

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team

at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: 04/21/2022

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.)

Approve contract amendment for ATTNY- 201947987 for Berg Hill Greenleaf & Ruscitti LLP to increase outside counsel hourly rates.

3. Requesting Agency:

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Wendy Shea	Name: Wendy Shea
Email: wendy.shea@denvergov.org	Email: wendy.shea@denvergov.org

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

City Attorney’s Office is requesting to increase vendor’s hourly rates without any changes to cap or term of the contract. Please see below proposed hourly rates:

- \$275/hour for partners (prior rate \$225/hour)
- \$245/hour for associates (prior rate \$200/hour)
- \$150/hour for paralegals (prior rate \$125/hour)

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

Wendy Shea wendy.shea@denvergov.org

7. City Council District: City-Wide

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 > \$500K

Vendor/Contractor Name: Berg Hill Greenleaf & Ruscitti LLP

Contract control number: ATTNY- 201947987

Location: 1712 Pearl Street, Boulder, CO, 80302, USA

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** 01

Contract Term/Duration (for amended contracts, include existing term dates and amended dates): 03/01/2019-02/28/2024

Contract Amount (indicate existing amount, amended amount and new contract total): \$1,000,000

<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	0	\$1,000,000

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
03/01/2019-02/28/2024	N/A	03/01/2019-02/28/2024

Scope of work: This is an on-call contract for provision of professional legal services, as provided by Subtitle B of the Denver City Charter at section 6.1.2. This outside legal counsel is to serve as legal counsel to the City for overflow and conflicts litigation, and other legal matters and services, as necessary and directed by the City Attorney. The firm has requested hourly rates increases due to the fact that their contract rates were well below market rates and what they are charging other municipalities or insurance pools to conduct similar work. In the civil rights arena, plaintiff’s counsel make in the range of \$650 - \$800 per hour, depending upon their level of experience. The increase being sought here by the firm is minimal in comparison. To ensure we are able to continue utilizing outside counsel for our cases (which is largely needed when conflicts arise) we agreed to increase their rates to ensure Denver is competitive and doesn’t lose the ability to use outside counsel when necessary. Additionally, the contract includes provision allowing the City to adjust outside legal counsel rates.

Was this contractor selected by competitive process? Yes **If not, why not?**

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

Source of funds: General Fund

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

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

To be completed by Mayor’s Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Who are the subcontractors to this contract? N/A

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____