

Staff Report 42

PARTY:

California State Lands Commission (Commission)

PROPOSED ACTION:

~~Authorize the Executive Officer or her designee to negotiate fair and reasonable prices not exceeding \$250,000 for the contract term, and award and execute an agreement to provide various media services that facilitate public Commission meetings through a Small Business Option solicitation (Gov. Code, § 14838.5; Pub. Contract Code, § 10335.5 subd. (c)(6) and 10340 subd. (b)(6)), (Bidders must be a Small Business or Micro Business certified by the State of California, Department of General Services, Office of Small Business (OSDS)) bids, pursuant to the requirements of the Public Contract Code and current State policies and procedures. to award and execute an agreement to provide services, including webcasting and other related audio/visual media support services, to facilitate public Commission meetings resulting from solicitation by appropriate procurement methods for small business and microbusiness contracts and negotiations of fair and reasonable prices not exceeding \$250,000 for the contract term.~~

STAFF ANALYSIS AND RECOMMENDATION:

The Bagley-Keene Open Meeting Act requires that all meetings of the Commission shall be open to the public. As such, making the Commission's meetings available statewide through quality video recording is an important function of the Commission. The Commission's meetings have been digitally recorded, webcast, and archived on the web since 2009. Links to the recordings are available on the Commission's website (<http://archives.slc.ca.gov/>).

The Commission seeks to have its public meetings broadcast live over the internet, hosted at the selected contractor's website, and have the video recordings archived at the contractor's website that is made available through a link on the Commission's website at <http://www.slc.ca.gov/>. The Contractor selected will

provide the following multi-faceted audio/visual media support services to the Commission at a high quality and professional level: audio/visual recording, webcasting, presentation support for hybrid meetings (including in-person, virtual, and phone-in public comment), secure and non-secure webpage development and hosting, video post-production, and open captioning for the Commission meetings.

AUTHORITY:

Public Resources Code sections 6005, 6106 and 6216; Government Code sections 14838.5 and 19130; Public Contract Code section 10335 et seq.; State Contracting Manual, vol. 1 5.80, subd. (A)(9) (rev. 04/22)

STATE'S BEST INTERESTS:

At the time this staff report is published, staff has issued a solicitation for a consultant to facilitate the Commission's public meetings and other related audio/visual media support services, within the parameters of the Small Business Option of state contracting. Staff recommends delegating authority to the Executive Officer or her designee to award, negotiate and execute an agreement based on the results of this solicitation. Consultant selection is being conducted pursuant to the requirements of the California Government Code and Public Contract Code and current State regulations, policies, and procedures, including those specified in the Commission's regulations and the State Contracting Manual, and is being based on demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required. Live webcasting of the Commission's public meetings is in the State's best interests because it provides the public with real-time transparency of, and the opportunity to participate in, government deliberation and decision-making as required by the Bagley-Keene Open Meeting Act.

CONCLUSION:

For the reasons above, staff believes the proposed authority for the Executive Officer to award, negotiate fair and reasonable prices, and execute an agreement to provide various media services for public Commission meetings based on the results of a Small Business Option procurement method of solicitation, is in the State's best interests. The award of a final contract is contingent upon Commission approval of this staff report and its recommendations.

OTHER PERTINENT INFORMATION:

1. Authorization to award, negotiate, and to enter into a service agreement are not projects as defined by CEQA because they are administrative actions that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

2. By providing transparency and active participation in government deliberation and decision-making through live webcasting of its public meetings, the Commission seeks to fulfill its broader Mission goals, as well as its Vision, Values, and Guiding Principles. More specifically, this action is consistent with the "Leveraging Technology" Strategic Focus Area of the Commission's 2021-2025 Strategic Plan.

RECOMMENDED ACTION:

It is recommended that the Commission:

1. Find that meeting facilitation and media services for public Commission meetings are highly specialized and technical in nature such that the necessary expert knowledge, experience, and ability are not available through the civil service system.
2. Find that meeting facilitation and media services rendered for public Commission meetings, approximately six times a year, is both a temporary and occasional service and the delay incumbent in their implementation under civil service would frustrate their very purpose.
3. Find that it is in the best interests of the state to seek meeting facilitation and media services from a small business as defined in California Government Code section 14837, subdivision (d)(1)(B) because doing so will both fulfil an important public service and advance the state's goals under the Small Business Procurement and Contract Act to support and protect small businesses.

AUTHORIZATION:

Authorize the Executive Officer or her designee to negotiate fair and reasonable prices not exceeding \$250,000 for the contract term, and award and execute an agreement to provide various media services that facilitate public Commission meetings through a Small Business Option solicitation (Gov. Code, §

14838.5; Pub. Contract Code, § 10335.5 subd. (c)(6) and 10340 subd. (b)(6)), (Bidders must be a Small Business or Micro Business certified by the State of California, Department of General Services, Office of Small Business (OSDS)) bids, pursuant to the requirements of the Public Contract Code and current State policies and procedures.