

COMMISSIONERS

Personal Services Contract Briefing

DATE: April 19, 2024
TO: Port of Tacoma Commissioners
FROM: Erin Galeno, CFO
SUBJECT PSA 071560 General Legal Counsel Services 2022-2205
Amendment 03-Increase Funding

A. ACTION REQUESTED

In accordance with Resolution No. 2023-03-PT, Section IV.E(3), staff is informing the Commissioners of the Port of Tacoma of its intent to increase the funding for PSA 071560 and adding \$63,800.00 to the contract., and the revised not-to-exceed amount for PSA #071560 is **\$1,113,800.00 for the four-year period.**

B. SYNOPSIS

Staff intends to increase the original Dickson Frohlich Phillips Burgess PLLC contract amount. The contract is currently authorized for \$1,050,000.00 and the current balance of the contract is \$659,417.19. Per contract, in April 2024, a pricing review was done to evaluate the Port's general counsel legal usage, which is priced based on usage of 1,000 hours per year. Based upon that review, the expected usage for 2024 is expected to reach 1,200 hours per year. This was in large part due to (a) responses to subpoenas and defense of depositions for third party litigation matters, (b) public records responses, and (c) legal support for the Maritime Center project, which will continue through 2024. The Port and Consultant agreed to increase the monthly fee to **\$33,499.75 effective May 1, 2024**, to allow for increased usage for 2024. At the Port's discretion, in a few months, another pricing review will be held to evaluate the Port's general legal usage.

C. BACKGROUND

The consultant provides legal services to the Port, including general legal counsel services and litigation services, as set forth in contract and as requested by the Port.

The amendment will be issued in seven (7) days from the date of this memo on Friday, April 26, 2024.