



METROPOLITAN  
TRANSPORTATION  
COMMISSION

**Agenda Item 4c**  
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## *Memorandum*

TO: Operations Committee

DATE: May 4, 2018

FR: Executive Director

W. I. 2780

RE: Contract Amendment – Legal Services for Procurement of the Next-Generation Clipper® (C2) System: Thompson Coburn LLP (\$100,000)

This memorandum requests Committee approval for MTC to enter into a contract amendment with Thompson Coburn LLP in an amount not to exceed \$100,000 to continue to provide legal services in support of the procurement of the C2 System through June 30, 2019.

### **Background**

In May 2016, Thompson Coburn LLP was selected through a competitive procurement to provide legal services to MTC in connection with the C2 procurement. Thompson Coburn LLP attorneys have participated closely with MTC's Office of General Counsel and Clipper® staff in developing and implementing a C2 procurement strategy and documents and advising MTC on issues related to Federal Transit Administration procurement requirements, evaluation procedures, risk allocation, bonding and financial guaranties, privacy, and other legal issues related to the procurement. The Clipper® Capital Budgets for FY 2016 – 2018 budgeted \$750,000 for outside legal services. The original contract for \$450,000 was amended under the MTC Executive Director's signature authority in October 2017 to add an additional \$200,000, of which approximately \$100,000 remains unspent.


### **Amendment Scope of Work**

MTC proposes to continue to consult with Thompson Coburn LLP throughout the C2 procurement process. This amendment will draw on the remaining \$100,000 in the FY 2017-18 Clipper® Budget for C2 legal services and extend the contract for an additional year, keeping the total contract amount within the original \$750,000 budget. Thompson Coburn LLP is neither a disadvantaged business enterprise nor a small business enterprise and has no subcontractors.

This item was approved by the Clipper® Executive Board on April 16, 2018.

### **Recommendation**

Staff recommends that the Committee authorize the Executive Director or his designated representative to enter into a contract amendment with Thompson Coburn LLP for C2 legal services as described in this memorandum, in an amount not to exceed \$100,000, bringing the total contract amount to \$750,000.

  
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Steve Heminger

SH:ck

## REQUEST FOR COMMITTEE APPROVAL

### Summary of Proposed Contract Amendment

Work Item No.: 310-2780

Contractor: Thompson Coburn LLP  
St. Louis, MO

Work Project Title: Legal Services for Procurement of the Next-Generation (C2) Clipper® System

Purpose of Amendment: To provide legal support for procurement, contract, federal funding requirements, data security, and other legal matters relevant to the C2 System Integrator contract and C2 System project.

Brief Scope of Work: Assist MTC's Office of General Counsel in providing legal services in connection with the C2 System procurement and related legal matters.

Project Cost Not to Exceed: \$100,000 (this amendment)  
Total contract value before this amendment = \$650,000  
Total contract amount with this amendment = \$750,000

Funding Source: TCP, STP, CMAQ, Regional Measure 2 Capital, LCTOP

Fiscal Impact: \$100,000 is available in the FY 2017-18 Clipper® Budget

Motion by Committee: That the Executive Director or his designee is authorized to negotiate and enter into a contract amendment with the law firm of Thompson Coburn LLP to provide legal services as described above and in the Executive Director's memorandum dated May 4, 2018; and that the Chief Financial Officer is authorized to set aside \$100,000 for such amendment.

Operations Committee:

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Dave Cortese, Chair

Approved: Date: May 11, 2018