

CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY

Meeting Date: March 17, 2020

Request Approval for Interagency Agreement with the State Treasurer's Office

Prepared by: *Nicholas Montalvo*

Summary. Staff requests the Authority's approval of the Fiscal Year 2019/2020 Interagency Agreement ("IA") with the State Treasurer's Office ("STO") in the amount of \$574,877.00 for support services provided to the Authority.

Background. Through Interagency Agreements, the STO provides budgeting, personnel, accounting, legal, information technology, information security, Executive Office (policy direction and guidance), reporting, and other administrative support services for the Boards, Commissions, and Authorities ("BCA") chaired by the State Treasurer. Management from California Pollution Control Financing Authority ("CPCFA") and STO will meet regularly to prioritize and plan for CPCFA's existing and expanding program administrative support, and coordinate on all required reports to control agencies. The overall cost is allocated among the BCAs based on each agency's personnel years. The proposed Interagency Agreement for Fiscal Year 2019/2020 is attached as Exhibit A.

Prior IA amounts from Fiscal Year 2008/2009 through Fiscal Year 2018/2019 are listed in the chart below. The amount of the proposed IA for Fiscal Year 2019/2020 is reduced from Fiscal Year 2018/2019. The reduction is due to the expiration of the Data and Government Transparency Unit positions in the Information Technology Division in the previous fiscal year. No new services were added to the this year's agreement

Fiscal Year	IA Amount
07/01/08 – 06/30/09	\$398,323.00
07/01/09 – 06/30/10	\$401,479.00
07/01/10 – 06/30/11	\$377,472.00
07/01/11 – 06/30/12	\$421,530.00
07/01/12 – 06/30/13	\$421,530.00
07/01/13 – 06/30/14	\$413,120.00
07/01/14 – 06/30/15	\$411,156.00
07/01/15 – 06/30/16	\$726,241.00
07/01/16 – 06/30/17	\$722,029.00
07/01/17 – 06/30/18	\$736,709.00
07/01/18 – 06/30/19	\$736,709.00

Terms of the Interagency Agreement.

Contract Period: July 1, 2019 through June 30, 2020

Contract Amount: Not to exceed \$574,877.00

Staff Recommendation. Staff recommends approval of Resolution Number 20-04-001 to authorize the Executive Director or Deputy Executive Director to execute an Interagency Agreement with the State Treasurer's Office for Fiscal Year 2019/2020 in an amount not to exceed \$574,877.00.

**RESOLUTION OF THE CALIFORNIA POLLUTION CONTROL FINANCING
AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR OR DEPUTY
EXECUTIVE DIRECTOR TO EXECUTE AN INTERAGENCY AGREEMENT WITH
THE STATE TREASURER'S OFFICE**

March 17, 2020

WHEREAS, the California Pollution Control Financing Authority (“Authority”) was created under the California Pollution Control Financing Authority Act (the “Act”), codified under Health and Safety Code section 44500 et seq.;

WHEREAS, Section 44522(c) of the Health and Safety Code provides that the Authority is authorized and empowered to do all things generally necessary or convenient to carry out its powers and the purposes under the Act;

WHEREAS, Section 44519 of the Health and Safety Code provides that the Authority may, by resolution, delegate to its Executive Director or other official or employee of the Authority any powers and duties that it may deem proper, including the power to enter into contracts on behalf of the Authority;

WHEREAS, the Authority wishes to enter into an Interagency Agreement with the State Treasurer’s Office for administrative support services, including accounting, budgeting, legal, information technology, information security, personnel, and business services, for Fiscal Year 2019/2020; and

WHEREAS, the State Treasurer’s Office has the ability and expertise to advise the Authority on matters pertaining to administration and support services for the Authority;

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director and Deputy Executive Director are each hereby authorized, jointly and severally, to prepare and execute an Interagency Agreement with the State Treasurer’s Office for administrative support services in an amount not to exceed \$574,877.00 for the term beginning July 1, 2019 through June 30, 2020.

Exhibit A

STANDARD AGREEMENT

STD 213 (Rev. 03/2019)

AGREEMENT NUMBER

CPCFA04-19

PURCHASING AUTHORITY NUMBER (If Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

California Pollution Control Financing Authority

CONTRACTOR NAME

State Treasurer's Office

2. The term of this Agreement is:

START DATE

July 1, 2019

THROUGH END DATE

June 30, 2020

3. The maximum amount of this Agreement is:

\$574,877.00 (five hundred seventy-four thousand eight hundred seventy-seven dollars and zero cents)

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	1
Exhibit B	Budget Detail and Payment Provisions	1
Exhibit C *	General Terms and Conditions for Interagency Agreements (GIA - 610)	1
Exhibit D	Special Terms and Conditions	1

Items shown with an asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.

These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (If other than an individual, state whether a corporation, partnership, etc.)

