

CITY OF FAIRFIELD

RESOLUTION NO. 2018 - 88

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD APPROVING
AMENDMENT #5 TO A FEDERAL LEGISLATIVE CONSULTANT SERVICES
AGREEMENT BETWEEN THE CITY OF FAIRFIELD, SOLANO TRANSPORTATION
AUTHORITY, THE CITIES OF VACAVILLE AND VALLEJO, SOLTRANS, AND AKIN
GUMP STRAUSS HAUER & FELD, LLP**

WHEREAS, it is important and necessary for the City to be informed and active in federal legislative activities and governmental affairs particularly as they effect transportation; and

WHEREAS, it is equally important and necessary for the City to be active in pursuing federal appropriations for transportation projects to enhance the services provided to the citizens of Fairfield; and

WHEREAS, the City of Fairfield, the Solano Transportation Authority (STA), the Cities of Vacaville and Vallejo, and Akin Gump Strauss Hauer & Feld, LLP entered into a two-year agreement on February 16, 2008 to provide federal legislative consulting services on behalf of STA and the cities; and

WHEREAS, the partnering agencies and Akin Gump Strauss Hauer & Feld, LLP amended the agreement (Amendment #1), extending the term of the agreement from December 1, 2009 until December 11, and added the City of Dixon; and

WHEREAS, the partnering agencies and Akin Gump Strauss Hauer & Feld, LLP again amended the agreement (Amendment #2), extending the term of the agreement through December 31, 2013; and

WHEREAS, the partnering agencies and Akin Gump Strauss Hauer & Feld, LLP again amended the agreement (Amendment #3), extending the term of the agreement through December 31, 2015; and

WHEREAS, the partnering agencies and Akin Gump Strauss Hauer & Feld, LLP again amended the agreement (Amendment #4), extending the term of the agreement through December 31, 2017; and

WHEREAS, the City continues to benefit from the services and legislative advocacy efforts provided by Akin Gump Strauss Hauer & Feld, LLP and wishes to extend the agreement (Amendment #5) for an additional two years through December 2019; and

WHEREAS, the City of Dixon desires to no longer participate in the agreement and SolTrans desires to participate.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. The City of Fairfield hereby approves Amendment #5 to the agreement with the Solano Transportation Authority, the Cities of Vacaville, and Vallejo, SolTrans, and Akin Gump Strauss Hauer & Feld, LLP in an amount not to exceed \$50,000 for Fairfield's contribution for the 24-month term of the contract, January 1, 2018 through December 31, 2019.

Section 2. The City Manager, or designee, is authorized to sign Amendment #5 and take other steps necessary to implement the contract.

PASSED AND ADOPTED this 15th day of May, 2018, by the following vote:

AYES: COUNCILMEMBERS: PRICE/TIMM/BERTANI/MOY/VACCARO

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

Harry T. Price
MAYOR

ATTEST:
[Signature]
CITY CLERK
pw



**AMENDMENT #5 TO AGREEMENT BETWEEN
THE SOLANO TRANSPORTATION AUTHORITY
ON BEHALF OF ITSELF AND THE CITIES OF FAIRFIELD, VACAVILLE AND VALLEJO,
SOLANO COUNTY TRANSIT**

and

**AKIN GUMP STRAUSS HAUER & FELD, LLP
For FEDERAL LEGISLATIVE CONSULTANT SERVICES**

THIS AMENDMENT #5 is entered into as of January 1, 2018 between the SOLANO TRANSPORTATION AUTHORITY, a congestion management agency and authorized under the laws of the State of California (hereinafter referred to as "STA") on behalf of itself and the cities of Fairfield, Vacaville and Vallejo (collectively referred to as "Cities"), Solano County Transit (hereinafter referred to as "SolTrans") and AKIN GUMP STRAUSS HAUER & FELD, LLP (hereinafter referred to as "Consultant")

RECITALS

WHEREAS, the parties entered into an agreement ("Agreement") on February 16, 2008 in which Consultant agreed to provide Federal Legislative consulting services on behalf of STA and the Cities; and

WHEREAS, the parties amended the Agreement on December 1, 2009 to extend the term of the Agreement and add the city of Dixon (Amendment #1); and

WHEREAS, the parties amended the Agreement on December 14, 2011 (Amendment #2), again on December 12, 2013 to continue the services through December 31, 2015 (Amendment #3); and again on December 31, 2015 (Amendment #4) to extend the services through December 2017; and

WHEREAS, the parties now desire to amend the Agreement a fifth time to continue the services through December 2019; and

WHEREAS, the parties now desire to include Solano County Transit in the agreement beginning with this amendment, to exclude the City of Dixon; and

WHEREAS, this Amendment #5 represents a two-year extension and a \$240,000 increase.

IN CONSIDERATION FOR THE MUTUAL PROMISES SET FORTH IN THIS AMENDMENT, THE PARTIES AGREE AS FOLLOWS:

1. Scope of Services

Section 1 and Exhibit A of the Agreement is amended in part to add the scope of work attached as Exhibit A-5 to include services specific to SolTrans.

2. Term of Agreement

Section 2 of the Agreement is deleted in its entirety and replaced with the following:

The term of the Agreement shall commence upon the Effective Date and continue through December 31, 2019.

