

PLACER COUNTY
SUCCESSOR AGENCY
MEMORANDUM

TO: Honorable Board of Supervisors Acting in its Capacity as Successor Agency to the Former Placer County Redevelopment Agency
FROM: Allison Carlos, successor officer, designee
DATE: June 4, 2013
SUBJECT: Amendment to legal services consultant contract with Burke, Williams, Sorensen, LLP

ACTION REQUESTED: Adopt a resolution authorizing the Purchasing Manager to execute an amendment to the legal services consulting contract with Burke, Williams, Sorensen, LLP that extends the contract for FY 2013/14 in an amount not to exceed \$160,000.

BACKGROUND: As a result of the Dissolution Act (AB1x26) which eliminated redevelopment agencies in California and put in place a comprehensive “wind-down” mandate, the Successor Agency (Agency) has ongoing need of services from an outside legal firm specializing in redevelopment law and procedures. Staff with the firm Burke, Williams, Sorensen, LLP has served the former Placer County Redevelopment Agency and the Agency for a number of years. Contracting with Burke, Williams, Sorensen, LLP provides consistent legal services for the Agency and its wind-down efforts. This third party contractual obligation is included on the Recognized Obligations Payment Schedule (ROPS) approved by your Board on February 20, 2013. Payment of these services is considered an “enforceable obligation” as defined in California Health and Safety Code section 34167(d). The proposed contract amendment will increase the amount of the contract to cover FY 2013/14.

Given the complexity of the Dissolution Act the need for this specialized legal expertise is critical to the Agency as it navigates its responsibilities over the next year.

ENVIRONMENTAL STATUS: This is an administrative action, does not constitute a project, and is exempt from environmental review per California Environmental Quality Act Guidelines section 15378(b)(5).

FISCAL IMPACT: The payment obligation for this Agreement is included in the Agency’s ROPS.

Attachments: Resolution
Contract Amendment

cc: Karin Schwab, Deputy County Counsel

Attachment 1

**Before the Placer County
Board of Supervisors
Acting in its Capacity as Successor Agency
to the Former Placer County
Redevelopment Agency**

In the matter of:

Reso. No. _____

Adopt a resolution authorizing the Purchasing Manager to execute an amendment to the legal services consulting contract with Burke, Williams, Sorensen, LLP that extends the contract for FY 2013/14 in an amount not to exceed \$160,000.

Ord. No. _____

First Reading _____

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:

Chair, Board of Supervisors

Clerk of said Board

WHEREAS, pursuant to the provisions of ABx1-26, the County of Placer through the action of the Board of Supervisors on January 24, 2012 assumed the role as successor agency to its former Placer County Redevelopment Agency;

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WHEREAS, acting in its capacity as the successor agency, the Board wishes to extend the legal services consultant contract with Burke, Williams, Sorensen, LLP (Contract) for FY 2013/14 ending to June 30, 2014 and in an amount not to exceed \$160,000;

WHEREAS, on February 20, 2013 the Board adopted the Recognized Obligations Payment Schedule (ROPS), which included the Contract as an enforceable obligation;

WHEREAS, the Board will consider a second ROPS for the six-month period ending June 30, 2014, which will include the above Contract services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors acting in its capacity as the Successor Agency to the former Placer County Redevelopment Agency authorizes the Purchasing Manager or his designee to execute the legal services consultant contract with Burke, Williams, Sorensen, LLP in an amount not to exceed \$160,000 and to extend the term until June 30, 2014.

Consultant: Burke, Williams & Sorensen, LLP
Administering Agency: Placer County Successor Agency
Contract Number: BP020332
Contract Description: Legal Services

CONTRACT AMENDMENT NO. 1

This Contract Amendment No. 1 is executed as of June 4, 2013 by and between Placer County Successor Agency ("Agency") and Burke, Williams & Sorensen, LLP ("Contractor").

1. Agency and Contractor entered into that certain Consultant Services Agreement dated as of November 16, 2012 (the "Agreement").
2. Agency and Contractor desire to amend the Agreement as set forth in this Contract Amendment No. 1 ("Amendment").
3. Section 2 of the Agreement is hereby amended in its entirety to read as follows:
 2. Payment. Agency shall pay Contractor for services rendered on a monthly basis. Payment for the period commencing upon the Effective Date of this Amendment through the term of the Agreement shall not exceed One Hundred Sixty Thousand Dollars (\$160,000) and shall be paid in accordance with Exhibit B-1 attached to this Amendment and incorporated herein by this reference.
4. Section 3 of the Agreement is amended to provide that the termination date is extended to June 30, 2014.
5. Exhibit B of the Agreement (Payment for Services Rendered) is hereby replaced in its entirety with Exhibit B-1 attached to this Amendment.
6. The Effective Date of this Amendment shall be July 1, 2013.
7. All terms of the Agreement not expressly modified by this Amendment shall remain in full force and effect.

Agency and Contractor have executed this Amendment as of the date first written above.

PLACER COUNTY SUCCESSOR AGENCY

By: _____
Jim Boggan, Purchasing Manager

BURKE, WILLIAMS & SORENSEN, LLP

By: _____

Name: _____

Title: _____

EXHIBIT B-1

PAYMENT FOR SERVICES RENDERED

Attorney and Staff Hourly Billing Rates

Partners

Susan E. Bloch	\$285
Carol J. Fogleman	\$285
Rafael Mandelman	\$285
Karen Murphy	\$285
Gregory M. Murphy	\$285
Gerald J. Ramiza	\$285

Associates

Lindsey G. Beallo	\$250
Chad W. Herrington	\$250
Nicholas J. Muscolino	\$250
Matthew Visick	\$250

Paralegal

Catherine Dela Cruz	\$150
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An eight percent (8%) administrative charge will be added to each monthly invoice, and no additional allocation for direct expenses is anticipated. Third-party expenses incurred on behalf of the client must be approved in writing prior to incurring the expense, and copies of third-party invoices are to be included in monthly billings.