

# Management Committee

Business Item

Item: 2009-229

Meeting date: July 8, 2009

## ADVISORY INFORMATION

**Date:** June 29, 2009

**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

**Division/Department:** 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>
Fredrikson Byron	Legal Services related to MOAC v. Metropolitan Airports Commission Contract No. 07P075	01/01/07- 12/31/10	\$250,000	\$100,000	\$350,000
Lockridge Grindal Nauen	Legal Services related to Housing, Land Use, Planning, Parks and Open Space Matters	09/09/01- 12/31/09	\$400,000	\$100,000	\$500,000

## 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.