

FM-10 (Contract)

Council District(s) All

Office of the Inspector General

Part-Time Legal Counsel

The Inspector General is requesting approval of a contract with Karpinski, Cornbrooks & Karp, P.A. to provide part-time legal counsel to the Office of the Inspector General (OIG) as needed to avoid conflict of interest or the appearance of a conflict, in accordance with Bill 84-23. The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 180 days. The contract provides that compensation may not exceed \$150,000 per year, or \$825,000 during the entire 5-year and 6-month term. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation	Notes
County <sup>(1)</sup>	\$ 150,000	\$ 825,000	(1) General Fund Operating Budget.
State	--	--	(2) Maximum compensation for the initial 1-year term.
Federal	--	--	(3) For the entire 5-year and 6-month term.
Other	--	--	
<b>Total</b>	<u>\$ 150,000</u> <sup>(2)</sup>	<u>\$ 825,000</u> <sup>(3)</sup>	

Analysis

The OIG advised that the contractor will provide part-time legal counsel as needed when a conflict exists between either the OIG, the Office of Law, and/or the Administration; responsibilities may include providing advice; drafting litigation and legislative documents; researching various issues (e.g., deliberative process privilege and other administrative issues); reviewing the OIG’s draft reports for legal compliance/requirements; and resolving disputes and working with the Office of Law and the Executive Office on other related matters.

The County will pay the contractor a negotiated blended hourly rate of \$225 in the first contract year; the hourly rate will increase \$25 per year in each subsequent contract year (i.e., to \$250 in the second contract year, \$275 in the third contract year, \$300 in the fourth contract year, \$325 in the fifth contract year).

The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 180 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract provides that compensation may not exceed \$150,000 per year, or \$825,000 during the entire 5-year and 6-month term. The County may terminate the agreement by providing 30 days prior written notice.

The Office of Budget and Finance, Purchasing Division advised that after the County's Request for Proposals yielded no proposals, the County placed an advertisement in the *Daily Record*; Karpinski, Cornbrooks & Karp, P.A. was the only respondent. The Request for Proposals included a 20% M/WBE participation requirement; however, the Purchasing Division advised that the County's Procurement Review Group waived this requirement for the proposed negotiated agreement.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

## Executive Summary

The Office of The Inspector General is requesting the approval of this contract with **KARPINSKI, CORNBROOKS & KARP, P.A.**, so that they may provide counsel on a part-time basis when a conflict exists between the OIG, OOL and/or the Administration. The firm will be responsible for providing advice, drafting litigation and legislative documents on as needed basis in the event of a conflict. In addition, they will be responsible for researching various issues and reviewing draft OIG reports for legal compliance with the MPIA and other legal requirements.

In no event shall the total compensation paid to the Contractor exceed \$150,000.00 in any given year of this contract. This Agreement shall be effective when it has been executed by the County and shall continue for (1) one-year (the "Initial Term"). The County shall have the option of extending this Agreement at the end of the Initial Term for up to four (4) one-year renewals on the same terms and conditions.

Prepared by: Office of the Inspector General