

#### MEMORANDUM

# City of Austin Financial Services Department Purchasing Office

**DATE:** January 22, 2014

TO: Memo to File

FROM: Lynn Rich, Buyer II

**RE:** Various master agreements—refer to email referenced below

These master agreements were extended per email from Teresa Medina in the Law Department dated 12/9/2013.

There were no changes made to the funding of these master agreements.

The expiration dates were extended as work with the legal vendors was still pending at the time of the extension.

Yolanda Miller, Deputy Purchase Officer approved this method of contract extension in lieu of a formal amendment.

#### Contracts:

```
13010900007, PA080000074, PA080000079, PA090000004, PA090000008, PA090000041, PA090000062, PA090000063, PA100000039, PA100000044, PA100000045, PA100000053, PA100000059, PA100000080, PA110000010, PA110000079, PA110000086, PA120000015, PA120000020, PA120000023, PA120000025, PA120000027, PA120000029, PA120000030, PA120000031, PA120000032, PA120000039, PA120000040, PA120000041, PA130000007, PA13000009, PA130000011, PA070000008, PA080000023, PA110000026, PA110000027, PA110000029, PA110000029, PA110000051, PA110000077, S011246, S030424 and S050375
```

#### Rich, Lynn

From:

Medina, Teresa

Sent:

Monday, December 09, 2013 2:06 PM

To:

Rich, Lynn

Subject:

RE: Central Purchasing Buyer for Law Dept

Attachments:

FY13 Contracts Status.xlsm

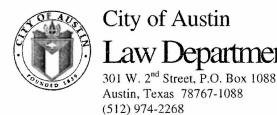
Below are the contracts that need to be extended in the green column is the date that they should be extended to. I've attached the document that you sent me with the same information.

Blue rows are contracts that you are currently working on.

DOCUMENT			AUTHORIZED-	BEGIN	
ID	VENDOR NAME	DOCUMENT DESCRIPTION	AMT	DATE	EXPIR DATE
				,	
13010900007	Charles Phillip Forster	COA v ACME Brick Company	\$10,000.00	12/13/2012	12/12/2014
PA080000074	LAW OFFICES OF KEN RAMIREZ PLL Waller Creek Tunnel Project TC		\$30,000.00	7/30/2008	7/29/2014
PA080000079	THOMPSON & KNIGHT L L P Campaign Finance		\$10,000.00	9/8/2008	9/7/2014
PA090000004	EDWARDS FIRM (THE)	Establish Court Reporting Cont	\$10,000.00	12/1/2008	11/30/2013
PA090000008	Christina A. Mondrik	Sales Tax Audit 2002-2006	\$25,000.00	12/10/2008	12/9/2014
PA090000041	Smith, Robertson, Elliott, Gle	RFP for Commercial Retail Trac	\$75,000.00	3/24/2009	3/23/2014
PA090000062	Law Office of Randy T. Leavitt	Campaign Finance	\$50,000.00	9/8/2009	9/7/2014
PA090000063	GREENBERG TRAURIG L L P	Greenbert Traurig LLP for Wate	\$260,000.00	9/15/2009	9/14/2014
PA100000039	GREENBERG TRAURIG L L P	Holly Street Power Plant	\$40,000.00	1/29/2010	1/28/2014
PA100000044	Taylor Olson Adkins Sralla & E	Brackenridge Tract	\$152,000.00	2/19/2010	2/18/2014
PA100000045	Freilich & Popowitz LLP	Brackenridge Tract	\$152,000.00	2/19/2010	2/14/2014
PA100000053	Haynes and Boone, LLP	Tax Penalty 2009	\$15,000.00	4/2/2010	4/1/2014
	LLOYD GOSSELINK ROCHELLE &				
PA100000059	TOW	2012 rate proceeding	\$2,850,000.00	5/13/2010	5/12/2014
PA100000080	ANDREWS & KURTH L L P	New Central Library	\$80,000.00	7/29/2010	7/28/2014
	DENTON NAVARRO ROCHA &				
PA110000010	BERNAL	Urban Renewal Project	\$57,500.00	11/10/2010	11/9/2014

