



MEMORANDUM
COUNTY EXECUTIVE OFFICE
ADMINISTRATION
County of Placer

TO: Honorable Board of Supervisors
FROM: David Boesch, County Executive Officer
By: Andy Heath, Assistant County Executive Officer
DATE: September 27, 2016
SUBJECT: Contract Amendment with Liebert, Cassidy, Whitmore

ACTION REQUESTED

Approve an amendment to contract CN13544 with Liebert Cassidy Whitmore for legal services related to the Placer Correction and Probation Officer's Association (PCPOA) Unit Modification appeal process in the amount of \$50,000, for a new total contract maximum amount of \$135,000.

BACKGROUND

On September 1, 2015, the County Employee Relations Officer (ERO) and the PCPOA brought to the Board of Supervisors an appeal by the PCPOA of the ERO's determination that the proposed unit of Probation Officers and Correction Officers was not an appropriate unit. The Board of Supervisors approved the referral of the dispute to a third party hearing process and having a hearing officer provide an advisory recommendation to the Board with the Board issuing a final decision.

This contract provides that Liebert Cassidy Whitmore performs professional legal services as needed as associate counsel with respect to the representation of the County ERO and the administration of the Placer County Employer-Employee Relations Policy related to the PCPOA petitions and appeal processes. The contract amendment will allow for payment on outstanding invoices and final close out billing for services performed and completed.

FISCAL IMPACT

The cost of the amendment with Liebert Cassidy Whitmore to provide professional services related to the PCPOA Unit Modification is \$50,000 and is budgeted in the FY 2016-17 Final Budget in the department of the County Executive Office.

ATTACHMENTS

Attachment 1 - Contract Amendment

Description: CEO/Human Resources (PCPOA Unit Modification)
Contract No.: CN13544
Administering Agency: CEO/Human Resources

AMENDMENT TO CONTRACT NUMBER CN13544 – CEO/Human Resources (PCPOA Unit Modification)

TO PROVIDE PROFESSIONAL SERVICES

Liebert Cassidy Whitmore – Professional Legal Services
6033 W. Century Blvd., 5th Floor
Los Angeles, CA 90045

(310) 981-2000

RE: Contract Amendment for Professional Legal Services
Case title: PCPOA Unit Modification

WHEREAS, the County of Placer and LCW - Liebert Cassidy Whitmore have heretofore entered into a Contract whereby professional services would be provided to the County; and

WHEREAS, the parties desire to amend said Contract.

NOW, THEREFORE, IT IS MUTUALLY AGREED by and between the parties as follows:

1. That Paragraph 5, of the original contract, shall be amended in that the contract ceiling shall be \$ 135,000 rather than \$85,000. Said paragraph shall read as follows:

Amount of Payment. County shall pay SECOND PARTY for final close out billing for services performed and completed, and reasonable costs and expenses incurred, as set forth in the Payment Schedule noted as Exhibit "B" up to a maximum of One Hundred Thirty-Five Dollars (\$135,000).

2. That Paragraph 2, of Exhibit B, under LEGAL FEES, shall be amended to include the following attorney:
Jeffrey C. Freedman, Partner, with an hourly rate of \$325

EXCEPT as specifically modified above, all of the remaining terms and conditions of said contract shall remain and continue in full force and effect.

COUNTY OF PLACER: "COUNTY"

By: _____
Robert Weygandt, Chair, Board of Supervisors

DATED: _____

SECOND PARTY:

BY: Steven M. Babner
LCW – Liebert Cassidy Whitmore

DATED: 9/15/16

Approved as to Form: _____
Placer County Counsel's Office

DATED: _____