



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 11/20/18

* = Mandatory, information must be provided

or Procurement Director Award ☐

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

Mesch, Clark & Rothschild, PC

***Project Title/Description:**

Paradigm DKD Group, LLC Litigation.

***Purpose:**

Contractor will continue to represent the Pima County Assessor in connection with the matters relating to public records and other documents.

***Procurement Method:**

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

***Program Goals/Predicted Outcomes:**

To successfully represent the Pima County Assessor in connection with the matters relating to public records and other documents, including the litigation entitled Paradigm DKD Group, LLC v. Pima County et al.

***Public Benefit:**

To successfully represent the Pima County Assessor in connection with the matters relating to public records and other documents, including the litigation entitled Paradigm DKD Group, LLC v. Pima County et al.

***Metrics Available to Measure Performance:**

Contractor will submit invoices to the county on a monthly basis or upon completion of a specific task, whichever is sooner. Contractor will provide County with a letter report detailing activities performed as a part of each invoice.

***Retroactive:**

Yes. The latest invoice, dated September 10, 2018, was delayed in getting approved. Since insufficient funds remain in the contract to pay that invoice, the effective date must be the same as the invoice date.

NOV 15 11PM 03:00 PC CLK OF BD

To: COB - 11-15-18
Pgs - 2
(1)
Addendum

Contract / Award Information

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

Effective 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***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 22-73.***Amendment / Revised Award Information**Document Type: CT Department Code: FN Contract Number (i.e., 15-123): 14*531Amendment No.: 3 AMS Version No.: 10Effective Date: September 10, 2018 New Termination Date: _____

Prior Contract No. (Synergen/CMS): _____

☒ Expense or ☐ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$ 50,000.00Is there revenue included? ☐ Yes ☒ No If Yes \$ _____***Funding Source(s) required:** FN - General Contingency FundFunding 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): _____

Effective 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 WestonDepartment: PCAO Civil Division - BTU Telephone: (520) 724-8274Department Director Signature/Date: ANDREW FLAGG 11/14/2018

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: C. Deeberry 11/14/18
(Required for Board Agenda/Addendum Items)

Pima County Department of County Attorney Project: Paradigm Litigation Contractor: Mesch Clark & Rothschild, PC Contract No.: CT-FN-14*531 Contract Amendment No.: 3	<table border="1"> <tr> <td align="center" colspan="2">CONTRACT</td> </tr> <tr> <td>NO.</td> <td><u>CT-FN-14-531</u></td> </tr> <tr> <td>AMENDMENT NO.</td> <td><u>03</u></td> </tr> <tr> <td colspan="2"> This number must appear on all invoices, correspondence and documents pertaining to this contract. </td> </tr> </table> (STAMP HERE)	CONTRACT		NO.	<u>CT-FN-14-531</u>	AMENDMENT NO.	<u>03</u>	This number must appear on all invoices, correspondence and documents pertaining to this contract.	
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Orig. Contract Term: 6/13/2014 to 6/12/2017	Orig. Amount:	\$ 50,000.00
Termination Date Prior Amendment: 6/12/2019	Prior Amendments Amount:	\$ 50,000.00
Termination Date This Amendment: 6/12/2019	This Amendment Amount:	\$ 50,000.00
	Revised Total Amount:	\$150,000.00

CONTRACT AMENDMENT #3

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

1. Background and Purpose

- a. **Background.** On June 13, 2014, County and Contractor entered into the above referenced agreement to provide as-needed legal advice and representation of the Pima County Assessor in connection with the matters relating to public records and other documents, including the litigation entitled *Paradigm DKD Group, LLC v. Pima County et al.*, Pima County Superior Court case no. C20141150. The County Attorney's Office was unable to represent Assessor due to a conflict of interest.
- b. **Purpose.** Additional funds are required to continue the litigation.

2. **Maximum Payment Amount.** The maximum amount the County will spend under this Contract, as set forth in Section 3.5, is increased by \$50,000.00. County's total payments to Contractor under this Contract, including any sales taxes, will not exceed \$150,000.00.

The effective date of this Amendment is September 10, 2018.

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

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM


Deputy County Attorney

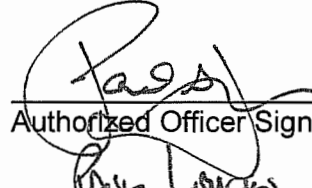
CHARLES WESSELHOFT

Print DCA Name

NOV 07 2018

Date

CONTRACTOR



Authorized Officer Signature

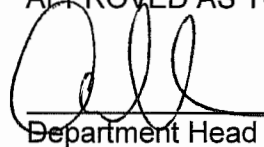
Paul Loney - VP

Printed Name and Title

11/9/2018

Date

APPROVED AS TO CONTENT



Department Head

ANDREW FLAGG

11/6/2018

Date