



AGENDA REPORT

Meeting Date: November 18, 2008
Item Number: F-15
To: Honorable Mayor & City Council
From: Noel Marquis, Assistant Director of Administrative Services - Finance
Subject: **APPROVALS RELATED TO VARIOUS CITY PURCHASING AND BUDGET TRANSACTIONS AS DESCRIBED HEREIN**
Attachments: 1. Agreements (1)

Item A. APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND LIEBERT CASSIDY WHITMORE, A PROFESSIONAL CORPORATION, FOR EMPLOYEE RELATIONS AND NEGOTIATION SERVICES; AND

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$430,000 TO THE PURCHASE ORDER FOR A TOTAL OF NOT-TO-EXCEED AMOUNT OF \$480,000.

RECOMMENDATION

Staff recommends that the City Council approve amendment no. 2 to the agreement between the City of Beverly Hills and Liebert Cassidy Whitmore, a professional corporation, for employee relations and negotiation and a change order in the amount of \$430,000 to the purchase order for a total of not-to-exceed amount of \$480,000.

INTRODUCTION

Liebert Cassidy Whitmore is an employment law firm which provides comprehensive, responsive, and highly competent legal advice, representation, litigation services, negotiations and training to public entities and private employers throughout California. Since 2006, the firm has been assisting the City of Beverly Hills in its relations and negotiations with its employee organizations.

DISCUSSION

Amendment no. 2 modifies the agreement to provide the level of services required in the current and subsequent two years. The modifications will provide professional fees in the not-to-exceed amount of \$480,000 for fiscal year 2008-2009; \$120,000 for fiscal year 2009-2010 and \$120,000 for fiscal year 2010-2011 per the rates set forth in Exhibit A of

Agreement no. 434-06. A purchase order for \$50,000 has already been issued to Liebert Cassidy Whitmore for this fiscal year.

FISCAL IMPACT

Funds were budgeted and are available in the Policy, Administration and Legal (PAL) Internal Service Fund Administrative Services-Human Resources budget for this purpose.

Item B. APPROVAL OF A PURCHASE ORDER TO ROUND 2 COMMUNICATIONS, LLC FOR PURCHASING AND PLACING ADVERTISEMENT TO MARKET THE HOLIDAY PROGRAM AND LIGHTING CEREMONY FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$108,478.

RECOMMENDATION

Staff recommends that the City Council approve a purchase order to Round 2 Communications, LLC for purchasing and placing advertisement to market the Holiday Program and Lighting Ceremony for a total not-to-exceed amount of \$108,478.

INTRODUCTION

Round 2 Communications, LLC has been in the business of strategic media planning since 1993. They are experts in media buying. The Conference and Business Bureau has been subcontracting their services on several media campaigns for the City.

DISCUSSION

Each year, the City of Beverly Hills hosts an extensive holiday program including lights, banners, street entertainment, and other festive elements. The kick-off event is the Holiday Lighting Ceremony on Rodeo Drive on November 22 with entertainment and the now much anticipated spectacular fireworks. The City has always invested resources to market and promote the City during this premier shopping period for most retailers.

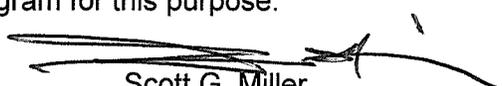
This year, the marketing program has been extended and includes an extensive PR campaign, local ads with an extensive local postcard campaign and a broad advertising buy in a variety of media. The media buy consists of traffic sponsorship messages on radio, digital billboard placement, LATimes.com placement, print ads in LA times, Daily Candy listings and email blasts. The total for the regional media buy through Round 2 Communications, LLC is \$108,478.

Other local ads are being placed by the City directly with the Courier and the Weekly and are separate from this request.

FISCAL IMPACT

Funds were budgeted and are available in the General Fund Policy and Management Department's Tourism and Marketing program for this purpose.


Noel Marquis
Finance Approval


Scott G. Miller
Approved By

AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE
CITY OF BEVERLY HILLS AND LIEBERT CASSIDY
WHITMORE, A PROFESSIONAL CORPORATION, FOR
EMPLOYEE RELATIONS AND NEGOTIATION SERVICES

This Amendment No. 2 is to that certain Agreement, dated November 21, 2006 and identified as Contract No. 434-06, (the "Agreement"), as amended by Amendment No. 1 dated May 20, 2008 and identified as Contract No. 166-08, copies of which are on file in the office of the City Clerk, between the City of Beverly Hills, a municipal corporation ("CITY") and Liebert Cassidy Whitmore, a professional corporation ("CONSULTANT") for employee relations and negotiation services.

RECITALS

A. CITY entered into a written Agreement, dated November 21, 2006 for employee relations and negotiation services which was previously amended.

B. CITY desires to increase the Consideration of the Agreement for additional services.

NOW, THEREFORE, the parties hereto do amend the Agreement as follows:

Section 1. Section 2 of the Agreement shall be amended to read as follows:

"2. For Attorney's aforesaid services performed under this Agreement, City shall pay Attorney a professional fee not to exceed Four Hundred Eighty Thousand Dollars (\$480,000) for fiscal year 2008-2009, One Hundred Twenty Thousand Dollars (\$120,000) for fiscal year 2009-2010 and One Hundred Twenty Thousand Dollars (\$120,000) for fiscal year 2010-2011 at

the rates set forth in Exhibit A, attached hereto and incorporated herein. Attorney shall bill City in one-tenth (1/10) of an hour increments.”

IN WITNESS WHEREOF, the parties have executed this Agreement as of the

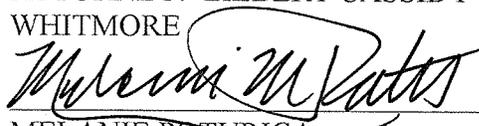
_____ day of _____, 200_____.

CITY OF BEVERLY HILLS
A Municipal Corporation

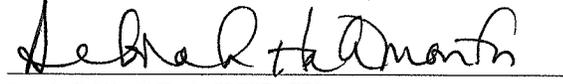
BARRY BRUCKER
Mayor of the City of
Beverly Hills, California

ATTEST:

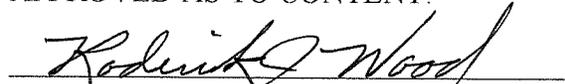
_____(SEAL)
BYRON POPE
City Clerk

ATTORNEY: LIEBERT CASSIDY
WHITMORE


MELANIE POTURICA
Managing Partner/President

APPROVED AS TO FORM:


LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:


RODERICK J. WOOD, CCM
City Manager

SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer



SANDRA OLIVENCIA
Assistant Director of Administrative
Services/Human Resources

[Signatures continue]



KARL KIRKMAN
Risk Manager