



BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: October 1, 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

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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.: 4 AMS Version No.: 10Effective Date: 10/2/19 New Termination Date: 10/1/20

Prior Contract No. (Synergen/CMS): _____

☒ Expense or ☐ Revenue ☒ Increase ☐ Decrease Amount This Amendment: \$ 0.00Is 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 DivisionTelephone: (520) 724-8274Department Director Signature/Date: Andrew Flagg 9/12/19

Deputy County Administrator Signature/Date: _____

County Administrator Signature/Date: C. R. [Signature] 9/12/19
(Required for Board Agenda/Addendum Items)

Pima County Attorney's Office

Project: Legal Services re Daschke v. Hartenstein

**Contractor: Audilett Law, P.C.
335 N. Wilmot, Suite 500
Tucson AZ 85711**

Contract No.: CT-FN-18*113

Contract Amendment No.: 4

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:	\$100,000.00
Termination Date This Amendment: 10/1/20	This Amendment Amount:	\$ 0.00
	Revised Total Amount:	\$150,000.00

CONTRACT AMENDMENT #4

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 Contract was previously extended to October 1, 2019. County requires a year extension on the Contract so that services will continue to be available.

2. Term. The term of the Contract is hereby extended to October 1, 2020.

3. Israel Boycott Certification. Pursuant to A.R.S. § 35-393.01, if Contractor engages in for-profit activity and has 10 or more employees, and if this Contract has a value of \$100,000.00 or more, Contractor certifies it is not currently engaged in, and agrees for the duration of this Contract to not engage in, a boycott of goods or services from Israel. This certification does not apply to a boycott prohibited by 50 U.S.C. § 4842 or a regulation issued pursuant to 50 U.S.C. § 4842.

All other provisions of the Contract not specifically changed by this Amendment remain in effect and are binding upon the parties.

PIMA COUNTY

Chairman, Board of Supervisors

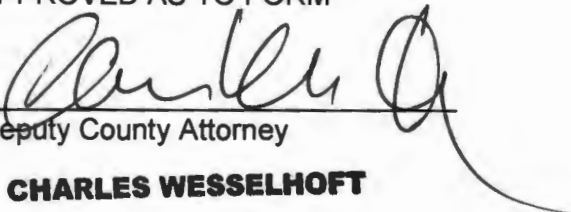
Date

ATTEST

Clerk of the Board

Date

APPROVED AS TO FORM



Deputy County Attorney

CHARLES WESSELHOFT

Print DCA Name

SEP 04 2019

Date

CONTRACTOR

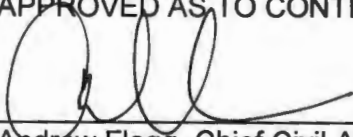


Authorized Officer Signature

Printed Name and Title

Date

APPROVED AS TO CONTENT



Andrew Flagg, Chief Civil Attorney

9/4/2019

Date