

Request for Legislative Action

Res. No.: 20752

Sponsor: Dan Tarwater III

Date: September 13, 2021

Completed by County Counselor's Office

Action Requested:	Resolution	Res.Ord No.:	20752
Sponsor(s):	Daniel T. Tarwater III	Legislature Meeting Date:	9/13/2021

Introduction

Action Items: ['Authorize']

Project/Title:

Authorizing the County Counselor to execute Addenda to existing Legal Services Agreements with a certain law firm and lawyer, at an aggregate cost to the County not to exceed \$8,400.00, for services to be performed in 2021.

Request Summary

The County Counselor recommends that he be authorized to execute Addendua to existing Legal Services Agreements with a certain law firm and lawyer to provide legal services to the County in certain ongoing matters for a term ending December 31, 2021, at an aggregate to cost to the County not exceed \$8,400.00.

The law firms for which agreements are recommended, the services to be provided, and not to exceed amounts for services to be performed in 2021, are as follows: Ronald L. Jurgeson (Lee's Summit, MO) for \$6,000.00; Lathrop GPM, LLP (Kansas City, MO) for \$2,4000.00.

Ron Jurgeson, a former long-time assistant county counselor, was originally retained in 2016 at the direction of a former county counselor to provide independent legal advice to the Board of Equalization; the county counselor had determined that legal ethics best practices require the BOE to have independent legal counsel whenever the county counselor's office is representing the Assessment Department in its advocacy of a position before the BOE. Since that time, Mr. Jurgeson has provided excellent legal services to the BOE at a very reasonable rate. His continued retention without a competitive process is authorized by Art. V, sec. 7 of the county charter and sec. 241 of the count code.

Costs for mediating a claim in which Lathrop GPM, LLP represented the County resulted in slightly higher costs than anticipated. Lathrop GPM responded to Request for Qualifications No. 29-19.

Contact Information

Department:	County Counselor	Submitted Date:	9/3/2021
Name:	Elizabeth Freeland	Email:	EFreeland@jacksongov.org
Title:	Litigation Paralegal	Phone:	816-881-3352

Budget Information

Request for Legislative Action

Amount authorized by this legislation this fiscal year:		\$8,400	
Amount previously authorized this fiscal year:		\$ 0	
Total amount authorized after this legislative action:		\$8,400	
Is it transferring fund?		No	
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
001 (General Fund)	1101 (County Counselor)	56020 (Legal Services)	\$8,400

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:
20605	January 11, 2021

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	Yes
Chapter 10 Justification:	Formal Bid
Core 4 Tax Clearance Completed:	Not Applicable
Certificate of Foreign Corporation Received:	Yes
Have all required attachments been included in this RLA?	Yes

Compliance	
Certificate of Compliance	
In Compliance	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Less than \$50000	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none"> There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered. 	

Request for Legislative Action

History

Elizabeth Freeland at 9/3/2021 10:27:27 AM - [Submitted |]
Department Director: Jay D. Haden at 9/3/2021 10:42:44 AM - [Approved |]
Finance (Purchasing): Barbara J. Casamento at 9/7/2021 9:03:34 AM - [Returned for more information | Please reference the formal bids used to obtain these services in the summary and include the bid documents with your attachments]
Submitter: Elizabeth Freeland at 9/7/2021 10:50:31 AM - [Submitted | Attached RFQ 29-19 and added language in the request summary.]
Department Director: Jay D. Haden at 9/7/2021 11:08:06 AM - [Approved |]
Finance (Purchasing): Barbara J. Casamento at 9/7/2021 11:31:30 AM - [Approved |]
Compliance: Jaime Guillen at 9/7/2021 12:02:16 PM - [Approved |]
Finance (Budget): Mark Lang at 9/7/2021 3:30:05 PM - [Approved | The fiscal note has been attached.]
Executive: Troy Schulte at 9/7/2021 3:50:57 PM - [Approved |]
Legal: Elizabeth Freeland at 9/7/2021 4:50:25 PM - [Approved |]

Fiscal Note:

This expenditure was included in the Annual Budget.

