



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 2 TO PERSONAL SERVICES CONTRACT NO. PESR4849 BETWEEN THE COUNTY OF NEVADA AND DOWNEY BRAND, LLP, A PROFESSIONAL CORPORATION, INCREASING THE CONTRACT PRICE BY \$25,000 TO A MAXIMUM OF \$75,000, EXTENDING THE TERM OF THE CONTRACT TO JUNE 30, 2026, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, effective October 10, 2023, the County executed a Professional Services Contract with Downey Brand, LLP, for general legal representation for Nevada County including but not limited to, advice on procedural and substantive law, factual investigations, legal research, and representation throughout the CPUC process, including filing responsive pleadings and motions, discovery, participation in mediation or other alternative dispute resolution, and any hearings, and other tasks as directed by County Counsel; and

WHEREAS, the maximum amount of the Contract was set at \$25,000 with the Contract termination date of June 30, 2024; and

WHEREAS, the parties amended (Amendment No. 1) the Contract to increase the Contract amount by \$25,000, for a maximum Contract amount of \$50,000, and increased the scope of services to include assistance in bankruptcy matters; and

WHEREAS, the case is ongoing, and an extension of the Contract term is necessary to provide for continued litigation services under this Contract; and

WHEREAS, the County desires that the Contractor continue to provide general legal representation for Nevada County, its employees, representatives, and officers related to the filing of a complaint with the CPUC against PG&E and various legal issues related to bankruptcy as needed; and

WHEREAS, the parties now desire to increase the maximum contract price to \$75,000 and extend the term of the contract to June 30, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 2 to Personal Services Contract by and between the County of Nevada and Downey Brand, LLP, increasing the contract by \$25,000 to a maximum of \$75,000, and extending the Contract term to June 30, 2026, 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. (4/5 Affirmative vote required)