CITY OF YUBA CITY STAFF REPORT

Date: April 2, 2019

To: Honorable Mayor & Members of the City Council

From: Human Resources

Presentation By: Natalie Springer, Human Resources Director

Summary

Subject: Appointment of Labor Relations Consultant.

Recommendation: Adopt a Resolution authorizing the City Manager to enter into a

membership with Industrial Employers and Distributors Association (IEDA) for labor relations services, including authorizing the City Manager to take

action to implement the same.

Fiscal Impact: \$15,171.84 for Fiscal Year 2018-2019, \$62,827.92 for Fiscal Year 2019-

2020, \$65,021.40 for Fiscal Year 2020-2021 and \$50,463.27 for Fiscal Year 2021-2022 for a total of \$193,484.43 with a 5% variance. The membership dues are adjusted annually based on employee count in the

bargaining units.

Purpose:

To appoint Industrial Employers and Distributors Association (IEDA) as the new labor relations consultant for the City of Yuba City by authorizing membership in IEDA.

Background:

A Request for Proposal was sent to six (6) labor relations firms, four (4) responded. The four (4) firms were asked to present on Friday, March 8, 2019 before a City Council subcommittee consisting of Vice Mayor Cardoza, Councilmember Espindola, Interim City Manager Diana Langley, and Human Resources Director Natalie Springer. Based on the proposal review and presentations, the City Council subcommittee recommends IEDA as the labor relations consultant.

Analysis:

IEDA was founded in 1937 and is a non-profit corporation. IEDA provides a full range of labor relations and consultation services which would include serving as the City's lead negotiator and providing support to City Council and staff throughout the negotiations process.

IEDA has significant experience working with public sector agencies including several within Sutter, Placer, Solano, Yolo, and Yuba Counties. IEDA has proposed Gregory Ramirez as the City's primary consultant. Mr. Ramirez recently negotiated for Sutter County.

IEDA would provide lead labor relations for the following bargaining units:

Organization	Approximate Number of Employees Represented	MOU Expiration Date
Fire Union	40	June 30, 2019
Fire Management	4	June 30, 2019
First Level Managers	25	June 30, 2019
Local 1	96	June 30, 2019
Mid Managers and Confidential Employees by Resolution No. 14-029	15	June 30, 2019
Police Officers' Association	73	June 30, 2019
Police Sergeants	9	June 30, 2019
Sworn Police Mid Managers	4	June 30, 2019

The association membership is anticipated to be for a three (3) year period with an option by mutual agreement to renew for two (2) additional 1-year periods. Based on their unique perspective of the local public sector labor market and the depth of experience offered by their team, staff recommends moving forward with IEDA.

IEDA will provide a presentation on their organization and the scope of services they will be providing to the City. IEDA's attached proposal also shows its demonstrated competence, professional qualifications for the services, availability, and fair and reasonable cost.

Fiscal Impact:

IEDA's proposed fees are based upon a formula using a per capita monthly fee for the number of employees in representation units. The estimated costs for labor relations services for Fiscal Years 18-19 is \$15,171.84, Fiscal Year 19-20 is \$62,827.92, Fiscal Year 20-21 is \$65,021.40 and Fiscal Year 21-22 is \$50,463.27 for a total of \$193,484.43 with a 5% variance. The membership dues are adjusted annually based on employee count in the bargaining units.

Alternatives:

- 1. Direct staff to contract with another labor relations firm
- 2. Direct staff to revisit proposals from other labor relations firms

Recommendation:

Approve a resolution authorizing the City Manager to enter into an association membership with Industrial Employers and Distributors Association (IEDA) for labor relations services.

Attachments:

- 1. Resolution
- 2. Proposal Industrial Employers and Distributors Association

Prepared By: Submitted By:

/s/ Cíara Wakefield /s/ Díana Langley

Ciara Wakefield Diana Langley

Administrative Analyst II Interim City Manager

Reviewed By:

Human Resources NS

Finance RB

City Attorney SLC by email

ATTACHMENT 1

RESOL	.UTION	NO.	

