



**CITY OF NOVI CITY COUNCIL
OCTOBER 25, 2021**

SUBJECT: Approval of recommendation from the Consultant Review Committee to award an extended contract to Shifman Fournier for a three-year contract for Labor Relations and Employment Law with the adoption of the associated fees and charges, effective January 1, 2022., subject to final review of the form of agreement by the City Manager's office and City Attorney.

SUBMITTING DEPARTMENT: City Manager

BACKGROUND INFORMATION: The City of Novi contracted with Shifman Fournier for the first time to advise on labor matters in 2017. The current agreement is set to expire on December 31, 2021. Leading up to the end of the contract, the Consultant Review Committee (CRC) convened on October 19, 2021, to review the contracts and renewal proposals from the three legal services provided to the City of Novi. The CRC was comfortable with staff's recommendation to continue with the Shifman Fournier Group for another three (3) years, increasing their hourly rate to;

2022: \$165/hr

2023: \$175/hr

2024: \$175/hr

Their current hourly rate is \$145 for both Principal and Associate Attorneys.

RECOMMENDED ACTION: Approval of recommendation from the Consultant Review Committee to award an extended contract to Shifman Fournier for a three-year contract for Labor Relations and Employment Law with the adoption of the associated fees and charges, effective January 1, 2022., subject to final review of the form of agreement by the City Manager's office and City Attorney.

Howard L. Shifman
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VIA EMAIL

PRIVILEGED ATTORNEY—CLIENT COMMUNICATION

October 19, 2021

Peter E. Auger, City Manager
City of Novi
45175 10 Mile Road
Novi, MI 48375

Re: Legal Services Renewal

Dear City Manager Auger:

It is our understanding that the Consultant Review Committee will consider continuing the retention of our firm as Labor and Employment counsel for the City.

We greatly appreciate the City's consideration of extending our contract with the City.

It has been a pleasure representing the City and being part of the City team. We have had the opportunity to work together to navigate through a number of difficult issues which we believe have been resolved in ways which have benefited the City.

We look forward to continuing that relationship.

The firm would propose an extension for up to three years should the City so desire.

Our proposal would include an adjustment in our rates as follows:

2022: \$165 per hour
2023: \$175 per hour
2024: \$175 per hour



CITY OF NOVI
Consultant Review Committee Meeting
Tuesday, October 19, 2021 7:30 p.m.
Council Chambers | Novi Civic Center | 45175 Ten Mile Road
(248) 347-0445

CALL TO ORDER 7:30 p.m.

ROLL CALL: Mayor Pro Tem Staudt, Council Members Casey, Fischer

STAFF LIAISON: Victor Cardenas, Assistant City Manager

OTHERS PRESENT: Pete Auger, City Manager
Katherine Oppermann, Executive Assistant

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. Tuesday, February 16, 2021 Meeting Minutes

PURPOSE OF THE MEETING

1. Discuss Attorney Contracts
 - a. General – Rosati, Schultz, Joppich, & Amtsbuechler P.C.
 - b. Prosecuting – The Baker Legal Group
 - c. Labor - Shifman Fournier

Mr. Cardenas stated that this meeting was to discuss the contracts of the three legal firms currently working with the city – General counsel, prosecuting and labor attorney. The expiration of the current contracts, established in 2018, is nearing and the fees need to be readdressed. Mr. Auger commented that City Staff, Boards, and Commissions who work directly with the legal firms have all been pleased with the services provided and staff recommends that the Consultant Review Committee recommend the approval of the renewals with revised pay scale proposed by the individual firms. For General Counsel, provided by Rosati, Schultz, Joppich, & Amtsbuechler P.C. staff recommends an additional two years at \$160.00/hour for senior attorneys and \$150.00/hour for associates as proposed. For Prosecuting services, provided by the Baker Legal group staff recommends an additional three years at \$115.00/hour as proposed. For Labor services, provided by Shifman Fournier staff recommends an additional three years at the graduated scale of \$165.00/hour in 2022, \$175.00/hour in 2023, and \$175.00/hour in 2024 as proposed.

Motion made by **Member Fischer** that for the general Counsel, provided by Rosati, Schultz, Joppich, & Amtsbuechler P.C., to recommend that, as an adjusted option year of the existing contract, the hourly rate is increased to the proposed \$160.00/hour for senior attorneys and \$150.00/hour for associates through December 31, 2022. Member Fischer recommended to staff to bring the Consultant Review Committee back together again no later than June 2022 to further discuss the General Counsel contract and decide whether to retain Rosati, Schultz, Joppich, & Amtsbuechler P.C. or go to bid.

Motion was supported by **Member Casey** and carried unanimously; motion passes 3-0.

Motion made by **Member Casey** that for the Prosecuting Attorney, Baker Legal Group, to recommend a one year no-bid contract for legal professional services at the increased rate of \$115.00/hour as proposed. As with the prior discussion it was recommended that this matter be taken up again in June 2022.

Motion was supported by **Mayor Pro Tem Staudt** and carried unanimously; motion passes 3-0.

Motion made by **Member Fischer** that for the Labor Attorney, provided by Shifman Fournier, to recommend a three year no-bid contract for legal professional services at the graduated scale of \$165.00/hour in 2022, \$175.00/hour in 2023, and \$175.00/hour in 2024 as proposed.

Motion was supported by **Mayor Pro Tem Staudt**; motion passed 2-1 with Member Casey dissenting.

AUDIENCE COMMENTS

No comments were submitted or shared by the public during this meeting.

ADJOURNMENT

The meeting was adjourned at 8:05 p.m. **Moved** by **Mayor Pro Tem Staudt**, **supported** by **Member Fischer** and carried unanimously: to adjourn the meeting.