



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/06/2024

ITEM NO: 12

DATE: July 25, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Sixth Amendment to a Special Services Agreement with Liebert Cassidy Whitmore (LCW) to Update the Fee Schedule for Hourly Rates

RECOMMENDATION:

Authorize the Town Manager to execute a Sixth Amendment (Attachment 1) to a special services agreement with Liebert Cassidy Whitmore (LCW) to update the fee schedule for LCW hourly rates.

BACKGROUND:

In 2018, Liebert Cassidy Whitmore (LCW) was selected as a sole source provider for labor and employment relations services, and services were continued in 2020 as the result of a competitive interview process. LCW provides valuable negotiations and employee relations legal guidance and has established a good rapport with the Town's bargaining units.

On May 17, 2022, the Town Council authorized the Town Manager to execute a First Amendment (Attachment 2) to the Special Services Agreement with LCW to extend the term through June 30, 2024 and to increase compensation in the amount of \$15,000 for a total contract amount not to exceed \$180,000.

On September 20, 2022, the Town Council authorized the Town Manager to execute a Second Amendment (Attachment 3) to the Special Services Agreement with LCW to increase compensation in the amount of \$50,000 for a total contract amount not to exceed \$230,000.

On September 19, 2023, the Town Council authorized the Town Manager to execute a Third Amendment (Attachment 4) to the Special Services Agreement with LCW to increase

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Human Resources Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

BACKGROUND (continued):

compensation in the amount of \$50,000 for a total contract amount not to exceed \$280,000.

On October 17, 2023, the Town Council authorized the Town Manager to execute a Fourth Amendment (Attachment 5) to the Special Services Agreement with LCW to increase compensation in the amount of \$150,000 for a total contract amount not to exceed \$430,000.

On June 18, 2024, the Town Council authorized the Town Manager to execute a Fifth Amendment (Attachment 6) to the special services agreement with LCW to increase the compensation in the amount of \$120,000 for a total contract not to exceed \$550,000.

DISCUSSION:

The current agreement expires on June 30, 2025. The proposed update to the fee schedule has been provided by LCW to update the hourly rates for the different consultants that can be utilized by the Town for labor relations and human resources consultation services. LCW increased hourly rates for clients on July 1, 2024. This fee schedule update was provided to the Town after the Fifth Amendment was brought to Council on June 18th.

This change does not result in an increase to the contract amount of \$550,000.

CONCLUSION:

LCW has been highly effective in assisting the Town with labor negotiations and employment relations support. Staff recommends that the Town Council authorize the Town Manager to execute Sixth Amendment to update the fee schedule to continue to utilize LCW's services.

FISCAL IMPACT:

There is no fiscal impact to this change. Sufficient funds for this contract are already budgeted and this amendment does not increase the contract amount. Staff anticipates the existing funds will be sufficient.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Sixth Amendment
2. First Amendment with Original Agreement
3. Second Amendment
4. Third Amendment

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SUBJECT: Sixth Amendment to Agreement with Liebert Cassidy Whitmore (LCW)

DATE: July 25, 2024

Attachments (continued):

5. Fourth Amendment
6. Fifth Amendment