

City of Hastings

REQUEST FOR PROPOSAL PUBLIC SECTOR EMPLOYMENT CONSULTANT

Introduction to Proposal

The City of Hastings is soliciting proposals to assist City staff with public sector employment, personnel and labor law issues. The successful proposal will possess sufficient resources to ensure the demands for the City's employment law needs will be met on a timely basis. The relationship would be on a consulting or contractual basis. The City will consider entering into a three (3) year contract for these services.

Included in the Request for Proposal (RFP) is a more detailed description of the services to be provided, an outline of the proposal requirements, a description of the proposal review process, and a description of required contract ethics.

All inquiries and contacts relating to this process should be directed to Melanie Mesko Lee at (651) 480-2326 or mmesko_lee@ci.hastings.mn.us. Failure to comply with this requirement could result in disqualification of your proposal.

Proposals must be received by 4:30 PM, Friday, August 29, 2008. See Part V for a full tentative schedule.

Community Profile

Hastings is an historic, yet growing community with approximately 23,000 residents. The city celebrated its sesquicentennial in 2007 and is one of the state's oldest cities. Hastings utilizes a City Council/ Administrator form of government and provides a full array of municipal services. The City Council is the final review and approval authority regarding all contracts, payments, plans, improvements, policies, procedures, and other business of the city. The seven-member City Council, composed of four ward Councilmembers, two at-large Councilmembers and a mayor elected at-large, is the legislative and policy making body of the city. The mayor and council members are elected to staggered four year terms.

The City Administrator is the chief administrative officer of the city. The City Administrator is accountable to the City Council for the proper administration of all affairs of the city. The administrator also manages the city council agenda, provides policy recommendations to the mayor and council, and implements council direction through the city departments.

The City employs approximately 116 regular full-time, 5 regular part-time employees, 50 seasonal employees and 45 paid, on-call fire fighters. Four unions represent patrol officers (LELS), police

supervisors (Teamsters), firefighter/paramedics (Teamsters), and parks/public works/engineering/transit employees (49ers). Approximately 50 employees do not belong to one of the four bargaining units.

Part I—Knowledge Required

The successful proposal will be required to demonstrate considerable knowledge in a variety of legal areas related to public sector employment law. These areas include, but are not limited to:

1. General state and federal laws relating to public sector personnel management;
2. State laws relating to workers compensation;
3. Legal implications relating to the Americans with Disabilities Act (ADA), Family and Medical Leave Act (FMLA), and similar federal and state statutes;
4. Legal implications relating to the Minnesota Public Employee Labor Relations Act (MPELRA) and applicable federal laws;
5. Knowledge and experience in public sector collective bargaining and all related legal issues;

Part II—Services Required

The services that are required for proposed services include, but are not limited to, the following:

1. Conduct timely meetings , telephone or electronic communication to advise the City Administrator, Assistant City Administrator, and other city staff on public sector employment law matters including but not limited to individual labor relations, employee compensation, personnel policies and practices;
2. Research and submit legal opinions on public sector employment law matters;
3. Provide updates, legal briefings, and training on new or amended state and federal legislation or judicial holdings relating to public sector employment law matters;
4. Assist with preparation, advice and representation on interest and/or grievance arbitration, workers compensation, unemployment compensation, pay equity, veterans preference, equal employment/human rights, and affirmative action matters if requested;
5. Assistance on collective bargaining if requested;
6. Assistance relating to employee grievances if requested;
7. Provide review and comment on City personnel documents and proposals to ensure compliance with applicable state and federal laws.

Part III— Required Content for Proposals

1. **Title Page.** Titled, *Proposal: Public Sector Labor Consultant*, the name of your organization, local address, telephone number, name of contact person, email address, and the date of submission.
2. **General Information.** Please include the following items:
 - a. A brief background history of the firm and the staff employed. An organizational chart or description of office organization would be helpful.
 - b. Primary contact, and identify those who may be working in more specialized areas. Describe the current principal responsibilities for the individual designated as the lead contact for the City.
 - c. Include a summary of staff who will be primarily assigned to City of Hastings business. This information should include relevant academic training and degrees, description of

prior experience in the areas described above, number of years with the firm, areas of responsibility with the firm, and other background or experience which may be helpful in evaluating your proposal.