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AUTHORIZING MEMBERSHIP WITH INDUSTRIAL EMPLOYERS AND DISTRIBUTORS ASSOCIATION (IEDA) FOR LABOR RELATIONS SERVICES, INCLUDING AUTHORIZING THE CITY MANAGER TO TAKE ACTION TO IMPLEMENT THE SAME

WHEREAS, Yuba City has eight employee bargaining units and is need of labor relations and consultation services for labor negotiations; and

WHEREAS, the City issues a Request for Proposals for labor relations and consultation services; and

WHEREAS, four entities responded, each of who were interviewed by a City Council subcommittee assisted by key City staff; and

WHEREAS, after consideration of all review and presentations, the Council subcommittee has recommended Industrial Employers and Distributers Association (IEDA) as the proposed labor relations consultant for the City; and

WHEREAS, IEDA provides a full range of labor relations and consultation services which would include serving as the City's lead negotiator and providing support to City Council and staff throughout the negotiations process; and

WHEREAS, IEDA has significant experience working with public sector agencies including several within Sutter, Placer, Solano, Yolo, and Yuba Counties; and

WHEREAS, IEDA is a non-profit association that provides its services by offering membership, and is compensated by dues paid by both public and private entities on a formula based on the number of full time equivalent employees for each member; and

WHEREAS, IEDA is qualified to provide labor relations and consultation services for the City; and

WHEREAS, the City Council desires to retain IEDA's services by becoming a member of IEDA for at least three years, with an option to extend for up to another two years; and

WHEREAS, the City Council also desires to authorize the City Manager to enter into any agreements, subject to approval as to legal form by the City Attorney, pay dues, and take any other action necessary to obtain the services of IEDA for the City's labor negotiations with its bargaining units.

NOW, THEREFORE, be it resolved by the City Council of Yuba City as follows:

1. The City Council finds and selects IEDA's proposal as the preferred provider of professional labor services based in IEDA's demonstrated competence, professional qualifications for the services, availability, and fair and reasonable cost.

- 2. The City Council authorizes the City Manager to obtain membership with IEDA, otherwise engage IEDA's services, for labor negotiations with the City's bargaining units, including related labor relations and consultation services, under the following conditions:
 - a. Membership Initiation Fee, Dues and Assessments: Membership initiation fees, dues and assessments (collectively "dues") shall not exceed the following for each Fiscal Year: \$15,171.84 for Fiscal Year 2018-2019; \$62,827.92 for Fiscal Year 2019-2020; \$65,021.40 for Fiscal Year 2020-2021; and \$50,463.27 for Fiscal Year 2021-2022 for a total of \$193,484.43. Notwithstanding, the City Council recognizes that membership dues may vary based on the number of full-time equivalent positions in the bargaining units, and authorizes the City Manager to pay membership fees for each fiscal year not to exceed an additional 5% more than those set forth above.
 - b. Term of Membership: Membership is authorized through Fiscal Year 2020-2021. Thereafter, the City Manager may extend membership with IEDA each year through Fiscal Year 2021-2022 unless otherwise directed by the City Council.
 - c. Scope of Services: The scope of services provided by IEDA shall substantially comply with the following in that IEDA will:
 - Serve as the City's chief spokesperson and negotiating team leader during Letter of Understanding (LOU)/Memorandum of Understanding (MOU) negotiations.
 - Report to the City Council on staff recommendations and the progress of negotiations.
 - Provide support to staff and the City Council in developing negotiation direction and authority.
 - Recommend strategies for successful outcomes in negotiations.
 - Assist in the development of management proposals and bargaining positions, and to meet with designated City staff as requested.
 - Provide support with costing of both management and labor proposals.
 - Assist in developing the necessary information and background to support a position presented during negotiations.
 - Advise, assist and/or act as the chief spokesperson for the City regarding situational meet and confers, such as the impact of layoffs, statutory changes requiring meeting and conferring, pension modifications, work schedule changes, revisions in agency or departmental rules, staffing guidelines, and numerous other issues as may be requested by the City.
 - Advise, assist or represent the City during any mediation sessions that result from LOU/MOU negotiations or situational meet and confers.
 - Advise or assist the City during the fact-finding, arbitration or other related procedures as may be requested by the City.
 - Advise or assist the City during Public Employment Relations Board presentations as may be requested by the City.
 - Assist in the design of pension, health and other employee benefit plans and strategies.
 - Provide labor relations training as requested.
 - Consult or assist the City on grievance handling and other dispute resolution procedures as may be requested.
 - Consult or assist the City on disciplinary appeals as may be requested.
 - Research and advise the City of labor relations trends.
 - Be easily accessible and available to City staff for timely telephone consultation.

