



REQUEST FOR PROPOSALS FOR PROFESSIONAL LABOR NEGOTIATIONS SERVICES

I. INTRODUCTION

On June 5, 1922, Fallbrook Public Utility District (FPUD) was incorporated to serve water from local area wells along the San Luis Rey River. Since that time, FPUD has continued to grow, and today the District provides imported water and sewer service to 35,000 residents living on 28,000 acres. FPUD is seeking a qualified and experienced professional consultant for labor negotiation services. FPUD invites interested law firms, attorneys, or professional negotiators to submit written proposals. The successful firm or individual will work directly for and at the direction of the District's Board of Directors (Board).

The overall objective of the labor negotiation services sought is to successfully negotiate a successor Memorandum of Understanding (MOU) with each of the District's two bargaining units: 1) Fallbrook Public Utility District Employees' Association (FPUDEA), represented by Teamsters and 2) Fallbrook Management Employees' Association (FMEA). The current MOUs expired June 30, 2018 and were extended, by mutual agreement, for one year, to June 30, 2019.

II. CONTRACT LENGTH

It is anticipated that the contract will cover a two (2) year period with options to renew under the same terms and conditions. The District may, at its option and with the approval of the respondent, extend the period of this agreement up to a maximum of three (3) one-year terms, provided the scope of the engagement does not change. Termination of the Agreement by the District can occur at any time during the agreement period and at the District's discretion.

III. SCOPE OF REQUIRED SERVICES

FPUD is seeking professional labor negotiation services to perform the full range of services related to the negotiation and drafting of an MOU, including planning, strategizing, and proactively advising on issues related to labor negotiations.

Specific responsibilities of the consultant include, but are not limited to the following:

I. Negotiation Planning and Preparation Activities

- A. Create a schedule/timeline to ensure the timely completion of the negotiations process ahead of the June 30, 2019 expiration date of the current MOUs.
- B. Review the current MOUs and related practices, policies, and documents, including the Personnel Regulations.
- C. Work with staff to prepare a summary of benefit costs for initial discussion with Board to help draft proposals including summary of current and projected pension costs.
- D. Develop recommendations for revisions to MOU language to ensure consistency with both and among other relevant District practices, policies, and documents, including the Personnel Regulations.
- E. Advise the Board and key staff on best practices (e.g., meeting and conferring in good faith), applicable laws/rules and trends in labor negotiations.
- F. Lead and facilitate discussions with the Board regarding goals, strategic and financial objectives, and priorities. Include a specific discussion with the Board on pension obligations.
- G. Conduct up to three (3) meetings with the Board to review the current MOUs and discuss negotiation parameters and potential proposals.

II. Negotiation Activities

- A. Serve as the District's lead negotiator.
- B. Assist with the preparation of cost analysis of proposals.
- C. Develop draft proposals for submission to the Board in closed session.
- D. Evaluate and analyze proposals received from the bargaining units, advise and make recommendations to the Board on how to proceed.
- E. Maintain communication with and provide updates regularly to the Board on the status of negotiations.

- F. Participate in closed-session Board briefings as requested by the Board.
- G. Assist with the preparation of documents (e.g., memos, presentations, charts) used to convey information to the Board.
- H. Act as FPUD's advisor in mediation, fact-finding and related procedures, as necessary.

III. Post Negotiations Activities

- A. Attend Board meeting/s for adoption of the MOUs.

IV. Other Services to be Provided as needed:

- A. Provide ongoing support on such matters as MOU language interpretation and strategies for implementing and administering terms of the MOUs.

IV. DISTRICT'S RESPONSIBILITIES

District staff will work closely and cooperatively with the Consultant to provide the assistance needed to achieve the Board's goals. The Board will carefully consider all materials and proposals presented by the consultant and provide clear feedback to the consultant throughout the negotiation process.

V. PROPOSAL REQUIREMENTS

Proposals submitted in response to this RFP shall not exceed 15 pages and shall include:

1. Proposed Staff and Resumes
2. Client References
 - a. Three client references, including contact information, for similar public-sector labor relations and employment law services.
3. Draft Schedule/Timeline
 - a. A proposed schedule/timeline to ensure the timely completion of the negotiations process ahead of the June 30, 2019 expiration date of the current MOUs.
4. Rate and Service Structure
 - a. Hourly rate/s for which time-and-materials is based.
 - b. If applicable, include any additional time (e.g., travel) and materials (e.g., faxes) expenses/fees and anticipated cost/s.

VI. EVALUATION CRITERIA

The District’s Personnel Committee will evaluate the proposals based upon the following:

- Perceived ability of respondent to negotiate MOUs that meet the needs of the District.
- Respondent’s demonstrated expertise in negotiating MOUs on behalf of clients similar to the District.
- Respondent’s submittal demonstrates an understanding of the scope of services, proposes an exceptional methodology that will lead to success and is able to demonstrate how said methodology has been successful in respondent’s past experience.
- Respondent’s knowledge of the law regarding labor negotiations.
- Availability and accessibility, including the location of the office that will be servicing the District.
- The experience, professional credentials and references of those who will be advising the District.
- Respondent’s conceptual approach and ideas related to labor negotiations and MOU drafting.

VII. SCHEDULE FOR SELECTION AND AWARD

The District anticipates that the process for selection and awarding of the contract will be according to the following tentative schedule:

1. Issue RFP.....8/14/18
2. Proposal due date.....9/13/18
3. Interviews.....TBD
4. FPUD Board of Directors approval.....10/22/18
5. Final selection and notification10/25/18

VIII. SUBMITTAL REQUIREMENTS

1. One (1) executed original, clearly marked on the cover and four (4) additional copies.
2. One (1) sealed cost proposal.
3. Proposals will be accepted until 4:00 p.m. September 13, 2018. Submittals, requests for information or questions should be addressed to:

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