

BOARD MEETING DATE: April 3, 2020

AGENDA NO. 14

**PROPOSAL:** Establish List of Prequalified Legal Counsel to Provide Employee and Labor Relations Legal Services

**SYNOPSIS:** On January 10, 2020, the Board approved release of an RFP to prequalify outside legal counsel with expertise in handling employee and labor relations matters. This action is to establish a list of prequalified counsel to advise and represent South Coast AQMD in employee and labor relations matters. Funds for these services have been included in the FY 2019-20 Budget and will be requested in successive fiscal years.

**COMMITTEE:** No Committee Review

**RECOMMENDED ACTIONS:**

1. Approve the eight law firms listed in the Attachment as prequalified to provide employee and labor relations services through June 30, 2023; and
2. Authorize the Executive Officer to execute contracts and amendments, with the option of two one-year extensions, with one or more of these firms, as the need arises, in a total amount not to exceed \$200,000 per fiscal year.

Wayne Natri  
Executive Officer

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**Background**

Legal services provided by firms on the prequalified list may include advising and representing South Coast AQMD on various employee and labor relations matters, and providing expert legal advice and formal opinions with respect to employer-employee matters to assist South Coast AQMD in meeting its legal obligations as an employer and in achieving fair and effective relations with employees.

The current list of prequalified outside labor and employment legal counsel has expired. RFP #P2020-06 was released on January 10, 2020, to seek proposals from law firms interested in being prequalified to provide services over the next period.

### **Proposal**

This proposal is to establish a list, valid through June 30, 2023, of eight law firms that have been prequalified to provide employee and labor relations legal services for South Coast AQMD. The recommended list of prequalified law firms is set forth in the Attachment. This proposal is also to authorize the Executive Officer to execute contracts (or extend an existing contract) with one or more of these firms, as needed, in a combined amount not to exceed \$200,000 per fiscal year over the term of the list.

Selection of a law firm for particular legal matters will be based on the individual firm's specific experience and expertise, as identified in its proposal, and on prior relevant experience, the needs of the particular project, and the firm's availability.

### **Outreach**

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the RFP/RFQ and inviting bids was published in the Los Angeles Times, the Orange County Register, the San Bernardino Sun, and Riverside County Press Enterprise newspapers to leverage the most cost-effective method of outreach to the entire South Coast Basin.

Additionally, potential bidders may have been notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the RFP/RFQ has been mailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations, the State of California Contracts Register website, and placed on the Internet at South Coast AQMD's website (<http://www.aqmd.gov>). Information was also available on South Coast AQMD's bidder's 24-hour telephone message line (909) 396-2724.

### **Bid Evaluation**

One hundred fifty-one copies of the RFP were mailed to law firms in California. Fourteen proposals were received by 1:00 p.m. on February 11, 2020, the deadline for submittal. An evaluation panel rated proposals according to criteria described in the RFP. The Attachment lists the firms that were deemed qualified to provide employee and labor relations legal services.

The three-member evaluation panel consisted of three South Coast AQMD employees - a Senior Deputy District Counsel, a Principal Deputy District Counsel and the DEO of Administrative & Human Resources. Of these, one is Asian, one is White, one is Hispanic; two females, one male.

**Resource Impacts**

An amount not to exceed \$200,000 per fiscal year for employee and labor relations legal services was included in the current budget. Funds for subsequent years will be included in subsequent budget requests.

**Attachment**

Recommended List of Prequalified Legal Counsel to Provide Employee and Labor Relations Legal Services

## **ATTACHMENT**

### **EVALUATION OF PROPOSALS FOR RFP #P2020-06**

#### **Prequalified Legal Counsel to Provide Employee and Labor Relations Legal Services**

<b>Rank</b>	<b>Firm/Lead Attorney</b>	<b>Eval. Score</b>	<b>Cost Score</b>	<b>Add'l Pts</b>	<b>Total Score</b>
<b>1</b>	WILEY PRICE & RADULOVICH, LLP	65	25	10	100
2	BURKE, WILLIAMS & SORENSEN, LLP	70	23	7	100
3	MUSICK, PEELER & GARRETT LLP	66	25	7	98
4	LIEBERT CASSIDY WHITMORE	74	21	0	95
5	BEST BEST & KRIEGER LLP	70	25	0	95
6	ATKINSON, ANDELSON, LOYA, RUUD & ROMA	72	20	2	94
7	JACKSON LEWIS	65	12	0	77
8	LITTLER MENDELSON, P.C.	67	2	0	69