- Maintain a professional and collegial relationship with the City's Unions.
- 3. The City Council of the City of Yuba City authorizes the City Manager, or designee, to enter into any agreement (subject to approval as to legal form by the City Attorney), pay dues, complete membership forms, participate in IEDA membership meetings and vote on behalf of the City consistent with Council direction, or take any other action reasonably necessary to become a member of IEDA and obtain IEDA's labor relations and consultation services, subject to and consistent with the material terms set forth in Section 2.
 - 4. This Resolution shall become effective immediately.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2 day of April 2019.

AYES:	
NOES:	
ABSENT:	
	Shon Harris, Mayo
ATTEST:	
Patricia Buckland, City Clerk	
	APPROVED AS TO FORM COUNSEL FOR YUBA CITY
	Shannon Chaffin, City Attorney Aleshire & Wynder, LLF

ATTACHMENT 2

IEDA



Response to the

CITY OF YUBA CITY



for

LABOR RELATIONS AND CONSULTATION SERVICES

February 26, 2019

Response to the

CITY OF YUBA CITY

For

LABOR RELATIONS AND CONSULTATION SERVICES

Table of Contents

Table	of Contents	i
Cover	Memo/Letter	ii
Progra	am Narrative	
1.	Service Description/Scope of Work	1
	Organizational Background	3
3.		4
4.	Staffing	6
5.	Costs	9
Busin	ess References	10
Conta	ct Information	11



IEDA

2200 Powell Street, Emeryville, California 94608

COVER MEMORANDUM/LETTER

February 26, 2019

via email, this date to: nspringer@yubacity.net

City of Yuba City Human Resources Department Attn: Natalie Springer, Human Resources Director 1201 Civic Center Boulevard Yuba City, CA 95993

Dear Ms. Springer:

We are pleased to submit this Proposal to provide LABOR RELATIONS AND CONSULTATION SERVICES for the City of Yuba City. Industrial Employers and Distributors Association (IEDA) is a California non-profit corporation established in 1937. The offices of IEDA are located at 2200 Powell Street, Suite 1000, Emeryville, CA 94608. The Federal Tax Identification Number is 94-0294755.

Bruce Heid will serve as the contact on behalf of IEDA and may be contacted as follows:

Bruce Heid 2200 Powell Street, Suite 1000 Emeryville, CA 94608

Telephone: (510) 653-6765 Facsimile: (510) 658-2609 E-mail: bheid@ieda.com

IEDA hereby represents that it is in good standing in the State of California and has all the necessary licenses, permits, certificates, approvals, and authorizations necessary to perform the obligations in connection with this Request for Proposal. In addition, IEDA accepts all terms and conditions contained in the Request for Proposal.

Very truly yours,

Bruce Heid President

CITY OF YUBA CITY

for

LABOR RELATIONS AND CONSULTATION SERVICES

PROGRAM NARRATIVE

1. SERVICE DESCRIPTION/SCOPE OF WORK

IEDA is pleased to submit this proposal to provide labor relations and consultation services for the City of Yuba City, as we believe that IEDA is particularly well qualified to represent the City of Yuba City in all aspects of labor relations for many reasons.

Services we provide and activities in which we would expect to be involved include:

- Serve as the City's Chief Spokesperson and Negotiating Team Leader during MOU negotiations.
- Report to the City Council on staff recommendations and the progress of negotiations.
- Provide support to staff and the City Council in developing negotiation direction and authority.
- Recommend strategies for successful outcomes in negotiations.
- Assist in the development of management proposals and bargaining positions, and to meet with designated City staff as requested.
- Provide support with costing of both management and labor proposals.
- Assist in developing the necessary information and background to support a position presented during negotiations.
- Advise, assist and/or act as the Chief Spokesperson for the City regarding situational meet and confers, such as the impact of layoffs, statutory changes requiring meeting and conferring, pension modifications, work schedule changes, revisions in agency or departmental rules, staffing guidelines, and numerous other issues as may be requested by the City.
- Advise, assist or represent the City during any mediation sessions that result from MOU negotiations or situational meet and confers.
- Advise or assist the City during the fact-finding, arbitration or other related procedures as may be requested by the City.
- Advise or assist the City during Public Employment Relations Board presentations as may be requested by the City.
- Assist in the design of pension, health and other employee benefit plans and strategies.
- Provide labor relations training as requested.
- Consult or assist the City on grievance handling and other dispute resolution procedures as may be requested.
- Consult or assist the City on disciplinary appeals as may be requested.
- Research and advise the City of labor relations trends.
- Maintain a professional and collegial relationship with the City's Unions.

