



Napa County

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Legislation Details (With Text)

File #: 22-990 **Version:** 1

Type: Agreement **Status:** Agenda Ready

File created: 5/3/2022 **In control:** Board of Supervisors

On agenda: 7/12/2022 **Final action:**

Title: County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 220330B with Kramer Workplace Investigations to extend the term through June 30, 2023 and update the scope of work and compensation and reimbursement sections with no change to the contract maximum, to provide specialized legal services involving investigations of employment complaints and concerns of employee misconduct.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agreement

Date	Ver.	Action By	Action	Result
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TO: Board of Supervisors

FROM: Thomas C. Zeleny, Interim County Counsel

REPORT BY: Sherri S. Kaiser, Chief Deputy County Counsel

SUBJECT: Amendment No. 1 to Agreement No. 220330B with Kramer Workplace Investigations

RECOMMENDATION

County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 220330B with Kramer Workplace Investigations to extend the term through June 30, 2023 and update the scope of work and compensation and reimbursement sections with no change to the contract maximum, to provide specialized legal services involving investigations of employment complaints and concerns of employee misconduct.

EXECUTIVE SUMMARY

Periodically, the County must conduct fact-finding investigations to address employment complaints and concerns of employee misconduct. The County entered into Agreement No. 220330B with Kramer Workplace Investigations (formerly Karen B. Kramer) effective as of July 1, 2015, for the provision of these services.

Now, staff requests to amend the term to include only two automatic renewals at the end of the subsequent fiscal years, amend the scope of work language, and adjust the hourly rates contained in Exhibit B.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
Where is it budgeted?	Funding will be provided by the department(s) involved in each specific investigation.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	From time to time, the County receives employment complaints or concerns of employee misconduct. The County is obligated to investigate these complaints and concerns. Because of the short time and deadlines involved in some of these investigations, it is preferable to have an agreement in place to utilize the services of an outside investigator when appropriate.
Is the general fund affected?	Yes
Future fiscal impact:	Funds will be appropriated in future years, as needed.
Consequences if not approved:	If the proposed amendment is not approved, investigations would be conducted in-house. Conducting all investigations in house is not always possible due to conflicts or workload concerns.
County Strategic Plan pillar addressed:	Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Periodically, the County receives employment complaints and concerns of employee misconduct. These complaints require investigative and neutral fact-finding services. Kramer Workplace Investigations (contractor) has significant experience in these specialized services.

On July 1, 2015, County entered into Napa County Agreement No. 220330B for the provision of these services, in an amount not to exceed \$100,000 annually. It is not anticipated that the County will expend the maximum annual compensation of \$100,000, but this contract amount allows flexibility to deal with matters that may require extraordinary, extensive investigation. Maximum compensation is not being adjusted with this amendment.

County Counsel requests to adjust the term of the Agreement to limit the number of possible one-year renewals at the end of the fiscal year to two, update the language in the scope of work section, and adjust the contractor's

hourly rates, which have not been adjusted since 2015.