



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY COUNSEL

File #: 16-670

Board Meeting Date: 10/31/2017

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: John C. Beiers, County Counsel

Subject: Amendment with Foley & Lardner LLP to provide outside legal services

RECOMMENDATION:

Adopt a resolution authorizing an amendment to the agreement with Foley & Lardner LLP extending the contract term to June 30, 2018 and increasing the amount payable by \$230,000 to an amount not to exceed \$250,000.

BACKGROUND:

In 2014, the County Counsel's Office entered into an agreement with Foley & Lardner LLP (Foley) to provide outside legal services in support of the County Health System. Foley has long provided legal services to the County with particular focus on complex matters related to safety net program reimbursement rules and other federal and state healthcare regulations. The agreement was originally for the term October 30, 2014 through October 31, 2015 and authorized up to \$20,000 in expenditures for these legal services.

DISCUSSION:

Owing to ongoing programmatic changes at the Health System and changes in the healthcare regulatory landscape, and a corresponding increased need for legal services, this office seeks to amend the agreement with Foley agreement to extend its term through June 30, 2018 and to increase the amount payable by \$230,000, to \$250,000. Given the complex nature of the issues referred to Foley and the firm's familiarity with the County Health System and its programs and clients, that firm is uniquely able to efficiently provide the services described in the agreement. Owing to delay in invoicing for legal services and administrative delay on the part of the County, we are bringing this amendment to the Board for consideration at this later time.

The resolution contains the County's standard provision allowing amendments by the department head of the County's fiscal obligations by a maximum of \$25,000 (in aggregate).

Approval of this resolution contributes to the Shared Vision 2025 outcome of a Healthy Community by enabling the County Counsel's Office to provide a continuity of services to the Health System.

FISCAL IMPACT:

The value of the amendment is \$230,000. Sufficient appropriations have been included in the County Counsel's FY 2017-18 Approved Recommended Budget.