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We believe the services described herein either meet or exceed the requirements stated in this RFP in that:

- IEDA staff is easily accessible and available to City staff for timely telephone consultation.
- IEDA staff can conduct more than the required negotiations simultaneously with a primary negotiator assigned to the City of Yuba City. IEDA will assign additional staff as deemed necessary.
- IEDA has an extensive client list that directly results from successfully representing public agencies in California for over fifty (50) years.
- IEDA has well-established professional relationships with most labor organizations in Northern California, including those representing employees in the City.

The services to be provided by IEDA are particularly advantageous to the City because of accessibility to staff and our in-house resources, our extensive knowledge of the local public sector labor market, the depth of staff coverage available, and the broad repertoire staff has in a wide range of bargaining techniques from traditional to interest-based approaches. Overall, we emphasize developing and maintaining a professional, accessible and responsive relationship that will lead to more satisfying problem-solving.

In summary, IEDA has the experience, the professional and physical resources, and the commitment to high performance standards and harmonious labor relations that make us the ideal organization to provide labor relations service to the City of Yuba City as described in the Request for Proposal. We are not aware of any restrictions or limitations in providing the services specified.

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2. ORGANIZATIONAL BACKGROUND

Industrial Employers and Distributors Association - IEDA - has provided a full range of labor relations services since its inception in 1937. Initially formed to represent unionized private sector manufacturing firms, today over half of IEDA's members are public sector agencies including cities, counties, courts, public authorities, and a variety of special districts. IEDA is one of the largest associations of its kind in the United States, representing more than one hundred (100) employers, including seventy (70) public agencies. A full list of IEDA's clients can be found on our website: www.ieda.com. IEDA's success is due to the firm's commitment to developing and maintaining professional relationships, built on honesty, integrity and fair dealing.

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3. EXPERIENCE

The breadth and depth of experience of the IEDA staff are unique. IEDA's professional staff of seven (7) negotiators has combined experience of over two hundred and forty-four (244) years between them, either as IEDA employees and/or acquired in a variety of public and private sector settings, including experience as both management and labor representatives.

Changing times have brought not only new techniques to labor relations professionals, but new substantive challenges as well. IEDA is actively involved in the design and negotiation of cost-saving approaches for both active and retiree medical plans and pension plans. Our experience is derived from administering two (2) medical trusts and serving as trustees of large multi-employer health trusts, as well as negotiating benefit and pension changes for employers throughout Northern California and beyond. By virtue of representing such a diverse group of employers, including public agencies, and being always engaged in negotiations, IEDA staff have a true "bird's eye view" of emerging issues and trends in the benefits arena as well as labor relations in general. This immediacy of expertise and broad perspective are significant reasons why public agencies have contracted with IEDA for so many years.

IEDA also has extensive experience in working with a variety of organizational structures and governing bodies in public and non-profit agencies. Staff members are sensitive to the political context and the specific decision-making processes employed by each agency. Such attentiveness and flexibility are additional resources IEDA staff bring to the City of Yuba City.

IEDA represents numerous public agencies near Yuba City including agencies within Sutter County and the nearby counties of Placer, Solano, Yolo, and Yuba, providing us with a unique perspective on local events and trends in labor relations as well as the opportunity to maintain close working relationships within the local labor community.

IEDA has successfully represented employers by creating agreements that consider the long-term interests of the parties as well as the immediate needs of the employer. We focus on establishing and maintaining mature labor-management relationships that foster credibility and mutual respect. Both continuity of service delivery and relationship building are key components of the IEDA representation philosophy, leading to solutions that are more responsive and enduring.

IEDA sees the collective bargaining process as an opportunity for management and labor to build and strengthen their ongoing relationship so that as issues arise, they can

CITY OF YUBA CITY

for

LABOR RELATIONS AND CONSULTATION SERVICES

be resolved efficiently and effectively. Establishing and maintaining a mature labor-management relationship takes time and commitment. IEDA believes in continuity in relationships with both employers and their unions and has structured our services and method of charging for services to focus on ongoing relationships. It has been our experience that efficient problem-solving is more likely to occur where a history of trustworthy and reliable engagement already exists.

