

**COUNTY OF MARIN
HUMAN RESOURCES DEPARTMENT
REQUEST FOR PROPOSALS**

LABOR RELATIONS AND CONSULTATION SERVICES
FOR THE COUNTY OF MARIN

Proposals must be submitted to:

County of Marin
Human Resources Department
Attn: Angela Nicholson
3501 Civic Center Drive, Room 403
San Rafael, CA 94903

by
5:00 p.m. Pacific Standard Time (PST)
January 26, 2012

SECTION I: GENERAL INFORMATION AND SCHEDULE OF EVENTS

A. INTRODUCTION/PURPOSE

1. Purpose

The purpose of this RFP is to solicit proposals for a contractor to provide negotiations services, which includes consulting with and advising the Board of Supervisors, the County Administrator, the Human Resources Director and the Human Resources Deputy Director, and assisting the County in meeting and conferring in good faith with representatives of recognized employee organizations.

2. Service Providers

The County welcomes proposals from all qualified service providers. The County may, in its sole discretion, enter into contracts with multiple qualified providers or may reject all proposals and not award a contract at this time.

3. Contact with County Employees

Proposers are specifically precluded from contacting other County Officers or employees, until a contract has been entered into with the successful Proposer.

B. GENERAL INFORMATION ABOUT THE COUNTY

Marin County is located in the North Bay Area across the Golden Gate Bridge from San Francisco. The County of Marin is comprised of 23 agencies and departments with approximately 2,100 employees. The County has an operating budget of \$443.7 million for FY 2010-11 and also serves over 100 special districts with accumulated budgets similar in value to the County. The Board of Supervisors is made up of an elected representative from each of the five voting districts in this general law County. Among several other responsibilities, the Board of Supervisors also serves as the governing board of the County’s Open Space District, County Free Library, flood control districts, county service areas, sewer maintenance districts, and the Redevelopment Agency.

The County provides a full array of district attorney, law enforcement, probation, community development, public works, health & human services, library, fire, parks & open space, housing, employment, and administrative services pursuant to local, State and Federal guidelines and funding. The historic Marin County Civic Center was designed by Frank Lloyd Wright.

Employee Organization	Estimated Number of Employees Represented	MOU Term
Marin Association of Public Employees, General Unit (MAPE)	1117	Expires June 30, 2012
Service Employees International Union (SEIU) – Nurses	42	Expires June 30, 2014
Teamsters, Local 856, Deputy District Attorneys	32	Expires June 30, 2015
Teamsters, Local 856, Probation Workers	91	Expires June 30, 2012
Deputy Sheriff's Association (DSA)	206	Expires June 30, 2015
Marin Association of Public Employees, Health and Human Services Workers (MAPE)	242	Expires June 30, 2012
Sheriff Staff Officers Association (SSOA)	13	Expires June 30, 2014
International Association of Theatrical and Stage Employees (IATSE)	100	Expires July 2012
Marin County Fire Department Firefighters Association	114	Expires June 30, 2014
Fire Battalion Chiefs Association	3	Expires June 30, 2014
Marin County Management Employee Association	297	Expires June 30, 2012

Employee Organization	Estimated Number of Employees Represented	MOU Term
Probation Managers Association (PMA)	15	Expires June 30, 2014

C. KEY ACTION EVENTS AND TIMELINES

Listed below are the target dates for the events to occur. All target dates are predicated on the issue date of the RFP. The County reserves the right to change these dates at any time.

Event	Target Date
Release of RFP	January 10, 2012
Deadline to submit proposals	January 26, 2012
Interview Panel (if required)	End of January
Selection of Proposal	End of January
Contract Start Date	February 2012

SECTION II: SCOPE OF WORK AND SPECIFICATIONS, METHOD OF COSTING, and EXPERIENCE REQUIREMENTS**A. SCOPE OF WORK AND SPECIFICATIONS**

The following describes the services to be performed by the selected proposer:

1. Assist the Deputy Director of Human Resources, and/or her designees, in advising and consulting with the Board of Supervisors, The Director of Human Resources and the County Administrator on matters relating to labor contract negotiations. This includes in-person and other consultations with Human Resources as deemed necessary by Human Resources personnel, including, but not limited to:
 - Meet with designated staff to define management goals and policy for union negotiations;
 - Provide research and consultation on current trends, practices, and community standards of other public employers on a variety of labor related issues;
 - Meet with designated staff to assist in formulating the management proposals for negotiations;
 - Participate in drafting proposals for negotiations;
 - Perform necessary fact research for negotiations;
 - Assist in the formulation and preparation of cost analysis of management and union proposals;
 - Provide progress reports, make recommendations, and receive direction;
 - Oversee and direct response to employee organization(s) request for information; and
2. Meet and confer in good faith for and on behalf of the County, as the designated representative of the County Administrator, with representatives of recognized employee organizations of the County of Marin, including, but not limited to:

- Attend negotiation sessions as the County’s lead negotiator for labor contracts with Marin Association of Public Employees, General Unit and Health and Human Services Unit which will begin in February or March 2012;
 - Act as the County’s management advisor in mediation, fact finding and related procedures; and
3. Assist the Deputy Director of Human Resources in reporting to the Board of Supervisors, the Director of Human Resources and the County Administrator on the progress of meeting and conferring in good faith with each of the recognized employee organizations.

