

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a new contract with **Miller Nash LLP** for **Legal Counsel for Human Resource Related Matters**.

Board Meeting Date:	June 4, 2024	
Project Name/Contract #:	Legal Counsel for Human Resource Related Matters / 24-038-PSC	
Manager:	Kira Hutchens	Ext. 7629
Executive Officer:	Rod Price	Ext. 7122

Contract Amount:

Original Contract Amount:	\$600,000
Additional \$ Previously Approved:	\$0
Spend over last approval:	\$0
Amount this Request:	\$600,000
% Increase over last approval:	NA
Resulting Cumulative Total:	\$600,000 (over 5-years)

Contracting Method:

Method of Solicitation:	Formal Request for Proposals (RFP)
If applicable, basis for exemption:	NA
Term of Agreement:	5-Years (August 1, 2024 – July 31, 2029)
Option to Renew?	No
Approval for purchases “as needed”:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Proposals/Bids Received (Range):	5 (\$288 to \$484 per hour)
Selection Basis:	Highest Ranked Proposer

Narrative:

Operational Requirement and Alignment with Strategic Plan

EWEB desires to enter into a professional services contract with Miller Nash LLP to provide guidance, representation, and legislative tracking in legal matters related to labor and employment, benefits and leave administration, workers’ compensation, and health/safety requirements. Miller Nash LLP will provide creative, strategic legal advice targeted to EWEB’s mission and work environment to ensure the most efficient use of Human Resources, prevent operational disruptions, and to help identify and address issues before they become costly lawsuits. Miller Nash LLP will help maintain a productive and successful workforce by assisting Human Resources in managing our policies and procedures and ensuring compliance with federal and state regulations governing all aspects of labor and employment.

Contracted Goods or Services

Miller Nash LLP is new to contracting with EWEB as Legal Counsel surrounding employment matters, but their large firm and extensive experience affords them a valuable perspective with regard to EWEB’s labor relations, personnel matters and workforce management practices. The firm has considerable breadth and depth of expertise in all

employment disciplines and particularly with respect to the public sector, having an impressive history of contractual relationships with numerous public employers who, like EWEB, are subject to the specific complexities of labor and employment law related to this sector.

Purchasing Process

Staff issued a Request for Proposals (RFP) in March of this year. Five (5) firms responded with written proposals. These proposals were evaluated based on criteria established in the RFP, including: Firm Background/Experience (20%), Breadth of Experience (20%), Relevant Issue Examples (10%), Other Information – Capability to Complete the Statement of Services (10%), Client References (10%), Peer References (5%), Pricing Proposal (25%), and Additional Services (Not Scored). Miller Nash LLP was determined to be the highest ranked proposer by the evaluation committee, with these criteria.

Proposals/Bids Received

Vendor Name	City, State	Offered Price (Weighted Hourly Rate)	Ranking (for RFPs)
Miller Nash LLP	Portland, Oregon	\$377 per hour	1
Harrang Long Gary Rudnick P.C.	Eugene, Oregon	\$288 per hour	2
Ogletree Deakins	Portland, Oregon	\$484 per hour	3
Barran Liebman LLP	Portland, Oregon	\$450 per hour	4
Peck, Rubanoff, & Hatfield, P.C.	Portland, Oregon	\$291 per hour	5

Prior Contract Activities

Miller Nash LLP has no prior relationship with EWEB.

ACTION REQUESTED:

Management requests the Board approve a contract with Miller Nash LLP for Legal Counsel for Human Resource Related Matters. Approximately \$130,000 was planned for these services in the 2024 Workforce Services budget of \$3.7 million. Variances will be managed within the budget process and Board policy.