To successfully represent the City, we believe it is essential to be available to the City, not only for negotiations, but for a broad range of other related activities. We pride ourselves on being a full-service organization and have learned that by being in constant contact and keeping our fingers on the pulse of the City, we are thoroughly aware of the issues facing the City, its employee organizations and its employees. For these reasons we freely offer our time during normal business hours as well as on nights and weekends instead of scheduling a specific number of work hours for each of the negotiators assigned to the City. We would expect to be available as needed to prepare for negotiations and to schedule time as needed to complete any given work project in which we are involved.

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LABOR RELATIONS AND CONSULTATION SERVICES

4. STAFFING

IEDA proposes to assign Gregory Ramirez as the City's primary consultant, with other staff members available to assist when necessary. Responsive to your criteria, summaries of Mr. Ramirez's qualifications and recent experience are attached for your review and consideration.

Should additional staff be required due to a high number of simultaneous negotiations or other organizational need, IEDA will meet with the City and assign additional negotiators.



CITY OF YUBA CITY

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LABOR RELATIONS AND CONSULTATION SERVICES

GREGORY RAMIREZ

Joined IEDA in 2017. Graduated from Cosumnes River College, Sacramento 1989, with honors, AA Business with a concentration in Accounting. Participated in numerous financial, strategy, and research courses, trainings and workshops conducted by the U.C. Berkeley Labor Center, various law firms, the International Union of Operating Engineers (IUOE) and the American Federation of State, County & Municipal Employees (AFSCME).

Previously held the position of Assistant Director of the Public Employees Division and Senior Business Representative of the Public Employees Division, for Operating Engineers Union Local No. 3, AFL-CIO, Alameda, CA, (2012-2017).

Previously held the position on the professional staff of Business Agent and was also an elected Executive Board Member of the American Federation of State, County, & Municipal Employees Council 57, AFL-CIO, Oakland, CA (2004-2012).

Previous public service experience (thirteen years) with a California municipality.

Negotiator/Consultant Services Provided Within Last Year:

AGENCY	ROLE	SERVICES PROVIDED Worked closely with management staff, provided research support for proposal development, negotiations strategy, lead negotiation sessions with IAFF (Mastagni), updated Fire District Board at closed sessions.		
American Canyon Fire Protection District	Chief Negotiator			
County of Sutter	Chief Negotiator	Worked closely with HR staff to research and develop proposals, negotiations strategy, lead negotiation sessions with Local 1, IAFF (Mastagni), and Law Unit (Mastagni). Updated Board of Supervisors at closed sessions.		
County of Amador	Chief Negotiator	Worked closely with HR staff and County Counsel's office to prepare and develop proposals and strategy for negotiations with Deputy District Attorneys Association. Worked with Staff to update Board of Supervisors in closed sessions. Conducted meet-and-confer with SEIU.		

