



## Board of Harbor Commissioners

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February 13, 2019

TO: Prospective Proposers

FR: Julie van Hoff, Director of Administrative Services

RE: RFP #2019-02 for Labor and Employment Legal Services- Addendum

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The following questions were received prior to the February 12, 2019 4:00 p.m. deadline:

### **QUESTION #1-#2**

1. What is the proposed term of engagement of legal services arising out of the RFP?
2. Will you please provide additional data related to historical volumes? We would like to learn more about your legal needs (fees and hours incurred annually) for the categories of work outlined in the RFP.

Kimberly S. (Senna) Randolph | Senior Business Development Coordinator | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

### **DISTRICT'S RESPONSE**

1. There is no term specified, and the RFP is for ongoing legal services on an as needed basis.
2. Costs of labor and employment legal services averaged around \$55,000 per year over the last ten years. The highest year was \$133,000 and the lowest was \$5,600.

### **QUESTION #3**

3. What is your best estimate as to onsite v. offsite employment counsel hours needed?

Sean D. De Burgh, Partner  
Cole Huber LLP

### **DISTRICT'S RESPONSE**

3. 90% offsite, telecons and document response. I would imagine the only times onsite would be required would be potentially meeting with an employee's Union rep/legal team due to a pending claim and possibly an occasional update to our Board on pending litigation in a Closed Session. We don't anticipate any union negotiations for another 5 years, as we recently approved a new MOU with both bargaining units, OE3 and Teamsters.

### **QUESTIONS #4-#12**

4. What is an estimate of the number of hours per month counsel would have to set aside for San Mateo County Harbor District?
5. Is there a possibility of travel reimbursement if the number of hours per month reaches a

specific level or range?

6. What are the current needs in terms of labor and employment? What specifically is the greatest need?
7. What are the general legal needs of the district?
8. Is the knowledge of Maritime law necessary for counsel?
9. What would qualify as an “unburdened” hourly rate?
10. Where is the addenda located?
11. Where is attachment E?
12. What does attachment E consist of?

Theresa Conway, Marketing/Front Office Coordinator  
Renne Public Law Group

**DISTRICT’S RESPONSE**

4. District needs fluctuate from month-to-month. Over the last three years the District averaged approximately 20 hours per month; with the highest month at 94 hours and the lowest less than one hour.
5. It seems reasonable to provide a cap for travel expenses. Please identify any proposed reimbursable.
6. The greatest need of the District is to assist in higher level Human Resource issues, such as assisting with investigation of employee complaints, disciplinary actions, providing input on Human Resource policies, and a methodology for assuring the District is aware of and complying with current legislation. Please refer to Attachment D-Scope of Services.
7. The District has a contract with Wittwer / Parkin to act as District Counsel and provide general legal services.
8. Maritime law is desired. If a firm does not have experience with Maritime law, a subcontract or other proposed method to address Maritime issues may be provided in the proposal.
9. The labor rate the firm would charge without unrelated labor costs (e.g. do not include travel expenses, telephone costs, and copying costs).
10. This document is the only addendum to date.
11. and 12. This is an error. In Section 6. SCOPE OF SERVICES the RFP should have referenced Attachment D- Scope of Services.