

Management Committee

Business Item

Item: 2008-95

Meeting date: April 9, 2008

ADVISORY INFORMATION

Date: April 1, 2008

Subject: Technical Amendments to Legal Services Agreement; No Budget Impacts

District(s), Member(s):

Policy/Legal Reference: Minnesota Statute § 473.19, subd. 3

Staff Prepared/Presented: Nils F. Grossman - 651.602.1463

Division/Department: Legal – 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>
Parker Rosen	Legal Services related to Transit Employment, RA and Planning Contract No. 06P153A	12/31/09	\$375,000	\$125,000	\$500,000
Bassford Remele	Legal Services related to Tort & Property Damage Contract No. 06P152A	12/31/09	\$375,000	\$125,000	\$500,000

Background

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

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.