



# **RESOLUTION No. \_\_\_\_\_**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **RESOLUTION APPROVING AMENDMENT NO. 1 TO PERSONAL SERVICES CONTRACT #PESM3669 BETWEEN THE COUNTY OF NEVADA AND ANGELO, KILDAY & KILDUFF TO INCREASE THE MAXIMUM CONTRACT AMOUNT BY \$75,000, TO EXPAND THE SCOPE OF SERVICES, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT**

WHEREAS, effective July 25, 2018, the County executed a Personal Services Contract with Angelo, Kilday & Kilduff, for legal services in connection with the lawsuits entitled *Lau, et al. vs. County of Nevada, et al.* (Nevada County Superior Court), Case No. CU18-082845, and *Saigh, et al. vs. County of Nevada, et al.* (Nevada County Superior Court), Case No. CU18-082850; and

WHEREAS, the maximum amount of the contract was set at \$25,000; and

WHEREAS, on December 7, 2018 the County was served with a new lawsuit related to the *Lau* and *Saigh* cases, entitled *Suarez, et al. vs. County of Nevada, et al.*; and

WHEREAS, the County desires to expand the scope of services of this Contract to include legal representation of Nevada County, Nevada County Sanitation District No. 1, and any Nevada County employees and officers that may be named as defendants in connection with claims and related litigation filed by Robert E. Suarez and Candice JC Souza-Suarez, in the case of *Suarez, et al. vs. County of Nevada, et al.* (Nevada County Superior Court), Case No. CU18-083381; and

WHEREAS, additional funding is necessary to pay for additional and ongoing litigation costs, including motions and discovery; and

WHEREAS, the parties desire to amend the Personal Services Contract to increase the contract amount by \$75,000, for a Maximum Contract Price of \$100,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 1 to Personal Services Contract #PESM3669 by and between the County of Nevada and Angelo, Kilday & Kilduff, increasing the contract amount by \$75,000 and establishing a new Maximum Contract Price of \$100,000, and expanding the scope of services to include legal representation in the lawsuit entitled *Suarez, et al. vs. County of Nevada, et al.* (Nevada County Superior Court), Case No. CU18-083381, be and hereby is approved in the form attached hereto as Exhibit A, and the Chair of the Board of Supervisors is hereby authorized to execute the Amendment.

BE IT FURTHER RESOLVED that the Auditor Controller is authorized to encumber the funds in account number 4356-92002-275-1000 521520 27500000, in an amount not to exceed \$100,000.00.