
FEBRUARY 7, 2023

**AGENDA ITEM 2
ACTION ITEM**

CALIFORNIA ABLE ACT BOARD

Resolution No. 2023-02: Approval of Amendment to extend program marketing services contract with Program 11, LLC, for the amount of \$827,618

Action Recommended

Adopt Resolution No. 2023-02 authorizing a one year extension to Program 11, LLC, for program marketing services.

Background

On August 18, 2020, the Board approved Resolution 2020-02 to issue a Request for Proposals (“RFP”) to obtain marketing services for the California ABLE Act Board (CalABLE). Program 11, LLC was awarded the RFP and began marketing services on July 1, 2021, until June 30, 2023, for CalABLE. The awarded agreement, ABLE 02-20 was for \$552,496.00 with an option to extend for one year.

Per statute, the Board may authorize the Executive Director to enter into contracts on behalf of the Board or conduct any business necessary for the efficient operation of the Board. Consistent with or comparable to other boards, authorities, commissions, and committees chaired by the State Treasurer, Resolution No. 2023-02 would set the delegated contract amount at \$827,618 for marketing services with Program 11, LLC.

Presenter

Dante Allen, Executive Director, California ABLE Act Board

Attachments

- Attachment #1 – Resolution No. 2023-02

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RESOLUTION NO. 2023-02

RESOLUTION OF THE CALIFORNIA ABLE ACT BOARD RELATING TO THE APPROVAL TO ENTER INTO AN AMENDMENT TO AGREEMENT NO. ABLE02-20 WITH PROGRAM 11, LLC, FOR PROGRAM MARKETING SERVICES FOR THE CALIFORNIA ABLE PROGRAM

WHEREAS, the California ABLE Act Board ("the Board"), pursuant to section 4877(c)(2) of the Welfare and Institutions Code, has the power and authority to make and enter into contracts necessary for the administration of the ABLE Program Trust ("Trust"), and engage personnel, including consultants, actuaries, managers, counsel, and auditors, as necessary for the purpose of rendering professional, managerial, and technical assistance and advice;

WHEREAS, section 4877(d) of the Welfare and Institutions Code provides that the Board may authorize the Executive Director to enter into contracts on behalf of the Board or conduct any business necessary for the efficient operation of the Board; and

WHEREAS, section 4884 of the Welfare and Institutions Code provides that the Board shall market this program to residents of the United States to the extent funds are available to do so; and

WHEREAS, the Board seeks to issue an Amendment to Agreement ABLE02-20 to extend the agreement by an additional year and increase the contract amount. With this amendment, the term of the contract will extend to June 30, 2024, and the dollar amount of the contract will be increased to \$827,618.00;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board hereby authorizes the Executive Director to execute an amendment to Agreement ABLE02-20 with Program 11, LLC, to extend the agreement by one year and increase the contract amount to \$827,618.00.

Attest: _____
Dante Allen, Executive Director

Date of Adoption: _____

Date: February 7, 2023