



Requested Action:

Consider approval of revisions to the standard Consulting Services Agreement for Key Consultants.

Detailed Description/Background:

Key Consultants are currently performing services for the Sites Project through Consulting Services Agreements (Agreements) executed by the Authority in 2019 and 2020, depending on the project initiation date for each firm. The Agreements require updates to reflect how the project is actively managed and provide consistency between agreements. Changes have focused the Agreements on defining terms and conditions with Task Orders focused on defining scope, schedule, and budget for work to be performed. Staff has worked with General Counsel to draft updated agreements which include the following changes:

1. Clarifying language tying the MSA to the task orders and clarifying terminology, including references to Authority policies and procedures. ^{1,2}
2. Updated monthly reporting requirements to reflect current deliverable requirements and to the current use of electronic filing and reporting.¹
3. Standardized document management and records retention requirements to align with practices being established for the project.
4. Additional language to clarify the process for changes to personnel in key positions.
5. Clarifications regarding the notification consultants must provide prior to expenditures in excess of task order and sub task authority. ²
6. Updated Exhibits to the current Task Order and Task Order Amendment Templates.¹

¹ Denotes items identified during a combined staff and Sites legal counsel internal audit

² Denotes items identified during the 2020 Financial Audit

In November 2021, The Sites Project Authority approved the contract authority for the Executive Director to authorize Amendment 3 Key Consultant task orders for services to be performed between January 1, 2022 and December 31, 2024. Amendment 3 Key Consultant task orders will be subject to the proposed revisions to standard Consulting Service Agreement, if approved by the Board.

The final Agreements will be approved as to form by General Counsel prior to execution.

A separate master service agreement exists with the support consultants which is a shorter form of the key consultant MSA. Proposed revisions to the support consultant master agreement will be brought to the Board for consideration in January 2022.

Prior Authority Board Action:

November 2021: Approved the Executive Director to authorize Key Consultant Amendment 3 task orders for work to be performed between January 1, 2022 and December 31, 2024.

September 2021: Approved the Amendment 3 Project Agreement and Work Plan with a period of performance of January 1, 2022 to December 31, 2024 for the purpose of initiating Participant home board review, deliberation and execution of the agreement.

Fiscal Impact/Funding Source:

None.

Staff Contact:

Joe Trapasso/Marcus Maltby

Primary Service Provider:

Young Wooldridge

Attachments:

None.