Legislation Details (With Text)

File #:	23-0556	**Version:**	1	**Name:**	4/17/23 - Amendment Number 3 to the Agreement with Monaghan, P.C. for Legal Services
Type:	Resolution			**Status:**	Passed
File created:	4/17/2023			**In control:**	City Council
On agenda:	4/17/2023			**Final action:**	4/17/2023
Enactment date:	4/17/2023			**Enactment #:**	R-23-128

Title: Resolution to Approve Amendment Number 3 to the Agreement with Monaghan, P.C. for Legal Services Relative to City Projects Requiring the Acquisition of Easements or Other Property Interests

Sponsors:

Indexes:

Code sections:

Attachments: 1. Monaghan Legal Services Agreement Amendment No 3 3-8-23.pdf

Date	Ver.	Action By	Action	Result
4/17/2023	1	City Council	Approved	Pass

Resolution to Approve Amendment Number 3 to the Agreement with Monaghan, P.C. for Legal Services Relative to City Projects Requiring the Acquisition of Easements or Other Property Interests The City has a number of active and upcoming capital improvement and other public projects which will require that the City obtain easements or other property interests, and in some instances this may include condemnation litigation.

There are many unique and specialized legal issues involved in the acquisition of easements and other property interests for public projects and condemnation litigation.

The City Attorney’s Office has selected Monaghan, P.C. as the law firm to provide these legal services because of the firm’s familiarity with the unique legal issues and the firm’s experience and expertise in this specialized area of practice.

The City has been working with Monaghan, P.C. on several projects and is pleased with the progress and results. The original legal services agreement and Amendments 1 and 2 were for a total amount not to exceed $75,000.00 which has been exhausted.

Amendment Number 3 is needed to allow Monaghan, P.C. to continue to provide specialized legal services for ongoing projects and other upcoming projects, and it is
for an increase of $175,000.00 for a total contract amount not to exceed $250,000.00 for the estimated cost of these needed legal services through the fiscal year ending June 30, 2024.

The City Attorney’s Office requests approval of Amendment Number 3 to the Agreement with Monaghan, P.C. for specialized legal services in the amount of $175,000.00 (total contract amount of $250,000.00) for additional legal services on several City projects needing easements.

Monaghan, P.C. complies with the City of Ann Arbor's Non-Discrimination and Living Wage

Ordinances.

Budget/Fiscal Impact: Funding for the services provided through this agreement is available within project budgets and annual operating budgets, as appropriate.
Prepared by: Tim Wilhelm, Deputy City Attorney
Reviewed by: Atleen Kaur, City Attorney
Approved by: Milton Dohoney Jr., City Administrator
Whereas, The City has a number of active and upcoming capital improvement and other public projects which will require that the City obtain easements or other property interests, and in some instances this may include condemnation litigation;

Whereas, There are many unique and specialized legal issues involved in the acquisition of easements and other property interests for City projects and condemnation litigation;

Whereas, Monaghan, P.C. is well-qualified to provide specialized legal services which will be integral to the City's ability to proceed with its planned projects;

Whereas, The City Administrator approved an initial legal services agreement and Amendments 1 and 2 with Monaghan, P.C. for a total amount not to exceed $75,000.00 which has been exhausted;

Whereas, The City needs additional specialized legal services from Monaghan, P.C. to complete the acquisitions of easements for several current projects and other upcoming projects and additional funds are needed for these legal services through the fiscal year ending June 30, 2024;

Whereas, Monaghan, P.C. complies with the City of Ann Arbor's Non-Discrimination and Living Wage Ordinances; and

Whereas, Funding for the services provided through this agreement is available within project budgets and annual operating budgets, as appropriate, if so approved;

RESOLVED, That City Council approve Amendment Number 3 to the Agreement with Monaghan, P.C. for Legal Services Relative to City Projects Requiring the Acquisition of Easements or Other Property Interests in the amount of $175,000.00 for continuing legal services;

RESOLVED, That the funding for these legal services shall remain available without regard to fiscal year;

RESOLVED, That the Mayor and City Clerk be authorized to execute Amendment Number 3 after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take any necessary administrative actions to implement this resolution.