State Treasurer's Office

CONTRACTOR BUSINESS ADDRESS

915 Capitol Mall, Room 538

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Rebecca Grajski

TITLE

Director, Administration Division

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

California Pollution Control Financing Authority

CONTRACTING AGENCY ADDRESS

801 Capitol Mall, 2nd Floor

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Renee Webster-Hawkins

TITLE

Executive Director

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

SCM Vol. 1, Ch. 4.04.A.5

**EXHIBIT A
 SCOPE OF WORK**

1. This is an Interagency Agreement between the State Treasurer's Office (hereafter referred to as STO) and the California Pollution Control Financing Authority (hereafter referred to as CPCFA).
2. STO agrees to provide services including but not limited to: Accounting, Budgeting, Legal Services, Information Technology Services, Information Security, Personnel, Business Services, Executive Office (policy direction and guidance) and Reporting Services to CPCFA, where applicable. Management from CPCFA and STO will meet regularly to prioritize and plan for CPCFA's existing and expanding program administrative support, and coordinate on all required reports to control agencies. This contract is necessary as the services identified above cannot be performed by CPCFA staff and must be performed by STO staff.
3. The project representatives during the term of this agreement will be:

State Agency: California Pollution Control Financing Authority	Contractor: State Treasurer's Office (STO)
Name: Renee Webster-Hawkins Executive Director	Name: Rebecca Grajski Director, Administration
Phone: (916) 657-4921	Phone: (916) 653-3100
Fax: (916) 657-4821	Fax: (916) 653-3259

Direct all inquiries to:

State Agency: California Pollution Control Financing Authority	Contractor: State Treasurer's Office (STO)
Section/Unit:	Section/Unit: Administration Division
Attention: Renee Webster-Hawkins Executive Director	Attention: Rebecca Grajski Director, Administration
Address: 801 Capitol Mall, 2 nd Floor	Address: 915 Capitol Mall, Room 538
Phone: (916) 657-4921	Phone: (916) 653-3100
Fax: (916) 657-4821	Fax: (916) 653-3259

EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS

1. **Invoicing**

- A. The California Pollution Control Financing Authority (CPCFA) agrees to compensate the State Treasurer's Office (STO) a lump sum payment in the amount of \$574,877.00 due no later than 30 days after contract approval.
- B. Invoice shall include Agreement Number CPCFA04-19 and shall be submitted for a one time lump sum payment to:

California Pollution Control Financing Authority (CPCFA)
P.O. Box 942809
Sacramento, California 94209-0001

2. **Budget Contingency Clause**

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

3. **Payment**

- A. Costs for this Agreement shall be computed in accordance with State Administrative Manual Sections 8752 and 8752.1.
- B. Nothing herein contained shall preclude advance payments pursuant to Article 1, Chapter 3, Part 1, Division 3, Title 2 of the Government Code of the State of California.

EXHIBIT C
GENERAL TERMS AND CONDITIONS FOR INTERAGENCY AGREEMENTS

Exhibit C to this Agreement, the General Terms and Conditions for Interagency Agreements (GIA - 610), is hereby incorporated by reference and made part of this Agreement as if attached hereto. The General Terms and Conditions for Interagency Agreements may be viewed and downloaded at:
<https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>

EXHIBIT D
SPECIAL TERMS AND CONDITIONS

1. **Dispute Resolution Clause**

- A. If for any reason CPCFA and STO cannot reach a mutual agreement, then CPCFA may refer the dispute to the Chief Deputy Treasurer.

STATE OF CALIFORNIA
AGREEMENT SUMMARY

STD 215 (Rev. 08/2017)

AGREEMENT NUMBER CPCFA04-19	AMENDMENT NUMBER
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CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

1. CONTRACTOR'S NAME State Treasurer's Office		2. FEDERAL I.D. NUMBER 68-0280911
3. AGENCY TRANSMITTING AGREEMENT California Pollution Control Financing Authority	4. DIVISION, BUREAU, OR OTHER UNIT	5. AGENCY BILLING CODE 010800
6a. CONTRACT ANALYST NAME Nicole Yousefi	6b. EMAIL nicole.yousefi@treasurer.ca.gov	6c. PHONE NUMBER (916) 654-5087

7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE?

No Yes (If Yes, enter prior Contractor Name and Agreement Number)

PRIOR CONTRACTOR NAME
State Treasurer's Office

PRIOR AGREEMENT NUMBER
CPCFA05-18

8. BRIEF DESCRIPTION OF SERVICES
State Treasurer's Office Executive and Support Services.

9. AGREEMENT OUTLINE (Include reason for Agreement: Identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; include special or unusual terms and conditions.)
 STO agrees to provide services including but not limited to: Accounting, Budgeting, Legal Services, Information Technology Services, Information Security, Personnel, Business Services, Executive Office (policy direction and guidance) and Reporting Services to CPCFA, where applicable. Management from CPCFA and STO will meet regularly to prioritize and plan for CPCFA's existing and expanding program administrative support, and coordinate on all required reports to control agencies. This contract is necessary as the services identified above cannot be performed by CPCFA staff and must be performed by STO staff.