3. Cost of Services and Allocation of Costs

Section 3 of the Agreement as well as Section 5 of Amendment #1 are amended to add an additional \$240,000 to be paid at the rate of \$10,000 per month allocated to each of the Cities, STA and SolTrans in the following pro rata share:

| | |
|--------------------|----------------|
| City of Fairfield: | \$2,083.33/mo. |
| City of Vacaville: | \$2,083.33/mo. |
| City of Vallejo: | \$2,083.33/mo. |
| STA: | \$2,083.33/mo. |
| SolTrans: | \$1,666,66/mo. |

4. Prior Terms and Conditions

Except as specifically set forth in this Amendment #5, all terms and conditions of the initial Agreement, as previously modified, shall remain in full force and effect.

The parties have executed this Amendment #5 as of the day and year first written above.

SOLANO TRANSPORTATION AUTHORITY

APPROVED AS TO FORM

By: Daryl K. Halls
Daryl K. Halls, Executive Director

By: Benedetta Cury
STA Legal Counsel

SOLANO COUNTY TRANSIT

APPROVED AS TO FORM

By: Beth Kranda
Beth Kranda, Executive Director

By: Benedetta Cury
SolTrans Legal Counsel

CITY OF FAIRFIELD

APPROVED AS TO FORM

By: _____
David White, City Manager

By: _____
Fairfield City Attorney

CITY OF VACAVILLE

APPROVED AS TO FORM

By: _____
Jeremy Craig, City Manager

By: _____
Vacaville City Attorney

CITY OF VALLEJO

APPROVED AS TO FORM

By: _____
Gregory Nyhoff, City Manager

By: _____
Vallejo City Attorney

AKIN GUMP STRAUSS HAUER & FELD, LLP,

By: Susan Lent
Susan Lent, Partner

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APPROVED AS TO FORM

By: _____
Daryl K. Halls, Executive Director

By: _____
STA Legal Counsel

SOLANO COUNTY TRANSIT

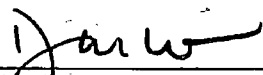
APPROVED AS TO FORM

By: _____
Beth Kranda, Executive Director

By: _____
SolTrans Legal Counsel

CITY OF FAIRFIELD

APPROVED AS TO FORM

By: 
David White, City Manager *JBA*

By: 
Fairfield City Attorney

CITY OF VACAVILLE

APPROVED AS TO FORM

By: _____
Jeremy Craig, City Manager

By: _____
Vacaville City Attorney

CITY OF VALLEJO

APPROVED AS TO FORM

By: _____
Gregory Nyhoff, City Manager

By: _____
Vallejo City Attorney

AKIN GUMP STRAUSS HAUER & FELD, LLP,

By: _____
Susan Lent, Partner

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By: _____
STA Legal Counsel

SOLANO COUNTY TRANSIT

APPROVED AS TO FORM

By: _____
Beth Kranda, Executive Director

By: _____
SolTrans Legal Counsel

CITY OF FAIRFIELD

APPROVED AS TO FORM

By: _____
David White, City Manager

By: _____
Fairfield City Attorney

CITY OF VACAVILLE

APPROVED AS TO FORM

By: *Jeremy Craig*
Jeremy Craig, City Manager

By: *M. Linda B. Perce*
Vacaville City Attorney

CITY OF VALLEJO

APPROVED AS TO FORM

By: _____
Gregory Nyhoff, City Manager

By: _____
Vallejo City Attorney

AKIN GUMP STRAUSS HAUER & FELD, LLP,

By: _____
Susan Lent, Partner

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Jeremy Craig, City Manager

By: _____
Vacaville City Attorney

CITY OF VALLEJO

APPROVED AS TO FORM

By: _____
Gregory Nyholm, City Manager

By: _____
Vallejo City Attorney

AKIN GUMP STRAUSS HAUER & FELD. LLP.

By: _____
Susan Lent, Partner

EXHIBIT A-5
SCOPE OF WORK

Contractor will provide the following services to SolTrans:

- A. Monitoring of federal legislative, regulatory and funding issues
 - a. Regularly communicate with the Executive Director or her designee on SolTrans' priorities, projects and programs to ensure awareness of issues facing the Agency.
 - b. In coordination with the Executive Director or her designee, provide a monthly memorandum to the SolTrans Board of Directors on federal policies, regulations (proposed or final), grant programs or other issues that impact SolTrans.
 - c. Provide regular updates via email to SolTrans staff on federal legislative, regulatory or grant issues that may impact SolTrans' funding or operations.
 - d. Participate in up to 12 conference calls with SolTrans staff and the Legislative Subcommittee of the Board to discuss federal legislative or regulatory issues.
 - e. Represent and communicate SolTrans interests to federal officials and elected representatives in Washington.

Upon the request of the SolTrans Executive Director, Contractor agrees to provide the following services:

- B. Legislative and Regulatory Support
 - a. Coordinate meetings between SolTrans and federal officials and elected representatives in Washington as requested.
 - b. Attend SolTrans Board Meetings as requested to brief the Board on federal issues of significance to the Agency.

C. Other Support

Provide other support as requested by SolTrans related to federal advocacy, legislative, regulatory or funding/grant issues.