

M Management Committee

Meeting Date: October 10, 2007

Metropolitan Council Meeting: October 24, 2007

ADVISORY INFORMATION**Date:** October 3, 2007**Subject:** Amendment to Legal Services Agreement**Policy/Legal Reference:** Minnesota Statute § 473.129, subd. 3**Staff Prepared/Presented:** Nils F. Grossman - 651.602.1463**Division/Department:** Legal - Office of the General Counsel**Proposed Action/Motion**

That the Metropolitan Council authorize the General Counsel to amend a legal services agreement to increase the maximum contract prices as follows:

<u>Law Firm</u>	<u>Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed Increase</u>	<u>New Price</u>
Lockridge Grindal Nauen	Legal Services related to Housing, Land Use, Regional Parks and Open Space Matters Contract No. 01P143	12/31/09	\$130,000	\$70,000	\$200,000

Issue(s)

Whether to increase the maximum amount payable in order to ensure continuation of legal services by this provider.

Overview and Funding

The Office of General Counsel procures outside legal services for various public law matters. These service contracts are awarded through a process of competitive negotiation using a formal or informal RFP process. The Contract Price set in each agreement represents a cap on the amount payable; it is a "ceiling," and not a guarantee or entitlement. Regardless of any Contract Price, the actual amount paid under a legal services agreement is based upon: actual services requested and rendered; and, the budget amount(s) approved by the Metropolitan Council.

When Contract Prices exceed \$250,000, each subsequent amendment must be approved by the Metropolitan Council.

The proposed amendment would allow the General Counsel to pay for essential legal services.