

RESOLUTION NO. 2024-048

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING THE CONSULTANT SERVICES  
AGREEMENT TO PROVIDE EMPLOYEE BENEFIT  
INSURANCE BROKER SERVICES BETWEEN THE CITY AND  
MARSH & MCLENNAN AGENCY LLC

WHEREAS, the City is desirous of retaining a qualified employee benefit insurance broker to provide insurance broker services for the City's employee benefits program; and

WHEREAS, the City of Chula Vista's last services agreement between the City and Marsh & McLennan Agency LLC was established in June 2019 to provide employee benefits insurance broker services; and

WHEREAS, in order to procure these services in 2019, the City solicited proposals in accordance with Chula Vista Municipal Code Section 2.56.110 for professional services, received four proposals, and selected Marsh & McLennan Agency LLC as the most qualified amongst those submitting; and

WHEREAS, Marsh & McLennan Agency LLC is a qualified and licensed insurance broker for employee benefit insurance services; and

WHEREAS, Marsh & McLennan Agency LLC warrants and represents that it is experienced and staffed in a manner such that it can continue to deliver the services required of Consultant to the City in accordance with the timeframes and terms and conditions of the Agreement; and

WHEREAS, the agreement established in 2019 with Marsh & McLennan Agency LLC expired on December 31, 2023, and the City is desirous of continuing and retaining employee benefit insurance broker services from Marsh & McLennan Agency LLC until another Request for Proposals process is successfully completed prior to the end of this agreement; and

WHEREAS, Chula Vista Municipal Code Section 2.56.110(H)(2) provides for the award of a contract for professional consultant services, without competitive bidding, as impractical or impossible by resolution of the City Council (for contracts with a maximum contract amount in excess of \$100,000) that the competitive bidding requirements are impractical, or impossible, or that City interests would be materially better served by applying a different purchasing procedure, the City Council may award the contract utilizing alternative procedures consistent with best purchasing practices; and

WHEREAS, Marsh & McLennan Agency LLC has demonstrated their ability to perform the scope of work of a benefits insurance broker, negotiate competitive health insurance premium rates and has developed a strong partnership with the Human Resources Department and Health Insurance Committee (consisting of representatives from Human Resources, Finance, all collective bargaining units), which are both critical to the annual benefits renewal process; and

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WHEREAS, compensation for Marsh & McLennan Agency LLC is based on monthly broker commissions built into the employee insurance benefit plans and based upon percentages negotiated with the various insurance companies and paid directly to the broker by various insurance companies; and

WHEREAS, considering that the preparation, execution of, and review of annual Benefits Open Enrollment, approval to waive the competitive bid process would enable staff to continue working with Marsh & McLennan Agency LLC within the normal annual benefits renewal timeline and avoid disruption to strategic planning and implementation of the 2025 employee benefits plans.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves entering into the Consultant Services Agreement to Provide Employee Benefit Insurance Broker Services between the City and Marsh & McLennan Agency LLC, in substantially the form presented, with such modifications as may be required or approved by the City Attorney and City Manager, a copy of which shall be kept on file in the Office of the City Clerk; waives the competitive bidding process with respect to the Agreement, pursuant to CVMC Section 2.56.110(H)(2); and authorizes the City Manager to negotiate the final terms of, and execute, the Agreement.

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

DocuSigned by:  
*Tanya Tomlinson*  
CA61064124DA428

Tanya Tomlinson  
Director of Human Resources/Risk Management

DocuSigned by:  
*Jill D.S. Maland*  
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Jill D.S. Maland  
Lounsbury Ferguson Altona & Peak  
Acting City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 26th day of March 2024 by the following vote:

AYES: Councilmembers: Chavez, Gonzalez, Preciado, and McCann

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

DocuSigned by:  
*John McCann*  
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John McCann, Mayor

ATTEST:

DocuSigned by:  
*Kerry K. Bigelow*  
3074D104EAF342E...

Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2024-048 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 26th day of March 2024.

Executed this 26th day of March 2024.

DocuSigned by:  
*Kerry K. Bigelow*  
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Kerry K. Bigelow, MMC, City Clerk