



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

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

### **RESOLUTION APPROVING AMENDMENT NO. 8 TO PERSONAL SERVICES CONTRACT NO. BFS15295 BETWEEN THE COUNTY OF NEVADA AND PORTER SCOTT, A PROFESSIONAL CORPORATION, INCREASING THE MAXIMUM CONTRACT PRICE BY \$150,000, EXTENDING THE CONTRACT TERM TO JUNE 30, 2021, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT**

WHEREAS, effective January 1, 2014, the County executed a Personal Services Contract with Porter Scott, A Professional Corporation, for legal services in connection with the lawsuit entitled *Evans, et al vs. Nevada County Sheriff's Department, et al.* (U.S. Dist. Court, E.D. Cal.), Case No. 2:13-cv-01775-TLN-DAD and the related state court action; and

WHEREAS, by Resolution 14-338, the parties amended the Contract to increase the Maximum Contract Price to \$65,000; and

WHEREAS, by Resolution 15-295, the parties amended the Contract to increase the Maximum Contract Price to \$140,000 and extend the term of the Contract to June 30, 2016; and

WHEREAS, by Resolution 16-323, the Contract was amended to extend the term of the Contract to June 30, 2017; and

WHEREAS, by Resolution 16-534, the contract was amended to increase the Maximum Contract Amount to \$240,000; and

WHEREAS, by Resolution 17-359, the Contract was amended to extend the term of the Contract to June 30, 2018; and

WHEREAS, on September 26, 2017, by Resolution 17-493, the Contract was amended to increase the Maximum Contract Amount to \$290,000; and

WHEREAS, on February 13, 2018, by Resolution 18-061, the Contract was amended to increase the Maximum Contract Amount to \$365,000; and

WHEREAS, on April 18, 2018, following an extraordinarily lengthy trial, the jury issued a defense verdict in favor of the County, which Plaintiffs intend to appeal; and

WHEREAS, additional funding and a contract extension are required to ensure that sufficient funds are available to cover legal costs related to unanticipated trial costs, post-trial motions and other legal activities, and any appeal in the case; and

WHEREAS, the parties now desire to increase the maximum contract amount by \$150,000, for a maximum contract price of \$515,000, and further extend the term of the Contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 8 to the Personal Services Contract by and between the County of Nevada and Porter Scott, A Professional Corporation, increasing the contract amount by \$150,000, for a maximum contract price of \$515,000, and extending the contract term to June 30, 2021, 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.