

**CALENDAR ITEM
C104**

A)	03/29/2012
	Statewide	C2012-01, C2012-02
S)	C2012-03, C2012-04, C2012-05
		D. Brown, A. Abeleda

**REQUEST AUTHORITY FOR THE EXECUTIVE OFFICER TO
EXECUTE AGREEMENTS FOR BUDGET FISCAL YEAR 2012-2013**

PARTY:

California State Lands Commission
100 Howe Avenue, Suite-100 South
Sacramento, CA 95825-8202

PROPOSED ACTIVITY

The Executive Officer requests authority to execute Agreements for Budget Fiscal Year 2012-2013. The following contracts require renewal:

1. Department of Justice \$100,000 Contract No. C2012-01

Interagency Agreement with the Department of Justice to provide the Commission legal consultative and investigative services to protect the State's interest within Long Beach tidelands under Chapter 29, Statutes of 1956 1st E.S., Chapter 138 Statutes of 1964 1st E.S., and the Alamitos Bay litigation.

2. Department of Water Resources \$200,000 Contract No. 2012-02

Interagency agreement to provide tier III data center services, internet access, backup, disaster recovery and information security. AB 2408 (Chapter 404, Statutes of 2010) requires consolidation of IT systems and establishes target dates for all state entities to host mission critical and public-facing applications to a Tier III data center. The Department of Water Resources provides such data center services for all Natural Resources Agency departments and commissions. Agreement shall be for two years subject to the availability of funds.

3. Board of Equalization \$439,000 Contract No. C2012-03

Interagency Agreement with the Board of Equalization (BOE) to provide the staff services for the collection of fees specified in the Marine Invasive Species Act, Chapter 491, Statute of 2003. The Act specifies certain fee collection duties be performed by the BOE. The funding for these activities has been placed in the Commission's budget by the Department of Finance. An Interagency Agreement will be required between the agencies for this purpose.

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4. Washington D.C. Counsel \$100,000 Contract No. C2012-04

Enter into an Agreement to provide legal representation in Washington D. C. before Congress and the administration concerning federal oil and gas and public land matters. The Commission requires assistance with issues before agencies of the federal government, including the Department of the Interior, Bureau of Land Management, Minerals Management Service and the Department of Energy. The proposed contract services are neither efficient nor effective for the Attorney General to perform. The firm of Lobel, Novins and Lamont has been selected to perform this service. Agreement shall be for two years subject to the availability of funds.

5. Department of Finance \$300,000 Contract No. C2012-05

Interagency Agreement with the Department of Finance to provide program analysis and review services. Chapter 583, Statutes of 2011 (AB 1112) requires that the Commission contract with the Department of Finance to prepare a detailed report on the financial basis and programmatic effectiveness of the state's oil spill prevention, response, and preparedness program. This report will include an analysis of all Commission programs and activities funded by the Oil Spill Prevention and Administration Fund. The report is to be submitted to the Legislature by January 1, 2013. Funds have been included in the 2012-13 Governor's Budget to support this activity.

All agreements shall be consistent with State policies and procedures as specified in the State Administrative Manual and State Contract Manual. All agreements are subject to sufficient funding provided in the Commission's budget.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code Section 6106 (Delegation to execute written instruments)
- B. State Administrative Manual Section 1200
- C. State Contracting Manual (rev 10/05)
- D. Public Contract Code Section 10335 et seq. (Consulting Services Contracts)
- E. Public Resources Code section 71215 (c) (BOE for Marine Invasive Species Control Fund fee collection)
- F. Public Contract Code section 10335 (b) and 10335.5 (c) (4) (Legal Counsel Services)
- G. Business and Professions Code section 6072 (g) (Legal Counsel Services)

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IT IS RECOMMENDED THAT THE COMMISSION:

1. Find that these activities are not subject to the requirements of the CEQA pursuant to title 14, California Code of Regulations, Section 15060(c)(3) because the activities are not projects as defined by Public Resources Code Section 21065 and Title 14, California Code of Regulations, Section 15378.
2. Authorize the Executive Officer or Designee to execute Interagency Agreements in accordance with current State policies and procedures.
3. Authorize the Executive Officer or Designee to enter into an Agreement for legal services with the firm of Lobel, Novins and Lamont in accordance with current State policies and procedures.