



Macros Must Be Enabled -- Please Re-open and Enable

Suspension of Competition Acquisition Request

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1. Fully describe the product(s) and/or service(s) being requested.
Specialized legal services, provided by Liebert Cassidy Whitmore (LCW), in regards to upcoming contract negotiations with various bargaining units. LCW will assist the County during MOU negotiations.
2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.
Liebert Cassidy Whitmore.
POC: Shelline Bennett
5250 N. Palm Ave. #310
Fresno, CA. 93704
Ph: 559.256.7800
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.
\$175,000
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.
LCW is one of the foremost authorities in the realm of Labor Relations and Collective Bargaining and is uniquely qualified due to their familiarity with Fresno County as they have represented the County in various labor related matters such as arbitration and mediation. They have also acted as consultants to County representatives during negotiations. Furthermore, LCW has a track record of successfully negotiating thousands of agreements on behalf of many California counties.
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.
This year, Fresno County will be meeting and negotiating labor agreements with 11 of the County's 23 bargaining units. Most of these agreements are set to expire within a one-month period (end of June through end of July, 2018). It is anticipated that these negotiations will give rise to a need for specialized legal advice as well. The Dept of HR does not have sufficient staff to handle the negotiations, nor does County Counsel have sufficient staff with sufficient expertise to handle the negotiations. It is imperative to obtain specialized legal services, from a law firm familiar with the County of Fresno and its labor negotiations, to handle the work within the time frames established.
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.
LCW is the only local firm that has the expertise and knowledge to handle the work within the short timeframes established. Therefore, no other law firms were contacted.

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Requested By:

HR Analyst III

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!

E-PD-048 (02-2013)