PA110000079	Reeves & Brightwell LLP	Central Texas 2011 Fires	\$150,000.00	9/22/2011	9/21/2013
PA110000086	THOMPSON & KNIGHT L L P	Gables/Seaholm Parking Garage	\$92,608.00	9/20/2011	9/19/2013
PA120000015	GREENBERG TRAURIG L L P	AE Contract for IBM Billing Sy	\$125,000.00	12/15/2011	12/14/2013
PA120000020	RANDY T. LEAVITT	Elected Offical Complaint	\$10,000.00	2/28/2012	2/27/2014
	SCOTT DOUGLASS & MCCONNICO				
PA120000023	LLP	Austin Lifecare & Roman Cathol	\$20,000.00	3/19/2012	3/18/2014
PA120000025	BROWN MCCARROLL L L P	American Airlines Bankruptcy	\$25,000.00	2/22/2012	2/21/2014
PA120000027	GREENBERG TRAURIG L L P	Fayette Power Plant	\$53,000.00	5/3/2012	5/2/2014
PA120000029	Meyertons, Hood, Kivlin, Kower	AFO Software	\$5,000.00	5/24/2012	5/23/2014
PA120000030	LAW OFFICES OF KEN RAMIREZ PLL	Water Rights	\$100,000.00	5/24/2012	5/23/2014
PA120000031	GREENBERG TRAURIG L L P	Guadalupe Power Partners	\$25,000.00	5/30/2012	5/29/2014
PA120000032	GREENBERG TRAURIG L L P	HUD 108 Family Business Loan	\$15,000.00	5/24/2012	5/23/2014
PA120000039	GREENBERG TRAURIG L L P	Industrial Development Corpora	\$30,000.00	7/23/2012	7/24/2014
PA120000040	GREENBERG TRAURIG L L P	Utility governanace matters	\$35,000.00	8/14/2012	8/13/2014
DA120000041	DENTON NAVARRO ROCHA &	Toyas Dissiplinany Bules of Pr	¢E 000 00	0/6/2012	6/5/2014
PA120000041	BERNAL Sciebbook 1110	Texas Disciplinary Rules of Pr	\$5,000.00	9/6/2012	6/5/2014
PA130000007	Reeves & Brightwell LLP DENTON NAVARRO ROCHA &	Ronya Aigner	\$931,000.00	11/26/2012	11/25/2014
PA130000009	BERNAL	2013 Bargaining	\$250,000.00	10/18/2012	10/17/2014
PA130000011	Perkins Coie LLP	AE Compliance of Risk Manageme	\$25,000.00	11/20/2012	11/19/2014
PA07000008	Colette Holt & Associates	MBE-WBE Program - 2006	\$50,000.00	10/19/2006	10/18/2012
PA080000023	Foley & Lardner, Attorneys at Law	General Aviation Advice & Counsel (General Regulatory Matters)	\$49,000.00	1/23/2008	1/22/2014
PA110000002	Brown McCarroll, L.L.P.	Fayette Power Plant	\$259,550.00	11/1/2010	10/31/2012
PA110000021	Public Financial Management, Inc.	Reagan National Advertising v COA	\$10,700.00	12/9/2010	12/8/2012
PA110000026	Law Office of Randy T. Leavitt	Texas Open Meetings Act Process - Law Office of Randy T. Leavitt	\$203,000.00	1/28/2011	1/27/2013
PA110000027	Thompson & Knight, L.L.P.	Texas Open Meetings Act Issues - Thompson & Knight	\$163,000.00	1/28/2011	1/27/2013
PA110000029	Bickerstaff Heath Delgado Acosta LLP	Texas Open Meetings Act Issues - Bickerstaff Heath Delgado Acosta	\$78,000.00	1/28/2011	1/27/2013
PA110000049	Thompson & Knight, L.L.P.	The Austin Bulldog v Council Members	\$160,000.00	4/28/2011	4/27/2013
PA110000051	Max Renea Hicks Attorney at Law	Texas State Senate and Federal Congressional Redistricting	\$223,000.00	5/27/2011	5/26/2013
PA110000077	Richards Rodriguez & Skeith	North Walnut Trail Project	\$50,000.00	9/9/2011	9/8/2013
S011246	Law Offices of Ken Ramirez	Water Right Permit Matters	\$1,970,000.00	6/30/2000	6;/6/2014
S030424	Clarence A. West Attorney at Law	Telecommunication-Cable-Right-of-way mgmt	\$53,000.00	8/28/2003	12/22/2014
S050375	Thompson & Knight, L.L.P.	Seaholm (T&K)	\$436,000.00	6/13/2005	6/12/2014

