

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team

at MileHighOrdinance@DenverGov.org by **11 a.m. Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: 4/3/2024

Please mark one: Bill Request or Resolution Request

1. Type of Request:

- Contract/Grant Agreement Intergovernmental Agreement (IGA) Rezoning/Text Amendment
- Dedication/Vacation Appropriation/Supplemental DRMC Change
- Other:

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Approval needed to amend contract for Berg Hill Greenleaf & Ruscitti LLP, contract amendment.

3. Requesting Agency: City Attorney’s Office

4. Contact Person: Jennifer Dempster

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Ashley Kelliher	Name: Ashley Kelliher
Email: Ashley.kelliher@denvergov.org	Email: Ashley.kelliher@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

Approval needed for special counsel Berg Hill Greenleaf & Ruscitti LLP to represent the City and County of Denver and/or its employees in Civil Litigation matters.

This contract needs to be extended to allow Berg Hill Greenleaf & Ruscitti LLP to continue litigating civil rights cases that are ongoing on behalf of the City and County of Denver and its employees. These cases include the following: Bjelland, et al. v. Denver, et al.; and Montoya v. Denver, et al. Berg Hill has been used by Denver as outside counsel on conflict cases and for overflow work for years. The firm has a unit of multiple attorneys who specialize in this area. Civil Litigation needs access to multiple firms for outside counsel work, especially when a case has multiple defendants, and actual or potential conflict issues are present. Attorneys at Berg Hill are also very familiar with Civil Litigation's work having defended some of the City's most difficult civil rights cases.

6. City Attorney assigned to this request (if applicable): Raana Haidari

7. City Council District: Citywide

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor’s Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):

Professional Services

Vendor/Contractor Name (including any dba's): Berg Hill Greenleaf & Ruscitti LLP

Contract control number (legacy and new): Legacy: ATTNY-201947987, New: ATTNY-202472845-02

Location: 201 W. Colfax Ave., Dept. 1207, Denver, CO 80202

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** 02

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

Existing: 3/1/2019 – 2/28/2024, Amended: 3/1/2019 – 2/28/2025

Contract Amount (indicate existing amount, amended amount and new contract total):

No change to contract amount (\$0.00).

Existing: \$1,000,000.00, Amended: \$1,000,000.00

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$ 1,000,000.00	\$ 0.00	\$ 1,000,000.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
3/1/2019 – 2/28/2024	1 year	2/28/2025

Scope of work:

Professional legal services as legal counsel to the City for conflicts and overflow litigation, and other legal matters and services, as necessary and directed by the City Attorney. Legal services include representation of Denver and/or its employees in lawsuits filed in Colorado state and federal courts.

Was this contractor selected by competitive process? No.

If not, why not?

Professional preference and continuity of service. This contract needs to be extended to allow Berg Hill to continue litigating civil rights cases that are ongoing on behalf of Denver and its employees. These cases include the following: Bjelland, et al. v. Denver, et al.; and Montoya v. Denver, et al. Berg Hill has been used by Denver as outside counsel on conflict cases and for overflow work for years. The firm has a unit of multiple attorneys who specialize in this area. Civil Litigation needs access to multiple firms for outside counsel work, especially when a case has multiple defendants, and actual or potential conflict issues are present. Attorneys at Berg Hill are also very familiar with Civil Litigation's work having defended some of the City's most difficult civil rights cases.

Has this contractor provided these services to the City before? Yes No

Source of funds: 01010/4511100

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Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): N/A

Who are the subcontractors to this contract? N/A

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