B. METHOD OF COSTING

The County is prepared and willing to consider proposals that provide a cost evaluation based on either or both of the following two methodologies:

- A flat rate, all-inclusive fee for the contract length; or
- A cost structure based on one or more hourly rates, and for each hourly rate, a description of the services that will be provided for that hourly rate.

Proposers are encouraged to provide alternate costing for each of the two methodologies.

Proposers who provide costing alternatives for one or both of the above methodologies, are also encouraged to provide proposals that include hybrids of the two, and/or entirely different costing methodologies that provide the County opportunities to maximize the value of this likely three year contract.

The County reserves the right to accept other than the lowest price and to negotiate with proposer on a fair and equal basis when the best interests of the County are served by so doing.

SECTION III: GENERAL TERMS AND CONDITIONS

A. GENERAL CONTRACT REQUIREMENTS

1. *Contract Period*

The contract term is anticipated to be for a one-year (1) period, with additional options to extend.

2. *References*

Each Proposer shall submit with their RFP response three (3) client references, including company name, mailing address, contact person name and phone number and description of negotiations services provided.

3. *County's Standard Contract*

The purpose of the attached Sample Agreement is to indicate the type of contract contemplated and to set forth some of the general provisions the County anticipates including in the final contract. In submitting a proposal, the Proposer will be deemed to have agreed to each clause unless the proposal identifies an objection, sets forth the basis for the objection, and provides substitute language to make the clause acceptable to the Proposer. Such objections and substitute language must be submitted no later than the deadline for the proposal. The County may or not agree with proposed language changes to the standard agreement.

B. ADDENDA

The County may modify the RFP prior to the fixed date for submission of proposals by issuance of an addendum.

C. CONTRACTOR'S COSTS

Costs for developing proposals are entirely the responsibility of the Proposer and shall not be chargeable to the County of Marin.

D. PROPOSALS ARE "PUBLIC RECORDS"

1. *General Provisions Regarding Public Nature of Proposals*

All proposals submitted in response to this RFP shall become the exclusive property of County and shall be subject to public disclosure pursuant to the California Public Records Act (Cal. Govt. Code Section 6250 et. seq.). The Act provides that access to information concerning the conduct of the people's business is a fundamental and necessary right to every person in the state. Public records are defined as any writing related to the conduct of the public's business. Public records are open to inspection during normal business hours.

2. *Proposer’s Rights Regarding Confidentiality of Proposals*

There are specific exceptions to the Public Records Act. In the event County receives a request for inspection of any proposal submitted pursuant to this RFP, it is the responsibility of the organization whose proposal has been requested to assert any right of confidentiality that may exist. County will not make that assertion on behalf of the Proposer. Absent a judicial determination that the documents are exempt from disclosure, they will be subject to inspection.

3. *County’s Rights Regarding Confidentiality of Proposals*

Submission of a proposal constitutes a complete waiver of any claims whatsoever against County, and/or its agents, officers, or employees, that County has violated a Proposer’s right to privacy, disclosed trade secrets or caused any damage by allowing the proposal to be inspected.

E. DELIVERY OF PROPOSALS

1. Address or deliver proposals to:

Angela Nicholson
Deputy Director, Human Resources
County of Marin
3501 Civic Center Drive Room 403

Phone (415) 473-4396

2. Proposals must be received **not later than** 5:00 p.m., PST, on January 26, 2012. All copies of the proposal must be under sealed cover, plainly identified as a proposal for Labor Relations Services for the County of Marin. Proposals not submitted under sealed cover may be rejected.
3. Proposals transmitted via e-mail, facsimile, or any other electronic means **shall not** be considered.
4. All proposals must be signed with the firm name, and by a responsible officer or employee. Obligations assumed by such signature must be fulfilled.

F. REJECTION OF PROPOSALS

The County reserves the right to reject all proposals and not to award any contract pursuant to this RFP.

G. ERRORS OR OMISSIONS IN COST OF ITEMS IN THE PROPOSAL

If an item is described in the narrative and omitted from the cost data, the proposal will be interpreted to mean that the item will be provided by the Proposer at no cost. If this is a significant item, the Proposer will be notified.

