

# Management Committee

**Business Item**

Item: 2008-161

**Meeting date: June 11, 2008**

## ADVISORY INFORMATION

**Date:** June 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>
Best Flanagan	Legal Services related to Eminent Domain and other Real Property Matters Contract No. 06P154	12/31/09	\$250,000	\$100,000	\$350,000
Lockridge Grindal Nauen	Legal Services related to Environmental Matters (including Central Corridor SDEIS) Contract No. 01P143	12/31/09	\$200,000	\$100,000	\$300,000
Parker Rosen	Legal Services related to Land Use and Planning Matters Contract No. 02P103A	12/31/09	\$350,000	\$50,000	\$400,000

## 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.