REPORT

DATE: February 7, 2008

TO: Executive Committee
Administration Committee
Regional Council

FROM: Joe Burton, Chief Counsel/Director of Legal Services, 213-236-1816, burton@scag.ca.gov

SUBJECT: Fulbright & Jaworski Contract

EXECUTIVE DIRECTOR'S APPROVAL:

RECOMMENDED ACTION:
Authorize amendment to the Fulbright & Jaworski contract to increase maximum amount payable by $150,000 for Fiscal Year 2007-2008.

BACKGROUND:
The Regional Council has previously authorized the retention of Fulbright & Jaworski and in particular, Colin Lennard, to serve as SCAG's General Counsel. Mr. Lennard has served as SCAG's General Counsel for over twenty years. Under the terms of the existing contract, which expires on June 30, 2008, Mr. Lennard or his designee provide legal services as requested by the Regional Council, the Executive Director and the Chief Counsel. All legal services performed by the Fulbright & Jaworski firm ("Fulbright") are billed at the blended rate of $350 per hour, and the maximum amount payable under the contract is $200,000.

Due to additional legal services that the Legal Department has determined will be undertaken by Fulbright for the remainder of the fiscal year, including those services associated with the draft RTP, the draft PEIR for the RTP and the RHNA litigation, it is necessary to increase the maximum contract amount payable for this fiscal year by $150,000, to $350,000 (last year's final contract amount was $335,000). For example, given that Mr. Lennard assisted in the legal review of the draft PEIR for the RTP prior to its official release, it is intended that Mr. Lennard will also assist staff in the preparation of responses to comments relating to the draft PEIR for the RTP, especially those comments which are more legal in nature.

FISCAL IMPACT:
Funding for the proposed contract amendment is available under FY 2007-2008 Budgets for Legal Services, and will be allocated as appropriate between the General Fund and Indirect Costs Fund.

Reviewed by:
Division Manager

Reviewed by:
Department Director

Reviewed by:
Chief Financial Officer

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