



Monterey County

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Board Report

Legistar File Number: A 18-124

April 24, 2018

Introduced: 4/17/2018

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

Approve and authorize the Contracts/Purchasing Officer to sign Renewal and Amendment No. 3 to the Duane Morris, LLP Agreement for Specialized Legal Services setting an expiration date of April 30, 2018.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve and authorize the Contracts/Purchasing Officer to sign Renewal and Amendment No. 3 to the Duane Morris, LLP Agreement for Specialized Legal Services setting an expiration date of April 30, 2018.

SUMMARY/DISCUSSION:

The County previously contracted with the firm Duane Morris, LLP for legal advice concerning insurance coverage, underwriting, regulatory and compliance issues. The original agreement with the firm was entered into on May 31, 2013, for an amount not to exceed \$90,000, and was subsequently amended on March 11, 2015, to a new amount not to exceed \$99,900. On June 9, 2015, the Board of Supervisors approved Amendment No. 2, which extended the agreement to December 31, 2017, and added \$50,000 per year in 2015, 2016, and 2017 for a new total amount not to exceed \$249,900.

The County Counsel - Risk Manager has determined to retain the services of a different law firm for the provision of the necessary services; however, notwithstanding the expiration of the agreement with Duane Morris, the firm continued to provide some services to the County during the first few months of 2018. The recommended renewal and extension of term is intended to provide for compensation to the firm for work performed during that time. The agreement will terminate on April 30, 2018.

OTHER AGENCY INVOLVEMENT:

Amendment No. 3 has been approved by County Counsel as to legal form; the Auditor-Controller as to fiscal terms; and Risk Management for insurance and indemnity provisions.

FINANCING:

This action does not add additional funding to the contract and there is no impact to the County's General Fund by approving this amendment. Current funds are budgeted and paid from the General Liability Internal Service Fund (475-1210-COU003-8408).

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiative(s):

___ **Economic Development** - Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

X **Administration** - Promote an organization that practices efficient and effective resource

management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

— **Health & Human Services** - Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for health choices and healthy environments in collaboration with communities.

— **Infrastructure** - Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

— **Public Safety** - Create a safe environment for people to achieve their potential, leading business and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by:

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Approved by:

Charles McKee, County Counsel-Risk Manager, x.5045

Attachments:

Duane Morris Amendment No. 3

Duane Morris Amendment No. 2

Duane Morris - Original Agreement