

City Council Agenda Report

Meeting Date: September 5, 2023
From: Zaynah Moussa, City Attorney
Department: City Attorney
Submitted by: Eva Muro, Legal Analyst

Subject

Amendment No. 1 to the Attorney Services Agreement between the City of Vernon and Burke, Williams & Sorensen, LLP for specialized outside legal services

Recommendation

Approve and authorize the City Administrator to execute Amendment No. 1 to the Attorney Services Agreement with Burke, Williams & Sorensen, LLP (Burke Williams), in substantially the same form as submitted, to increase the total not-to-exceed amount by an additional \$125,000.

Background

The City Attorney's Office is staffed by the City Attorney and one Legal Analyst. For litigation and specialized legal matters, the City Attorney utilizes the assistance of outside counsel on an as-needed basis. On May 17, 2022, City Council approved an Attorney Services Agreement for litigation and specialized legal services with Burke Williams (Agreement).

Burke Williams was selected after a comprehensive competitive selection process, in accordance with City purchasing procedures and good governance contracting principles. In November 2021, the City Attorney's Office issued a Request for Proposals (RFP) for Outside Legal Services to develop a "roster" of outside counsel that can be utilized when needed. After receiving high scores from the RFP evaluation panel, Burke Williams was selected for litigation and specialized municipal matters. The term of the Agreement between the City and Burke Williams is May 20, 2022 through May 19, 2025. The City Attorney's Office anticipates conducting a new RFP process for outside legal services in or around November 2024, in compliance with Vernon Municipal Code Section 3.32.220(B).

The City Attorney's Office estimates costs for outside legal services each fiscal year and seeks contract approval or amendment consistent with budget allocations approved by City Council. Based on pending legal matters assigned to Burke Williams and projected costs for Fiscal Year 2023-24, staff is requesting authority to enter into Amendment No. 1, which maintains all existing terms under the current Agreement and increases the not-to-exceed amount by \$125,000, bringing the total contract amount to \$275,000. Pursuant to Section 3.32.030(B), City Council approval is required for the proposed amendment as the total value of the contract exceeds \$100,000.

Fiscal Impact

The fiscal impact is not-to-exceed \$275,000 in the three-year contract term. Sufficient funds are available in General Fund, City Attorney Department, Professional Services – Legal Account No. 011-010-115-529200 for the current fiscal year and will be budgeted in FY 2024-25.

Attachments

1. Burke Williams - Amendment No. 1