



Interoffice Memorandum

December 21, 2022

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

 Carrie Mathes, CFCM, NIGP-CPP, CPPO, C.P.M., Manager II, Procurement Division

CONTACT: Jeffery J. Newton, County Attorney, Orange County Attorney's Office
407-836-7320

SUBJECT: Ratification of Change Order No. 4, Purchase Order M108670, Specialized Legal Counsel Services

ACTION REQUESTED:

Ratification of Change Order No. 4, Purchase Order M108670, Specialized Legal Counsel Services, with Nabors, Giblin, and Nickerson, P.A., in the amount of \$100,000, for a revised not-to-exceed amount of \$200,000.

PROCUREMENT:

This purchase order provides for specialized legal counsel services on behalf of Orange County regarding case number 2022-CA-007552-O, Florida Association of Realtors, et al. v. Orange County, Florida, et al. The requested increase will allow for services in relation to the Board of County Commissioners' decision to appeal this case to the Florida Supreme Court.

FUNDING:

Funding is available in account number 0001-023-0172-3119.

APPROVALS:

The County Attorney's Office concurs with this request.

REMARKS:

On September 6, 2022, the Procurement Division issued Purchase Order M108670 with Nabors, Giblin, and Nickerson, P.A. in the not-to-exceed amount of \$15,000. Per the Procurement Ordinance, specialized legal counsel services are exempt from competitive procurement requirements.

The rates quoted are reasonable in comparison to similar purchase orders issued to this firm.

Previous change orders are as follows:

- Change Order No. 1: Added funding in the amount of \$35,000, for a revised not-to-exceed amount of \$40,000. This change order was processed within the Procurement Division's authority.
- Change Order No. 2: Added funding in the amount of \$15,000, for a revised not-to-exceed amount of \$55,000. This change order was processed within the Procurement Division's authority.
- Change Order No. 3: Added funding in the amount of \$45,000, for a revised not-to-exceed amount of \$100,000. This change order was processed within the Procurement Division's authority.