

## AGENDA



Thursday, December 10, 2009

**Law**  
**RECOMMENDATION FOR COUNCIL ACTION****Item No. 21**

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**Subject:** Authorize negotiation and execution of an amendment to the professional services agreement with Greenberg, Traurig, P.A., for legal services in connection with the construction manager at risk contract and the professional engineering services agreements for Water Treatment Plant No. 4, to increase funding in the amount of \$147,000, for a total contract amount not to exceed \$200,000.

**Amount and Source of Funding:** Funding is available in the Fiscal Year 2009-2010 Capital Budget of Austin Water Utility.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Gordon Bowman, Assistant City Attorney, 974-2346

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The City has contracted with Greenberg Traurig, P.A., to provide legal services in connection with the WTP 4 Project. The present contract with Greenberg Traurig will be extended through the completion of the WTP 4 Project in 2014. The estimated total compensation will not exceed the amount of \$200,000.00 without further Council approval.

The basic scope of legal services includes ongoing negotiation services. The ongoing services will include any necessary modifications to the engineering services agreements for the Project, the negotiation of Guaranteed Maximum Price Amendments for the separate Work Packages, and any other required legal assistance for change orders, contract interpretation, and minor dispute resolution.

There is an estimate of approximately 150 hours for the initial contract negotiations and approximately 200 hours for the ongoing legal services which will follow the anticipated work package project schedule.