- d. Indicate the location of the primary office assigned to the City of Hastings. Provide address, phone number, fax number, email, and website.
 - e. Estimate the percentage of your billable hours spent in public sector employment law areas during the preceding five (5) years.
 - f. Provide a statement of how the workload of Hastings would be accommodated and what priority it will be given. Be sure to address items outlined in this RFP. The proposal should expand upon each item and set forth the firm's approach and ability to carry out each activity.
3. **Specialization.** Include any areas of specialty which may relate to public sector employment law.
 4. **References.** Provide a list of three (3) recent municipal clients, preferably within the last five (5) years. If municipal clients are not available, other major clients may be submitted.
 5. **Fees.** Identify in your proposal the fee schedule (retainer, hourly billing, other, or combination of above), for a period of three (3) years. Please quote separate fees for specialty work. Also state the rate for any other costs to be billed, such as photocopying, online research fees, etc. If hourly billing is proposed, please identify the minimum increment of time billed for each service (e.g. phone calls, correspondence, personal conferences, etc.).
 6. **Conflict of Interest Statement.** Indicate whether your organization currently represents, or has represented any client where representation may conflict with your ability to serve as a consultant with the City of Hastings.

Part IV— Instructions for Submitting Proposals

Proposals should be titled, "*Proposal: Public Sector Labor Consultant*" and be submitted to Melanie Mesko Lee, City of Hastings, 101 Fourth Street East, Hastings MN 55033.

1. Submit three (3) copies of the proposal.
2. Proposals must provide complete information as indicated in this request. Please limit the proposal document to no more than three pages. Any other information you wish to include for evaluation and consideration may also be included.
3. Questions regarding this request should be directed to Melanie Mesko Lee at (651) 480-2326 or mmesko_lee@ci.hastings.mn.us
4. In order to ensure a fair review and selection process, those submitting proposals are specifically requested not to make contacts with other city staff or City Council members regarding the proposals.

Part V—Proposal Evaluation & Selection Process

The City intends to award a contract to the firm best qualified to perform the work for the City, cost and other factors considered. Submitted proposals will be reviewed by city personnel who may regularly interact on public sector employment law matters. The committee will proceed with no more than three firms as finalists for interviews.

Projected Timeline *(this timeline is tentative and may change)*

Monday, July 21, 2008	City Council Approval for Requesting Proposals
By Friday, July 25, 2008	Publish/Send out RFP's
Friday, August 29, 2008	Proposals Due
September 2008	Review Proposals
Week of Monday, September 29, 2008	Interviews with Firms
October 2008	Recommend Firm for City Council Approval

The actual selection of the firm and contract award will be made by the City Council. The City of Hastings reserves the right to reject any and all proposals or to request additional information. Once a contract is awarded, the term of the contract duration shall be subject to ongoing review and evaluation by the City Council and City Administrator.

Part VI—Contract Ethics

1. No elected official or City employee who exercises any responsibilities in the review, approval, or implementation of the proposal or contract shall participate in any decisions which affect his/her direct or indirect personal or financial interest.
2. It is a breach of ethical standards for any person to offer, give or agree to give any City employee or council member, or for any City employee or council member to solicit, demand, accept, or agree to accept from another person or firm, a gratuity or an offer of employment whenever a reasonably prudent person would conclude that such consideration was motivated by an individual, group or corporate desire to obtain special, preferential, or more favorable treatment than is normally accorded to the general public.
3. The consultant selected shall not assign any interest in this contract without the prior written consent of the City.
4. The firm shall not accept any client or project which places it in a conflict of interest with its representation of the City of Hastings. If such a conflict of interest is subsequently discovered, the City shall be promptly notified.