



STAFF REPORT/RESOLUTION

TO: Southwest Washington Regional Transportation Council Board of Directors
FROM: Matt Ransom, Executive Director *MR*
DATE: September 29, 2020
SUBJECT: Consulting Agreement for General Legal Counsel Services,
Resolution 10-20-22

AT A GLANCE - ACTION

The proposed action is to authorize the Executive Director to sign a consulting services agreement for general legal counsel services.

BACKGROUND

The RTC is a non-profit corporation that has been organized through an interlocal agreement among member jurisdictions. RTC operates in a complex legal environment and is responsible for administering a host of federal and state laws and administrative procedures in order to effect the regional transportation planning processes within Clark, Skamania and Klickitat counties.

CONSULTANT SELECTION PROCESS

RTC's Procurement Policy provides the Executive Director authorities to solicit and advertise procurements for materials and services. Ted H. Gathe, LLC responded in writing to a solicitation for general legal counsel services issued by the Executive Director. The Executive Director reviewed the proposal and solicited feedback regarding past performance from current and former members of the RTC Board Executive Committee members. Based upon the proposal submitted, and the positive and concurring feedback received, the Executive Director is recommending the Board authorize a consulting services agreement with Ted H. Gathe, LLC.

A Scope of Work and Fee has been negotiated for inclusion in a Consulting Agreement, with summary details listed below.

SCOPE OF WORK

The Scope of Work for the proposed Consulting Agreement includes all activities and assignments customary to the duties of general legal counsel to the RTC and as generally set forth below. Typical Duties may include but not limited to:

- Serve as general legal counsel to the Executive Director and RTC Board.
- Provide review, interpretation, and advice regarding federal and state statutes and administrative rules.
- Provide administrative law services to promote organizational integrity.
- Assist RTC in compliance with federal and state grant administration.

- Attend public meetings of the RTC Board of Directors and provide guidance on the implementation of parliamentary procedures.
- Attend special meetings as requested by RTC staff.
- Review and attest to contracts and resolutions adopted by the RTC Board of Directors and administered by the Executive Director.

Term: The Consulting Agreement will become effective January 1, 2021 and will expire no later than December 31, 2024. This initial term will be for 2-years, with one option for renewal up to 2-years, or through December 2024.

Billing rate: To be billed monthly based on time and materials expended, at an initial rate of \$225.00 / hour. Yearly billings will not exceed \$25,000.

POLICY IMPLICATION

None. The RTC is beneficially served by a general legal counsel for interpretation of regulations, oversight of Open Public Meetings Act and parliamentary procedures at public meetings, and general support to the Board and Executive Director on legal and regulatory matters that come before RTC.

BUDGET IMPLICATION

Yes. Operating funds are available and will be programmed to reflect the potential contract amounts beginning in YR 2021 and in future years.

ACTION REQUESTED

Adoption of Resolution 10-20-22 authorizing the Executive Director to sign a Consulting Agreement for General Legal Counsel Services.

ADOPTED this 6th day of October 2020, by the Southwest Washington Regional Transportation Council.

SOUTHWEST WASHINGTON
REGIONAL TRANSPORTATION COUNCIL

ATTEST:

Scott Hughes
Chair of the Board

Matt Ransom
Executive Director