County of Fresno

Hall of Records, Rm. 301
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Legislation Details (With Text)

File #:	19-1373	**Name:**	Agreement with Liebert Cassidy Whitmore - Negotiations
		In control:	Human Resources
On agenda:	2/4/2020	**Final action:**	2/4/2020
Enactment date:		**Enactment #:**	Agreement No. 20-056

Title: Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances when obtaining the services of counsel to assist the County; and, approve and authorize the Chairman to execute an Agreement with Liebert Cassidy Whitmore to provide specialized legal services as lead negotiator during upcoming Memorandum of Understanding negotiations, effective February 4, 2020 through February 3, 2023 ($275,000)

Sponsors: Human Resources

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Suspension of Competition Acquisition Request, 3. Agreement A-20-056 with LCW

Date	Ver.	Action By	Action	Result
2/4/2020	1	Board of Supervisors	Conducted Hearings	Pass

DATE: February 4, 2020

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, Director of Human Resources

SUBJECT: Agreement with Liebert Cassidy Whitmore

RECOMMENDED ACTION(S):

1. **Make a finding that it is in the best interest of the County to suspend the competitive bid process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances when obtaining the services of counsel to assist the County; and,**
2. **Approve and authorize the Chairman to execute an Agreement with Liebert Cassidy Whitmore to provide specialized legal services as lead negotiator during upcoming Memorandum of Understanding negotiations, effective February 4, 2020, through February 3, 2023 ($275,000)**

Approval of the recommended actions would allow Liebert Cassidy Whitmore (LCW) to assist and/or represent the County during upcoming Memorandum of Understanding (MOU) negotiations.

ALTERNATIVE ACTION(S):

If the Board were not to approve the recommended actions, all contract negotiations would be handled internally.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Department requests to waive the competitive bidding process consistent with Administrative Policy No.

34 because LCW is the only local firm that possesses the expertise and knowledge to administer services within the timeframes established. The Department recommends that your Board waive the competitive bidding process based on the need to obtain special counsel to assist the County of Fresno (County). The Internal Services Department - Purchasing concurs with the Department's request to waive the competitive bidding process.

FISCAL IMPACT:

There is no increase in Net County Cost (NCC) associated with the recommended actions. The estimated cost associated with the recommended actions is approximately $275,000. Sufficient appropriations have been included in the Department of Human Resources Org 1010 FY 2019-20 Adopted Budget, and will be included in subsequent budget requests.

DISCUSSION:

Each year the Department of Human Resources, Labor Relations Division, meets with those bargaining units whose contracts have or will be expiring in order to conduct good faith negotiations for successor MOUs. In 2020, negotiations will begin with 19 of 23 bargaining units within the County. This does not include MOU reopeners and other matters managed by Labor Relations. In order to conduct efficient and effective negotiations with the various units in a timely manner, the Department recommends enlisting the services of LCW to assist the County during the upcoming successor MOU negotiations.

LCW is recognized as a foremost authority and subject matter expert in Labor Relations and Collective Bargaining and has represented the County in various legal matters. The Department has determined that it is in the best interest of the County to utilize these services for the aforementioned contract negotiations, as the need arises.

REFERENCE MATERIAL:

BAI#27, January 9, 2018 - Liebert Cassidy Whitmore Specialized Legal Services Agreement

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with LCW
Suspension of Competition Acquisition Request

CAO ANALYST:

Debbie Paolinelli