

COMMISSION AGENDA

Item No. 7C

Meeting: 12/16/21

DATE: December 8, 2021
TO: Port Commission
FROM: Eric Johnson, Executive Director
Sponsor: Erin Galeno, Chief Financial and Administrative Officer
SUBJECT: General Legal Services 2022 Personal Services Agreement

A. ACTION REQUESTED

Request Commission approval to delegate signing authority to the Port's Executive Director or his designee to enter a three-year Personal Services Agreement with one 1-year extension with the Phillips Burgess LLC for a total not to exceed amount of \$1,050,000.

B. BACKGROUND

The Port of Tacoma does not have in house staff to provide general legal services. In 2020, the Port conducted a public procurement for general legal services. Phillips Burgess LLC was selected to service as general legal counsel and the Port entered a one-year agreement. Based on the work performed in 2021, Port staff is requesting a longer-term agreement.

C. SCOPE

Consultant shall provide practical legal advice to the Port Executive Director, the Port Staff, and the Port Commission, regarding the legal risks of certain courses of action, recommend legal strategies, ensure compliance with all relevant laws and statutes, recommend and engage special legal counsel on matters as directed and approved by the Port Commission or the Port Executive Director, and represent the Port as its general legal counsel.

D. TIMEFRAME

The length of the contract is January 1, 2022 to December 31, 2025(including the one-year extension).

E. FINANCIAL SUMMARY

The total monthly fixed fee for 2022 is \$20,420. The contract has a 3% escalation annually.

Source of funds: Funding for this contract will come from normal Port operations and has been included in the annual operating budget.

F. NEXT STEPS

Pending Commission authorization, the Port's Executive Director or designee will review the contract prior to signing.