



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

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 9/6/2022

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 will continue to represent defendants in the ongoing case.

***Procurement Method:**

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

***Program Goals/Predicted Outcomes:**

Contractor will give legal advice and representation to Pima County and Mark Napier in this case with the goal of eliminating 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:**

Yes. Approval requirements necessary will exceed expiration date of contract. Services will not be rendered if not approved.

TO: COB 8-18-22 (1)

VERS: 6

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.: 3

AMS Version No.: 5.0

Commencement Date: 8/28/2022

New Termination Date: 8/27/2023

Prior Contract No. (Synergen/CMS): _____

☒ Expense ☐ 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: Deimos Thorne

Department: PCAO Civil Division - BTU

Telephone: (520) 724-8274

Department Director Signature: [Signature]

Date: August 8, 2022

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: [Signature]

Date: 8/8/2022

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. 3rd Street
Tucson, AZ 85716-4646
Mesa AZ 85204**

Contract No.: CT-FN-21*150

Contract Amendment No.: 03

Orig. Contract Term: 8/28/2020 – 8/27/2021	Orig. Amount:	\$100,000.00
Termination Date Prior Amendment: 8/27/2022	Prior Amendments Amount:	\$ 50,000.00
Termination Date This Amendment: 8/27/2023	This Amendment Amount:	\$ 50,000.00
	Revised Total Amount:	\$200,000.00

CONTRACT AMENDMENT #3

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.*

1.2. Purpose. Additional funding is required to continue the legal representation of the defendants, as well as additional time, effective on 8/28/2022.

2. 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.

3. Term. The parties agree to extend the contract term for one additional year commencing on August 28, 2022 and terminating on August 27, 2023. 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.

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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 CTO

Printed Name and Title

8.16.22

Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM AND CONTENT



Chief Civil Deputy

August 8, 2022

Date