



Midpeninsula Regional  
Open Space District

R-13-38  
Meeting 13-08  
May 8, 2013

## AGENDA ITEM 7

### AGENDA ITEM

Amend the Contract Agreement with Liebert Cassidy Whitmore to Increase the Total Contract Amount by \$30,000 to a Not To Exceed Amount of \$55,000 for Expanded Employment Relations Consulting Services and Extend the Contract Term by Twelve Months

### GENERAL MANAGER'S RECOMMENDATION

Authorize the General Manager to amend the professional services contract with Liebert Cassidy Whitmore as follows:

1. Increase the total contract amount by \$30,000 from \$25,000 to a not to exceed amount of \$55,000 for expanded employment relations consulting services.
2. Extend the contract by twelve months from June 30, 2013, to June 30, 2014.

### SUMMARY

The District has maintained an annual agreement with Liebert Cassidy Whitmore for employment relations consulting services for a not to exceed amount for \$25,000. The District anticipates an increase in the need for these services over the next year and recommends adding an additional \$30,000 for a total not to exceed amount of \$55,000.

### DISCUSSION

The District entered into an agreement with Liebert Cassidy Whitmore for the period of July 1, 2012 through June 30, 2013 for a not to exceed amount of \$25,000. This amount is comprised of \$3,142 for participation in the labor consortium which provides the District access to five days of group training workshops on employee relations group training workshops, telephone consultations with Attorney, and a monthly newsletter covering employment relations developments. The balance of the contract is for representational, litigation, and other employment relations services requested by the District and is billed at an hourly rate for attorney staff (\$180 to \$300 per hour) and paraprofessional staff (\$105 to \$140 per hour).

The District anticipates an increased need for employment relations consulting services in the upcoming year to address specific issues, including: implementation of the Memorandum of

Agreement (MOA) with the Field Employees Association, grievances, occasional disciplinary actions, review of the MOA for compliance with the Federal Fair Labor Standards Act (FLSA) and related state law, and other complex labor issues. In order to secure these services, it is recommended to increase the contract by \$30,000 and extend the term to March 30, 2014.

**FISCAL IMPACT**

Funds for this contract were included in the Adopted FY2013-14 Budget approved by the Board on March 13, 2013 (Report R-13-35).

**BOARD COMMITTEE REVIEW**

This request was reviewed and approved by the Action Plan and Budget Committee (ABC) on March 7, 2013.

**PUBLIC NOTICE**

Notice has been provided as required by the Brown Act. No additional notice is required.

**CEQA COMPLIANCE**

The proposed action is not a project under the California Environmental Quality Act (CEQA) and no environmental review is required.

**NEXT STEP**

Upon Board authorization, the General Manager will amend the contract with Liebert Cassidy Whitmore for an additional \$30,000 and extend the term to March 30, 2014.

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