Writer's Fax Line



JAN 2 4 2813 BY: (512) 974-2912

(512) 974-2268 Writer's Direct Line

### RECEIVED

FEB 0 8 2013

January 17, 2013

LAWDEPARTMENT

Beverly Reeves Reeves & Brightwell LLP 221 West Sixth Street Suite 1000 Austin, TX 78701-3410

RE: Amendment No. 1 to Engagement Letter Dated November 26, 2012 regarding

Aigner, Ronya.

Dear Ms Reeves: BeV

This letter is to notify you of an increase in our original contract agreement to provide legal services concerning the above-referenced matter. The increase is for the amount of \$875,000.00, for a contract total not to exceed \$931,000.00. The total contract includes:

\$56,000.00 per the initial agreement of November 26, 2012; and \$875,000.00 per this supplemental agreement.

Please sign and return this letter to Teresa Medina in the self addressed envelope.

Sincerely

Karen M. Kennard

City Attorney

**AGREED:** 

Reverly Reeve

Reeves & Brightwell LLP

KMK/tmm

#### REGULAR COUNCIL MINUTES

The motion authorizing the negotiation and execution of an amendment to a legal services contract with Lloyd Gosselink Rochelle & Townsend, P.C. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.



Authorize negotiation and execution of an amendment to a legal services contract with Reeves & Brightwell LLP for legal services related to Aigner v. City of Austin, Cause No. GN-12-003451 in the 53rd District Court of Travis County, to increase the contract amount by \$875,000, for a revised total amount not to exceed \$931,000.

The motion authorizing the negotiation and execution of an amendment to a legal services contract with Reeves & Brightwell LLP was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

- 26. Authorize execution of an interlocal agreement with the Texas Department of Motor Vehicles to access the vehicle title registration database for a one year period with automatic annual renewals. The anticipated yearly cost will not exceed \$20,000. Related to Item #29.
  - The motion authorizing the execution of an interlocal agreement with the Texas Department of Motor Vehicles was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
- 27. Approve a resolution authorizing negotiation and execution of an interlocal agreement with the Texas Department of Motor Vehicles for a five year term to withhold vehicle registrations for people with outstanding traffic warrants, fines, and unpaid red light camera cases. The anticipated yearly cost will not exceed \$15,000.
  - Resolution No. 20130117-027 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
- 28. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Public Safety (DPS) to continue participation in a program that facilitates DPS withholding defendant's driver license renewals for failure to appear or comply with Municipal Court orders. This interlocal agreement is for a term of one year and will renew annually.
  - The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Public Safety (DPS) was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
- 29. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Motor Vehicles to establish a motor vehicle inquiry account that allows remote electronic access to vehicle title and registration records for a one year period with automatic annual renewals. The anticipated yearly cost will not exceed \$5,000. Related to Item #26.
  - The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Motor Vehicles was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
- 30. Amend Ordinance No. 20121018-083, to correct the legal description, survey exhibit, and field notes for the rezoning known as Villeda Family, located at 10652 Dessau Road.
  - Ordinance No. 20130117-030 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

#### Items 31 and 32 were pulled for discussion.

33. Approve an ordinance authorizing execution of an Interlocal Agreement with Travis County to share costs for sidewalk construction, inspection, and maintenance along RM1826 from Summervale Drive to the North Entrance of Seton Southwest Hospital; accepting grant funds in the amount of \$60,000 from Travis



REGULAR MEETING THURSDAY, JANUARY 17, 2013

Invocation: Pastor C. Benjamin Anayacho, New Wine Gathering Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, January 17, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Pro Tem Cole called the Council Meeting to order at 10:06 a.m.

Mayor Leffingwell was absent.

