



(Board Copy)
Washington Metropolitan Area Transit Authority
**METRO ELECTRONIC ACTION
DOCUMENT**

IDENTIFICATION			
MEAD ID:	99056	ACTION:	Initiate & Award
AWARD VALUE:	(Not yet awarded)	CONTRACT: (Proposed)	
FUND SOURCES: (View)	Operating Funds	CONTRACTOR:	
LAST MODIFIED:	01/25/2006		

DESCRIPTION	
SUBJECT:	Initiate and award a Contract for Professional and Technical labor legal consultant services.
PURPOSE:	To request Board approval to initiate and award a procurement of professional and technical labor legal consultant services for collective bargaining, labor-management relations, interest and rights arbitrations, pension/benefit matters, labor negotiations / arbitrations and other major labor relations matters for FY 2007 and beyond.

ORIGINATION					
INITIATOR			DEPARTMENTAL APPROVAL		
DONALD FROELKE JR on 10/25/2005			Approved by SCOTT II , WILLIAM 01/27/2006		
PHONE:	202-962-	OFFICE:	LREL	DEPT:	Workforce Development and

COORDINATION (ROUTING)		
OFFICE	NAME	ACTION/DATE
AGMW (5110)	SCOTT II, WILLIAM	Approved 01/27/2006
LREL (5600)	FROELKE JR, DONALD	Approved 01/20/2006
PRMT (7410)	JACKSON, LUCY	Approved 01/31/2006
COUN (1410)	O'KEEFFE, CAROL	Approved 01/31/2006

FINAL APPROVALS	
OFFICE	NAME/ACTION
HR_CMTE	Approved for AGMW by WILLIAM SCOTT II on 01/27/2006
BEMR	Approved for by HAROLD BARTLETT on 02/01/2006
GM	Approved for GMGR by GMGR CEO on 02/09/2006
BOARD	BOARD WMATA (Not Yet Approved)



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NARRATIVE

DISCUSSION:

WMATA requires retaining specialized labor legal counsel and representational services in connection with reviewing, analyzing and advocating WMATA's interests in collective bargaining and labor/management relations for a three (3) year base period and two (2) one-year options subject to sufficient funds in the budget.

During FY 2007, these professional legal services will be necessary to assist in concluding negotiations and/or implementing contract modifications with Local 689 ATU, Local 2 OPEIU, L922 IBT, L639 IBT and the FOP, as well as their respective New Service Agreements. Given the heavy emphasis in bargaining on health, welfare and pension cost containment measures, specialized legal counsel is vital to WMATA in formulating its negotiating and arbitration strategies. Specialized legal expertise is also needed to assist in the preparation of supporting arguments, testimony and exhibit presentations for any contingent interest arbitrations resulting from contract negotiations and/or disputes with WMATA's five (5) labor unions representing approximately eighty-five percent (85%) of the Authority's workforce. Further, these services are required to assist in analyzing other continuing cost containment issues and may be required to provide legal advice on judicial and arbitral decisions, grievance arbitrations, Urban Mass Transportation Act 13 (c) agreements, ADA, pension law and other ad hoc assignments relating to WMATA's labor relations.

It is the intent of the Authority to initiate a new contract using WMATA's competitive procurement process. Firms that submit proposals will be evaluated by a Source Selection Evaluation Board in accordance with WMATA's procurement regulations.

ALTERNATIVE:

There is no practical alternative.

IMPACT ON FUNDING:

Budget: Operating Budget, FY 2007
 Department/Office: WFDA/LABR
 Account: 50303140 Professional & Technical Services - Other Consultants
 This Action: \$350,000

Budget Information:

Base Year 2 FY 2008	Base Year 3 FY 2009	Option Year 1 FY 2010	Option Year 2 FY 2011	Total
\$350,000	\$350,000	\$350,000	\$350,000	\$1,400,000

Remarks: Funding for Professional & Technical – Other Consultants services has been requested in the WFDA's Proposed FY 2007 budget and is subject to Board approval of WMATA's FY 2007 budget. Funding for subsequent base and option years are subject to future proposed budgets and approval of those budgets by WMATA's Board of Directors for FY 2008, 2009, 2010 and 2011.

AFFIRMATIVE ACTION REQUIREMENTS:

Equal Employment Opportunity:

The selected contractor will be required to comply with Executive Order 11246, Revised Order #4.

PRIOR APPROVALS:

None

RECOMMENDATION:

That the Board approve the initiation and award of a three (3) year base period contract with two (2) one-year options for the procurement of professional and technical labor legal consultant services.