

M Management Committee
 For the Metropolitan Council meeting of January 28, 2009

ADVISORY INFORMATION

Date Prepared: January 15, 2009

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

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 | \$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 |

Summary of Committee Discussion / Questions:

Acting General Counsel Mark Thompson and Phil Walljasper Risk Management, presented the proposed amendments to the Committee and gave a brief description for the increase pertaining to contract terms and budget information.

Management Committee

Business Item

Item: 2009-10

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

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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.