

Board Office Use: Legislative File Info.	
File ID Number	14-1839
Introduction Date	9/10/14
Enactment Number	14-1679
Enactment Date	9-10-14



OAKLAND UNIFIED SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education

From Jacqueline Minor, General Counsel

Board Meeting Date September 10, 2014

Subject **AMENDMENT NO. 4 TO MEMORANDUM OF UNDERSTANDING AND ENGAGEMENT POLICY WITH ORBACH HUFF & SUAREZ**

Action Requested Approval of Amendment No. 4 to Memorandum of Understanding and Engagement Policy with Orbach Huff & Suarez

Background Orbach Huff & Suarez provides legal services to the District for facilities, Prop 39, real estate development, Measure B/J bonds, the 7-11 Committee and construction related matters.

Discussion The amendment increases the contract amount for 2013-14 by \$105,000. Facilities Counsel. The increase is needed because the insurance funds to cover counsel fees attributable to the negotiating the insurance recovery for 1025, relocation to 1000 Broadway, the lease negotiations, and tenant improvement have not been deposited into Legal or Facilities budgets to pay the counsel fees. These additional fees will be one time fees related to 1025 damage and the resulting move to 1000 Broadway.

Recommendation Approval of Amendment No. 4 to Memorandum of Understanding and Engagement Policy with Orbach Huff & Suarez

Fiscal Impact Funding resource: General Purpose, not to exceed \$105,000 per year

Attachment

- Amendment No. 4
- Amendment No. 3
- Amendment II to Memorandum of Understanding
- Amendment to Memorandum of Understanding
- Memorandum of Understanding

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**AMENDMENT NO. 4 TO THE
MEMORANDUM OF UNDERSTANDING AND ENGAGEMENT POLICY
Between
OAKLAND UNIFIED SCHOOL DISTRICT
And
ORBACH HUFF & SUAREZ**

By Enactment Number 11-0671 on April 27, 2011, the Board of Education approved a of Understanding (MOU) between ORBACH HUFF & SUAREZ ("COUNSEL") and the Oakland Unified School District ("the District" or "OUSD") for the former to provide legal services to the District for facilities and construction related matters. The Parties hereby agree to further amend said MOU as follows:

To increase the contract amount for 2013-14 by an additional \$106,000.

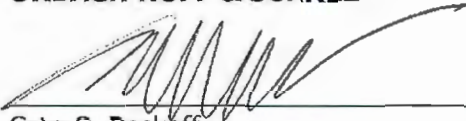
Except as expressly provided above, for the 2013-14 fiscal year, the MOU is unchanged.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion: The District certifies to the best of its knowledge and belief, that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or CONTRACTOR according to Federal Acquisition Regulation Subpart 9.4, and by signing this contract, COUNSEL verifies that it does appear on the Excluded Parties List. <https://www.sam.gov/portal/public/SAM>

This Amendment between the COUNSEL and the District constitutes the entire understanding and agreement between the Parties. All understandings, agreements, covenants, representations and warranties, express or implied, oral or written between are contained and merged herein. No other agreements, covenants, representations or warranties, express or implied, oral or written, have been made by or between the Parties concerning the subject matter hereof. This is an integrated agreement. It may not be altered, modified or otherwise changed in any respect except in a writing signed by each party.

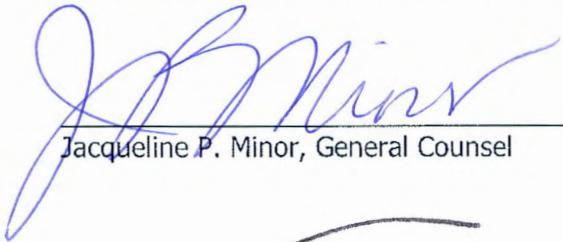
IN WITNESS WHEREOF, the parties hereto agreed to be bound and have executed this MOU Amendment effective June 30, 2014.

ORBACH HUFF & SUAREZ

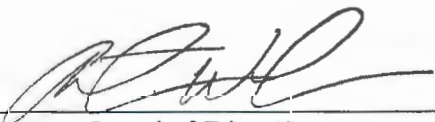


Cate G. Boskoff

OAKLAND UNIFIED SCHOOL DISTRICT



Jacqueline P. Minor, General Counsel

President, Board of Education

Secretary, Board of Education

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