- Executive Director
Michael R. Kodama
- General Counsel
Teresa L. Highsmith
- Ex-Officio
Rene Bobadilla
City Manager Representative

AGENDA REPORT

TO: Members of Eco-Rapid
FROM: Michael R. Kodama, Executive Director
DATE: November 13, 2013
SUBJECT: **APPROVAL OF NEGOTIATIONS WITH COLATUONO AND LEVIN FOR ECO-RAPID TRANSIT LEGAL SERVICES**

ISSUE

Eco-Rapid Transit circulated a request for legal services in late August. Two proposals were submitted by the late September deadline. Eco-Rapid Transit’s Legal Review Committee reviewed both proposals and endorsed the proposal submitted by our current counsel, Colantuono and Levin, but also recommended that the Executive Director discuss the proposal further with the proposer, and negotiate specific terms.

BACKGROUND

Eco-Rapid Transit has retained regular counsel since its inception. Our counsel attends regular Board meetings, drafts basic legal documents such as contracts with its consultant staff, and also coordinates actions with more specialized counsel as they are needed from time to time.

Staff, with the assistance of the Legal Review Committee (Rene Bobadilla, Karen Heit, Michael Kodama and Barry Kielsmeier) developed a request for proposal for legal services. Periodic review and rebidding of contracts is a standard part of the organization’s operation and policy. The RFP was sent to our current counsel, Eco-Rapid Transit members and was also disseminated to SCAG’s list of legal firms specializing in transportation planning. Two proposals were received on September 27, 2013. Both firms provided documentation that they are not on the list of debarred businesses, and that they do not have business conflicts with member cities or other entities with whom Eco-Rapid Transit does business.

The RFP criteria are as follows:

- Experience, organization and resources
- Methodology and management
- Lead attorney
- Key project personnel
- Cost and fees
- Other

Committee members weighed these factors after considering the qualifications, expertise and experience of the submitting firms and the personnel assigned to Eco-Rapid Transit.



Eco-Rapid Transit, formerly known as the Orangeline Development Authority, is a joint powers authority (JPA) created to pursue development of a high speed, grade separated transit system that is environmentally friendly and energy efficient. The system is designed to enhance and increase transportation options for riders of this region utilizing safe, advanced transit technology to expand economic growth that will benefit Southern California. The Authority is composed of the following public agencies:

City of Artesia

City of Bell

City of Bell Gardens

City of Bellflower

City of Cerritos

City of Cudahy

City of Downey

City of Glendale

City of Huntington Park

City of Maywood

City of Paramount

City of Santa Clarita

City of South Gate

City of Vernon

Burbank-Glendale-Pasadena
Airport Authority

Chairman

Luis Marquez
Council Member
City of Downey

Vice Chairman

Maria Davila
Council Member
City of South Gate

Secretary

Rosa E. Perez
Vice Mayor
City of Huntington Park

Treasurer

Michael McCormick
Mayor
City of Vernon

Auditor

Scott A. Larsen
Council Member
City of Bellflower

Executive Director

Michael R. Kodama

General Counsel

Teresa L. Highsmith

Ex-Officio

Rene Bobadilla
City Manager Representative

Members had reservations about both proposals and need clarification on items, but felt that Colantuono and Levin's proposal was superior overall.

RECOMMENDATION

It is recommended that the Board:

1. Authorize the Executive Director and City Manager Representative to enter into negotiations with Colantuono and Levin, PC; and
2. Bring back a contract for Board approval if mutually agreeable terms can be reached.