10. PAYMENT TERMS (More than one may apply)

- Monthly Flat Rate Quarterly One-Time Payment Progress Payment
 Itemized Invoice Withhold _____ % Advanced Payment Not To Exceed _____
 Reimbursement / Revenue _____ , or 100 %
 Other (Explain)

11. PROJECTED EXPENDITURES

FUND TITLE	ITEM	FISCAL YEAR	CHAPTER	STATUTE	PROJECTED EXPENDITURES
CPCFA	0974-501-0930.002	19/20	839	1979	\$574,877.00

OBJECT CODE 90001-5340220.001	AGREEMENT TOTAL	\$574,877.00
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OPTIONAL USE	AMOUNT ENCUMBERED BY THIS DOCUMENT \$574,877.00
	PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT \$0.00

I certify upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

	TOTAL AMOUNT ENCUMBERED TO DATE \$574,877.00
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ACCOUNTING OFFICER'S SIGNATURE	ACCOUNTING OFFICER'S NAME (Print or Type) Kim Moon	DATE SIGNED
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STATE OF CALIFORNIA
AGREEMENT SUMMARY

STD 215 (Rev. 08/2017)

AGREEMENT NUMBER CPCFA04-19	AMENDMENT NUMBER
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12. AGREEMENT

AGREEMENT	TERM FROM	TERM THROUGH	TOTAL COST OF THIS TRANSACTION	BID, SOLE SOURCE, EXEMPT
Original	07/01/2019	06/30/2020	\$574,877.00	Exempt
Amendment 1				
TOTAL			\$574,877.00	

13. BIDDING METHOD USED

- Request for Proposal (RFP) (Attach justification if secondary method is used)
 Use of Master Service Agreement
 Invitation for Bid (IFB)
 Exempt from Bidding (Give authority for exempt status)
 Sole Source Contract (Attach STD. 821)
 Other (Explain) SCM Vol. 1, Ch. 5.80.A.4

Note: Proof of advertisement in the State Contracts Register or an approved form STD. 821, Contract Advertising Exemption Request, must be attached

14. SUMMARY OF BIDS (List of bidders, bid amount and small business status) (If an amendment, sole source, or exempt, leave blank)

N/A - Interagency Agreement

15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, EXPLAIN REASON(S) (If an amendment, sole source, or exempt, leave blank)

N/A - Interagency Agreement

16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?

N/A - Interagency Agreement

17a. JUSTIFICATION FOR CONTRACTING OUT (Check one)

- Contracting out is based on cost savings per Government Code 19130(a). The State Personnel Board has been so notified.
 Contracting out is justified based on Government Code 19130(b). When this box is checked, a completed JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60 must be attached to this document.
 Not Applicable (Interagency / Public Works / Other _____)

17b. EMPLOYEE BARGAINING UNIT NOTIFICATION

- By checking this box, I hereby certify compliance with Government Code section 19132(b)(1).

AUTHORIZED SIGNATURE	SIGNER'S NAME (Print or Type) Renee Webster-Hawkins	DATE SIGNED
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18. FOR AGREEMENTS IN EXCESS OF \$5,000: Has the letting of the agreement been reported to the Department of Fair Employment and Housing? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	22. REQUIRED RESOLUTIONS ARE ATTACHED <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A 23. IS THIS A SMALL BUSINESS AND/OR A DISABLED VETERAN BUSINESS CERTIFIED BY DGS? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes SB/DVBE Certification Number: _____
19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	
20. FOR CONSULTING AGREEMENTS: Did you review any contractor evaluations on file with the DGS Legal Office? <input type="checkbox"/> None on file <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	
21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR? A. Contractor Certification Clauses <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A B. STD 204 Vendor Data Record <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	

24. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED? (If an amendment, explain changes if any)
 No (Explain below) Yes _____ % of Agreement

N/A - Interagency Agreement

25. IS THIS AGREEMENT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN THREE YEARS?
 No Yes (If Yes, provide justification below)

I certify that all copies of the referenced Agreement will conform to the original agreement sent to the Department of General Services.

SIGNATURE	NAME/TITLE (Print or Type) Renee Webster-Hawkins, Executive Director	DATE SIGNED
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AGREEMENT SUMMARY

STD 215 (Rev. 08/2017)

AGREEMENT NUMBER

CPCFA04-19

AMENDMENT NUMBER

JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60

In the space provided below, the undersigned authorized state representative documents, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions set forth in Government Code section 19130(b). Please specify the applicable subsection. Attach extra pages if necessary.

N/A - Interagency Agreement

The undersigned represents that, based upon his or her personal knowledge, information or belief the above justification correctly reflects the reasons why the contract satisfies Government Code section 19130(b).

SIGNATURE	NAME/TITLE <i>(Print or Type)</i> Renee Webster-Hawkins, Executive Director	DATE SIGNED	
PHONE NUMBER (916) 654-5610	STREET ADDRESS 801 Capitol Mall, 2nd Floor		
EMAIL rwebster-hawkins@sto.ca.gov	CITY Sacramento	STATE CA	ZIP 95814