

CONTRACT SUMMARY SHEET

TO: THE OFFICE OF THE CITY CLERK,
COUNCIL/PUBLIC SERVICES DIVISION
ROOM 395, CITY HALL

DATE: January 21, 2016

(PLEASE DO NOT STAPLE THE CONTRACT FOR THE CLERK'S FILE)

FORM MUST BE TYPEWRITTEN

FROM (DEPARTMENT): City Administrative Officer

CONTACT PERSON: Sharon C. Lee PHONE: (213) 473-5792

CONTRACT NO.: C-123671 COUNCIL FILE NO.: 15-0419

ADOPTED BY COUNCIL: 12-11-2015
DATE

APPROVED BY BPW:
DATE

NEW CONTRACT _____
AMENDED AND RESTATED 4
ADDENDUM NO. _____
SUPPLEMENTAL NO. _____
CHANGE ORDER NO. _____

CONTRACTOR NAME: Haight Brown & Bonesteel, LLP

TERM OF CONTRACT: December 13, 2013 THROUGH: December 12, 2016

TOTAL AMOUNT: \$280,000

PURPOSE OF CONTRACT:

Adding (\$100,000) in funds to the contract and increasing the maximum amount payable to the Contractor to (\$290,000); amending Subsection 3 of Section x Miscellaneous Provisions to incorporate by reference exhibits 1 through 6.

NOTE: CONTRACTS ARE PUBLIC RECORDS - SCANNED AND UPLOADED TO THE INTERNET

FOURTH AMENDMENT
TO THE AGREEMENT NUMBER **C-123671** OF CITY OF LOS ANGELES CONTRACTS
BETWEEN
THE CITY OF LOS ANGELES
AND
HAIGHT BROWN & BONESTEEL, LLP

THIS **FOURTH AMENDMENT** to Contract Number **C-123671** of City of Los Angeles Contract is made and entered into by and between the City of Los Angeles, hereinafter referred to as the City, and **HAIGHT BROWN & BONESTEEL, LLP** hereinafter referred to as the Contractor.

WITNESSETH

WHEREAS, on November 20, 1998, the Los Angeles City Council, with the Mayor's concurrence, approved the establishment of a Conflicts Panel consisting of attorneys pre-selected to perform outside legal counsel for the representation of the City, City officers and employees when conflicts of interest arise; and

WHEREAS, the Office of the City Administrative Officer (CAO), is authorized to retain law firms from the Conflict Panel for such representation (C.F. 12-1966); and

WHEREAS, on October 17, 2011, the City issued a Request for Proposals ("RFP"), under Charter Section 372, seeking firms with expertise in police tort, tort negligence, complex police, police employment, employment labor, labor, general business, appellate, pension/fiduciary, and complex case management; and

WHEREAS, the City found Contractor satisfied the required qualifications for inclusion on the Conflicts Panel; and

WHEREAS, on **December 13, 2013**, the City, acting through the Office of the City Administrative Officer (CAO), and the Contractor entered into an Agreement wherein Contractor agreed to defend **David Aubrey**, in the action, **Michael Brown v. City of Los Angeles, et al., Los Angeles Superior Court Case BC510295**; and

WHEREAS, on October 27, 2014, the City and the Contractor executed the **First Amendment** to this Agreement of adding FIFTY THOUSAND DOLLARS (\$50,000) in funds to the contract and increasing the maximum amount payable to the contractor to SEVENTY FIVE THOUSAND DOLLARS (**\$75,000**); amending to include **United States District Court Case No. CV13-06455 MMM (JEMx)** (effective December 13, 2013); and

WHEREAS, on October 27, 2014, the City and the Contractor executed the **Second Amendment** to this Agreement of replacing Stephanie Alexander, Associate, with Roxanne A. Irani, Associate (**effective May 1, 2014**); adding TWENTY-FIVE THOUSAND DOLLARS (\$25,000) in funds to the contract and increasing the maximum amount payable to the contractor to **ONE HUNDRED THOUSAND DOLLARS (\$100,000) (effective October 29, 2014)**; and

WHEREAS, on **April 24, 2015 (C.F. 15-0419)**, the Los Angeles City Council authorized additional funds for the Contract; and

WHEREAS, on September 14, 2015, the City and the Contractor executed the **Third Amendment** to this Agreement of adding NINETY THOUSAND DOLLARS (\$90,000) in funds to the contract and increasing the maximum amount payable to the contractor to **ONE HUNDRED NINETY THOUSAND DOLLARS (\$190,000)**; adding **Kristian B. Moriarty**, Associate, to the defense counsel roster (**effective November 14, 2014**); and

WHEREAS, on **December 11, 2015 (C.F. 15-0419)**, the Los Angeles City Council authorized additional funds for the Contract; and

WHEREAS, the City and the Contractor are desirous of amending the Agreement for the purpose of **(a)** adding ONE HUNDRED THOUSAND DOLLARS (\$100,000) in funds to the contract and increasing the maximum amount payable to the contractor to **TWO HUNDRED AND NINETY THOUSAND DOLLARS (\$290,000)**; **(b)** amending Subsection 3 of Section X, Miscellaneous Provisions to incorporate by reference Exhibits 1 through 6; **(c)** making other changes as required in connection with the foregoing, as detailed elsewhere in this Amendment; and

WHEREAS, due to the need for Contractor's services to be provided continuously on an ongoing basis, Contractor may have provided services prior to the execution of this Agreement. To the extent that said services were performed in accordance with the terms and conditions of this Agreement, those services are hereby ratified; and

WHEREAS, this Amendment is necessary and proper to continue and/or complete certain activities authorized under this Agreement.

