

Management Committee

Business Item

Item: 2010-225

Meeting date: June 23, 2010

ADVISORY INFORMATION

Date: June 15, 2010

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

District(s), Member(s):

Policy/Legal Reference: Minnesota Statute § 473.129, subd. 3

Staff Prepared/Presented: Donald Muetting 651.602.1463
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Division/Department: Office of General Counsel
Risk Management Division

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 Real Property Matters Contract No. 06P154	1/1/07- 12/31/10	\$600,000	\$125,000	\$725,000
Cousineau McGuire	Legal Services related to Workers Compensation Contract No. 07P219A	5/16/08- 6/30/11	\$125,000	\$125,000	\$250,000
Brown Carlson	Legal Services related to Workers Compensation Contract No. 07P219C	5/16/08- 6/30/11	\$125,000	\$125,000	\$250,000

Background

The Office of General Counsel procures outside legal services for various public law matters. 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 Cousineau McGuire and Brown Carlson contracts are 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 amendments would allow the General Counsel to pay for essential legal services.

Funding

No funding implications or impacts.

Known Support / Opposition

None