



BOARD OF SUPERVISORS AGENDA ITEM REPORT  
AWARDS / CONTRACTS / GRANTS

Award  Contract  Grant

Requested Board Meeting Date: 4/04/2023

or Procurement Director Award:

\* = Mandatory, Information must be provided

**\*Contractor/Vendor Name/Grantor (DBA):**

Humphrey & Petersen, P.C.

**\*Project Title/Description:**

Representation of Pima County and Mark Napier in Murillo v. Pima County, et al., C20201462

**\*Purpose:**

Contractor requires additional funding to continue representation.

**\*Procurement Method:**

Legal services for pending or anticipated litigation are exempt under Procurement code 11.04.020.

**\*Program Goals/Predicted Outcomes:**

Contractor will give legal advice and representation to Pima County and Mark Napier in this case with the goal of elimination or reducing the County's liability exposure.

**\*Public Benefit:**

No or reduced payout from the Risk Management Tort Fund or General Fund.

**\*Metrics Available to Measure Performance:**

Contractor will invoice County on a monthly basis unless a different billing period is set forth. County must receive invoices no more than 30 days after the end of the billing period in which Contractor delivered the invoiced products or services to County.

**\*Retroactive:**

No.

TO: COB, 3-22-23 W  
Vers.: 9  
pgs.: 2

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THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (\*) fields

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): 21\*150
Amendment No.: 5 AMS Version No.: 9
Commencement Date: 4/04/2023 New Termination Date: 8/27/2024
Prior Contract No. (Synergen/CMS): \_\_\_\_\_

Expense Revenue Increase Decrease
Amount This Amendment: \$ 80,000.00
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: Stefanie Gille

Department: PCAO Civil Division

Telephone: (520) 724-4026

Department Director Signature: [Signature] Date: 3/14/2023
Deputy County Administrator Signature: [Signature] Date:
County Administrator Signature: [Signature] Date: 3/20/23

**Pima County Attorney's Office**

**Project: Representation of Pima County and Mark Napier in *Murillo v. Pima County, et al.*, C20201462**

**Contractor: Humphrey & Petersen, P.C.  
3861 E. 3<sup>rd</sup> Street  
Tucson, AZ 85716-4646  
Mesa, AZ 85204**

**Contract No.: CT-FN-21\*150**

**Contract Amendment No.: 05**

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<b>Orig. Contract Term:</b> 08/28/2020 – 8/27/2021	<b>Orig. Amount:</b>	\$ 100,000.00
<b>Termination Date Prior Amendment:</b> 8/27/2023	<b>Prior Amendments Amount:</b>	\$ 175,000.00
<b>Termination Date This Amendment:</b> 8/27/2024	<b>This Amendment Amount:</b>	\$ 80,000.00
	<b>Revised Total Amount:</b>	\$ 355,000.00

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**CONTRACT AMENDMENT # 5**

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

**1. Background and Purpose.**

1.1. Background. On August 28, 2020, County and Contractor entered into the above referenced agreement to provide representation of Pima County and Mark Napier in *Murillo v. Pima County, et al.*, C20201462.

1.2. Purpose. County requires continuing services and requires additional time/funds to perform those services, commencing April 4, 2023.

**2. Term.** The parties agree to extend the contract commencing on April 4, 2023 and terminating on August 27, 2024. 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 \$80,000.00. County's total payments to Contractor under this contract, including any sales taxes, will not exceed \$355,000.00.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

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

Andrew Peterson, President  
Printed Name and Title

3.14.23  
Date

**ATTEST**

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

**APPROVED AS TO FORM AND CONTENT**

  
\_\_\_\_\_  
Chief Civil Deputy

3/14/2023  
Date