



Suspension of Competition Acquisition Request

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1. Fully describe the product(s) and/or service(s) being requested.
Specialized legal, HR consultation services, and training provided by Liebert Cassidy Whitmore (LCW).
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.
\$100,000
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 leading authorities in Labor Relations and Collective Bargaining, and is uniquely qualified due to their familiarity with Fresno County (as well as surrounding jurisdictions and public agencies all around the State) as they have represented County Management in various labor related matters such as arbitration and mediation. They have also acted as consultants to County Management regarding highly specialized, complicated, and sensitive personnel matters.
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.
In 2018 and 2019, California's previous Governor signed into law many bills impacting public sector employees and employers. LCW has been instrumental in assisting County management with smooth implementation of those new laws and their impacts to County practices and policy. The County anticipates ongoing legislative changes to impact employer-employee relations.
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.
Every year the Department of Human Resources evaluates the need to contract with special counsel regarding employee-employer relations and negotiations, and to date, LCW is the only local firm that possesses the expertise and knowledge to administer services within the timeframes established. The Dept anticipates continuous shifting in labor laws affecting the employer-employee relationship and will need to rely on the subject matter experts of LCW to provide necessary consultation and training services to the County. Additionally, LCW has a significant labor law presence in the Central Valler, including LCW's Regional Training Consortium that has been attended by hundreds of County employees, access to legal experts in all areas of labor law Statewide through their five office, and lastly, has the full support and trust of County Counsel.

adelacruz 12/20/2019 1:57:18 PM

Requested By:

HR Analyst III

Title

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

pnerland 1/14/2020 12:03:03 PM

Department Head Signature

[\[✕ Sign\]](#) Double click!

gcornuelle 1/15/2020 1:12:06 PM

Purchasing Manager Signature

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