



Meeting: **Joint Reservoir Committee & Authority Board
Agenda Item 1.4**

July 21, 2023

Subject: **Task Order No. 2 Amendment No. 3 for Perkins Coie LLP**

Requested Action:

Reservoir Committee and Authority Board to consider authorizing an FY2023 budget transfer of \$350,000 from Unrestricted Contingency to Legal Services to cover additional Legal Services expenses by Perkins Coie.

Detailed Description/Background:

Perkins Coie provides legal services related to environmental planning and permitting. Increasing the contract authority and the FY2023 Budget for legal services is needed due to additional effort required related to the following activities:

- Preparing the Final EIR/EIS.
- Developing and reviewing the Project’s administrative record which has already been initiated and will need to be fully prepared in the next couple of months to meet the requirements of the recent State legislation. The administrative record was planned and budgeted for but only small pieces of it, normally the entirety of would be prepared later in the schedule.
- Providing additional review and assistance as permitting approaches have changed due to factors beyond the Authority’s control (such as the recent changes to the Federal ESA approach discussed at the June 2023 Joint Reservoir Committee and Authority Board meeting).

Per the Delegation of Authority, Board approval is required to transfer budgeted funds in the amount shown from Unrestricted Contingency to the Legal Services budget.

Prior Action:

November 2022: Authority Board approved a task order amendment to increase Perkins Coie’s 2023 budget by \$400,000 resulting in a 2023 budget of \$622,321 and a 3-year not-to-exceed contract authority of \$1,694,000.

November 2022: Authority Board approved a task order amendment to increase Perkins Coie’s 2022 budget by \$250,000 resulting in a 2022 budget of \$1,294,000 and a 3-year not-to-exceed contract authority of \$1,294,000.

December 2021: Authority Board approved a 3-year not-to-exceed contract authority of \$1,044,000 for PCL to provide Environmental Planning and Permitting Legal Services as part of Amendment 3.

Fiscal Impact/Funding Source:

The \$350,000 in Unrestricted Contingency will come from the Permitting Subject Area (\$254,000) and the Planning Subject Area (\$96,000). The remaining Unrestricted Contingency balance after the transfers in both categories is as follows: \$537,428 Permitting Subject Area, \$25,217 Planning Subject Area. The contract authority for Perkins Coie will be increased to \$1,861,516.

Staff Contact:

Marcus Maltby / Ali Forsythe

Primary Service Provider:

Brown and Caldwell – Project Controls

Attachments:

None