



DAVID A. ROCHA
Fire Chief

Alameda County Fire Department

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AGENDA _____: April 21, 2020

SERVING:

City of Dublin

City of Emeryville

City of Newark

City of San Leandro

City of Union City

Lawrence Berkeley
National Laboratory

Lawrence Livermore
National Laboratory

Unincorporated Areas
of Alameda County

Alameda County
Regional Emergency
Communications Center
"Accredited Center
of Excellence"

April 13, 2020

The Honorable Board of Directors
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: First Amendment to the Legal Services Agreement with Law
Offices of Amy Oppenheimer for Investigation Services for the
Alameda County Fire District

Dear Directors:

RECOMMENDATION:

- A. Authorize First Amendment to the Legal Services Agreement (Procurement Contract No. 15401) with the Law Offices of Amy Oppenheimer and Associates (Principal: Amy Oppenheimer; Location: Berkeley), for personnel-related Investigation Services for the Alameda County Fire District, extending the term by seven months, from 2/4/20-4/20/20 to 2/4/20-12/31/20, and increasing the amount from \$25,000 to \$35,000 (\$10,000 increase); and
- B. Delegate authority to the Fire Chief or his designee to sign the First Amendment, subject to review and approval as to form by County Counsel, and submit an executed copy of the Amendment to the Clerk of the Board for filing.

DISCUSSION:

The Alameda County Fire District (ACFD) requires the continued services of an outside investigator to investigate allegations in an ACFD personnel matter. This investigation must be conducted in a timely and expeditious manner. The ACFD, via County Counsel, retained the Law Offices of Amy Oppenheimer and Associates to conduct the original investigation. During the investigation, a second complaint arose that was related to the original complaint. Thus, additional investigation is

necessary regarding the second complaint and additional funds, not to exceed \$10,000 (above the \$25,000), are necessary to complete the investigation.

SELECTION CRITERIA/PROCESS:

The Office of the County Counsel ("County Counsel") has reviewed and evaluated the following three providers' qualifications: (1) Amy Oppenheimer and Associates (2) Van Dermyden Maddux Law Corp.; and (2) Meyers Nave, Oakland. These providers have expertise in conducting public sector workplace investigations for the County, including those involving public safety officers.

County Counsel recommends retaining Amy Oppenheimer and Associates for the investigation because they have extensive experience conducting complex investigations relating specifically to fire personnel and knowledge of the Firefighters' Procedural Bill of Rights.

FINANCING:

The contract will be funded by the Alameda County Fire District. Funding for this contract is included in the Fire District's adopted FY 2019-2020, DEPTID#280111, FUND#21602 Budget. There will be no net County cost as a result of this action.

Respectfully submitted,



DAVID A. ROCHA, Fire Chief
Alameda County Fire District



DONNA R. ZIEGLER
County Counsel

cc: Susan Muranishi, County Administrator
Melissa Wilk, Auditor-Controller
Rose Kwiatkowski, Office of the County Counsel