



Legislation Text

File #: 22-0480, Version: 2

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 4-25-22

Requesting Agency: City Attorney's Office
Division:

Subject Matter Expert Name: Wendy Shea
Email Address: Wendy.Shea@denvergov.org
Phone Number:

Item Title & Description:

(Do not delete the following instructions)

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

A resolution approving a proposed Amendatory Agreement between the City and County of Denver and BERG HILL GREENLEAF & RUSCITTI LLP for provision of professional legal services for the City Attorney's Office.

Amends a contract with Berg Hill Greenleaf and Ruscitti, LLP to increase outside counsel hourly rates to better align with market rates for provision of professional legal services for conflicts counsel cases and overflow matters for the City Attorney's Office, citywide. No change to overall contract amount or duration (ATTNY- 201947987). The last regularly scheduled Council meeting within the 30-day review period is on 6-6-22. The Committee approved filing this item at its meeting on 5-3-22.

Affected Council District(s) or citywide? Citywide

Contract Control Number: ATTNY- 201947987

Vendor/Contractor Name (including any "DBA"): Berg Hill Greenleaf and Ruscitti LLP

Type and Scope of services to be performed: 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. 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)

Location (if applicable):

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):

Are WBE/MBE/DBE goals met (if applicable)?

Is the contract new/a renewal/extension or amendment? Amendment

Was this contractor selected by competitive process or sole source? Competitive

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)? pricing

If length changing

What was the length of the term of the original contract?

What is the length of the extension/renewal?

What is the revised total term of the contract?

If cost changing

What was the original value of the entire contract prior to this proposed change?

\$1,000,000

What is the value of the proposed change? \$0

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What is the new/revised total value including change?

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)