



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** FEBRUARY 2, 2021

**TO:** CITY COUNCIL / SUCCESSION AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** ELLIS CHANG, DIRECTOR OF ADMINISTRATIVE SERVICES  
LAURA GIANNETTI-MERCER, HUMAN RESOURCES MANAGER II

**SUBJECT:** REQUEST FOR QUALIFICATIONS – ON-CALL INDEPENDENT INVESTIGATIVE SERVICES

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### **SUMMARY**

Results of a request for qualifications (RFQ) to provide on-call investigative services for safety and non-safety personnel related matters presented for City Council consideration and approval.

### **RECOMMENDATION**

Authorize City Manager, or designee, to execute three-year professional service agreements as well as future options to extend for a maximum of three, one-year options, in a form approved by the City Attorney, for on-call investigative services with the following firms:

- Atkinson, Andelson, Loya, Ruud & Romo
- Batza & Associates
- Chuck Thomas
- CPS HR Consulting
- Norman A. Traub & Associates
- RJN Investigations, Inc.
- Woodruff, Spradlin & Smart, APC.

## PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

## FISCAL IMPACT

The Fiscal Year 2020-21 budget includes funding for independent investigative services, therefore, no additional allocation is required at this time.

## DISCUSSION

In accordance with Resolution No. 2015-36, Anti-Harassment, Discrimination, Retaliation, and Abusive Conduct Policy, upon the receipt of a complaint of harassment, discrimination, retaliation or abusive conduct, the City will authorize and supervise an investigation of the alleged misconduct. Additionally, when an employee is suspected of violating City policy, the City shall make every reasonable effort to ascertain all facts in the matter prior to taking any form of disciplinary action. Conducting such investigations, depending on the nature of the wrongdoing and/or the involved principals, requires an investigator with training and an expertise in such matters. Currently, the City only has one Administrative Services staff member with the required background and training to conduct such investigations. However, due to workloads and time constraints, the City sometimes finds it necessary to contract with an outside firm in order to be able to complete an investigation in a timely manner that allows the City to promptly address any misconduct.

To facilitate the City's ability to enlist the assistance of an outside investigator expeditiously, an RFQ was published in October 2020 for On-Call Independent Investigative Services seeking proposals from qualified, skilled and experienced individuals or firms to conduct independent investigative services for safety and/or non-safety personnel matters on an as-needed basis. The City received 13 proposals by the deadline. An internal panel reviewed all submissions and evaluated them based upon a number of factors, including but not limited to, qualifications and experience conducting safety and/or non-safety personnel related investigations for harassment and discrimination complaints, policy or rule violations and grievances to Memorandum of Agreement interpretation. The internal panel concluded that five of the firms met the City's needs for safety personnel related investigations and seven firms met its needs for non-safety personnel related investigations.

Firms recommended for placement on the Safety Investigation On-Call List are:

- Atkinson, Andelson, Loya, Ruud & Romo
- Batza & Associates
- Chuck Thomas Investigations
- Norman A. Traub & Associates
- Woodruff, Spradlin & Smart, APC.

Firms recommended for placement on the Non-Safety Investigation On-Call List are:

- Atkinson, Andelson, Loya, Ruud & Romo
- Batza & Associates
- Chuck Thomas investigations
- CPS HR Consulting
- Norman A. Traub & Associates
- RJN Investigations, Inc.
- Woodruff, Spradlin & Smart, APC.

Firms not meeting the City's criteria are:

- Advanced Polygraph & Background Services (APB)
- Amazing Pathways
- Ellis & Makus
- Landmark Investigations
- Meyers Nave
- Sloan Sakai.

Attachments:

- Attachment 1 – Professional Services Agreement – Atkinson, Andelson, Loya, Ruud & Romo
- Attachment 2 – Professional Services Agreement – Batza & Associates
- Attachment 3 – Professional Services Agreement – Chuck Thomas Investigations
- Attachment 4 – Professional Services Agreement – CPS HR Consulting
- Attachment 5 – Professional Services Agreement – Norman A. Traub & Associates
- Attachment 6 – Professional Services Agreement – RJN Investigations, Inc.
- Attachment 7 – Professional Services Agreement – Woodruff, Spradlin & Smart, APC