NOW, THEREFORE, the City and the Contractor agree that the Agreement be amended as follows:

AMENDMENT

1. Amend SECTION III, APPROPRIATION OF FUNDS-ATTORNEYS' OBLIGATIONS, Subsection A. Appropriation of Funds by deleting Subsection A. Appropriation of Funds in its entirety and substituting therefor a new Subsection A. Appropriation of Funds and to read as follows:

A. Appropriation of Funds

The City Council has appropriated **\$290,000** for this contract. The City will not pay Attorneys for any work done or costs incurred in excess of **\$290,000**, unless additional appropriations are made by the City Council and an amendment to this Contract is executed by the parties.

2. Amend **Section X, MISCELLANEOUS PROVISIONS**, by deleting Subsection 3 in its entirety and substituting therefor a new Subsection 3 to read as follows:
 3. Hereby incorporated by reference into this Contract are the Standard Provisions for City Contracts, attached hereto and marked as Appendix "A", and the City of Los Angeles General Guidelines for Defense of Lawsuit which applies to all legal work, including litigation, attached hereto and marked as Appendix "B." In the event of an inconsistency between any of the provisions in the body of the Contract and Appendices "A" or "B," the provisions in the body of the Contract shall be controlling. Also incorporated by reference into this Contract are Exhibits 1 through 6.
3. Except as herein amended, all terms and conditions of the Agreement shall remain in full force and effect.
4. This Amendment is executed in three (3) duplicate originals, each of which is deemed to be an original. This Amendment includes four (4) pages, which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the parties have caused this contract to be executed by their respective, duly authorized representatives.

THE CITY OF LOS ANGELES,
A municipal corporation

BY: Miguel A. Santana
Miguel A. Santana
City Administrative Officer

Date: 02/05/16

ATTORNEYS:

HAIGHT BROWN & BONESTEEL, LLP

BY: _____
S. Christian Stouder, Managing Partner

Date: _____

APPROVED AS TO FORM
MICHAEL N. FEUER, City Attorney

BY: Tanea Ysaguirre
Tanea Ysaguirre
Deputy City Attorney

Date: 2/2/16

ATTEST: HOLLY L. WOLCOTT, City Clerk

BY: Michael Valdivia
Date: 2/9/16



Said Amendment is Number **FOUR** to City Contract **C-123671**

IN WITNESS WHEREOF, the parties have caused this contract to be executed by their respective, duly authorized representatives.

THE CITY OF LOS ANGELES,
A municipal corporation

BY: _____
Miguel A. Santana
City Administrative Officer

Date: _____

ATTORNEYS:
HAIGHT BROWN & BONESTEEL, LLP

BY: _____
S. Christian Stouder, Managing Partner

Date: 1 - 22 - 16

APPROVED AS TO FORM
MICHAEL N. FEUER, City Attorney

BY: _____
Tanea Ysaguirre
Deputy City Attorney

Date: _____

ATTEST: HOLLY L. WOLCOTT, City Clerk

BY: _____

Date: _____

Council file Number: 15-0419

Date of Approval: 12/11/2015

Said Amendment is Number **FOUR** to City Contract **C-123671**

Haight Brown & Bonesteel

Company Information	
ID	57797
Name:	Haight Brown & Bonesteel
Address:	555 S. Flower Street Forty-Fifth Floor Los Angeles, CA 90071

Compliance Documents

Company Compliance Documents	Status	Uploaded By	Uploaded	Expires
Affirmative Action (1 Year Application) (Read Disclaimer)	Verified	Sean Swayze	06/18/15	06/18/16
Equal Benefits Ordinance (3 Year Application) (Read Disclaimer)	Verified	Sean Swayze	06/18/15	06/18/18
First Source Hiring Ordinance (3 Year Application)	Verified	Sean Swayze	06/18/15	06/18/18
Non-discrimination/Equal Employment Practices Provisions (3 Year Application) (Read Disclaimer)	Verified	Sean Swayze	06/18/15	06/18/18
Slavery Disclosure Ordinance (Indefinite Application) (Read Disclaimer)	Verified	Sean Swayze	01/29/14	No expiration date

MOA Participation and Emergency Vendor Contact Document

No Document Found