G. Ramirez, Negotiator/Consultant Services Provided Within Last Year (cont'd):

City of Emeryville	Chief Negotiator	Working closely with City Manager and HR staff to prepare and develop proposals strategy and responses to information requests for negotiations with SEIU, CAMP (Mgmt. Unit) and Law Unit (Rains, Lucia). Consulted with HR staff regarding meetand-confer items. Communicating with City Council in closed sessions.			
City of Pinole	Chief Negotiator	Worked closely with Assistant City Manager to prepare and develop proposals and overall strategy for negotiations with AFSCME and Local 1. Updated City Council in closed session.			
City of Belmont	Chief Negotiator	Worked closely with HR Director and City Manager's office to prepare and develop proposals and strategy for negotiations with MMCEA (Mid Mgmt. unit), developed responses to Union proposals to determine priorities and issues. Represented City's bargaining positions through mediation process.			
City of Pleasant Hill	Chief Negotiator	Worked closely with HR Director and Assistant City Manager to develop proposals, responses and strategy for negotiations with Local 1. Lead meet-and-confer meetings with Mid Mgt. unit and drafted side-letter language to memorialize agreements made.			
City of Orinda	Chief Negotiator	Worked closely with HR Director and City Manager to close and finalize negotiations with General Unit (Teamsters) after impasse and mediation.			
Solano Irrigation District	Chief Negotiator	Worked closely with HR Director to develop proposals and strategy for negotiations.			
Yolo Emergency Communications Association	Consultant	Provided support for negotiations with Dispatcher unit (Mastagni). Provided Supervisor-Manager training.			
Yolo County Superior Court	Consultant	Assisted with negotiations for two bargaining units (OE Local 39).			
Central Contra Costa County Sanitation District	Consultant	Assisted with negotiations for three bargaining units (Local 1, Mid Mgt unit (Rains, Lucia), Management unit).			
East Bay Municipal Utility District	Consultant	Assisted with negotiations for two bargaining units (AFSCME, OE Local 39), including proposal development and response, communication with staff and Board members.			
El Dorado County Public Authority (IHSS)	Consultant	Assisting with on-going negotiations (AFSCME/UDW).			
Placer County Public Authority (IHSS)	Consultant	Assisting with on-going negotiations (SEIU).			
Nevada-Sierra-Plumas Public Authority (IHSS)	Consultant	Assisting with on-going negotiations (AFSCME/UDW).			
Yuba County Public Authority (IHSS)	Consultant	Assisting with on-going negotiations (SEIU).			
San Joaquin County Public Authority (IHSS)	Consultant	Assisting with on-going negotiations (SEIU).			

CITY OF YUBA CITY

for

LABOR RELATIONS AND CONSULTATION SERVICES

5. COSTS

IEDA's proposed fees are based upon a formula using a per capita monthly fee for the number of employees in representation units. This method of per capita charging for services is consistent with IEDA's philosophy regarding the importance of continuity of service delivery in labor relations. IEDA fees cover all costs associated with providing labor negotiations and related services for all City bargaining Units, and are all inclusive: there are no additional charges for travel, lodging, phone consultation, or other related services. As a result, the City's costs are equalized over time, irrespective of fluctuations in the number of actual hours of services provided.

Based on the total number of employees provided, the annual fee for services would be as follows:

	4-3-2019 TO 6-30-2019	7-1-2019 TO 6-30-2020	7-1-2020 TO 6-30-2021	7-1-2021 TO 4-2-2022	TOTAL COST
Number of Months	3	12	12	9	36
Total Expense	\$15,490.80	\$64,148.40	\$66,387.96	\$51,523.83	\$197,550.99

Note: Fees are calculated on a per cap basis and are subject to change as populations of the bargaining units fluctuate. A count of full-time equivalent employees is due each year before the July 1st rate takes effect.

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LABOR RELATIONS AND CONSULTATION SERVICES

6. BUSINESS REFERENCES

Gina Rowland Human Resources Director

County of Sutter
Human Resources Department
1160 Civic Center Blvd., Suite B
Yuba City, CA 95993
Telephone: (530) 822-7113
E-mail: GRowland@co.sutter.ca.us

Dena Humphrey Executive Director

Yolo Emergency Communications Agency 35 North Cottonwood Street Woodland, CA 95695 Telephone: (530) 666-8900 E-mail: dhumphrey@yolo911.org

Darcy Henderson Human Resources Director

Yolo County Superior Court Human Resources Department 1000 Main Street Woodland, CA 95695 Telephone: (530) 406-6881 E-mail: DHenderson@yolo.courts.ca.gov

Sally Donez-Lacy Human Resources Director

Solano Irrigation District 810 Vaca Valley Parkway, Suite 201 Vacaville, CA 95688 Telephone: (707) 455-4046 E-mail: sdonez-lacy@SIDWater.org

CITY OF YUBA CITY

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LABOR RELATIONS AND CONSULTATION SERVICES

7. CONTACT INFORMATION

The Federal Tax Identification Number for IEDA is 94-0294755

For IEDA RFP Response

Bruce Heid, President

IEDA 2200 Powell Street, Suite 1000 Emeryville, CA 94608

Office: (510) 653-6765 Mobile: (510) 604-7180 Facsimile: (510) 658-2609

E-mail: bheid@ieda.com

For IEDA Proposed Negotiator

Gregory Ramirez, Negotiator

IEDA 2200 Powell Street, Suite 1000 Emeryville, CA 94608

Office: (510) 653-6765 x3 Mobile: (510) 316-3200 Facsimile: (510) 658-2609

Email: gramirez@ieda.com