#### **CONSENT AGENDA**

The following items were acted on by one motion.

- 1. Approve the minutes of the Austin City Council work session of December 11, 2012 and regular meeting of December 13, 2012.
  - The minutes from the City Council work session of December 11, 2012 and regular meeting of December 13, 2012 were approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
- 2. Approve the issuance of a performance based incentive to Foundation Communities-Spring Terrace for the generation of solar energy at its facility located at 7101 N. IH35, Austin, Texas, for an estimated \$14,000 per year, for a total amount not to exceed \$140,000 over a 10-year period.

  The motion to approve the issuance of a performance based incentive to Foundation Communities-
  - Spring Terrace was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
- 3. Approve the issuance of a performance based incentive to Foundation Communities-Shady Oaks Housing for the generation of solar energy at its facilities located at 4320 S. Congress Ave., Austin, Texas, for an estimated \$12,300 per year, for a total amount not to exceed \$123,000 over a 10-year period.
  - The motion to approve the issuance of a performance based incentive to Foundation Communities-Shady Oaks Housing was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
- 4. Approve the issuance of a performance based incentive to Foundation Communities-Sierra Ridge for the generation of solar energy at its facility located at 201 W. St. Elmo, Austin, Texas, for an estimated \$6,900 per year, for a total amount not to exceed \$69,000 over a 10-year period.



#### REQUISITION

RQS CITY MULTI

PAGE NO:

**REFERENCE NUMBER:** 

RQM 5700 12120700100

P.O DATE: 12/13/12

V E N D O R S
H SEE COMMODITY LINE FOR
I SHIP TO INFORMATION
P
T

B
I SEE COMMODITY LINE FOR
L SHIP TO INFORMATION

T

Requestor:

Buyer:

0

Teresa Medina, 974-2205 See Solicitation, 512-974-2500

The City's standard purchase terms and conditions are hereby incorporated into this order by reference, with the same force and effect as if they were incorporated in full text. The full versions are available at https://www.austintexas.gov/financeonline/vendor\_connection/index.cfm#STANDARDBIDDOCUMENTS or call the Purchasing Office at (512) 974-2500. Please include above reference number on all packages, deliveries, and invoices.

Line	Quantity	Unit		Commodity Information / Description (s)	Unit Price	Extended Amount
1			Commodity: 96	149 Ronva Aigner	\$ 00	\$ 00

Ship To: Law Department

LEGAL SERVICES DIV 301 W. 2ND ST

Austin, TX 78701-3906

Bill To: Law Dept

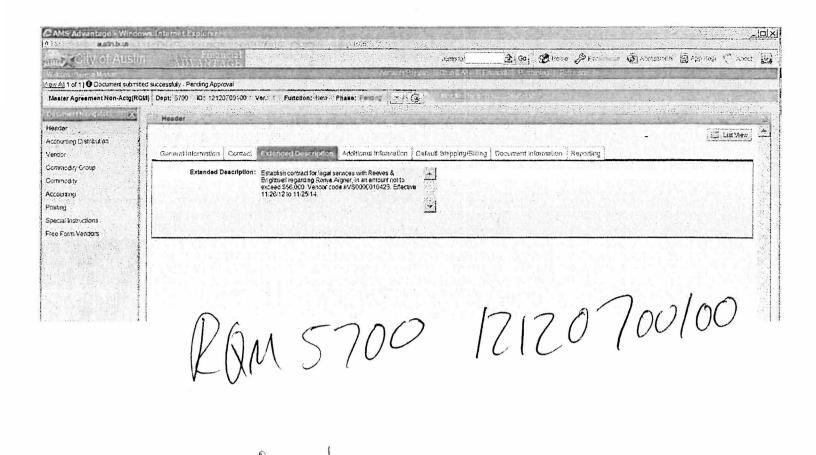
LAW DEPARTMENT
P. O. BOX 1546
Austin, TX 78767-1546

Order Total: \$

.00

#### **VENDOR INSTRUCTIONS:**

- 1. SEND ORIGINAL INVOICE WITH DUPLICATE COPY TO THE CITY DEPARTMENT TO WHICH THE GOOD(S) WERE DELIVERED.
- 2 SHIPPING INSTRUCTIONS: F.O.B. DESTINATION UNLESS OTHERWISE SPECIFIED.
- 3. NO FEDERAL OR STATE SALES TAX SHALL BE INCLUDED IN PRICES BILLED. LIMITED SALES TAX #74-6000085.



