

# M Management Committee

Meeting Date: August 22, 2007

## ADVISORY INFORMATION

**Date:** August 15, 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 General Counsel to amend four 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>
Bassford Remele	Legal Services related to Northstar Commuter Rail Project Contract No. 05P133	09/30/09	\$125,000	\$250,000	\$375,000
Parker Rosen	Legal Services related to Employment and Labor Matters Contract No. 06P153A	12/31/09	\$125,000	\$125,000	\$250,000
Parker Rosen	Legal Services related to Transit Police Contract No. C9870	12/31/08	\$300,000	\$50,000	\$350,000
Dorsey	Legal Services related to Construction and Engineering Matters Contract No. 02P096	12/31/08	\$60,000	\$150,000	\$210,000

### 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 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.