

AGENDA ITEM

NOVEMBER 112-M

Government Affairs

Contract: Update, Status Report
& Potential Action

DATE: November 19, 2010

TO: Members Board Committee on Operations
Members Board of Governors

FROM: Robert Hawley, Deputy Executive Director

SUBJECT: Government Affairs Representation: Status Report & Potential Action

The Request for Proposals (RFP) process seeking Government Affairs Representation on contract following the December 31, 2010 expiration of the existing contract with The W Group, produced eight responses. These are currently being reviewed by an evaluation committee in conformity with the State Bar's Procurement process. Candidate interviews are currently scheduled for November 16 and 23, 2010.

Following selection of the "highest qualified bidder" among the RFP responses, the proposed contract for Government Affairs representation will come before the Board for approval under the Board's policy that contracts of this nature over \$75,000 be Board-approved. Due to the existing RFP evaluation schedule, the contract is not "ripe" for consideration at the November Board meeting. A special meeting may be required to address this issue before the end of the existing contract at the end of the year.

The Board has raised certain policy questions about the manner in which the State Bar's needs for Government Affairs Representation are addressed including the extent to which Government Affairs Representation should be fulfilled entirely by State Bar staff positions, as opposed to "outsourcing" some aspect of this on contract; the history of the Legislative Activities Fund; and related issues.

Earlier, a legal analysis was distributed to the Board on these issues. It is again posted as part of the Closed Board Operations Committee Agenda. You are referred to that document for the substantive background on these issues.

At the November meeting, an oral status report will be presented on the Procurement process. On the agenda for potential action are policy points that the board may wish to resolve including:

1. Should the State Bar have any Government Affairs Representation on contract?

2. How should the Government Affairs function of the State Bar be structured, if differently from the current structure.

Due to the fluidity of the potential discussion on these subjects, proposed action resolutions are not offered. If action is taken, resolutions will be formulated to conform to the nature of the discussion that occurs on this subject.