



BOARD OF SUPERVISORS AGENDA ITEM REPORT
AWARDS / CONTRACTS / GRANTS

Award Contract Grant

Requested Board Meeting Date: 05/17/2022

* = Mandatory, information must be provided

or Procurement Director Award:

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

Mesch, Clark & Rothschild, PC

***Project Title/Description:**

Legal Representation of Pima County, et al. in Whiting v. Pima County, et al., 4:19-cv-00249

***Purpose:**

Contractor will represent Pima County, Pima County Board of Supervisors, Mark Person, and Cheri Clinton in Whiting v. Pima County, et al., 4:19-cv-00249.

***Procurement Method:**

Legal Services for Pending or anticipated litigation are exempt under Procurement Code 11.04.020(c).

***Program Goals/Predicted Outcomes:**

Contractor will represent Pima County, Pima County Board of Supervisors, Mark Person, and Cheri Clinton in Whiting v. Pima County, et al., 4:19-cv-00249.

***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. 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.

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TO: COB 5-11-22 (1)
Vers.: 4
pgs.: 2 ADDENDUM

05-10 '22 PM04:56

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*346
Amendment No.: 2 AMS Version No.: 84A
Commencement Date: 4/21/2022 New Termination Date: _____
Prior Contract No. (Synergen/CMS): _____
Expense Revenue Increase Decrease
Amount This Amendment: \$ 75,000.00

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: Deimos Thorne

Department: PCAO Civil Division - BTU

Telephone: (520) 724-8274

Department Director Signature: _____ Date: 4/28/2022

Deputy County Administrator Signature: _____ Date: _____

County Administrator Signature: _____ Date: 5/4/2022

Pima County Attorney's Office

Project: Legal Representation of Pima County, et al. in Whiting v. Pima County, et al., 4:19-cv-00249

**Contractor: Mesch, Clark and Rothschild
259 N. Meyer Ave.
Tucson, AZ 85701**

Contract No.: CT-FN-21*346

Contract Amendment No.: 02

Orig. Contract Term: 3/9/2021 – 3/8/2022	Orig. Amount:	\$ 20,000.00
Termination Date Prior Amendment: 3/8/2023	Prior Amendments Amount:	\$ 50,000.00
Termination Date This Amendment: 3/8/2023	This Amendment Amount:	\$ 75,000.00
	Revised Total Amount:	\$145,000.00

CONTRACT AMENDMENT #2

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

1. Background and Purpose.

1.1. Background. On March 3, 2021, County and Contractor entered into the above referenced agreement to provide legal services to Pima County in *Whiting v. Pima County, et al.* District Court Case No. 4:19-cv-00249.

1.2. Purpose. County requires additional services, and additional funds to complete those services, effective 4/21/22.

2. Maximum Payment Amount. The maximum amount the County will spend under this Contract, as set forth in Section 5.2 is increased by \$75,000.00. County's total payments to Contractor under this contract, including any sales taxes, will not exceed \$145,000.00.

****Rest 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

Barney M. Holtzman, VP

Printed Name and Title

April 28, 2022

Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM AND CONTENT



Deputy County Attorney

Samuel E. Brown

Print DCA Name

4/28/2022

Date