

M Management Committee
For the Metropolitan Council meeting of May 13, 2009

Item: 2009-128

ADVISORY INFORMATION

Date Prepared: April 23, 2009

Subject: Technical Amendment to Legal Services Agreement; 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>
Heacox	Legal Services related to	06/30/08-	\$500,000	\$125,000	\$625,000
Hartmann	Workers Compensation Contract No. 05P044B	06/30/11			

Summary of Committee Discussion / Questions:

Acting General Counsel Mark Thompson presented the proposed amendment to the Committee and gave a brief description for the increase pertaining to contract terms and budget information.

Management Committee

Business Item

Item: 2009-128

Meeting date: April 22, 2009

Metropolitan Council Meeting Date: May 13, 2009

ADVISORY INFORMATION

Date: April 9, 2009

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

District(s), Member(s):

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

Staff Prepared/Presented: Phil Walljasper - 651.602.1787
Mark Thompson - 651.602.1105

Division/Department: Risk Management Division
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.

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.