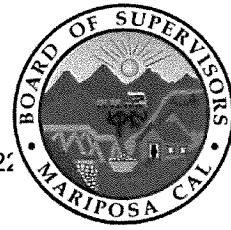




MARIPOSA COUNTY

Human Resources/Risk Management · (209) 966-3222



RESOLUTION - ACTION REQUESTED 2018-42

MEETING: February 6, 2018
TO: The Board of Supervisors
FROM: Steve Dahlem, County Counsel - Interim Human Resources Director
RE: Second Amendment to Legal Services Agreement with Liebert Cassidy Whitmore

RECOMMENDATION AND JUSTIFICATION:

Approve a Second Amendment to the Legal Services Agreement with Liebert Cassidy Whitmore (LCW) to increase the compensation amount by \$100,000 for a total Not to Exceed amount of \$200,000; and authorize the Board of Supervisors Chair to sign the Second Amendment.

LCW is currently representing the County in various personnel matters as well as labor negotiations. Although the County has Agreements in place with other vendors that work in conjunction with LCW to provide services to the County, it has recently come to our attention that some of these vendors have been invoicing for their services through LCW instead of invoicing the County directly. Paying for other vendor services through LCW has contributed to the depletion of the original LCW Agreement amount. This issue has been resolved and other vendors working with LCW will now be invoicing the County directly, which will no longer affect the compensation amount of the LCW Agreement.

Due to prior payment of other vendors through LCW together with ongoing services provided by LCW, current invoices now exceed the original Agreement amount; therefore, it is requested that the original Not to Exceed amount be increased in order to pay current and future invoices relating to ongoing services provided by LCW during the term of this Agreement.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

A Legal Services Agreement in the amount of \$100,000 was approved by the Board on September 12, 2017 and a First Amendment to change the effective date was approved on October 17, 2017. The Board has been approving agreements with LCW since 1991.

Resolution - Action Requested 2018-42

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the Second Amendment to the Legal Services Agreement with LCW, which would result in unpaid invoices for services rendered by LCW attorneys and staff.

FINANCIAL IMPACT:

Funding is budgeted in the various affected funds.

ATTACHMENTS:

LCW Second Amendment (PDF)

LCW First Amendment 10-2017 (PDF)

LCW Agreement for Legal Services 9-2017 (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey