



**CITY OF HOUSTON – CITY COUNCIL**

Meeting Date: 12/5/2018

District ALL

Item Creation Date: 11/9/2018

Agenda Item#:

**Summary:**

An ordinance approving and authorizing a professional services agreement between Norton Rose Fulbright US LLP and the City of Houston; and providing a maximum contract amount.

**Background:**

The City is seeking a contract in an amount not to exceed **\$250,000.00** for professional legal services with the firm of Norton Rose Fulbright US LLP (the "Firm") to consult with and/or represent the City, as it relates to real property purchases, condemnation services, or other related services, in the following condemnation proceedings: *City of Houston v. West Lake Houston Investments, Ltd., et al.*, No. 1110028, in Harris County Civil Court at Law No. 1, and *City of Houston v. Kim A. Iglesia (as trustee of the Iglesia Family Trust), et al.*, No. 2017-46364, in the 295<sup>th</sup> Judicial District Court of Harris County, Texas.

On September 19, 2018, pursuant to Ordinance No. 2018-756, the City appropriated the sum of \$20,000,000.00 out of the Water and Sewer System Consolidated Construction Fund and approved and authorized the purchase of easements and other interests in real property and the payment of costs of such purchases and/or condemnations. The full amount of the \$250,000.00 maximum amount of the contract with the Firm will come from this prior appropriation and will be used to pay for legal services related to such purchases and/or condemnations (WBS # S-000066-0019-2-01 and R-000536-0023-2-01).

The City recommends the Firm because of its litigation experience and its unique history and knowledge regarding the eminent domain matters. The Firm's attorneys are experienced and highly capable subject matter experts who have successfully defended complex, high exposure cases in state and federal court.


**Hire Houston First:** This procurement is exempt from the City's Hire Houston First Ordinance based on the department's determination that compliance with the ordinance would unduly interfere with contract needs.

**Pay or Play:** The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the Firm provides health benefits to eligible employees in compliance with City policy.

**M/WBE Information:** This professional services contract is being issued with a 24% goal for M/WBE participation. The Firm has designated the below-named company as its certified M/WBE subcontractor:

<u>Name of M/WBE</u>	<u>Type of Work</u>	<u>Dollar Amount</u>	<u>Percent of total Contract</u>
Baker Wotring LLP	Legal Services	\$60,000.00	24%

**Fiscal Note:** Funding for this item is included in the FY19 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

  
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Ronald C. Lewis, City Attorney

Carol Ellinger Haddock, P.E.  
Director, Houston Public Works

**Prior Council Action:**

Ordinance 2018-756, passed 9/19/18

<b>Estimated Spending Authority</b>			
<b>DEPARTMENT</b>	<b>FY2019</b>	<b>OUT YEARS</b>	<b>TOTAL</b>
Legal Department	\$250,000.00	\$0	\$250,000.00

**Amount of Funding:**

\$250,000.00 - Water and Sewer System Consolidated Construction Fund (8500) (previously appropriated)

**\$250,000.00 - Total**

**Contact Information:**

Suzanne Chauvin ..... 832.393.6219

Judith Ramsey .....832.393.6468



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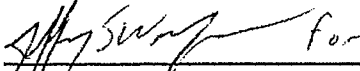
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Ronald C. Lewis, City Attorney

  
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