



City of Arts & Innovation

# City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: JUNE 28, 2022

FROM: HUMAN RESOURCES DEPARTMENT      WARDS: ALL

SUBJECT: FOURTH AMENDMENT TO THE PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH LIEBERT CASSIDY WHITMORE FOR COLLECTIVE BARGAINING SERVICES THROUGH JUNE 30, 2023, TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$450,000

**ISSUE:**

Approve the Fourth Amendment to the Professional Consultant Services Agreement between the Human Resources Department and Liebert Cassidy Whitmore to provide collective bargaining services and extend the term through June 30, 2023.

**RECOMMENDATION:**

That the City Council:

1. Approve the Fourth Amendment to the current Professional Consultant Services Agreement with Liebert Cassidy Whitmore to provide collective bargaining services for an extended term of July 1, 2022, through June 30, 2023; and
2. Authorize the City Manager, or his designee, to execute the Fourth Amendment to the Professional Consultant Services Agreement with Liebert Cassidy Whitmore, including making minor and non-substantive changes.

**BACKGROUND:**

On June 18, 2019, the City Council approved the Professional Consultant Services Agreement with Liebert Cassidy Whitmore to provide collective bargaining services for a one-year term with an option to extend for two additional one-year terms through June 30, 2022. The award and selection were made as part of a formal solicitation and Request for Proposal (RFP #1893) for Collective Bargaining Services conducted by the Human Resources Department.

Liebert Cassidy Whitmore has acted as the principal advisor to the City of Riverside's executive management team, providing labor relations and lead negotiation services, which includes advising the City Manager, Finance Department, and the Human Resources Department, and assisting the City of Riverside in meeting and conferring in good faith with representatives of recognized labor organizations.

## **DISCUSSION:**

The City of Riverside currently has nine Memorandums of Understanding (MOU) with the following labor unions:

1. Riverside City Fire Administrators (RCFA)
2. Riverside Fire Management Group (RFMG)
3. International Brotherhood of Electrical Workers (IBEW)
4. International Brotherhood of Electrical Workers (IBEW) Supervisory
5. Riverside Police Officers Association (RPOA)
6. Riverside Police Officers Association (RPOA) Supervisory
7. Riverside Police Administrators Association (RPAA) Management
8. Service Employee International Union (SEIU)
9. Service Employee International Union (SEIU) Refuse

All existing Memorandums of Understanding are expired. The City is expected to continue the collective bargaining process with each union to mutually agree on the terms and working conditions covered by collective bargaining. Liebert Cassidy Whitmore has proven to deliver exceptional services and has worked with the City providing highly competent legal advice, representation, negotiation, and collective bargaining services.

The final amendment to the current Agreement with Liebert Cassidy Whitmore expires June 30, 2022. The Human Resources Department is requesting that the Professional Consultant Services Agreement with Liebert Cassidy Whitmore be extended to June 30, 2023. Purchasing Resolution No. 23812, Section 1104 states, "Modifications to a Purchase Order shall be made only by Change Order. Subject to availability of funds, Change Orders may be utilized for purposes of...(5) modifying contract completion time or the term of an Contract...Unless otherwise specifically authorized by the Awarding Entity, Change Orders which cumulatively exceed the following will require Awarding Entity approval:...(d) A Contract amendment which extends the term of the agreement beyond one year of the original expiration date."

The Purchasing Manager concurs that the recommendation to approve is in compliance with Purchasing Resolution No. 23812.

## **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 5 – High Performing Government** and **Goal No. 5.3** Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – The City follows a transparent and fair procurement and extension process by sharing relevant information about all contracts.
2. **Equity** – The services offered through this agreement are used across all departments of the City.
3. **Fiscal Responsibility** – There is no funding associated with this report. However, the updated agreement with Liebert Cassidy Whitmore ensures that quality services are

provided to all.

4. **Innovation** – This agreement exemplifies that the City continues to develop collaborative partnerships and adaptive, consistent processes.
5. **Sustainability & Resiliency** – Risk is mitigated when subject matter experts are utilized. Ultimately resulting in a workforce that is confident that the collective bargaining process was handled in good faith.

## **FISCAL IMPACT**

There is no fiscal impact associated with extending the term of the Liebert Cassidy Whitmore Agreement for this additional one-year term and there will be no additional costs for the Human Resources Department.

Prepared by:	Rene Goldman, Human Resources Director
Certified as to availability of funds:	Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/City Treasurer
Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney
Attachment:	Fourth Amendment to Professional Consultant Services Agreement with Liebert Cassidy Whitmore