

M Management Committee

Meeting date: December 8, 2010

Business Item

Item: 2010-414

ADVISORY INFORMATION

Date: November 22, 2010
Subject: Technical Amendments to Legal Services Agreements; No Budget Impacts
District(s), Member(s):
Policy/Legal Reference: Minnesota Statute § 473.129, subd. 3
Staff Prepared/Presented: Donald Mueeting, General Counsel
651.602.1463
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:

<u>Law Firm</u>	<u>Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed Increase</u>	<u>New Price</u>
Barnes Thornburg	Legal Services related to Total Maximum Daily Load Matters Contract No. 09P167B	1/1/10- 12/31/12	\$250,000	\$500,000	\$750,000
Lockridge Grindal	Legal Services related to Minnesota Public Radio Contract No. 10P042	2/1/10 - 6/30/11	\$250,000	\$250,000	\$500,000

Background

The Office of General Counsel procures outside legal services for various public law matters. 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. In order for the Counsel to continue receiving legal services under each of these contracts, the Contract Price must be increased.

Rationale

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

Funding

No funding implications or impacts.

Known Support / Opposition

None