


**TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> An ordinance authorizing an agreement for legal services with Bracewell, LLP	<b>Category #</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>								
<b>FROM (Department or other point of origin):</b> Legal Department	<b>Origination Date</b>	<b>Agenda Date</b>									
<b>DIRECTOR'S SIGNATURE:</b> Ronald C. Lewis, City Attorney 	<b>Council District affected:</b> All										
<b>For additional information contact:</b> Don Fleming, Section Chief of LECR: 832-393-6303 Jennifer Callan, Sr. Assistant City Attorney: 832-393-6286	<b>Date and identification of prior authorizing Council action:</b> None										
<b>RECOMMENDATION: (Summary)</b> That Council adopt an ordinance authorizing an agreement for legal services between the City of Houston and Bracewell, LLP.											
<b>Amount and Source of Funding:</b> Property and Casualty Fund (1004); Initial Allocation \$1,013,067 million; Maximum Contract Amount: \$1,990,000 million.											
<p><b><u>SPECIFIC EXPLANATION:</u></b></p> <p>The City of Houston ("City") is seeking legal services from the law firm of Bracewell, LLP ("Firm") for legal representation of the City in the lawsuit entitled <i>Hernandez et. al, v. City of Houston</i>, under cause number 4:16-cv-3577 in the United States District Court for the Southern District of Texas, Houston Division. This lawsuit is a class action civil rights suit involving claims of violations of civil and constitutional rights stemming from Plaintiffs allegedly being held by Houston Police Department for longer than 48-hours in jail on a warrantless arrest without a neutral finding of probable cause. The time period at issue in this lawsuit is January 1, 2015 through December 31, 2016.</p> <p>The Firm sought to be hired and its lawyers are experienced as well as highly capable as subject matter experts who have successfully defended complex, high exposure cases in federal court.</p> <p><u>Hire Houston First:</u> The proposed contract is exempt from the City's Hire Houston First Ordinance. The Legal Department is utilizing a professional services procurement.</p> <p><u>Pay or Play:</u> The Firm has certified that it provides health benefits to eligible employees in compliance with the City policy.</p> <p><u>MWBE Information:</u> The Firm shall make good faith efforts to award subcontracts or supply agreements in at least 24% of the value of this legal services agreement to MWBEs in compliance with the City's Minority and Women Business Enterprise ("MWBE") programs as set out in Chapter 15, Article V of the City of Houston Code of Ordinances. The Firm has designated the below-named company as its certified MWBE subcontractor:</p> <table border="1" data-bbox="105 1577 1372 1650"> <thead> <tr> <th><u>Name</u></th> <th><u>Type of Work</u></th> <th><u>Dollar Amount</u></th> <th><u>Percentage</u></th> </tr> </thead> <tbody> <tr> <td>Thompson &amp; Horton LLP.</td> <td>Attorney services</td> <td>\$360,000</td> <td>24%</td> </tr> </tbody> </table> <p>Fiscal Note: Funding for this item is included in the FY19 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policy Ord. No. 2018-390.</p>				<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percentage</u>	Thompson & Horton LLP.	Attorney services	\$360,000	24%
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<b>REQUIRED AUTHORIZATION</b>											
<b>Other Authorization:</b> Finance	<b>Other Authorization:</b>	<b>Other Authorization:</b>									