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Alameda Corridor Transportation Authority

June 13, 2019

To:	Governing Board
From:	John T. Doherty, Chief Executive Officer
Subject:	<i>Approval of Amendment No. 14 to Agreement No. C0337 with North American Emergency Management for Emergency Preparedness Planning (APPROVAL)</i>

Recommendation:

Approve the proposed amendment to Agreement No. C0337 with North American Emergency Management (NAEM) for emergency preparedness planning of the annual emergency drill to add \$20,000 and extend the term one year through June 30, 2020; and authorize the Chief Executive Officer or Chief Financial Officer to execute said amendment.

Background:

In December 1999, ACTA entered into Agreement No. C0337 with NAEM (Agreement) for a term of five years through December 20, 2004 in an amount not-to-exceed \$50,000. The scope of services included the development of an Emergency Response Plan (Plan), training of emergency response entities and others regarding the Plan, and planning and conducting the annual emergency drill.

Subsequent actions by the Board extended the Agreement through June 30, 2009 and increased the contract value to \$250,000. Based on authority delegated to the CEO by the Board in 2003, the term of the Agreement was extended by the CEO annually thereafter through June 30, 2013 with no increase in total contract value.

Since June 2013, the Board approved various amendments extending the time of the Agreement and increasing the contract value, bringing the contract value to \$362,000 with a term through June 30, 2019.



Discussion:

In June 2018, the Governing Board approved an extension of the Agreement through June 30, 2019 and requested that during this time frame, staff conduct a competitive selection process for the next year's services (i.e. July 1, 2019 to June 30, 2020). As reported to the Board in October 2018 and March 2019, staff had intended to issue an RFP in April 2019 following completion of the drill in March. However, due to availability limitations of the lead staff, the planning for the drill was delayed resulting in the drill taking place in late May instead of March. Therefore, it was determined that it would be advantageous to delay the RFP. As a result, staff recommends renewing the current Consultant's Agreement for one year, issuing the RFP in July 2019.

In the event a new consultant is selected, staff may recommend an overlap between the current and new consultants' contracts. An overlap of time will allow for the current consultant to transfer specific knowledge and insight to the new consultant, while also accounting for the new corridor maintenance contractor participating in the drill for the first time in 2020. Presently, it is estimated that the selection process will be completed in early fall of this year. Thereafter, staff will present to the Governing Board a new agreement and any connected recommendations regarding overlap and/or termination of the current Agreement.

The proposed amendment, if approved, will extend the term of the existing Agreement through June 30, 2020 and increase the total contract value by \$20,000 to \$382,000. The yearly expenditure is allocated between ACTA and the Railroads as part of the operations and maintenance of the Corridor.

Budget Impact:

Funds are included in the FY20 Program Budget.

Co-General Counsel Review:

ACTA's Co-General Counsel has reviewed and approved the proposed Amendment as to form.

Transmittal:

Transmittal 1 - Amendment No. 14 to NAEM Agreement No. C0337