100 East Erie Street
Chicago, IL 60611

Metropolitan Water Reclamation District of Greater Chicago

Legislation Details (With Text)

File #:	23-0563 **Version:** 1		
Type:	Agenda Item	**Status:**	Adopted
File created:	5/25/2023	**In control:**	Procurement Committee
On agenda:	6/1/2023	**Final action:**	6/1/2023
Title:	Issue purchase order and enter into an agreement with Seyfarth Shaw LLP to represent the District in MWRDGC v. IBEW, Local 9, Case No. 2023 CH 00322, Circuit Court of Cook County and any related actions in an amount not to exceed $95,000.00, Account 101-30000-612430, Requisition 1600999		
Sponsors:			
Indexes:			
Code sections:			
Attachments:			

Date	Ver.	Action By	Action	Result
6/1/2023	1	Board of Commissioners	Approved	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF JUNE 1, 2023

COMMITTEE ON PROCUREMENT

Mr. Brian A. Perkovich, Executive Director

Issue purchase order and enter into an agreement with Seyfarth Shaw LLP to represent the District in MWRDGC v. IBEW, Local 9, Case No. 2023 CH 00322, Circuit Court of Cook County and any related actions in an amount not to exceed $95,000.00, Account 101-30000-612430, Requisition 1600999

Dear Sir,

Authorization is requested to issue a purchase order and enter into an agreement with the law firm of Seyfarth Shaw LLP to represent the District in MWRDGC v. IBEW, Local 9, Case No. 2023 CH 00322, Circuit Court of Cook County and any related actions in an amount not to exceed $95,000.00. This litigation aims to vacate an Arbitrator's award of "Facility Closure Pay" to Local 9 members from May 11, 2020 through October 1, 2020.

The District solicited three law firms with the expertise to provide the requested legal services. These services include representing the District in its action to vacate an arbitration award in the Circuit Court of Cook County. Seyfarth Shaw LLP was the only firm to respond to the District's solicitation.

An evaluation committee comprised of staff from the Law and Procurement and Materials Management Departments interviewed Seyfarth Shaw LLP. Based on the evaluation criteria, including the firm's professional qualifications, resources and experience with similar labor and employment litigation, the evaluation committee recommends the District's retention of Seyfarth Shaw to serve as outside counsel in this matter.

Thomas J. Piskorski, who would serve as lead attorney on this matter, is highly regarded in the field of labor and employment law and has extensive experience representing units of government in labor and employment litigation including grievances, arbitrations, and vacating arbitration awards. Mr. Piskorski's normal hourly rate is $1,210.00, but Seyfarth Shaw LLP has agreed to an hourly rate of $965.00 per hour for Mr. Piskorski's services in this matter and a rate of $630.00 per hour for Jules Levenson, a senior associate who works

extensively with Mr. Piskorski and has experience and expertise in lawsuits seeking to vacate arbitration awards. An exception to the Board's $250.00 hourly rate cap policy for outside legal services, adopted on March 15, 2018 is recommended.

In view of the foregoing, it is requested that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement with the law firm of Seyfarth Shaw LLP to represent the District in MWRDGC v. IBEW, Local 9 litigation concerning "Facility Closure Pay," and any related actions, in an amount not to exceed $95,000.00.

As the law firm of Seyfarth Shaw LLP possesses a high degree of professional experience and skill, such action may be taken without advertising in accordance with Section 11.4 of the District's Purchasing Act.

Funds for the 2023 expenditure in the amount of $95,000.00 are available in Account 101-30000-612430.

Requested, Susan T. Morakalis, General Counsel, STM:JBM:mv
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management
Respectfully Submitted, Marcelino Garcia, Chairman Committee on Procurement
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for June 1, 2023