



BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 11/15/2022

* = Mandatory, information must be provided

or Procurement Director Award: ☐

***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(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:**

No.

TO: CORB 10/27/22 (1)

ver: 7

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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.: 4 AMS Version No.: 7
 Commencement Date: 11/15/2022 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 \$ _____ % _____

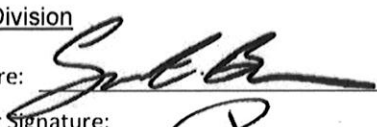
*Funding Source: _____

*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

Telephone: (520) 724-8274

Department Director Signature: 

Date: 10/24/2022

Deputy County Administrator Signature: 

Date: 10/25/2022

County Administrator Signature: _____

Date: _____

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.: 04

Orig. Contract Term: 8/28/2020 – 8/27/2021	Orig. Amount:	\$100,000.00
Termination Date Prior Amendment: 8/27/2023	Prior Amendments Amount:	\$100,000.00
Termination Date This Amendment: 8/27/2023	This Amendment Amount:	\$ 75,000.00
	Revised Total Amount:	\$275,000.00

CONTRACT AMENDMENT # 4

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 by County to continue the legal representation of the defendants, effective on 11/15/2022.

2. Maximum Payment Amount. The maximum amount the County will spend under this Contract, as set forth in Section 5.2 is increased by \$75,000.00. County's total payments to Contractor under this contract, including any sales taxes, will not exceed \$275,000.00.

3. Forced Labor of Ethnic Uyghurs. Pursuant to A.R.S. § 35-394, if Contractor engages in for-profit activity and has 10 or more employees, Contractor certifies it is not currently using, and agrees for the duration of this Contract to not use (1) the forced labor of ethnic Uyghurs in the People's Republic of China; (2) any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China; and (3) any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China. If Contractor becomes aware during the term of the Contract that the Company is not in compliance with A.R.S. § 35-394, Contractor must notify the County within five business days and provide a written certification to County regarding compliance within one hundred eighty days.

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 Peters

Printed Name and Title

10/24/22

Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM AND CONTENT



Chief Civil Deputy

10/24/2022

Date