Legislation Text

File #: 24-1414, **Version:** 1

Resolution to Approve the Amendment Number 1 to the Legal Services Agreement with Rosati, Schultz, Joppich & Amtsbeuchler, PC Relative to City Projects Requiring the Acquisition of Easements or Other Property Interests (Amendment $150,000.00; Total $300,000.00)
Attached for your review and approval is a resolution to approve Amendment Number 1 to the legal services agreement with Rosati, Schultz, Joppich & Amtsbeuchler, PC in the amount of $150,000.00 for additional legal services relative to City projects requiring the acquisition of easements or other property interests, making the total amount for the agreement $300,000.00.

On February 20, 2024, City Council authorized a legal services agreement with Rosati, Schultz, Joppich & Amtsbeuchler, PC in the amount of $150,000.00 to assist the City in obtaining easements and other property interests for several capital improvement projects: i) Lyn Anne Arbana Sewer Project; ii) Nixon Corridor Improvement Project; iii) South Boulevard Water Looping New Construction Project and the South Boulevard Lift Station Elimination and Gravity Sewer New Construction and Replacement Project; and iv) South Main Sidewalk Gap Elimination Project. These projects are all time-sensitive and involve complex legal and valuation issues and require more legal services than initially expected. Since the approval of the legal services agreement, Rosati, Schultz, Joppich & Amtsbeuchler, PC has assisted the City in these acquisition matters and has nearly exhausted the original $150,000.00 not to exceed amount for legal services.

The matters are ongoing and require additional legal services to complete the acquisitions, and the City Attorney's Office requests approval of Amendment Number 1 to the Legal Services Agreement with Rosati, Schultz, Joppich & Amtsbeuchler, PC in the amount of $150,000.00 for a total contract amount of $300,000.00 for legal services in support of City projects requiring the acquisition of easements or other property interests.

Budget/Fiscal Impact: The legal services provided through this agreement have been budgeted and will be paid for within approved 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 ongoing capital improvement projects which require the acquisitions of public easements or other property interests, and in some instances this may require that the City obtain these interests through the use of eminent domain;

Whereas, The City has retained Rosati, Schultz, Joppich & Amtsbeuchler, PC to provide specialized legal services for these easement acquisitions and the initial authorized contract amount is nearing exhaustion;

Whereas, the acquisition matters are ongoing, and thus, additional legal services are needed in order

to allow the City to complete the acquisitions and the capital improvement projects;

Whereas, Rosati, Schultz, Joppich & Amtsbeuchler, PC complies with the City of Ann Arbor's Non-Discrimination and Living Wage Ordinances; and

Whereas, The services provided through this agreement have been budgeted and will be paid for within approved project budgets and annual operating budgets, as appropriate;

RESOLVED, That City Council approve Amendment Number 1 to the Legal Services Agreement with Rosati, Schultz, Joppich & Amtsbeuchler, PC in the amount of $150,000.00 for Legal Services Relative to City Projects Requiring the Acquisition of Easements or Other Property Interests;

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 the amendment subject to 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.

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