

AGREEMENT FOR SPECIAL SERVICES

This Agreement is entered into between the Monterey Bay Area Self Insurance Authority, hereinafter referred to as "Agency," and the law firm of LIEBERT CASSIDY WHITMORE, A Professional Corporation, hereinafter referred to as "Attorney."

WHEREAS Agency has the need to secure expert training and consulting services to assist Agency in its workforce management and employee relations; and

WHEREAS Agency has determined that no less than thirty-four (34) public agencies in the Monterey Bay area have the same need and have agreed to enter into identical agreements with Attorney; and

WHEREAS Attorney is specially experienced and qualified to perform the special services desired by the Agency and is willing to perform such services;

NOW, THEREFORE, Agency and Attorney agree as follows:

Attorney's Services:

During the year beginning January 1, 2024, Attorney will provide the following services to Agency (and the other aforesaid public agencies):

1. Five (5) day of group training workshops covering such employment relations subjects as management rights and obligations, negotiation strategies, employment discrimination and affirmative action, employment relations from the perspective of elected officials, performance evaluation (administering evaluations), grievance and discipline administration for supervisors and managers, planning for and responding to concerted job actions, current court, administrative and legislative developments in personnel administration and employment relations, etc., with the specific subjects covered and lengths of individual workshop presentations to be determined by Agency and the other said local agencies.

It is expressly understood that the material used during these presentations, including written handouts and projected power points are provided solely for the contracted workshops. This agreement warrants there will be no future use of Liebert Cassidy Whitmore material in other trainings or formats without the expressed written permission of Liebert Cassidy Whitmore. Any such use will constitute a violation of this agreement and copyright provisions.

2. Availability of Attorney for Agency to consult by telephone. Consortium calls cover questions that the attorney can answer quickly with little research. They do not include the review of documents, in depth research, written responses (like an opinion letter) or advice on on-going legal matters. The caller will be informed if the question exceeds the scope of consortium calls. Should the caller request, the attorney can assist on items that fall outside the service, but these matters will be billed at the attorney's hourly rate. (See additional services section.)
3. Providing of a monthly newsletter covering employment relations developments.

Fee:

Attorney will provide these special services to Agency for a fee of Thirty Nine Thousand Five Hundred Dollars (\$39,500.00) payable in one payment prior to April 1, 2024. The fee, if paid after April 1, 2024 will be \$39,600.00.

Said fee will cover Attorney's time in providing said training and consultative services and the development and printing of written materials provided to attendees at the training programs.

The Annual membership fee is broken down as follows:

City of Capitola (\$3,950.00)
City of Greenfield (\$3,950.00)
City of Hollister (\$3,950.00)
City of King City (\$3,950.00)
City of Marina (\$3,950.00)
City of Sand City (\$3,950.00)
City of Scotts Valley (\$3,950.00)
City of Soledad (\$3,950.00)
City of Gonzales (\$3,950.00)
City of Del Rey Oaks (\$3,950.00)

Additional Services:

Attorney shall, as and when requested by Agency, make itself available to Agency to provide representational, litigation, and other employment relations services. The Agency will be billed for the actual time such representation services are rendered, including reasonable travel time, plus any necessary costs and expenses authorized by the Agency.

The range of hourly rates for Attorney time is from Two Hundred Sixty to Four Hundred Forty-Five Dollars (\$260.00 - \$445.00) per hour for attorney staff, Two Hundred Eighty Dollars to Two Hundred Ninety Dollars (\$280.00 - \$290.00) per hour for Labor Relations/HR Consultant and from One Hundred Forty-Five to One Hundred Eighty-Five Dollars (\$145.00 - \$185.00) per hour for services provided by paraprofessional and litigation support staff. Attorneys, paraprofessional and litigation support staff bill their time in minimum units of one-tenth of an hour. Attorney reviews its hourly rates on an annual basis and if appropriate, adjusts them effective July 1.

Independent Contractor:

It is understood and agreed that Attorney is and shall remain an independent contractor under this Agreement.

The term of this Agreement is twelve (12) months commencing January 1, 2024. The term may be extended for additional periods of time by the written consent of the parties.

Condition Precedent:

It is understood and agreed that the parties' aforesaid rights and obligations are contingent on no less than thirty-four (34) local agency employers entering into a substantially identical Agreement with Attorney on or about January 1, 2024.

LIEBERT CASSIDY WHITMORE
A Professional Corporation

**MONTEREY BAY AREA SELF INSURANCE
AUTHORITY**

By: 

J. Scott Tiedemann / Managing Partner

By: 

Date: 2-16-2024

Name: Conor Boughey

Title: MBASIA Program Administrator

Date: 2/26/2024

INVOICE

February 15, 2024

Conor Boughey
Program Administrator
Monterey Bay Area Self Insurance Authority
560 Mission Street, 6th Floor
San Francisco, CA 94105

(MO190-10000)
INVOICE NUMBER:257400

MONTEREY BAY EMPLOYMENT RELATIONS CONSORTIUM

Membership: 1/01/2024 through 12/31/2024

Please make your check out for one of the following amounts:

ERC Membership	\$39,500.00	<input type="checkbox"/>
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Note: Please send us a copy of this invoice along with your payment.

For more information about the Liebert Library, please visit www.liebertlibrary.com, or email library@lcwlegal.com.

*If ERC Membership paid after April 1, 2024 amount due is \$39,600.00
(Includes \$100.00 late fee)*