



County of Fresno

Hall of Records, Rm. 301
2281 Tulare Street
Fresno, California
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Legislation Details (With Text)

File #: 19-0707 **Name:** Agreement with Best, Best and Krieger, LLP

On agenda: 6/18/2019 **In control:** County Counsel

Enactment date: **Final action:** 6/18/2019

Enactment #: Agreement No. 19-284

Title: Approve and authorize the Chairman to execute a specialized legal services Agreement with Best, Best and Krieger, LLP, to represent the County of Fresno and the Fresno County Board of Supervisors in Comunidades Unidas Por Un Cambio v. County of Fresno, et al., effective June 18, 2019 to June 17, 2022, total not to exceed \$275,000

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-19-284 with Best, Best and Krieger LLP

Date	Ver.	Action By	Action	Result
6/18/2019	1	Board of Supervisors	Conducted Hearings	Pass

DATE: June 18, 2019

TO: Board of Supervisors

SUBMITTED BY: Daniel C. Cederborg, County Counsel

SUBJECT: Best, Best and Krieger, LLP Specialized Legal Services Agreement

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a specialized legal services Agreement with Best, Best and Krieger, LLP, to represent the County of Fresno and the Fresno County Board of Supervisors in Comunidades Unidas Por Un Cambio v. County of Fresno, et al., effective June 18, 2019 to June 17, 2022, total not to exceed \$275,000.

Approving the recommended action will engage Best, Best and Krieger, LLP to provide specialized legal services as authorized by Government Code section 31000 and represent the County of Fresno and its employees in Comunidades Unidas Por Un Cambio v. County of Fresno, et al. This item is countywide.

ALTERNATIVE ACTION(S):

There are no viable alternative actions as these specialized services are not available in the County Counsel's Office.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

Under the County's policies for obtaining services, competitive bidding is not required to select specialized legal counsel. This is a contract for specialized legal services. The law firm selected has specific experience in this type of litigation and such specialized legal services are not available in the County Counsel's Office.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Costs are estimated not to exceed \$275,000 for the term of this agreement. Sufficient appropriations are included within the FY 2018-19 Interest and Miscellaneous Expenditures Org 2540 Adopted Budget and will be included in future budget requests.

DISCUSSION:

The County and the Board of Supervisors are named defendants in *Comunidades Unidas Por Un Cambio v. County of Fresno, et al.* This litigation involves complex and novel legal theories of relief. While the County Counsel's Office has represented the County and the Board of Supervisors to date, this matter will involve significant litigation beyond the resources of County Counsel's Office and it is necessary to engage Best, Best, and Krieger, LLP to continue representing the County and the Board of Supervisors in this matter. Approval of the recommended action will allow Best, Best and Krieger, LLP to represent the County and the Board of Supervisors in this litigation.

The Agreement provides a modification to the standard Comprehensive General Liability Insurance requirements of Two Million Dollars (\$2,000,000) per occurrence to One Million Dollars (\$1,000,000) per occurrence based on the Vendor's policy limits. In the professional judgment of County Counsel's Office, this change in insurance coverage is an acceptable level risk given the nature of legal services to provided pursuant to the agreement and the Best, Best, and Krieger's LLP's professional history with the County.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Best, Best and Krieger LLP

CAO ANALYST:

Yussel Zalapa