

South Bay Cities Council of Governments

April 23, 2020

TO: SBCCOG Board of Directors

FROM: Jacki Bacharach, SBCCOG Executive Director

RE: Contract Amendment with Magellan Advisors

Adherence to Strategic Plan

Goal D: Organizational Stability. Be a high performing organization with a clear path to long-term financial health, staffing continuity and sustained board commitment.

BACKGROUND

The South Bay Cities Council of Governments (SBCCOG) has been working with Magellan Advisors since 2016 and the inception of the studies that have been conducted on a regional fiber network for the South Bay. They wrote the feasibility study and developed the concept for the South Bay regional fiber network (SBFN) and then guided us through the RFP and selection process for the American Dark Fiber team. All of these tasks were paid for by the South Bay Workforce Investment Board with funding contributed for the RFP from Supervisor Ridley-Thomas. Funding from the SBWIB ran out at the end of June, 2019 and but Magellan has continued to be on call to us pending this action.

The SBCCOG Board approved a contract with Magellan Advisors for the time between July 1, 2019 and June 30, 2020 for 400 hours/month at their rate of \$210/hour for a cost not to exceed \$84,000 to be paid for from the Measure M MSP Subregional funds for this project.

DISCUSSION

Magellan Advisors has proven to be invaluable in providing SBCCOG staff and city staff technical advice, in overseeing the construction of the network and in negotiating with Metro. Additionally, they provided assistance in addressing the legal issues that threatened to hold up the project. Because we are literally breaking new ground, their services have been called on more than was initially anticipated and they have used all of the funds allocated for their contract.

RECOMMENDATION:

Approve a contract amendment with Magellan Advisors for an additional \$15,000 until June 30, 2020 for 71.5 hours at the rate of \$210/hour. These funds would be paid from the Measure M MSP Subregional funds for this project.

AMENDMENT TO SBCCOG CONSULTING SERVICES AGREEMENT

This amendment to SBCCOG Consulting Services Agreement is made as of April 23, 2020 by and between the South Bay Cities Council of Governments, a California joint powers authority ("SBCCOG") and Magellan Advisors ("Consultant").

RECITALS

- A. SBCCOG and Consultant entered into a Consulting Services Agreement as of July 1, 2019 wherein SBCCOG engaged the services of the Consultant as an independent contractor to provide specified professional services to SBCCOG as set forth in Exhibit A to assist the SBCCOG with Development of the South Bay Fiber Network.
- B. The Term of the contract was June 30, 2020 with a "not to exceed" cost of \$84,000 to complete the scope of work.
- C. Funds from the contract were fully spent as of March 31, 2020 and the parties desire to complete the approved scope of work and term of the contract.
- D. SBCCOG Staff proposes an additional "not to exceed" amount of \$15,000 to complete the scope of work by June 30, 2020.
- E. Measure M MSP Sub-regional will pay for the additional funds provided by this Contract Amendment.

NOW, THEREFORE, in consideration of the foregoing, the parties agree to amend the Agreement as follows: The Agreement is hereby amended by providing an additional "not to exceed" \$15,000 to the SBCCOG and Magellan Advisors Consulting Services Agreement with no changes to the Termination date of June 30, 2020.

Except as modified above, all other provisions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this agreement to be effected as of the date first written above.

"SBCCOG"

South Bay Cities Council of Governments

By: _____
Christian Horvath (Signature)
SBCCOG Board Chairman

Date: _____

Attest: _____
SBCCOG Board Secretary

"Contractor"

Magellan Advisors

By: _____
John Honker

Date: _____