

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees  
FROM: Gari Browning  
DATE: August 13, 2008  
SUBJECT: Proposed New Firm as District Legal Representative

Regular Agenda item

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Periodically the District reviews the legal services required to support Human Resources, Facilities, Purchasing, Finance and other District operations. The periodic review includes an analysis of the performance and capabilities of the current contracted legal services provider, and an assessment of the legal needs going forward. A survey of community college legal providers with a rating of capabilities, fee structures, and performance is part of the periodic assessment.

In May 2008, the District completed a review and needs assessment of our current legal services provider and concluded a change in our legal services provider is warranted. The District identified five (5) law firms with strong community college legal experience for consideration. Each of these firms provide legal services to other Bay Area community college districts and each firm received superior ratings from these other districts. District representatives met with representatives from each of the law firms and compared and contrasted the firms' proposals. The firms were evaluated for performance in the following areas: general counsel, labor relations/bargaining, personnel management, student support, staff development, facilities and construction, litigation, tax and finance and board governance. In addition, a fee cost comparison and analysis was completed.

As a result of this analysis, the District recommends contracting with Atkinson, Andelson, Loya, Ruud & Romo (AALRR) to perform legal services for the District, including but not limited to personnel, employer-employee relations, facilities and land use, board governance, student matters, tax and finance, and all aspects of general education law. The District recommends the AALRR contract (copy attached) be effective for three years beginning August 1, 2008. The contract has a 30 day cancellation clause which can be exercised by either party. AALRR attorneys selected by the District to provide legal services are named in the contract as principal attorney providers. Also, attached is AALRR's client list of community colleges.

RECOMMENDATION

The President/Superintendent recommends the Board of Trustees approve a contract with Atkinson, Andelson, Loya, Rudd & Romo to provide legal services to the district as more fully described in the attached AGREEMENT FOR LEGAL SERVICES. The contract is effective August 1, 2008.