Management Committee

Meeting date: January 14, 2009

ADVISORY INFORMATION	
Date:	December 3, 2008
Subject:	Technical Amendments to Legal Services Agreements; No Budget Impacts
District(s), Member(s):	
Policy/Legal Reference:	Minnesota Statute § 473.19, subd. 3
Staff Prepared/Presented:	Mark Thompson, Acting General Counsel 651-602-1105
	Phil Walljasper, Risk Management 651-602-1787
Division/Department:	Office of General Counsel

Proposed Action

That the Metropolitan Council authorizes the General Counsel to amend legal services agreements to increase the maximum contract prices as follows:

Law Firm	Services	Term	Current Price	Proposed Increase	New Price
Parker Rosen	Legal Services related to Transit Employment, RA and Planning Contract No. 06P153A	12/31/09	$750,000	$125,000	$875,000
Dorsey Whitney	Legal Services related to Public Law Matters Contract No. 00P0140	12/31/10	$550,000	$125,000	$675,000
Bassford Remele	Legal Services related to Tort & Property Damage Contract No. 06P152A	12/31/09	$750,000	$125,000	$875,000

Background

The Office of General Counsel procures outside legal services for various public law matters. These service contracts are typically 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. The Bassford Remele contract is administered by the Risk Management Division.

Rationale

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.

Funding

No funding implications or impacts.

Known Support / Opposition

None.