

Memorandum

Administrative Services Department



To: Thomas Thomas, City Manager
Subject: Labor Counsel Legal Services Recommendation
Date: May 9, 2012

The Administrative Services Department conducted a Request-for-Qualifications (RFQ) for Labor Counsel Legal Services. RFQ's were mailed on March 16, 2012 with a deadline for return of April 6, 2012. The Administrative Services Department also placed a legal notification with the Rock Island Argus/Daily Dispatch on Monday, March 19, 2012.

The Administrative Services Department received two responses from the following law firms: Califf & Harper (Art Eggers) and Pappas, O'Connor & Fildes (Matt Pappas). Califf and Harper is the incumbent law firm providing labor counsel services.

The labor counsel attorney is expected to provide the following legal services to the City of Rock Island:

1. Participation in collective bargaining agreement negotiations as required.
2. Representation of the City for interest arbitration.
3. Assistance in reviewing personnel actions.
4. Assistance in grievance responses
5. Representation for grievance arbitration.
6. Employment law representation.
7. Policy review.
8. Unfair Labor Practice representation
9. Other services as required by the City.

The department initially reviewed each firm primarily on the technical competencies identified in the evaluation and selection portion of the RFQ. This included understanding of project, cost of services, technical competencies (eg. professional qualifications/experience, litigation experience in area of law, specialized experience of the proposer and personnel committed to project, and performance of the proposer on other contracts), compliance with insurance requirements, submission of licenses/permits and completion of the Equal Employment Opportunity policy.

A decision was made to interview two attorneys for this service: Art Eggers and Matt Pappas based on their ability to provide the services requested. Interviews were conducted on April 30 (Eggers) and May 3 (Pappas). Scripted questions were asked to gain an understanding of each attorney's technical competency as it related to the legal services requirements of the City.

The Selection Advisory Committee (City Manager, Assistant City Manager/Public Works Director, City Attorney and Administrative Services Director) participated in the interview process. At the conclusion of the interviews, the SAC discussed the strengths and weaknesses of each attorney with

primary responsibility for administering the labor counsel contract.

The SAC concluded that Mr. Pappas has demonstrated the ability to provide the full range of legal services required in the RFQ. In addition, the rates offered by Pappas, O'Connor and Fildes will be approximately \$31,265 less over the three-year contract period (see attachment 1).

Recommendation: Effective July 1, 2012, City Council approves a three-year contract with Pappas, O'Connor and Fildes (Matt Pappas) at the rate of \$165.00 per hour starting July 1, 2012, \$170.00 per hour starting July 1, 2013 and \$175.00 per hour starting July 1, 2014 and authorize the City Manager to execute a future contract document with Pappas, O'Connor and Fildes for labor counsel services.

Submitted By: John Thorson, Administrative Services Director

Approved By: Thomas Thomas, City Manager

ATTACHMENT 1

LABOR COUNSEL LEGAL SERVICE (HOURS)

		Califf & Harper			Pappas, O'Connor & Fildes		
	Labor Counsel	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
Hourly Rate	Hours	\$185	\$185	\$190	\$160	\$165	\$170
Total	481.0	\$88,985	\$88,985	\$91,390	\$76,960	\$79,365	\$81,770
				\$269,360			\$238,095