THE HONORABLE CITY COUNCIL
Palo Alto, California

RE: Request for Authorization to Increase Existing Contracts with: (1) the Law Firm of Rankin, Landsness, Lahde, Serverian & Stock by an Additional $50,000 For a Total Contract Not to Exceed Amount of $135,000; (2) the Law Offices of Scott Pinsky by an Additional $125,000 For a Total Contract Not to Exceed Amount of $165,000 and (3) the Law Firm of Hanson Bridgett by an Additional $90,000 For a Total Contract Not to Exceed Amount of $140,000

Dear Members of the Council:

The Municipal Code provides that the City Council must approve all contracts for professional services over $85,000. The three firms listed in this Report will exceed this $85,000 threshold under their existing contracts. This Report requests Council authority to increase the amount of each contract to cover the remainder of this fiscal year.

The City currently contracts with the law firm of Rankin, Landsness, Lahde, Serverian & Stock for defense of the City in tort litigation matters. The firm was one of three firms originally selected to represent the City in litigation matters. After a one year trial period, the Office of the City Attorney selected the Rankin firm as the primary provider of these services. Rankin was chosen due to their success on defending the City's cases and their cost effective handling of the matters. Rankin has defended the City at a cost less than in-house staffing for approximately the same level of service.
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Since July 2006, the City spent approximately $85,000 on the Rankin contract. In order to provide services through July 2008, the Office of the City Attorney estimates that an additional $50,000 is necessary.

The City currently contracts with the Law Offices of Scott Pinsky for representation in significant appellate matters. The Law Offices of Scott Pinsky is the primary provider of these services for the City. Most cities contract out appellate litigation due to the complexity of litigation and the cyclic nature of appellate litigation. The initial amount of this contract was $40,000. In order to provide services through the end of the contract term, the Office of the City Attorney estimates that an additional $125,000 is necessary for a total contract not to exceed amount of $165,000.

Funding for of these contract amendments has been provided for in the City Attorney’s office 2007-08 budget. No increase in the City Attorney’s budget is necessary to cover the cost of these contracts.

The City currently contracts with the law firm of Hanson Bridgett for legal services relating to the procurement process for the City’s waste hauling and recycling program. This is the first RFP that the City has ever conducted for refuse services. Hanson Bridgett is one of the few firms in the state with expertise in refuse RFPs and contract negotiation and drafting. Due to the specialized nature of the service the City Attorney’s Office lacks any attorney with this expertise. Since August, 2007 the City has spent approximately $50,000 on this contract. In order to provide services through the end of the contract term, the Office of the City Attorney estimates that an additional $90,000 is necessary for a total contract not to exceed amount of $140,000. Funding for this contract amendment has been provided for in the Refuse Enterprise Fund budget for 2007-08.
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We request Council authorization to increase the existing contracts for legal services as noted above.

Respectfully submitted,

[Signature]
Gary M. Baum
City Attorney

[Signature]
Stacy Lavelle
Legal Administrator

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