



Suspension of Competition Acquisition Request

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1. Fully describe the product(s) and/or service(s) being requested.
The County is in need of an attorney who can provide legal advice and representation relating to lawsuit(s) against employee(s) of the County.
2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.
Fishman, Larsen & Callister, a Professional Corporation
Attn: Doug Larsen
7112 North Fresno Street, Suite 450
Fresno, CA 93720
3. What is the total cost of the acquisition? If an agreement, state the total cost of the initial term and the amounts for potential renewal terms.
There is no increase in net County cost associated with this action. The total estimated cost to the County for the legal services is included in the Risk Management Internal Service Fund (ISF). All costs will be recovered through rates charged to County departments for general liability and medical malpractice coverage by the Risk Management ISF.
4. Identify the unique qualities and/or capabilities of the service(s) and/or product(s) that qualify this as a Suspension of Competition acquisition.
The General Liability program employs attorneys which have contracts to represent Fresno County. The attorney who has a contract to represent the County of Fresno may not be able to represent our employee(s) since there could exist a conflict of interest. In an abundance of caution, it is necessary to hire an attorney of Fishman, Larsen & Callister, a Professional Corporation, who specializes in employment law and who does not represent the County of Fresno in any lawsuits.
5. Identify from Administrative Policy #34 what circumstances constitute a Suspension of Competition.
 - ☐ In an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property.
 - ☐ When the contract is with a federal, state, or local governmental agency.
 - ☐ When the department head, with the concurrence of the Purchasing Agent, finds that the cost of preparing and administering a competitive bidding process in a particular case will equal or exceed the estimated contract amount or \$2,500 whichever is more.
 - ☐ When a contract provides only for payment of per diem and travel expenses and there is to be no payment for services rendered.
 - ☒ When obtaining the services of expert witnesses for litigation or special counsel to assist the County.
 - ☐ When in unusual or extraordinary circumstances, the Board of Supervisors or the Purchasing Agent/Purchasing Manager determines that the best interests of the County would be served by not securing competitive bids or issuing a request for proposal.
6. Explain why the unique qualities and/or capabilities described above are essential to your department.
The General Liability program needs to employ an attorney who does not have a contract with Fresno County and is not representing Fresno County in other lawsuits.
7. Provide a comprehensive explanation of the research done to verify that the recommended vendor is the only vendor with the unique qualities and/or capabilities stated above. Include a list of all other vendors contacted, what they were asked, and their responses.
This is the only qualified attorney in town that we found and also that does not have claims against the County or contracted to do work for us.

bmims 7/6/2018 3:46:08 PM

Requested By:

Title

Sign] Double click!

I approve this request to suspend competition for the service(s) and/or product(s) identified herein.

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Department Head Signature

Sign] Double click!