D. Druft 12/2012

### RECEIVED



### City of Austin

aw Department DEC 0 6 2012

301 W. 2<sup>nd</sup> Street, P.O. Box 1088 Austin, Texas 78767-1088 (512) 974-2268 LAWDEPARTMENT

(512) 974-2268 Writer's Direct Line (512) 974-2912 Writer's Fax Line

November 26, 2012

Beverly Reeves Reeves & Brightwell LLP 221 West Sixth Street, Suite 1000 Austin, TX 78701-3410

RE:

Representation of the City in D-1-GN-12-003451 Ronya Aigner, et al v City of

Austin, as assigned by the City Attorney

Dear Ms. Reeves: BeV

This Engagement Letter confirms that you will represent the City of Austin to provide legal services concerning the above-referenced matter. The City requires outside counsel to follow certain policies outlined in the attached Terms of Engagement. Please sign and return this Engagement Letter to Teresa Medina in the enclosed envelope, confirming that you agree to these policies.

Assistant City Attorney Meghan L. Riley is the in-house attorney responsible for managing this matter (the "Managing Attorney"). The City will pay for the legal services you provide, in a total amount not to exceed \$56,000.00 for all fees and expenses billed under this agreement.

We have agreed that your billing rate for this matter is \$425.00 per hour. The agreed billing rates for any other named attorney(s) and paralegal(s) authorized to work on this matter, if any, are shown on the attached Rate Schedule. The City will not pay for work by any person not listed on the Rate Schedule unless I preauthorize the change in writing in an amendment to the Rate Schedule. Unless later agreed to in writing, these hourly rates are set for the duration of this engagement.

If you require consultant or subcontractor services, you must receive prior written approval from me. Pursuant to the City's accounting and auditing policies, you must bill the City on your letterhead for services rendered by other firms, i.e., court reporters, record companies, and consultants. The City cannot pay invoices from other businesses if they were not hired directly by the City.

Beverly Reeves November 26, 2012 Page 2

If you have any questions, please do not hesitate to call me or the Managing Attorney.

Sincerely,

Karen M. Kennard

City Attorney

**AGREED:** 

Beverly Reeves

Reeves & Brightwell LLP

Attachments:

Terms of Engagement

Rate Schedule

KMK/tmm

#### **Outside Counsel Hourly Rate Schedule and Authorized Staff**

The City will only pay for work done by the staff named and at the hourly rates listed below.

The City expects that this matter will be leanly staffed and economically handled.

Work is to be done by the person with the appropriate qualifications and an appropriate hourly rate for the services performed.

The City expects that work on city matters will be done at hourly rates that are a substantial discount from the firm's general billing rates.

These hourly rates are set for the duration of the engagement.

Only the following people are authorized to work on this matter:

Beverly Re	eves	Partner	\$425/hr	
Ryan Pierc	9	Associate	\$290/hr	
Luke McH	enry	Associate	\$260/hr	
Joyce Goodman		Paralegal	\$100/hr	
Amy Least	re	Project Assistant	\$100/hr	
Name	Classification (e.g., "partner	"," "associate," "paralegal")	Hourly Rate	

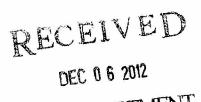
Agreed:

Outside Counsel Initials

Date

## City of Austin LAW DEPARTMENT

P.O. Box 1088 Austin, Texas 78767-1088



LAWDEPARTMENT

City of Austin Law Department Teresa Medina P.O. Box 1088 Austin, Texas 78767-1088



