Memorandum

Buckman Direct Diversion

Date:	**July 26, 2023**
To:	**Buckman Direct Diversion Board**
From:	**Monique Maes, Contracts Admin**
Via:	**Rick Carpenter, BDD Facility's Manager**
Subject:	**Long, Komer, and Associates P.A. -Amendment 1**

ITEM:

Request for approval of Amendment No. 1 to the Legal Service Agreement with Long, Komer, and Associates, P.A. not to exceed an amount of $285,000.00 plus applicable gross receipts tax for FY24.

BACKGROUND:

On March 2, 2023 the Buckman Direct Diversion Board approved the award of RFP 23/29/P for legal service to Long Komer and Associates, P.A., to serve as the legal counsel for the Buckman Direct Diversion Board. This contract was for a term date of four years from the signature date. This amendment will increase compensation for FY24 in the amount of $285,000.00 plus applicable gross receipt tax

ACTION REQUESED:
Staff recommends approval of Amendment No. 1 to the Legal Services Agreement with Long, Komer & Associates, LLP. Funding is available within our approved FY2021 operating budget.

BU/LI: Legal Services # 8000801.510200
MUNIS Contract# 3203977
BDD9000
BDD7530
BDD7412
BDD9990

Approved by BDDB August 3, 2024

_____
Anna Hamilton, BDDB Chair

BUCKMAN DIRECT DIVERSION BOARD
AMENDMENT NO. 1 TO
LEGAL SERVICES AGREEMENT
WITH
LONG, KOMER & ASSOCIATES, P.A.

THIS AMENDMENT No. 1 (the "Amendment") to the Legal Services Agreement dated March 2, 2023 and as subsequently amended (the "Agreement") is made between the Buckman Direct Diversion Board ("BDDB") and Long, Komer & Associates, P.A. ("Contractor"). The effective date of this amendment shall be the date it is executed by the BDDB.

RECITALS

A. Under the terms of the Agreement, Contractor has agreed to provide legal service, acting in the capacity of legal counsel for the Board.

B. Pursuant to Article 12 of the agreement, and for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the Board and the Contractor agree as follows:

1. **COMPENSATION**

Article 3, paragraph A of the Agreement is amended to increase the amount of compensation by a total of two hundred eighty-five thousand dollars ($285,000.00) plus applicable gross receipts tax, so that Article 3 paragraph A reads in its entirety as follows:

A. The total compensation to be paid under this Agreement for the second year of the term shall not exceed four hundred five thousand dollars ($405,000.00) plus applicable gross receipts tax.

2. **TERM AND EFFECTIVE DATE**

Article 5 of the agreement is amended to extend the term to terminate on June 30, 2024.

3. **AGREEMENT IN FULL FORCE.**

Except as specifically provided in this amendment, the Agreement remains, and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No.1 to the Legal Service Agreement as the dates set forth below.

BUCKMAN DIRECT DIVERSION BOARD

By: _____
Anna Hamilton, BDDB Chair

Date: _____

ATTEST:

_____
County Clerk

APPROVED AS TO FORM:

Marcos Martinez
Marcos Martinez (Jul 5, 2023 07:56 MDT)
_____
Senior Assistant City Attorney

APPROVED FOR FINANCES:

_____
Emily Oster, Finance Director

ATTEST:

_____
Kristine Bustos Mihelcic, City Clerk

File Date: _____

CONTRACTOR:
Long, Komer & Associates P.A.

Signature: _____

Printed Name: _____

Title: _____

Date: _____