



# The State Bar *of California*

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## **OPEN SESSION AGENDA ITEM 50-1 MAY 2022**

**DATE:** May 19, 2022

**TO:** Members, Board of Trustees

**FROM:** Steve Mazer, Chief Administrative Officer

**SUBJECT:** Approval of Specified Contracts Pursuant to Business and Professions Code Section 6008.6

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### **EXECUTIVE SUMMARY**

This item requests approval to execute contracts for goods or services with a value in excess of \$50,000 or for information technology (IT) goods and services, in excess of \$100,000.

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### **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 \$50,000, or for information technology (IT) goods, services, or both, for an aggregate amount in excess of \$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.

### **DISCUSSION**

The contracts listed below are in excess of \$50,000 (or for IT 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. These contracts require approval by the Board of Trustees in order to be executed.

<b>Ref #</b>	<b>Office</b>	<b>Cost Center</b>	<b>Fund</b>	<b>Vendor</b>	<b>Contract Amount</b>	<b>Goods or Services</b>
1	Admissions	8312	Admissions Fund	ExamSoft Worldwide, Inc.	\$19,800 (total contract value \$50,200)	June 2022 First-Year Law Students' Exam Remote Proctoring Licenses and Support Services
2	Admissions	8312	Admissions Fund	Prometric LLC	\$82,800	October 2022 First-Year Law Students' Exam Remote Proctoring Licenses and Support Services
3	Admissions	8312	Admissions Fund	Pasadena Convention Center	\$83,750	July 2022 Bar Exam Testing Site
4	Information Technology	5310	General Fund	GSPANN Technologies, Inc.	\$45,000 (total contract value \$126,360)	IT Quality Engineering Services
5	Information Technology	5420	General Fund	Oracle America, Inc.	\$250,000	Oracle Fusion Cloud Annual Licensing and Maintenance
6	Information Technology	5310	General Fund	Microsoft Corporation	\$320,000	Microsoft Azure Cloud Management Support
7	Information Technology	5310	General Fund	Microsoft Corporation	\$268,000	Annual Microsoft Unified Support
8	Information Technology	5310	General Fund	Insight Public Sector, Inc.	\$117,000	Alert Logic Intrusion Monitoring Services
9	General Services	5520	General Fund	ABM Commercial Janitorial Services	\$240,000	Los Angeles Office Janitorial Services
10	General Services	5520	General Fund	Thomson Reuters	\$55,000	Legal Research Subscription Services
11	General Counsel	4110	General Fund	Epiq Corporate Services, Inc.	\$200,000	Notification Services Related to Nonpublic Information Disclosure
12	Chief Trial Counsel	6120	General Fund	Stacia Laguna	\$367,000	Special Deputy Trial Counsel Administrator Services

**1. ExamSoft Worldwide, Inc.**

ExamSoft is the State Bar's vendor for a proprietary, secure software solution (Examplify) that allows applicants to take the Bar Exam on their own laptops and upload their answers. This contract amendment is for the addition of ExamSoft's remote identification and proctoring solutions (ExamID and ExamMonitor) for the remote administration of the June 2022 First-Year Law Students' Exam. The cost of this contract is included in the 2022 budget for the Office of Admissions.

**2. Prometric LLC**

Vendor provides online exam with live proctor monitoring. The contract is for the remote administration and support of the October 2022 First-Year Law Students' Exam. The cost of this contract is included in the 2022 budget for the Office of Admissions.

**3. Pasadena Convention Center**

Vendor provides testing space for the July 2022 Bar Exam. These recurring services are part of core business operations in the Office of Admissions and are included in the annual budget.

**4. GSPANN Technologies, Inc.**

Vendor provides IT quality engineering services. The contract amendment is for a four-month extension cost. The cost of this contract is included in the annual budget for the Office of IT.

**5. Oracle America, Inc.**

Vendor provides Oracle Fusion Cloud software. The contract is for the annual license renewal. These software licenses are part of core business operations in the Office of IT and are included in the annual budget.

**6. Microsoft Corporation**

Vendor provides Microsoft Azure cloud management support. The contract is for a one-year term. These recurring services are part of core business operations in the Office of IT and are included in the annual budget.

**7. Microsoft Corporation**

Vendor provides enterprise licenses for Office and Windows. The contract is for a one-year term. These software licenses are part of core business operations in the Office of IT and are included in the annual budget.

## **8. Insight Public Sector, Inc.**

Vendor is a licensed reseller of Alert Logic, an intrusion and detection software to protect the State Bar's data and servers. These software licenses are part of core business operations in the Office of IT and are included in the annual budget.

## **9. ABM Commercial Janitorial Services**

Vendor provides janitorial services for the Los Angeles office. The contract is for a one-year term. These recurring services are part of core business operations in the Office of General Services and are included in the annual budget.

## **10. Thomson Reuters**

Vendor provides legal research subscription services. The contract is for a one-year term. These recurring services are part of core business operations in the Office of General Services and are included in the annual budget.

## **11. Epiq Corporate Services, Inc.**

Vendor will provide notification services related to the disclosure of nonpublic information on judyrecords.com. The State Bar will seek reimbursement from its insurance carrier for this expense.

## **12. Stacia Laguna**

State Bar Rules of Procedure, rule 2201 (Rule 2201), governs the recusal of the Office of Chief Trial Counsel (OCTC) in specified discipline matters involving individuals with close ties to the State Bar. Such conflict cases are referred by the chief trial counsel (CTC) to the special deputy trial counsel (SDTC) administrator, who assigns cases to SDTCs for investigation and prosecution, as appropriate. Beginning on June 1, 2022, Ms. Laguna will serve as the new SDTC administrator, and will also carry an SDTC caseload. She was selected by the chair and vice-chair of the Regulation and Discipline Committee (RAD), following interviews of multiple candidates. The compensation rate approved by the Board of Trustees is \$275 per hour for the SDTC administrator and \$250 per hour for an SDTC. These rates, however, are based on the assumption of a limited number of hours per month. Because Ms. Laguna will work on a near full-time basis by carrying a caseload as well as serving as the administrator, her compensation will be \$114 per hour for SDTC duties and \$125 per hour for administrator duties. This new hybrid model of a near full-time administrator who also carries a caseload is expected to increase the efficiency of conflict case processing. This contract is for a 19-month term, through December 31, 2023, to coincide with the SDTC contracts that run through that date. Its terms are comparable to those of prior SDTC administrator contracts, which were determined in close collaboration with RAD leadership. It is anticipated that this contract will have a minimal impact on the approved 2022 budget for Rule 2201 conflict cases, as the increased hours for this near full-time assignment will result in fewer hours being billed by other SDTCs.

## **FISCAL/PERSONNEL IMPACT**

Unless a different funding source is specified, the expenses above are included in the 2022 budget for the cost centers noted, or will be included in the budget for future years, per the normal budget planning process.

## **AMENDMENTS TO RULES**

None

## **AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL**

None

## **STRATEGIC PLAN GOALS & OBJECTIVES**

Goal: None – core business operations

## **RECOMMENDATIONS**

**Should the Board of Trustees concur in the proposed action, passage of the following resolution is recommended:**

**RESOLVED**, that the Board of Trustees approves execution of the contracts listed herein.

## **ATTACHMENT LIST**

None