



RESOLUTION No. 15-546

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 2 TO PERSONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND PORTER SCOTT, A PROFESSIONAL CORPORATION, INCREASING THE CONTRACT AMOUNT BY \$50,000 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 claims and related litigation entitled *Soga vs. County of Nevada, et al.* (U.S. Dist. Court, E.D. Cal.), Case No. 2:14-cv-01084-KJM-KJN (PESG2609); and

WHEREAS, by Resolution 15-062, the parties amended the Contract to increase the Maximum Contract Amount to \$100,000; and

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

WHEREAS, the parties now desire to amend the Personal Services Contract to increase the contract amount by \$50,000, for a Maximum Contract Price of \$150,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 2 to the Personal Services Contract by and between the County of Nevada and Porter Scott, A Professional Corporation, increasing the Maximum Contract Amount by \$50,000, 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 on behalf of the County of Nevada.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 8th day of December, 2015, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Julie Patterson Hunter

Edward C. Scofield
Edward C. Scofield, Chair

12/8/2015 cc: CoCo*
AC*
PS

**AMENDMENT NO. 2 TO PERSONAL SERVICES CONTRACT
WITH PORTER SCOTT, A PROFESSIONAL CORPORATION**

THIS AMENDMENT No. 2 is made and is effective as of August 12, 2015, by and between Porter Scott, A Professional Corporation ("Contractor"), and the County of Nevada ("County"). This Amendment No. 2 amends the Personal Services Contract between the parties for legal services that was effective as of January 1, 2014 ("Agreement").

WHEREAS, the parties entered into an agreement to provide County with legal representation of Nevada County and any Nevada County employees and officers in connection with claims and litigation involving former County employee Kathleen Soga, with a Maximum Contract Amount of \$25,000; and,

WHEREAS, on February 10, 2015, the contract was amended pursuant to Resolution 15-062 to increase the Maximum Contract Amount to \$100,000; and,

WHEREAS, the County desires that Contractor provide it with additional legal services related to the continued defense of the above-referenced claims and litigation, and Contractor is ready, willing and able to provide such services; and,


WHEREAS, the parties now desire to increase the maximum amount of the contract by \$50,000, to a Maximum Contract Amount of \$150,000, to pay for the additional legal services.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the parties hereto agree as follows:

1. That Section 2, Maximum Contract Amount, is hereby increased from \$100,000 to \$150,000.
2. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

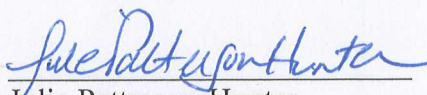
COUNTY OF NEVADA

By:


Hon. Edward C. Scofield
Chair, Board of Supervisors

ATTEST:

By:


Julie Patterson-Hunter
Clerk of the Board

CONTRACTOR:

By:


Carl Fessenden, Shareholder
Porter Scott, A Professional Corporation

APPROVED AS TO FORM:

By:


Alison A. Barratt-Green
County Counsel