

General Legal Services Ad Hoc Committee

Solicitation Consideration

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OC SAN
ORANGE COUNTY SANITATION DISTRICT

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Topics to Discuss

- Scope of the Ad Hoc Committee
- Review of Current Agreement
- Potential Solicitation
- Schedule
- Next Steps

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Scope of Committee

Steering Committee Direction:

Review current general services legal contract as well as policy, process, and potential solicitation of general counsel legal services.

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History

The timeline shows the following key events:

- 1975:** Tom Woodruff appointed as General Counsel
- 2004:** Third party review of legal services
- 2005:** Solicitation conducted: Awarded to Woodruff, Spradlin & Smart
- 2008:** Contract amended to annually adjust rates by CPI
- 2023:** Evaluate need for solicitation (highlighted with a red dashed box and labeled 'Request')

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Current Contract

Woodruff, Spradlin & Smart

- Bradley R. Hogin, Principal General Counsel
- Established in 2005, amended in 2008
- Approved by Board
- No expiration date
- Rates increase each year by CPI

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Areas of Counsel

- Public Works
- Environmental Law
- Contracts
- Special District Law
- Utility Rate Setting
- Water Law
- Real Estate and Related

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Comparable Agencies

	Costa Mesa Sanitary District	LACSD	Western Municipal Water District	Eastern Municipal Water District
Number of years with current firm	28 years	30+ years	69+ years	1.5 years
Last solicitation	1994	2020	Not in last 19 years	Do not compete
Legal service structure	2 counsels: • General • Personnel	Multiple: • General • Special (as needed)	Multiple: • General • Special (as needed) • Employment	Multiple: • General • Special (as needed)

OC San sought information from multiple agencies, only these four responded.

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Considerations of Solicitation

<p style="text-align: center;">Advantages</p> <ul style="list-style-type: none"> Market investigation Transparency Open competition Fiduciary responsibility of public funds Opportunities for eligible firms Consultant diversity Accountability 	<p style="text-align: center;">Disadvantages</p> <ul style="list-style-type: none"> Loss of institutional knowledge Disruption in continuity of service Possible increase in rates Time and resources to conduct solicitation
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Timeline

Description	Date
Board Approval for Solicitation	November
Solicitation Development	November – January
Active Solicitation	February – March
Evaluation	March – May
Negotiations	May
Contract Award	June
New Contract Effective	July

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Next Steps

- Update Steering Committee on Ad Hoc Committee recommendations
- Board action needed if conducting solicitation
 - Approve conducting solicitation
 - Body overseeing the process
 - Define or expand the scope of oversight
- Develop scope of work
- Begin developing solicitation package

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Questions



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