



**BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS**

Award Contract Grant

Requested Board Meeting Date: March 2, 2021

or Procurement Director Award

** = Mandatory, information must be provided*

***Contractor/Vendor Name/Grantor (DBA):**
Audilett Law, P.C.

***Project Title/Description:**
Branden Roth Matter

***Purpose:**
Continuing legal services for the evaluation and defense of the tort claim arising from the death of Branden Roth at the Pima County Jail on or about April 19, 2017.

***Procurement Method:**
Legal services for pending or anticipated litigation are exempt under Procurement Code 11.04.020(c)

***Program Goals/Predicted Outcomes:**
To successfully defend against the legal action directed at Pima County from this incident.

***Public Benefit:**
To successfully defend against the legal action directed at Pima County from this incident.

***Metrics Available to Measure Performance:**
Contractor will continue to invoice County on a monthly basis.

***Retroactive:**
No.

*To: COB 2-11-2020 (1)
Vers.: 15
PGS.: 2*

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e.,15-123): _____

Commencement Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____

Expense Amount: \$* _____ Revenue Amount: \$ _____

***Funding Source(s) required:**

Funding from General Fund? Yes No If Yes \$ _____ % _____

Contract is fully or partially funded with Federal Funds? Yes No

If Yes, is the Contract to a vendor or subrecipient? _____

Were insurance or indemnity clauses modified? Yes No

If Yes, attach Risk's approval.

Vendor is using a Social Security Number? Yes No

If Yes, attach the required form per Administrative Procedure 22-10.

Amendment / Revised Award Information

Document Type: CT Department Code: FN Contract Number (i.e.,15-123): 17*375

Amendment No.: 5 AMS Version No.: 15

Commencement Date: March 2, 2021 New Termination Date: May 7, 2022

Prior Contract No. (Synergen/CMS): _____

Expense or Revenue Increase Decrease Amount This Amendment: \$ 50,000.00

Is there revenue included? Yes No If Yes \$ _____

***Funding Source(s) required:** Risk Management Tort Fund

Funding from General Fund? Yes No If Yes \$ _____ % _____

Grant/Amendment Information (for grants acceptance and awards) Award Amendment

Document Type: _____ Department Code: _____ Grant Number (i.e.,15-123): _____

Commencement Date: _____ Termination Date: _____ Amendment Number: _____

Match Amount: \$ _____ Revenue Amount: \$ _____

***All Funding Source(s) required:**

***Match funding from General Fund?** Yes No If Yes \$ _____ % _____

***Match funding from other sources?** Yes No If Yes \$ _____ % _____

***Funding Source:** _____

***If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?** _____

Contact: Marilee Weston

Department: PCAO - Civil Division Telephone: (520) 724-8274

Department Director Signature/Date: Andrew L Flagg 2/8/2021

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: C. R. [Signature] 2/10/21
(Required for Board Agenda/Addendum Items)

Pima County Attorney's Office

Project: Legal Representation – Branden Roth Matter (Walker v. Napier)

**Contractor: Audilett Law, P.C.
335 N. Wilmot, Suite 500
Tucson AZ 85711**

Contract No.: CT-FN-17*375-05

Contract Amendment No.: 5

Orig. Contract Term: 5/8/2017 – 5/8/2018	Orig. Amount:	\$ 50,000.00
Termination Date Prior Amendment: 5/7/2021	Prior Amendments Amount:	\$100,000.00
Termination Date This Amendment: 5/7/2022	This Amendment Amount:	\$ 50,000.00
	Revised Total Amount:	\$200,000.00

CONTRACT AMENDMENT # 5

The parties agree to amend the above-referenced contract as follows:

1. Background and Purpose.

1.1. Background. On May 8, 2017, County and Contractor entered into the above referenced agreement to provide representation for defendants Pima County, and the Pima County Sheriff, in the lawsuit arising from the death of Brandon Roth at the Pima County Jail on or about April 19, 2017.

1.2. Purpose. The litigation is ongoing, and additional funds and an extension of time are required to continue the legal representation and advice.

2. Term. The County is exercising the fourth extension option to renew the contract for one additional year commencing on May 7, 2021 and terminating on May 7, 2022. If the commencement date is before the Effective Date of this amendment, the parties will, for all purposes, deem the amendment to have been in effect as of the commencement date.

3. Maximum Payment Amount. The maximum amount the County will spend under this Contract, as set forth in Section 5.2 is increased by \$50,000.00. County's total payments to Contractor under this contract, including any sales taxes, will not exceed \$200,000.00.

Rest of Page Intentionally Left Blank

Contract No.: CT-FN-17*375

Revised 7/10/20


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

PIMA COUNTY

Chair, Board of Supervisors

Date

CONTRACTOR


Authorized Officer Signature
Daryl Auditett, President
Printed Name and Title
2/5/2021 Auditett Law PC
Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM



Deputy County Attorney

Regina L. Nassen
Print DCA Name

2/3/21
Date

APPROVED AS TO CONTENT

Andrew I. Flagg
Andrew Flagg, Chief Civil Deputy Attorney

2/5/2021
Date