PC# 110121013 000

Date: September 7, 2021

RES # 20752
eRLA ID #: 225

Org Code/Description	Object Code/Description	Not to Exceed
001 General Fund		
1101 County Counselor	56020 Legal Services	\$ 8,400

\$ 8,400

APPROVED
By Mark Lang at 3:29 pm, Sep 07, 2021

Budget Office

**ADDENDUM TO
LEGAL SERVICES AGREEMENT**

THIS SECOND ADDENDUM, made and entered into on this ____ day of _____, 2021, by and between **JACKSON COUNTY, MISSOURI**, hereinafter called "the County" and **LATHROP GPM, LLP**, 2345 Grand Boulevard, Suite 2200, Kansas City, MO 64108, hereinafter called "Legal Counsel."

WHEREAS, Legal Counsel and County entered into a Legal Services Agreement dated July 14, 2021, whereunder Legal Counsel agreed to provide legal advice and representation to the County regarding a Construction Claim; and,

WHEREAS, the parties now desire to increase the maximum sum available for services rendered under this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the terms and provisions herein contained, County and Legal Counsel respectively agree with each other as follows:

1. Except as expressly provided herein, all provisions of the Legal Services Agreement dated July 14, 2021, between Legal Counsel and County shall remain in full force and effect.
2. The maximum sum to be paid by County to Legal Counsel shall be increased by the amount of \$2,400.00, for a maximum total of \$9,900.00.
3. This Addendum to Agreement shall be effective as of July 1, 2021, and continue to December 31, 2021.
4. This Addendum to Agreement together with the Legal Services Agreement dated September 12, 2019, incorporates the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement on the date first above written.

LATHROP GPM LLP

JACKSON COUNTY, MISSOURI

By _____

Federal Tax ID 43-0948710

By _____

Bryan O. Covinsky
County Counselor

ATTEST:

Mary Jo Spino
Clerk of the Legislature

REVENUE CERTIFICATE

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable, and a cash balance otherwise unencumbered in the treasury from which payment is to be made, each sufficient to meet the obligation of \$2,400.00 which is hereby authorized.

Date

Director of Finance and Purchasing
Account No. 001-1101-56020

R.

**FOURTH ADDENDUM TO
LEGAL SERVICES AGREEMENT**

THIS FOURTH ADDENDUM TO AGREEMENT, made and entered into on this ____ day of _____, 2021, by and between **JACKSON COUNTY, MISSOURI**, hereinafter called "the County" and **RONALD L. JURGESON, LLC**, 108 SE Eastridge Street, Lee's Summit, MO 64063, hereinafter called "Legal Counsel."

WITNESSETH:

WHEREAS, The County and Legal Counsel previously entered into a Legal Services Agreement dated February 21, 2018 ("the Prior Agreement"), whereunder Legal Counsel agreed to provide specialized legal advice and representation to the County relating to acting as legal counsel to the Jackson County Merit System Commission; and,

WHEREAS, subsequent addenda have extended this Agreement until December 31, 2021; and,

WHEREAS, the parties now to increase the total compensation payable to Legal Counsel hereunder.

NOW THEREFORE, in consideration of the foregoing and the terms and provisions herein contained, County and Legal Counsel respectively promise, covenant and agree with each other as follows:

1. Except as expressly provided herein, all provisions of the Legal Services Agreement dated February 21, 2018, and all previous addendums, between Legal Counsel and County shall remain in full force and effect.
2. This Fourth Addendum to Agreement together with the Prior Agreement, and all previous addendums, shall be extended to December 31, 2021.

3. The total compensation payable to Legal Counsel shall be increased by sum of \$6,000.00, to a new total of \$9,500.00.
4. The Fourth Addendum shall be effective as of July 1, 2021, and shall remain in effect, together with the Prior Agreement, and the previous addendums, until December 31, 2021.
5. This Fourth Addendum to Agreement together with the Prior Agreement, and the previous addendums, incorporates the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement on the date first above written.

RONALD L. JURGESON, LLC

JACKSON COUNTY, MISSOURI

By _____
Federal I.D. No. 43-1814482

By _____
Bryan O. Covinsky
County Counselor

ATTEST:

Mary Jo Spino
Clerk of the Legislature

REVENUE CERTIFICATE

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable, and a cash balance otherwise unencumbered in the treasury from which payment is to be made, each sufficient to meet the obligation of **\$6,000.00** which is hereby authorized.

Date

Director of Finance and Purchasing
Account No. 001-1101-56020