SECTION IV: PROPOSAL SUBMISSION

A. GENERAL

The proposal shall be used to determine the applicant's capability of rendering the services to be provided. The failure of an applicant to fully comply with the instructions in this RFP may eliminate its proposal from further evaluation as determined in the sole discretion of the County. The County reserves the sole right to evaluate the contents of proposals submitted in response to this RFP and to select a successful contractor, if any. The County reserves the right to waive any requirements of this RFP when it determines waiving a requirement is in the best interest of the County.

B. PROGRAM NARRATIVE

1. Service Description/Scope of Work

Describe the overall services your agency intends to provide.

2. Organizational Background

Describe your agency's history, mission, programs, and services provided; administrative structure; and experience providing similar services. Attach an organizational chart. Include detailed and relevant information that fully demonstrates that the proposer meets the criteria of experience set forth in **Section IV:B:3** below.

3. Experience Requirements

Proposals should contain information reflecting but not limited to:

- Regular and continuous engagement in the business of providing labor relations consulting services to public sector organizations for at least five (5) years prior to the date of this RFP issue;
- Knowledge of and experience in current employer-employee relations practices, trends and major problems, principles of labor negotiations, applicable federal and state labor laws, public and private sector labor practices, structure and operation of county government, and employee benefit and retirement programs.

- High level skill and demonstrated experience in: (a) standard principles of the collective bargaining process, including interest based bargaining, in the public and/or private sector, (b) serving as a lead negotiator for a variety of labor negotiations and a proven track record of reaching settlements encompassing a diverse range of employee organizations, (c) establishing pro-active and cooperative labor-management relationships, (d) working cooperatively and discretely with elected officials and staff, (e) dispute resolution, and (f) written and oral communication.
- Extensive experience working in the public sector with elected officials and a broad range of agencies and labor organizations.

4. Staffing

List the staff anticipated to perform the services including disciplines and degrees, as appropriate. Indicate the qualifications, training, and experience of each team member, and provide a list of negotiator services performed during the past year by the personnel listed above, with the name of the cities, counties, other government agencies, and/or business entities, and a brief description of the scope of work.

5. Costs

Each proposal must include a detailed explanation of the cost to be charged to the County for consulting services, as detailed in II.B. above.

C. PROPOSAL FORMAT

All proposals should be typewritten; have consecutively numbered pages; including any exhibits, charts or other attachments; and be securely bound. The applicant must sign proposal. Submit one (1) original and six (6) copies. Proposals should include and be presented in the following order:

- **Cover Memo:** One page cover letter which includes the address, tax identification number, voice and fax phone numbers, and email address of the person or persons to be used for contact and who is authorized to represent the proposer.
- **Program Narrative** (as itemized above: Service Description, Organizational Background, Experience Requirements, Staffing, Costs)
- **Listing of Business References:** Include five (5) client references familiar with the quality and reliability of your work as it relates to negotiations services provided.

Proposals must be received by the final filing date and may be rejected if received after 5:00 p.m., PST, January 26, 2012.

The County may invite finalists to be interviewed at the end of January.

**SECTION V: PROPOSAL SELECTION AND EVALUATION CRITERIA
EVALUATION CRITERIA**

All proposals received will be evaluated by a RFP Review Committee. The following criteria, not listed in the order of importance, will be used to determine which agency best meets the needs of the County. Proposals will be evaluated based on the following criteria:

1. **Program Description** – clear understanding of the scope and services to be provided and sufficient staffing to provide services
2. **Proposer’s Experience** - history of successfully providing similar services and capability and experience of key personnel
3. **Financial Narrative** - pricing
4. Conformance to the terms and conditions of this RFP
5. Positive references and background checks
6. Strong and engaging presentation skills

A. ADDITIONAL INFORMATION

If the County determines, at its sole discretion, that additional information is required or desirable beyond that provided in the proposal(s) of any of the applicants(s), County shall request such information.

B. INABILITY TO NEGOTIATE A CONTRACT

After an applicant has been recommended by the Review Committee and selected by the Director of Human Resources, the County and such applicant will negotiate a contract for submission to the Board of Supervisors for consideration and possible approval. If a satisfactory contract cannot be negotiated, the County may, in its sole discretion begin contract negotiations with one or more of the remaining applicants, if the County determines, in its sole judgment that more than one contractor may be necessary to provide specified services.

C. PROTEST PROCESS

A Proposer may submit a written protest to Joanne Peterson, Director of Human Resources. Such written protest must be submitted by five business days after the announcement of selection has been made. The protest must be in writing.

The protest shall state the reason(s) for the protest. A protest that merely addresses a single aspect of the selected proposal, e.g., amount of fees, will not be sufficient. A successful protest will include sufficient evidence and analysis to support a conclusion that the selected proposal taken as a whole is an inferior proposal.

The Human Resources Director will respond to the protest within ten (10) days of the receipt of the written appeal. Human Resources may establish a meeting with the applicant in order to discuss the concerns. The decision of the Human Resources Director is final.