

Warren County Board of Supervisors

RESOLUTION NO. 249 OF 2014

Resolution introduced by Supervisors Sokol, Conover, Frasier, Taylor and McDevitt

**RESOLUTION AUTHORIZING SPECIAL COUNSEL TO REVIEW
CONTRACT DOCUMENTS BETWEEN WARREN COUNTY
AND SIEMENS INDUSTRY, INC. INCLUDING PERFORMANCE
ASSURANCE REPORTS AND PROVIDE LEGAL ADVICE AND
RECOMMENDATIONS TO THE COUNTY CONCERNING
POTENTIAL CIVIL CLAIMS THAT THE COUNTY MAY
HAVE WITH RESPECT TO SIEMENS INDUSTRY, INC.**

WHEREAS, the County Attorney is recommending that the County retain the services of Bartlett, Pontiff, Stewart & Rhodes, P.C. as Special Legal Counsel to review contract documents between Warren County and Siemens Industry, Inc. related to the Co-Generation Facility at the Westmount Health Facility including Performance Assurance reports provided by Siemens Industry, Inc. and provide legal advice and recommendations with respect to any potential civil claims which the County may have thereto, and

WHEREAS, by Resolution No. 738 of 2013, the County authorized the County Attorney to retain Bartlett, Pontiff, Stewart & Rhodes, P.C. to provide certain legal services related to the real estate transaction conveying Westmount Health Facility and impact negotiations with the Civil Service Employees Association, and

WHEREAS, the retainer letter/agreement dated December 24, 2013 for the aforesaid legal services provides that for matters outside the scope of the retainer letter/agreement, Bartlett, Pontiff, Stewart & Rhodes, P.C. will bill for such additional services at the rate of One Hundred Eighty Dollars (\$180) per hour for principal attorneys' time, One Hundred Fifty Dollars (\$150) per hour for associate attorneys' time and One Hundred Twenty Dollars (\$120) per hour for paralegal time, with reimbursement for standard costs and disbursements, now, therefore, be it

RESOLVED, the Warren County Board of Supervisors hereby retains the law firm of Bartlett, Pontiff, Stewart & Rhodes, P.C. as Special Legal Counsel to the County and in accordance with the terms

RESOLUTION NO. 249 OF 2014

PAGE 2 OF 2

and conditions set forth in the December 24, 2013 retainer letter/agreement the relevant terms of which are outlined above, to perform legal services in the nature of reviewing the contract documents between Warren County and Siemens Industry, Inc. regarding the Co-Generation Facility at the Westmount Health Facility including Performance Assurance reports provided by Siemens Industry, Inc. and provide legal advice and recommendations to the County concerning any potential civil claims which the County may have with respect to Siemens Industry, Inc., and be it further

RESOLVED, that the funds shall be expended from the appropriate Westmount Health Facility Budget Codes.