7878781088 8008

Modified by dilbertj , 12/13/2012 Master Agreement(MA) Dept: 5700 ID: PA130000007 Ver.: 1 Function: New Phase: Final Header Contract Details Modification Requestor Issuer Buyer Thresholds Extended Description General Information Default Shipping/Billing Reporting Document Information Tracking Number: Award Status: Active **Document Name:** Procurement Folder: 1975901 Procurement Type ID: Record Date: 12/13/2012 Unclassified **Budget FY:** Cited Authority: 2013 Fiscal Year: Effective Begin Date: 2013 11/26/2012 Period: **Expiration Date:** 11/25/2014 **Document Description: Hearing Date:** Ronya Aigner **Authorization Date: Calculated Document Total:** \$0.00 **Procurement Initiation Date: Total Ordered Amount:** \$0.00 **Total Expended Amount:** Internal Award Number: \$0.00 **ADMIN Available Amount:** Internal Award Date: \$56,000.00 Replaces Award Doc Code: T & C Template: Replaces Award Doc Dept: Allow Partial Payment: V Replaces Award ID: Allow Partial Receipts: Replaced By Award Doc Code: V Default Form: Replaced By Award Doc Dept: Replaced By Award ID: **Total of Header Attachments:** Base Agreement ID: Total of All Attachments: MA 5700 PA130000007 Agreement Period:

Master Agreement(MA) Dept: 5700 ID: PA130000007 Ver.: 1 Function: New Phase: Final Modified by dilbertj., 12/13/2012

Header

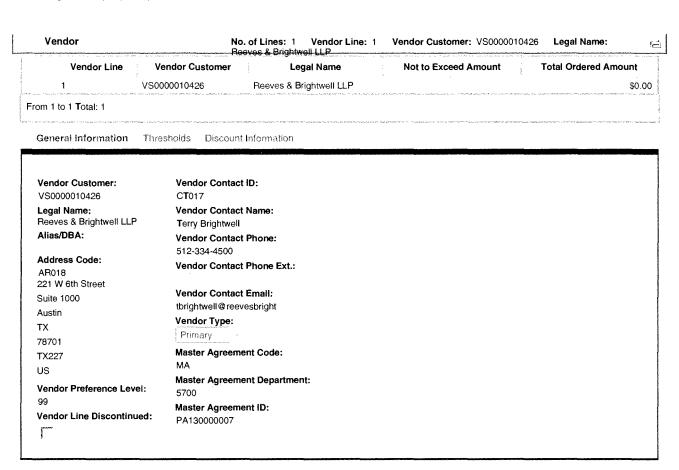
General Information Contract Details Modification Requestor Issuer Buyer Thresholds Extended Description

Default Shipping/Billing Reporting Document Information

Extended Description:

Establish contract for legal services with Reeves & Brightwell regarding Ronya Aigner, in an amount not to exceed \$56,000. Vendor code #VS0000010426. Effective 11/26/12 to 11/25/14.

Master Agreement(MA) Dept: 5700 ID: PA130000007 Ver.: 1 Function: New Phase: Final Modified by dilberti, 12/13/2012



Modified by dilbertj, 12/13/2012 Master Agreement(MA) Dept: 5700 ID: PA130000007 Ver.: 1 Function: New Phase: Final Commodity Commodity Line: 1 Commodity: 96149 No. of Lines: 1 **Commodity Line** Commodity Unit **Unit Price** Service Contract Amount **Discount Percentage CL Description** 96149 Ronya Aigner \$0.00 \$0.00 0.00% From 1 to 1 Total: 1 General Information Reference Information Additional Information Shipping & Billing Specifications Tolerance Information Worksites **CL Description:** Maintenance: Ronya Aigner Lock Catalog List Price: Commodity: Legal Services, Attorneys **Lock Order Specs:** Line Type: Service Fixed Asset: Quantity: 0.00000 Allow Promotional Pricing: Unit: **Unit Price:** Inactive Line: \$0.00 ſ Catalog: Vendor Preference Level: Discount Percentage: Comm Line Discontinued: 0.00% List Unit Price: Commodity Specs: **Discounted Unit Price:** \$0.00 Discount Effective From: Extended Description: Discount Effective To: Service Contract Amount: \$0.00 Service From: Service To: T & C Template: Tax Profile: Total Tax Amount: \$0.00 Line Total Amount: \$0.00 Item Sub Total Amount: \$0.00 Number of Attachments: