

**MONTEREY COUNTY BOARD OF SUPERVISORS**

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| <b>MEETING: July 27, 2010 – CONSENT</b>  | <b>AGENDA NO: 38</b> |
| <b>SUBJECT:</b> a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with Industrial Employers Distribution Association for \$21,930 for the provision of Employer-Employee labor relations services for the Monterey County Public Authority for In-Home Supportive Services for the period July 1, 2010 to June 30, 2011, including non-standard Mutual Indemnification provisions in Exhibit F; and<br>b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this agreement, where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work. |                      |
| <b>DEPARTMENT: Social &amp; Employment Services</b>  |                      |

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with Industrial Employers Distribution Association for \$21,930 for the provision of Employer-Employee labor relations services for the Monterey County Public Authority for In-Home Supportive Services for the period July 1, 2010 to June 30, 2011, including non-standard Mutual Indemnification provisions in Exhibit F; and
- b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this agreement, where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

**SUMMARY/DISCUSSION:**

Contractor provides employer-employee labor relations services for the Monterey County Public Authority for In-Home Supportive Services. Upon request of Industrial Employers Distribution Association, the County has modified it's standard unilateral indemnification provision to include mutual indemnity, based on each party's action or inaction under the agreement.

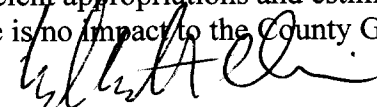
The County's contract indemnity language has been modified due to limited resources of these services, the desire to preserve an ongoing positive relationship with the provider, and the need for uninterrupted service. The new agreement contains the modified mutual indemnity language, and is being brought before the Board for ratification.

**OTHER AGENCY INVOLVEMENT:**

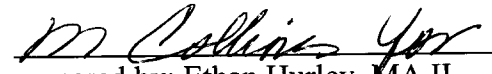
County Counsel, the Auditor-Controller and Purchasing have reviewed and approved this contract, with the exception of the non-standard mutual indemnification which is submitted for Board approval.

**FINANCING:**

Sufficient appropriations and estimated revenues are included in the FY 2010-11 Adopted Budget. There is no impact to the County General Fund.

  
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Elliott Robinson, Director  
Department of Social Services

Date: 7/8/10

  
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prepared by: Ethan Hurley, MA II  
ext: 3425

Date: 7/9/10