



STAFF REPORT

DATE: October 26, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Olga Sanchez-Ochoa, General Counsel
SUBJ: APPROVING THE FIRST AMENDMENT TO JONES & MAYER CONTRACT FOR ON CALL TORT LITIGATION SERVICES

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the attached Resolution will amend the contract with Richard D. Jones, a Professional Law Corporation, dba as Jones & Mayer for on-call tort litigation services.

FISCAL IMPACT

There is no fiscal impact as a result of this Amendment. There will be a fiscal impact as work orders are issued.

DISCUSSION

In October 2018, SacRT released a request for proposal for on-call tort litigation counsel support services. Four firms, including Richard D. Jones, a Professional Law Corporation, dba Jones & Mayer (hereinafter "Jones & Mayer"), submitted proposals. On February 15, 2019, SacRT entered into a contract with Jones & Mayer for on-call tort litigation services with a not to exceed amount of \$150,000. The contract is set to expire February 28, 2024.

During 2019, Jones & Mayer provided SacRT with consultation and litigation services on two matters. Jones & Mayer is currently handling one matter that contains both a tort cause of action and a federal discrimination cause of action against SacRT and an employee of SacRT. Jones & Mayer is exceptionally well-qualified to handle both the tort claim and the discrimination claim based on their experience in representing public entities in both areas of the law. If this matter proceeds to trial, the anticipated budget for this case will exceed the amount remaining on the current contract. Consequently, staff desires to add funding to the Contract.

In addition, Staff recently noticed an error in the proper legal name of Jones Mayer as listed in the Principal Agreement. The Principal Agreement named the firm as Jones & Mayer, a Professional Law Corporation, however, the firm's actual legal name is Richard D. Jones, a Professional Law Corporation, dba as Jones & Mayer. Therefore, the

proposed First Amendment to the Contract with Jones & Mayer acknowledges the error and clarifies the firm's legal name.

Staff recommends that the Board adopt the First Amendment to the Contract with Jones & Mayer increasing the total consideration by \$150,000 from \$150,000 to \$300,000 and corrects the error made in the firm's legal name.

RESOLUTION NO. 20-10-0109

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

October 26, 2020

APPROVING THE FIRST AMENDMENT TO JONES & MAYER CONTRACT FOR ON CALL TORT LITIGATION SERVICES

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the First Amendment to the Contract between Sacramento Regional Transit District, therein referred to as "SacRT" and Richard D. Jones, a Professional Law Corporation, dba as Jones & Mayer therein referred to as "Attorney" wherein the total consideration is increased to a not to exceed amount of \$300,000 and the firm name is corrected to reflect its true legal name, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said First Amendment.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary