



The State Bar *of California*

OPEN SESSION AGENDA ITEM 50-2 JULY 2019

DATE: July 11, 2019

TO: Members, Board of Trustees

FROM: Steve Mazer, Chief Administrative Officer

SUBJECT: Report of Action Taken by Executive Director Approving Specified Contracts Pursuant to Business and Professions Code Section 6008.6

EXECUTIVE SUMMARY

This item provides notice to the Board of Trustees of action taken by the Executive Director to approve contracts in between regularly scheduled Board meetings.

BACKGROUND

Pursuant to Business and Professions Code Section 6008.6, the State Bar shall award no contract for goods, services, or both, for an aggregate amount in excess of fifty thousand dollars (\$50,000), or for information technology goods, services, or both, for an aggregate amount in excess of one hundred thousand dollars (\$100,000), except pursuant to the standards established in Article 4 (commencing with Section 10335) of Chapter 2 of Part 2 of Division 2 of the Public Contract Code and approval of the Board of Trustees. In the event that approval for a particular contract by the Board is not feasible because approval of the contract is necessary prior to the next regularly scheduled meeting of the Board, the Executive Director may approve the contract after consultation with and approval by a designated committee of the Board and subject to notification of the full Board at the next regularly scheduled meeting.

DISCUSSION

The contracts listed below are in excess of \$50,000 (or, for I.T. goods and services, in excess of \$100,000), and have met the standards established by Article 4 of the Public Contract Code, as implemented through the State Bar's Procurement Policy. Because these contracts required execution before the next regularly scheduled meeting of the Board of Trustees, they were approved by the Executive Director on June 15, 2019, after consultation with and approval by the designated committee for advising the Executive Director on such matters, which committee is composed of Board member Renée LaBran and Board member Alan Steinbrecher.

Ref #	Office	Cost Center	Fund	Vendor	Contract Amount	Goods or Services
1	Research & Accountability	10905	General Fund	NORC at the University of Chicago	\$42,000 (\$253,000 Total)	California Justice Gap Study
2	Access & Inclusion	28005	Legal Services Trust Fund	Delta Consulting Boston	\$49,500 (\$84,250 Total)	IOLTA Bank Certification and Compliance
3	Access & Inclusion	29001	Legal Services Trust Fund	Legal Aid Association of California (LAAC)	\$210,000	Legal Aid Community Facilitation & Coordination
4	Attorney Regulation & Consumer Resources	10251	General Fund	SoftFile	\$88,300	Bar Card Manufacturing and Mailing
5	Research & Accountability	10310	General Fund	Alyse Lazar	\$95,000	OCTC Case File Auditing
6	Mission Advancement	16002	Legislative Activities Fund	Wada Government Relations	\$162,000	Government Affairs and Legislative Representation

1. NORC at the University of Chicago

NORC is the research entity conducting the household panel surveys for the California Justice Gap Study. This is a change order for an additional \$42,000 to provide supplemental sampling of California adults for specific subpopulations including Spanish speakers, seniors above the age of 65, and households with a person with a disability. These samples are necessary to have statistically significant data as to the justice gap for these particular subpopulations. This addition would increase the original contract from \$211,000 to \$253,000.

2. Delta Consulting Boston

Delta Consulting Boston provides expert services to assist with bank compliance, bank re-certification and other technical aspects of IOLTA bank administration. The work with Delta Consulting in 2018 has resulted in a substantial increase in the amount of projected interest on IOLTA accounts for 2019. In 2017, California received \$7,036,095 in interest from IOLTA accounts. In 2018, California received \$20,910,031 in interest from IOLTA accounts (197% increase). In 2019, the Office of Access and Inclusions projects receipt of \$43,414,082 (107% increase). The requested contract amendment will add 175 hours of services, for performance into 2020.

3. Legal Aid Association of California (LAAC)

The Legal Aid Association of California (LAAC) facilitates communication and coordination between IOLTA-funded grantee programs, trains advocates in core substantive areas, analyzes best practices and assesses and improves the effectiveness of the delivery of legal aid. The State Bar has contracted with LAAC since 2002 to provide these services to the legal aid community; prior to 2014 LAAC was operated by the Public Interest Clearinghouse (OneJustice). The requested contract amendment is a standard one-year order for continued services into 2020.

4. SoftFile

SoftFile manufactures, customizes and mails plastic Bar cards on behalf of the State Bar; mailing occurs throughout the year to attorneys who request the cards. The requested funds are for one year of services; postage accounts for \$28,000 of the total, product and service costs are approximately \$60,000.

5. Alyse Lazar

Alyse Lazar provides external auditing services on two random samples of 260 closed cases in OCTC. The external audits ensure that actions taken by OCTC are appropriate and consistent with the office's standing procedures and policies, and that the substantive decisions are within the acceptable range of prosecutorial discretion and comply with statutory provisions and case law precedent. The final deliverable for each audit includes a report on the findings of the audit as well as data from an audit checklist for each of the audited cases. The requested funds are for one-year of services.

6. Wada Government Relations

Wada Government Relations represents the interests of the State Bar in the California State Legislature and other stakeholders. The principal and associates track the introduction and progress of legislation that affects the Bar, meet with Legislators and legislative staff to share information related to legislation that affects the Bar, and generally advance the Bar's legislative agenda. The requested funds are for one-year of services at rate of \$13,500 per month.

FISCAL/PERSONNEL IMPACT

The expenses above are included in the 2019 budget for the cost centers noted, or will be included in the budgets for future years, per the normal budget planning process.

RULE AMENDMENTS

None

BOARD BOOK AMENDMENTS

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None - core business operations

RESOLUTION

WHEREAS, the contracts listed herein required execution before the next regularly scheduled meeting of the Board of Trustees; and

WHEREAS, on June 15, 2019, the Executive Director, after consultation with and approval by the designated committee for advising the Executive Director on such matters, approved said contracts; it is hereby

RESOLVED, that the Board of Trustees affirms the action taken by the Executive Director on behalf of the Board.

ATTACHMENT(S) LIST

None