

# M Management Committee

Executive Summary

Item: 2007-152

CONSENT

Meeting date: April 25, 2007

For the Metropolitan Council Meeting:  
May 9, 2007

## ADVISORY INFORMATION

**Date:** April 25, 2007  
**Subject:** Amendment to Legal Services Agreement  
**District(s), Member(s):** All  
**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 Regional Administrator or the General Counsel to amend one legal services agreement to increase the maximum Contract Price as follows:

<u>Law Firm</u>	<u>Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed Increase</u>	<u>New Price</u>
Dorsey & Whitney	Legal services regarding LRT and Public Law matters Contract No. 00P0140	12/31/08	\$325,000	\$100,000	\$425,000
Bassford Remele	Workers Compensation 05P044A	6/30/08	\$125,000	\$125,000	\$250,000

## 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 legal 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.