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Title: CONSIDER AWARDING AN AGREEMENT FOR CONTRACT SERVICES FOR THE PROVISION OF INDEPENDENT, THIRD-PARTY INVESTIGATION SERVICES WITH RESPECT TO CERTAIN EMPLOYMENT MATTERS (CITY COUNCIL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resumes of principal investigators, 2. Proposed Contract with Stream Kim Wrage Hlcks & Alfaro, PC, 3. Proposed Contract with Oppenheimer Investigations Group, LLP

Date	Ver.	Action By	Action	Result
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Report to Mayor and City Council

Tuesday, September 07, 2021

Discussion

SUBJECT:

CONSIDER AWARDING AN AGREEMENT FOR CONTRACT SERVICES FOR THE PROVISION OF INDEPENDENT, THIRD-PARTY INVESTIGATION SERVICES WITH RESPECT TO CERTAIN EMPLOYMENT MATTERS (CITY COUNCIL)

I. SUMMARY

The City has utilized various independent, third-party firms for employee relations investigations and related matters in the past. Currently, however, the City’s need for such services has changed in recent months requiring specialized third-party investigation services.

Pursuant to the City’s purchasing ordinance, several investigation firms were sought out with particular experience relating to certain sensitive employment matters. After a discussion with several firms, two firms were found to be the best fit to provide independent, third-party employment investigation services: (i) Stream Kim Wrage Hicks & Alfaro, PC (with principal investigator Amy J. Osborne), and (ii) Oppenheimer Investigations Group, LLP (with principal investigator Vida Thomas). The Council should make the final determination in selection of the investigation firm.

The proposed award would be a contract services agreement for an initial term of six (6)

months with a not-to-exceed contract sum of \$24,999.

II. RECOMMENDATION

TAKE the following actions:

1. SELECT the law firm to conduct the workplace investigation.
2. APPROVE the applicable proposed Contract Service Agreement for provision of independent, third-party employment investigation services with said law firm (Exhibit 2 or Exhibit 3).
3. AUTHORIZE the Mayor to execute the applicable Agreement after approval as to form by the City Attorney.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

Over the past several months, a few sensitive employee matters have arisen. Accordingly, the City is in need of specialized employment-related investigation services from an independent third-party, separate and apart from the employment investigation firms the City retains on an on-call basis.

Carson Municipal Code (CMC) Section 2611(c) applies to the procurement of professional services of attorney(s) or other providers of professional services involving a high degree of technical or individual skill, and provides that the procurement shall be based on demonstrated competence, the professional qualifications necessary for satisfactory performance of the required services, and a fair and reasonable price, after notice to a number of potential offerors adequate to permit reasonable competition consistent with the nature and requirements of the procurement. Offerors shall provide evidence that the person or firm carrying out contract responsibilities possesses the expertise and experience to perform the requisite professional services.

Several inquiries were made to independent law firms for workplace investigations. After discussions with said firms, Stream Kim Wrage Hicks & Alfaro, PC (with principal investigator Amy J. Osborne) and Oppenheimer Investigations Group, LLP (with principal investigator Vida Thomas) were found to be the most competent and skilled, based on the type of specialized employment investigations needed by the City. Resumes are included as Exhibit 1. The rates are as follows:

- Stream Kim Wrage Hicks & Alfaro, PC \$250/hour

- Oppenheimer Investigations Group, LLP \$420/hour

Oppenheimer Investigations Group, LLP is a women-owned (and soon to be women-owned / minority-owned) business. Please note that due to current caseloads, Oppenheimer Investigations Group, LLP will not be able to start investigations for the City until 4 weeks from now, if they are selected.

The proposed contracts are attached as Exhibit 2 and Exhibit 3 to this report. The proposed contract provides for an initial term of six (6) months, with City options to extend the term for up to two additional six-month terms thereafter, for a total potential contract term of 18 months. The contract sum will be limited to \$24,999 over the six-month term.

V. FISCAL IMPACT

No fiscal impact to the general fund budget. Funds for these services are budgeted in Account #101-65-680-101-6004.

VI. EXHIBITS

1. Resumes of principal investigators (pgs. 4 - 8)
2. Proposed Contract with Stream Kim Wrage Hicks & Alfaro, PC (pgs. 9 - 25)
3. Proposed Contract with Oppenheimer Investigations Group, LLP (pgs. 26 - 42)

Prepared by: Pam Lee, Deputy City Attorney