



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: January 22, 2019

* = Mandatory, information must be provided

or Procurement Director Award ☐

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

Audilett Law, P.C.

***Project Title/Description:**

Legal Services regarding Daschke v. Hartenstein, et al., United States District Court case no. 4-17-CV-00456-JGZ.

***Purpose:**

Continuing legal representation and advice to Theodore Hartenstein and J.P. Siress, Pima County Deputies.

***Procurement Method:**

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

***Program Goals/Predicted Outcomes:**

To successfully defend against plaintiff.

***Public Benefit:**

To successfully defend against plaintiff.

***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

***Retroactive:**

No

JAN 11 19 09 56 PC CLK OF PD

To: CoB - 1-11-19
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CI) 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): 18*113Amendment No.: 3 AMS Version No.: 6Effective Date: 1/22/19 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:** Risk Management Tort 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 Telephone: (520) 724-8274Department Director Signature/Date: [Signature] 1/9/2019

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: [Signature] 1/9/19
(Required for Board Agenda/Addendum Items)

Pima County Attorney Project: Legal Services re Daschke v. Hartenstein Contractor: Audilett Law, P.C. Contract No.: CT-FN-18*113 Contract Amendment No.: Three	<table border="1"> <tr> <td align="center" colspan="2">CONTRACT</td> </tr> <tr> <td>NO.</td> <td><u>CT-FN-18-113</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> <tr> <td align="center" colspan="2">(STAMP HERE)</td> </tr> </table>	CONTRACT		NO.	<u>CT-FN-18-113</u>	AMENDMENT NO.	<u>03</u>	This number must appear on all invoices, correspondence and documents pertaining to this contract.		(STAMP HERE)	
CONTRACT											
NO.	<u>CT-FN-18-113</u>										
AMENDMENT NO.	<u>03</u>										
This number must appear on all invoices, correspondence and documents pertaining to this contract.											
(STAMP HERE)											

Orig. Contract Term: 10/2/17 to 10/1/18	Orig. Amount:	\$ 50,000.00
Termination Date Prior Amendment: 10/1/19	Prior Amendments Amount:	\$ 50,000.00
Termination Date This Amendment: 10/1/19	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.

- 1.1 Background. On October 2, 2017, County and Contractor entered into the above referenced agreement to provide legal representation and advice to Theodore Hartenstein and J.P. Siress in the matter *Daschke v. Hartenstein et al.*, United States District Court Case no. 4:17-CV-00456.
- 1.2 Purpose. The litigation is ongoing, and additional funds are required to continue the legal representation and advice.

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 \$150,000.00.

The effective date of this Amendment is January 22, 2019.

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

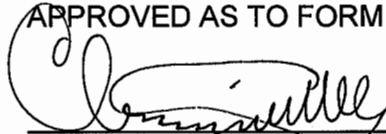
Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM



Deputy County Attorney

CHRISTOPHER STRAUB

Print DCA Name

12-28-2018
Date

CONTRACTOR

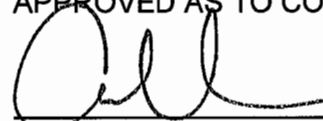


Authorized Officer Signature

Printed Name and Title

1/3/2019
Date

APPROVED AS TO CONTENT



Department Head **ANDREW FLAGG**

12/28/2018
Date