



## Legislation Details (With Board Report)

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<b>File #:</b>	12-478	<b>Name:</b>	IEDA
<b>Type:</b>	General Agenda Item	<b>Status:</b>	Passed
<b>File created:</b>	5/29/2012	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	6/19/2012	<b>Final action:</b>	6/19/2012

**Title:** 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 \$22,588 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, 2012 to June 30, 2013, including non-standard Mutual Indemnification provisions in Exhibit E; 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.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. IEDA, 2. Completed Board Order, 3. Fully Executed Agreement, Industrial Employers Distribution Association

Date	Ver.	Action By	Action	Result
6/19/2012	1	Board of Supervisors	approved	

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 \$22,588 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, 2012 to June 30, 2013, including non-standard Mutual Indemnification provisions in Exhibit E; 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.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- 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 \$22,588 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, 2012 to June 30, 2013, including non-standard Mutual Indemnification provisions in Exhibit E; and
- 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 services for the Monterey County IHSS Public Authority. These services include negotiating terms for the In Home Supportive Services providers' union, advising and consulting with Monterey County Board of Supervisors in its capacity as the governing body of the IHSS Public Authority and the Department of Social & Employment Services,

and other related labor services. Upon request of Industrial Employers Distribution Association, the County modified its standard unilateral indemnification provision to include mutual indemnity, based on each party's action or inaction under the agreement.

It is recommended that the proposed contract's non-standard mutual indemnity language be approved as modified, and as set forth in the exhibits to this contract. It is the Department's position that this modification to the County's standard provisions are necessary due to the 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 2012-13 Proposed Budget for Fund 005. There is no additional impact to the County General Fund.

Prepared by: Ethan Hurley, Management Analyst II, 3584

Approved by: Elliott Robinson, Director, 4434

Attachments:

Attachment: IEDA Agreement - \$22,588

Original on file with Clerk to the Board