

DATE: APRIL 18, 2008

FROM: COMMISSION OFFICE

SUBJECT: RESOLUTION NO. _____ PROPOSED PERSONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND ROBERT P. HENRY, JR., SAN PEDRO, CA

SUMMARY:

The proposed Agreement with Robert P. Henry, Jr., a registered Small Business Enterprise (SBE) will provide services and guidance to the Board of Harbor Commissioners on all aspects of their role within the Harbor Department (Department) and facilitate their requests for information and service. The Agreement also provides for Mr. Henry to train Department staff in the procedures and processes regarding the interface between the Department and other City governmental entities and use of his over 30 years of experience in City government to assist staff in devising solutions to complicated processing issues. In addition, Mr. Henry authors Board related documents as needed and will collaborate with the Department's Executive Director in researching and compiling historical information on the Department and the City of Los Angeles. Mr. Henry will also assist the Department in the procurement of additional replica trolley cars and work with the Department in developing a vision and practical plan for a rail transportation museum to be constructed at the Port. This proposed Agreement shall not exceed \$532,440 for the three-year term.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Adopt the Resolution No. _____ approving the Agreement with Robert P. Henry, Jr.; and
2. Authorize the Executive Director to execute and the Board Secretary to attest to the proposed Agreement with Mr. Robert P. Henry, Jr., for consulting services for a period of three years, commencing upon execution by the Executive Director, for a not-to-exceed annual amount of \$177,480 and for a contract not-to-exceed amount of \$532,440.

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DISCUSSION:

1. Background Under Agreement E6281, dated July 11, 2005, Robert P. Henry provides professional advice and guidance on the feasibility of the expansion of the Red Car line, the construction of additional rolling stock to service the expanded routes, the design criteria for the museum and permanent maintenance facility and aids in training employees in legislative affairs. This agreement was amended in March 2006, in order to adjust the agreement scope to reflect the emphasis on Board related activities and to increase the not-to-exceed annual contract amount to \$160,000. In September 2006, the agreement was amended a second time to secure Mr. Henry's services for an additional two years in a full-time capacity for a not-to-exceed amount of \$404,000.
2. Agreement E6281 will expire on June 30, 2008. In order to further clarify the scope of this agreement, secure Mr. Henry's services for an additional three years and fund this agreement, it is necessary to request that the Board approve a new agreement for Mr. Henry's services. Mr. Henry is a qualified Small Business Enterprise and operates his business locally in San Pedro.
3. This agreement has four components and requires a very specific set of skills:
 - a. To provide services and guidance to the Board of Harbor Commissioners on all aspects of their role within the Harbor Department and facilitate their requests for information and service. Mr. Henry has extensive knowledge of all the local, state and federal rules, laws and guidelines which dictate commission activities, for example, the L.A. City Charter, the Administrative Code, the Ethics Commission Guidelines, the Brown Act, and Robert's Rules of Order.

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- b. To act as on on-site resource and to train Department staff in the procedures and processes regarding the interface between the Department and other City governmental entities and to assist staff in devising solutions to complicated processing issues. For over 15 years, Mr. Henry was the Port's designated Legislative Analyst who functioned as the primary liaison with City Hall and an additional 15 years as the Director of Management Services, a supervisor position where he was responsible for internal administration of the Port and process systems upkeep. This makes him uniquely qualified to train, as needed, new staff in these functions.
 - c. Collaborate with the Department's Executive Director in researching and compiling historical information on the Department and the City of Los Angeles. Mr. Henry was key in assisting the Executive Director in research material for the Port's 2007 Centennial book, "Port of Los Angeles, An Illustrated History from 1850-1945." During that archive research, Mr. Henry and the Executive Director identified addition information which could be used for future publications. His research skills are a proven commodity.
 - d. Assist the Department in the procurement of additional replica trolley cars and work with the Department in developing a vision and practical plan for a rail transportation museum to be constructed at the Port. Mr. Henry was the project manager for the first Port of Los Angeles Red Car project and remains an authority on the subject. Mr. Henry is recognized within this industry as an expert and is often asked to make presentations for various industry and community groups.
4. Sole Source Mr. Henry has over 30 years experience in Los Angeles City government. His knowledge is vital in assisting the Board of Harbor Commissioners in navigating Port and City processes and procedures. He has excellent research skills and a working knowledge of the history of the Port and the City of Los Angeles. In addition, he continues to work on the Red Car project. Mr. Henry possesses a very specific set of knowledge and

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experience which makes him uniquely qualified to satisfy the four main components of this agreement. The City does not employ personnel with the required expertise nor is it feasible to on an occasional or a temporary basis. Under these circumstances, the Executive Director approved a sole source selection process for this agreement.

ENVIRONMENTAL ASSESSMENT:

The proposed action is a personal services agreement between the Los Angeles Harbor Department and Robert P. Henry to provide administrative and personnel related services to support the Board of Harbor Commissioners and the Red Car historical program. As such, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II, Section 2(f) of the Los Angeles City CEQA guidelines.

ECONOMIC BENEFITS:

This agreement creates three years of full time equivalent employment.

FINANCIAL IMPACT:

Funding for this agreement in the amount of \$532,440 (the not-to-exceed amount is \$177,480) for each of the three years of the agreement) has been budgeted in the FY 2007/08 Operating Budget, Center 220, Executive Offices, Program No. 000, Account 54290, Miscellaneous Professional Services. Funds for future fiscal years will be requested to be budgeted as part of the annual budget preparation process and brought before the Board for adoption.

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CITY ATTORNEY:

The agreement has been renewed and approved as to form by the office of the City Attorney.

TRANSMITTALS:

1. Agreement

JULIE WICHMANN HUERTA
Commission Chief Administrative Officer

GERALDINE KNATZ. Ph.D.
Executive Director