

BOARD MEETING DATE: January 5, 2024

AGENDA NO. 3

PROPOSAL: Establish List of Prequalified Counsel to Represent and Advise South Coast AQMD Hearing Board

SYNOPSIS: On August 4, 2023, an RFP was issued to prequalify outside counsel having expertise in the California Environmental Quality Act, South Coast AQMD rules, administrative law and related issues for the South Coast AQMD Hearing Board. This action is to establish a list of prequalified counsel to represent the South Coast AQMD Hearing Board.

COMMITTEE: No Committee Review

RECOMMENDED ACTION S:

1. Approve the firm Strumwasser & Woocher LLP as a prequalified law firm having expertise in the above-referenced areas to provide representation and advice as required by the South Coast AQMD Hearing Board; and
2. Authorize the Executive Officer to execute a contract with Strumwasser & Woocher LLP to provide representation to the Hearing Board as the need arises for a total not to exceed \$25,000 annually for up to December 31, 2027.

Wayne Natri
Executive Officer

SN:abs

Background

On August 4, 2023, the Executive Officer approved issuance of an RFP for an amount up to \$25,000 for the South Coast AQMD Hearing Board to solicit proposals from outside legal counsel to represent and advise the South Coast AQMD Hearing Board. The South Coast AQMD Hearing Board at times requires outside legal counsel and specialized expertise on a variety of legal matters including potential litigation. Establishing prequalified counsel ensures that the South Coast AQMD Hearing Board can quickly access counsel for representation as needed.

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County's Press Enterprise newspapers to leverage the most cost-effective method of outreach to the South Coast Basin. Also, potential bidders were notified by sending notification to various individual law firms and bar associations.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP has been e-mailed to the Black and Latino Legislative Causes and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>).

Evaluation

One bid response was received from the outside legal counsel that currently represents the Hearing Board. The proposal was evaluated and found to meet the requirement criteria.

Proposal

Strumwasser and Woocher LLP has previously provided legal counsel for the South Coast AQMD Hearing Board and is familiar with the Hearing Board process and procedures and South Coast AQMD rules. Staff recommends to prequalify Strumwasser & Woocher LLP for legal counseling advice and representation for the Hearing Board for \$25,000 per year, valid from January 5, 2024 through December 31, 2027.

Resource Impacts

The recommended total annual budget for fiscal year 2024 is \$25,000 for outside legal counsel for the South Coast AQMD Hearing Board. Selection may also be made for occasional assignments in subject areas of the firms' expertise that do not involve litigation.