

COMMUNICATION FROM CHAIR, PERSONNEL, AUDITS, AND ANIMAL WELFARE COMMITTEE relative to proposed Second Amendment and restated agreement to Contract No. C-131322 with Steven Siemers Dispute Resolution, LLC (Steven Siemers) to continue the administration of an Alternative Dispute Resolution (ADR) program for active and retired members of the Los Angeles Police Protective League (LAPPL).

Recommendation for Council action:

AUTHORIZE the General Manager, Personnel Department, to execute, the Second Amended and Restated Professional Services Agreement C-131322 with Steven Siemers to:

- a. Extend the term for a revised term effective February 15, 2018 through June 30, 2022.
- b. Maintain the expenditure authority at not to exceed \$450,000, subject to approval as to form by the City Attorney.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that funding is included in the 2021-22 Adopted Budget within the Human Resources Benefits Contractual Services Account for this purpose. There is no additional impact to the General Fund.

Financial Policies Statement: The CAO reports that as budgeted funds are available to support the proposed Agreement and expenditures, the recommendation of this report complies with the City's Financial Policies.

Community Impact Statement: None submitted.

TIME LIMIT FILE – SEPTEMBER 24, 2021

(LAST DAY FOR COUNCIL ACTION – SEPTEMBER 24, 2021)

Summary:

On August 18, 2021, the Chair of the Personnel, Audits, and Animal Welfare Committee considered a July 9, 2021 CAO report relative to proposed Second Amendment and restated agreement to Contract No. C-131322 with Steven Siemers to continue the administration of an ADR program for active and retired members of the LAPPL. According to the CAO, the current Agreement includes a term effective February 15, 2018 through February 14, 2021 with an expenditure authority not to exceed \$450,000. Approval of the proposed Agreement will:

- a. Extend the term for a revised term effective February 15, 2018 through June 30, 2022.
- b. Maintain the expenditure authority at not to exceed \$450,000.

The proposed Agreement includes a ratification clause to allow the Contractor to continue providing services prior to execution of the proposed Agreement.

The scope of work provided under the proposed Agreement includes various tasks associated with facilitating the ADR program under the direction of a working group with representatives from both the City and LAPPL. Also, the Contractor serves as the ADR Director to oversee the ADR program and provides consultation to the working group in the administration of the ADR program including:

- a. Providing ongoing assistance in monitoring the work of the Member Advocate, Claims Management staff, and other ADR professionals.
- b. Providing ongoing training to optimize the performance of the ADR program.
- c. Assisting the City and third-party claims administrator in supplying the required data to the Division of Workers' Compensation in March each year per applicable Labor Code.
- d. Attending Labor-Management meetings and reporting on the performance of the program.
- e. Performing other duties as established by the working group.

The Personnel Department's initial transmittal dated March 18, 2021 requested both an extension of the term and an increase of \$150,000 in compensation resulting in a maximum compensation of \$600,000. Upon review by the CAO, with concurrence by the Personnel Department, the existing expenditure authority (\$450,000) is determined to be sufficient and no additional expenditure authority is necessary for the Services in the proposed Agreement.

Actual expenditures on the contract total approximately \$146,000 as of February 2021, leaving a remaining available balance of \$304,000. The Personnel Department provided a revised Agreement on June 9, 2021 to maintain the expenditure authority at not to exceed \$450,000. In 2018, the Personnel Department selected the Contractor based on a competitive process conducted by the City of Richmond in accordance with Charter Section 371(e)(8). The City and County of San Francisco, California entered into an agreement in 2019 with the Contractor for ADR services, including the Services set forth in the City's original agreement, with a term through June 30, 2022. In accordance with Charter Section 1022, the Personnel Department's Contract Review Report indicates that City employees do not have expertise to perform the scope of work of this Agreement. As the Personnel Department did not conduct a competitive procurement process, the

Business Inclusion Program subcontractor outreach was not conducted. In accordance with Los Angeles Administrative Code Section 10.5(a), City Council approval of the Agreement is required because the cumulative term exceeds three years. Per Executive Directive No. 3 (Villaraigosa Series), the approval of the Mayor is required because the total compensation exceeds \$25,000. After consideration, the Committee Chair moved to recommend approval of the recommendation contained in the July 9, 2021 CAO report, as detailed above. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

A handwritten signature in black ink that reads "Paul Koretz". The signature is written in a cursive, flowing style.

Councilmember Paul Koretz, Chair
Personnel, Audits, and Animal Welfare Committee

COUNCILMEMBER VOTE

KORETZ: YES

HARRIS-DAWSON: ABSENT

BONIN: ABSENT

ARL

8/18/21

-NOT OFFICIAL UNTIL COUNCIL ACTS-