

Management Committee

Meeting date: November 12, 2014

For the Metropolitan Council meeting of December 10, 2014

Subject: Technical Amendment to Legal Services Agreement

District(s), Member(s):

Policy/Legal Reference: Minn. Stat § 473.129, subd. 3

Staff Prepared/Presented: Donald J. Mueting, General Counsel, (651) 602-1463

Division/Department: Office of General Counsel

Proposed Action

That the Metropolitan Council authorizes the General Counsel to amend the legal services agreement with Best Flanagan to increase the maximum contract price as follows:

<u>Law Firm</u>	<u>Legal Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed</u>	<u>New Price</u>
Best Flanagan	CCLRT Condemnation, Real Estate Matters Contract No. 10P149	06/30/10 - 12/31/16	\$375,000	\$200,000	\$575,000

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. In order for the General Counsel to continue receiving legal services under the Best Flanagan Agreement, the Contract Price must be increased.

Rationale

The proposed amendment would allow the General Counsel to pay for legal services and third party expenses related to CCLRT matters.

Funding

Included in the Unified Operating Budget.

Known Support / Opposition

None