

## **RESOLUTION NO. 19-**

**Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With The Labor Compliance Managers To Provide Assistance With Enforcement And Administration Of City Labor Standards For An Amount Not To Exceed \$317,305 Per Year For Fiscal Years 2019-20, 2020-21, And 2021-22, For A Total Contract Amount Not To Exceed \$951,915**

**WHEREAS**, on November 8, 2005 the electorate of the City of Emeryville adopted the Workplace Justice Standards at Large Hotels Ordinance ("Measure C") governing certain employment conditions for employees working in hotels with more than 50 guestrooms; and on August 19, 2008 the Emeryville City Council adopted Resolution No. 08-142 establishing amended and restated regulations and procedures to implement Measure C; and

**WHEREAS**, on June 2, 2015, the City Council adopted Ordinance No. 15-004, the "Minimum Wage Ordinance", which took effect on July 2, 2015, and which increased the minimum wage, sick leave and other employment standards above and beyond federal and state law to help working households achieve economic security, and facilitate their individual self-reliance within the City of Emeryville; and on September 1, 2015, the City Council adopted Ordinance No. 15-008 to clarify certain provisions of the Minimum Wage Ordinance; and

**WHEREAS**, on November 1, 2016, the City Council adopted Ordinance No. 16-007, the "Fair Workweek Ordinance", which provides standards for work hours for employees in the retail and fast food industries above and beyond requirements of state law; and

**WHEREAS**, in order to fulfill the requirements of all of these Labor Standards ordinances, the City requires assistance to conduct enforcement services for employers and employees; and

**WHEREAS**, on April 15, 2019, the City issued an Request for Proposals to seek firms to offer investigations and administrative services support; and

**WHEREAS**, in response to the Request for Proposals, The Labor Compliance Managers ("TLCM") has submitted a proposal to provide enforcement services for Fiscal Years 2019-20, 2020-21 and 2021-22 for \$317,305 per year, for a total contract amount not to exceed \$951,915; and

**WHEREAS**, the City finds that specialized knowledge, skills, and training are necessary to render the services necessary to do the work contemplated under this Contract; and

**WHEREAS**, the City has determined that TLCM is qualified by training and experience to render such services; and

**WHEREAS**, TLCM desires to provide such services; and

**WHEREAS**, the public interest will be served by this Contract; now therefore be it

**RESOLVED** that the City Council of the City of Emeryville hereby authorizes the City Manager to execute a three-year Professional Services Contract with TLCM in an amount not to exceed \$951,915 in substantially the form as attached hereto as Exhibit A, with the contract's continuation through Fiscal Year 2021-22 contingent upon the City Council's inclusion of sufficient funding in that year's operating budget; and be it further

**RESOLVED** that the City Council hereby authorizes the City Manager to execute amendments to the Professional Services Contract with TLCM, not involving compensation, as may be necessary to deliver labor standards enforcement services for the City.

**ADOPTED** by the City Council of the City of Emeryville at a regular meeting held Tuesday, July 9, 2019 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
CITY ATTORNEY