



# Utah Transit Authority

## MEETING MEMO

669 West 200 South  
Salt Lake City, UT 84101

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**Board of Trustees**

**Date:** 10/13/2021

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**TO:** Board of Trustees  
**THROUGH:** Mary DeLoretto, Interim Executive Director  
**FROM:** David Wilkins, Assistant Attorney General  
**PRESENTER(S):** David Wilkins, Assistant Attorney General

**TITLE:**

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**Change Order: Federal Monitoring Services Agreement Modification No. 5 - Final Payment to Independent Federal Monitors (Coblentz, Patch, Duffy and Bass LLP)**

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**AGENDA ITEM TYPE:**

Procurement Contract/Change Order

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**RECOMMENDATION:**

Approve Modification No. 5 to contract 17-2325JH to add the additional amount of \$75,270.96 to available contract funds in order to support a final payment of \$85,000 to federal monitors, Coblentz, Patch, Duffy and Bass LLP, for their effort expended in consolidating all remaining efforts into a single final report in connection with early termination of the monitoring arrangement.

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**BACKGROUND:**

The original contract was bid and awarded to Coblentz Patch Duffy & Bass to verify UTA's compliance with the terms and conditions of an April 4, 2017 Non-Prosecution Agreement entered into by and between UTA and the United States Attorney's Office for the District of Utah (the "USAO"). This contract was executed in phases with not-to-exceed amounts for each phase. Contract amendments for each phase were to be executed through change-orders.

UTA has paid the amount of \$560,704.50 to date for work done in connection with Phases 1, 2 and 2a. This Modification No. 5 will bring the total to \$635,975.46. This final payment of \$85,000 represents a 24% discount from the total invoices submitted by the law firm.

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**DISCUSSION:**

This negotiated final payment of \$85,000 is a fair settlement for the additional work done by the federal monitors in consolidating all remaining effort into a single final report in connection with the early termination of the monitoring arrangement.

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**CONTRACT SUMMARY:**

Contractor Name:	Coblentz, Patch, Duffy and Bass LLP
Contract Number:	17-2325JH
Base Contract Effective Dates:	April 17, 2017 to September 8, 2021
Extended Contract Dates:	N/A
Existing Contract Value:	\$560,704.50
Amendment Amount:	\$75,270.96
New/Total Amount Contract Value:	\$635,975.46
Procurement Method:	Competitive Procurement
Funding Sources:	UTA local funds

**ALTERNATIVES:**

Continued discord over amount of final payment and potential litigation.

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**FISCAL IMPACT:**

This modification amount will be covered with remaining 2021 UTA agency appropriation authority.

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**ATTACHMENTS:**

Change Order: Modification No. 5 - Final Payment to Independent Federal Monitors (Coblentz, Patch, Duffy and Bass LLP)

Original Service Contract