

CITY OF LOS ANGELES  
DEPARTMENT OF WATER AND POWER  
INTRADEPARTMENTAL CORRESPONDENCE

Date: June 6, 2018

To: Retirement Board Members

From: Linda P. Le, Retirement Plan Manager 

Subject: Board Agenda Item No. 4: Discussion of Professional Services Contract to Regularly Update the Print and Electronic Versions of the Water and Power Employees' Retirement Plan Document; and Possible Action (June 13, 2018, Regular Retirement Board Meeting)

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Recommendations

That the Board of Administration (Retirement Board) of the Water and Power Employees' Retirement Plan (Plan):

- 1) Approve funding for a professional services contract to utilize the services of a publisher to regularly update and maintain the print and electronic versions of the Plan document; and
- 2) Approve a revision to the 2018/2019 Budget to increase the Other Professional Services budget for the publishing of the Plan document.

Summary

The Retirement Board has the fiduciary responsibility to provide benefits to Plan members and their beneficiaries, and to assure prompt delivery of those benefits. Additionally, the City Charter and the California Constitution require the Retirement Board to exercise duty of care and prudence while carrying out these duties. A key element to meeting these requirements is to follow the Plan document and other applicable law. It is, therefore, essential to maintain an updated Plan document that the Retirement Board, Plan members, and beneficiaries can rely on for accurate, timely information to assist them in making informed decisions. Maintaining an updated Plan document will also help protect the Plan from challenges arising from misinformation, miscommunication, and help guard against litigation.

The Plan document is a living document that is periodically revised by staff when Plan amendments are adopted by the Retirement Board. The recent adoption of several Plan amendments has highlighted the need to utilize the services of a professional publisher that will regularly update printed and electronic versions of the Plan document.

Staff has identified a contract for publishing services currently in effect with the Los Angeles City Attorney's Office (City Attorney) through November 30, 2018. The existing contract with American Legal Publishing Corporation (American Legal) is for printing, publishing, updating, and internet hosting services. American Legal has successfully provided these services to the City of Los Angeles (City) since 2006 and currently maintains and hosts the City Charter, Administrative, and Municipal Codes. The proposal is to add the Plan document to the same location where these City documents are hosted, making the transition easier for Plan members who can find and search through the Plan document. Furthermore, the contracting process would be expedited given a City Attorney finding that the contract is exempt from competitive bidding as the services required are of a professional and expert quality and are temporary and occasional in nature; therefore, bidding under Charter Section 371 is neither practical nor advantageous.

Based on the contractor's good standing and twelve-year relationship with the City providing printing, publishing, updating, and internet hosting services, staff recommends the Retirement Board contract directly with American Legal for the services described.

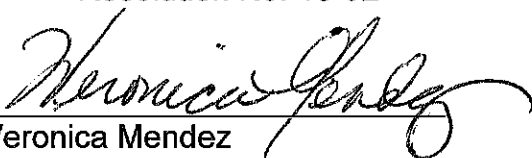
The proposed services sought by staff will include:

1. Initial Plan document conversion
2. Code and host on Internet
3. Regular updates, editing, and maintenance as amendments are adopted
4. Updated Plan copies in MS Word and PDF Formats
5. Printed copies

The contract has an initial startup estimated amount of \$1,500 and an amount not to exceed \$25,000.

The following document is attached:

- Resolution No. 18-92

  
Veronica Mendez  
Administrative Services Manager

LPL/MM:lj

**RESOLUTION NO. 18-92**

**RESOLUTION TO AUTHORIZE THE ESTABLISHMENT OF A PROFESSIONAL SERVICES CONTRACT WITH AMERICAN LEGAL PUBLISHING CORPORATION TO REGULARLY UPDATE THE PRINT AND ELECTRONIC VERSIONS OF THE WATER AND POWER EMPLOYEES' RETIREMENT PLAN DOCUMENT**

**WHEREAS**, the Board of Administration (Retirement Board) of the Water and Power Employees' Retirement Plan (Plan) has a fiduciary responsibility to provide benefits to Plan members and beneficiaries, and to assure prompt delivery of those benefits; and

**WHEREAS**, a regularly updated Plan document is essential to meeting the Retirement Board's fiduciary responsibility; and

**WHEREAS**, the Los Angeles City Attorney's Office (City Attorney) has a current contract for publishing services with American Legal Publishing Corporation (American Legal) through November 30, 2018; and

**WHEREAS**, American Legal currently provides publishing services to the City Attorney, is in good standing, and has a twelve-year relationship with the City providing printing, publishing, updating, and internet hosting services; and

**WHEREAS**, the contracting process would be expedited given a City Attorney finding that the contract is exempt from competitive bidding as the services required are of a professional and expert quality and are temporary and occasional in nature; therefore, bidding under Charter Section 371 is neither practical nor advantageous.

**NOW, THEREFORE, BE IT RESOLVED** that the Retirement Plan Manager is directed to pursue a contract with AMERICAN LEGAL PUBLISHING CORPORATION to provide publishing services to the Retirement Board for an amount not to exceed \$25,000.

**I HEREBY CERTIFY** that the foregoing is a full, true, and correct copy of the Resolution adopted by the Retirement Board at its meeting held on June 13, 2018.



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Linda P. Le  
Retirement Plan Manager