

# CITY COUNCIL AGENDA BILL # AB22-0015

# City of Algona 200 Washington Blvd. Algona, WA 98001

OUD IECT.	Agenda Date: February 28th, 2022		
SUBJECT:	Department/Committee/Individual	Created	Reviewed
OMW 2022 Rate Schedule Fourth Addendum	Mayor		
	City Administrator		х
	City Attorney		
	City Clerk		х
	Finance Dept		
	PW/Utilities		
	Planning Dept		
	Community Services		
Cost Impact:	Police Dept		
Fund Source:	Finance Committee		
Timeline:	Planning Commission		
	Civil Service Committee		
SUMMARY STATEMENT:  Ogden Murphy Wallace (OMW) has provided us with a	an addendum with 2022 rates. The increa	S. THE IIICIEAS	6 101
Attachments: Fourth Addendum – 2022 Rates; This SUMMARY STATEMENT: Ogden Murphy Wallace (OMW) has provided us with a rates is \$15.00 for Members (Zach's services), \$15.00 specialty services rates is \$20.00 for Members, \$15.00 schedule is attached for further review and detailed rathis is the second review by Council.	an addendum with 2022 rates. The increa for Associates, and \$10.00 for Paralegal O for Associates, and \$10.00 for Paralega	S. THE IIICIEAS	6 101
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J. Zachary Lell zlell@omwlaw.com

November 24, 2020

Dave Hill, Mayor City of Algona 200 Washington Blvd. Algona, WA 98001

Re: 2021 OMW Rate Schedule

Dear Mayor Hill:

On behalf of myself and the other attorneys at Ogden Murphy Wallace P.L.L.C., thank you for the opportunity to serve the City of Algona during this eventful year. I have enclosed for your consideration our rate schedule for 2021 and a proposed addendum to OMW's current legal services agreement with Algona. Assuming the City is agreeable, please return a fully executed copy of the addendum to me once it has been approved.

As always, please contact me with any questions.

Very truly yours,

# OGDEN MURPHY WALLACE, P.L.L.C.

/s/ J. Zachary Lell

J. Zachary Lell JZL/ Encl.

### THIRD ADDENDUM TO CONSULTANT AGREEMENT

THIS THIRD ADDENDUM is made by and between the City of Algona (hereinafter referred to as "the City"), a Washington municipal corporation, and Ogden Murphy Wallace P.L.L.C., a Washington professional limited liability company (hereinafter referred to as "Consultant"), collectively the "Parties".

WHEREAS, the Parties executed that certain Consultant Agreement dated April 23, 2018 ("the Agreement") for the provision of legal services; and

WHEREAS, the Parties subsequently executed a First Addendum to the Agreement in order to adjust the fee schedule for 2019; and

WHEREAS, the Parties subsequently executed a Second Addendum to the Agreement in order to adjust the fee schedule for 2020; and

WHEREAS, the Parties desire to continue and amend the Agreement by updating the fee schedule attached hereto;

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises, terms and conditions set forth in the Agreement and contained herein, the Parties hereby agree as follows:

Section 1. Amendment of Consultant Agreement Fee Schedule (Attachment C). Attachment C to the Agreement is hereby amended to provide in its entirety as indicated in Attachment C to this Third Addendum, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Effect of Addendum. This Third Addendum is in addition to the Agreement. Except as otherwise provided herein, the provisions of this Third Addendum modify, but do not supersede, the provisions of the Agreement. Except as otherwise provided herein, each provision of the Agreement shall continue in full force and effect as if this Third Addendum did not exist. Except as otherwise provided herein, capitalized words and phrases shall have the meanings ascribed to them in the Agreement.

#### ATTACHMENT C

#### FEE SCHEDULE

I. General Services. General services performed under this Agreement shall be compensated at the following rates

Members:

\$290/hour

Associates:

\$230/hour

Paralegals:

\$150/hour

II. Specialty Services. Specialty services performed under this Agreement shall be compensated at the following rates:

Members:

\$365/hour

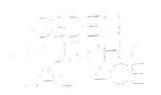
Associates:

\$280/hour

Paralegals:

\$150/hour

Rates for franchise agreements and consortium-based services will be negotiated on a case-specific basis.



J. Zachary Lell zlell@omwlaw.com

December 21, 2021

# SENT VIA EMAIL (JAMESS@ALGONAWA.GOV) AND U.S. MAIL

James Schrimpsher, Acting City Administrator City of Algona 200 Washington Blvd. Algona, WA 98001

Re:

2022 OMW Rate Schedule

Dear Chief Schrimpsher:

As you are aware, our firm typically adjusts the billing rates for our municipal clients annually at the beginning of each contract year. I've accordingly enclosed for the City's execution a proposed Fourth Addendum to the City's Consultant Agreement with Ogden Murphy Wallace P.L.L.C. The fee increase set forth in the addendum tracks the June-to-June Seattle-Tacoma-Bellevue Consumer Price Index for All Urban Consumers (CPI-U) for the preceding year, rounded variously up or down to the nearest five-dollar mark. Assuming the City's intent to retain our services, at your earliest convenience please return a fully executed copy of the Fourth Addendum to me once it has been approved.

On behalf of myself and our firm, thank you for the opportunity to serve as your City Attorney during the past year. It has been a pleasure working with you, Mayor Hill, the City Council and the Algona staff. I look forward to continuing our relationship and serving the City in 2022 and beyond.

Very truly yours,

OGDEN MURPHY WALLACE, P.L.L.C.

J. Zachary Lell

JZL/ Encl.

# FOURTH ADDENDUM TO CONSULTANT AGREEMENT

THIS FOURTH ADDENDUM is made by and between the City of Algona (hereinafter referred to as "the City"), a Washington municipal corporation, and Ogden Murphy Wallace P.L.L.C., a Washington professional limited liability company (hereinafter referred to as "Consultant"), collectively the "Parties".

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Section 2. Effect of Addendum. This Fourth Addendum is in addition to the Agreement. Except as otherwise provided herein, the provisions of this Fourth Addendum modify, but do not supersede, the provisions of the Agreement. Except as otherwise provided herein, each provision of the Agreement shall continue in full force and effect as if this Fourth Addendum did not exist. Except as otherwise provided herein, capitalized words and phrases shall have the meanings ascribed to them in the Agreement.

	DATED this	day of	
CITY	OF ALGONA		OGDEN MURPHY WALLACE P.L.L.C.
Ву:	Dave Hill, Mayor		By: <u>/s/ J. Zachary Lell</u> J. Zachary Lell, Member

ATTE	ST/AUTHENTICATED:	
By:	Jessica Griess, City Clerk	

## ATTACHMENT C

#### FEE SCHEDULE

 General Services. General services performed under this Agreement shall be compensated at the following rates

Members:

\$305/hour

Associates:

\$245/hour

Paralegals:

\$160/hour

II. Specialty Services. Specialty services performed under this Agreement shall be compensated at the following rates:

Members:

\$385/hour

Associates:

\$295/hour

Paralegals:

\$160/hour

Rates for franchise agreements and consortium-based services will be negotiated on a case-specific basis.