

## BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: 12/02/14

### ITEM SUMMARY, JUSTIFICATION and/or SPECIAL CONSIDERATIONS

Amendment of Award: MA#12000000000000000000315 Amendment # 3, DeConcini, McDonald, Yetwin & Lacey, P.C. to provide Legal Representation to Merit System Commission/Law Enforcement Council, extend contract term to 12/06/2015, increase contract amount by \$24,224.00, and increase a unit price. Funding Source: General Funds, Administering Department(s): Human Resources

### BACKGROUND

This as required contract was initially awarded by the Procurement Director on 12/14/11 in the amount of \$50,000.00 and included four one-year renewals of which two have previously been executed. The contract's current termination date is 12/06/2014, historical requirements and expenditures average about \$2,253.07 per month, and as of 11/08/14 the contract has an unused contract amount of \$33,025.37. The October payment has been billed but not yet deducted from the unused contract amount. Major User and administering department of this contract is Human Resources.

The solicitation #14554 that established this contract was conducted as prescribed by the Pima County Procurement code (11.12.030 – Professional Services) via Board Policy D29.6 - Selection and Contracting of Professional Services which limits the Procurement Director's authority to contract amounts of \$50,000.00. If the requested action is approved the annual award amount will be \$50,000.00 and effective calendar year 2014 Attorney/Counsel unit price will increase by \$5.00 from \$230.00 to \$235.00 per hour; Law Clerk/paralegal unit price will remain the same at \$130.00 per hour. Rates are competitive and remain consistent with City of Tucson.

This contract amendment is required to continue the provision of the services and provide sufficient funds in the event case load increases.

Effective Date:	12/06/2014	Cont # :	<u>MA-PD-12000000000000000000315</u>
New Termination Date:	12/06/2015	Effective:	<u>12/06/2014</u>
Original Contract Amount:	\$ 50,000.00	Term	<u>12/06/2014</u>
Prior Amendment Amounts:	\$ 64,000.00	Cost	<u>\$ 24,224.00</u>
This Amendment Amount:	\$ 24,224.00	Rev	<u>0</u>
Revised Contract Amount:	\$138,224.00	Tot	<u>\$ 24,224.00</u>
		NTE	<u># 138,224.00</u>
		Timex	<u>YES</u>
		Renewal:	<u>09/01/2015</u>
		Term	<u>12/06/2015</u>

Revised Contract Amount: \$138,224.00

Contract Officer : ( Jennifer Moore and 724.8164) Procurement Department

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CLERK OF BOARD USE ONLY: BOS MTG. \_\_\_\_\_ ITEM NO. \_\_\_\_\_

P-2014-111814-A0132

<p><b>PIMA COUNTY DEPARTMENT OF HUMAN RESOURCES</b></p> <p><b>PROJECT:</b> Legal Representation to Merit System Commission/Law Enforcement Council</p> <p><b>CONTRACTOR:</b> DeConcini, McDonald, Yetwin &amp; Lacey, P.C.</p> <p><b>CONTRACT NO.:</b> MA PO 12000000000000000315</p> <p><b>CONTRACT AMENDMENT NO:</b> Three (#03)</p>	<p><b>CONTRACT</b></p> <p><b>NO. MA-PO-12000000000000000315</b></p> <p><b>AMENDMENT NO. 03</b></p> <p>This number must appear on all invoices, correspondence and documents pertaining to this contract.</p>
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ORIGINAL CONTRACT TERM: 12/07/11-12/06/12	ORIGINAL CONTRACT AMOUNT: \$ 50,000.00
TERMINATION DATE PRIOR AMENDMENT: 12/06/14	PRIOR AMENDMENTS: \$ 64,000.00
TERMINATION THIS AMENDMENT: 12/06/15	AMOUNT THIS AMENDMENT: \$ 24,224.00
	REVISED CONTRACT AMOUNT: \$138,224.00

#### CONTRACT AMENDMENT

WHEREAS, COUNTY and CONTRACTOR entered into a Contract for services as referenced above; and

WHEREAS, CONTRACTOR and COUNTY, pursuant to Article I - Term, have agreed to extend the Contract term for a period of one year; and

WHEREAS, CONTRACTOR and COUNTY, pursuant to Article III – Compensation and Payment, Exhibit B – Price Bid Schedule, have agreed rates shall be as stipulated for the calendar year; and

WHEREAS, CONTRACTOR and COUNTY, pursuant to Article III – Compensation and Payment, have agreed to increase the contract amount to allow payment for the continued provision of Legal Representation to Merit System Commission/Law Enforcement Council during the extended term of the contract.

NOW, THEREFORE, it is agreed as follows:

**CHANGE: ARTICLE I - TERM:**

From: "... shall terminate on the 6<sup>th</sup> day of December, 2014..."

To: "... shall terminate on the 6<sup>th</sup> day of December, 2015..."

**CHANGE: ARTICLE III - PAYMENT:**

From: "Total payment for this Contract shall not exceed \$114,000.00."

To: "Total payment for this Contract shall not exceed \$138,224.00."

The effective date of this Amendment shall be December 6, 2014.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

All other provisions of the Contract, not specifically changed by this Amendment, shall remain in effect and be binding upon the parties.

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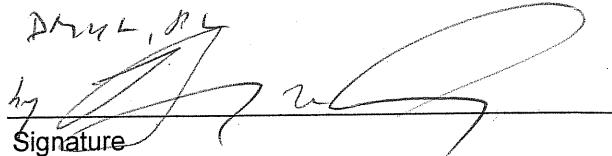
IN WITNESS THEREOF, the parties have affixed their signatures to this Amendment on the dates written below.

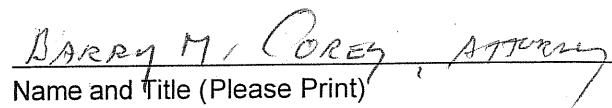
**APPROVED:**

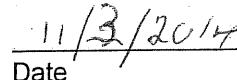
Procurement Director

Date

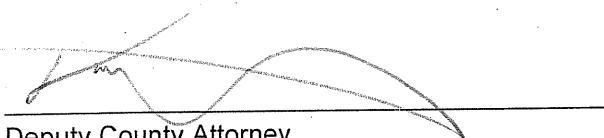
**CONTRACTOR:**

  
Signature

  
Barry M. Corey, Attorney  
Name and Title (Please Print)

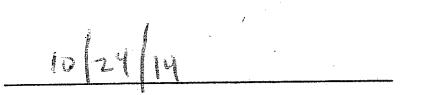
  
11/3/2014  
Date

**APPROVED AS TO FORM:**

  
Deputy County Attorney

**TOBIN ROSEN**

Print DCA Name

  
10/24/14

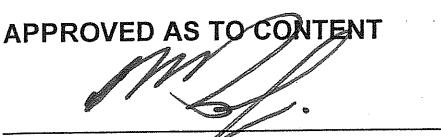
Date

**APPROVED:**

Chair, Board of Supervisors

Date

**APPROVED AS TO CONTENT**

  
Department Head

Date

**ATTEST:**

Clerk of Board

Date