



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Counsel

**DATE:** November 8, 2002

**BOARD MEETING DATE:** December 3, 2002

**TO:** Honorable Board of Supervisors  
**FROM:** County Counsel  
**SUBJECT:** Execution of Third Amendment to Agreement Between the County of San Mateo and Farella Braun & Martel

**Recommendation**

Approve a resolution authorizing execution of third amendment to the agreement between the County of San Mateo and Farella Braun & Martel

**Discussion**

At the completion of the construction of Phase IV of the County of San Mateo Health Center, legal disputes arose with Neilsen Dillingham Builders, Inc. (NDBI), the County's Construction Manager, for which it was beneficial to consult with attorneys specializing in construction litigation. Your Board previously authorized an agreement with the law firm of Farella Braun & Martel, and, in particular, Alan Harris of that firm, to provide such expertise.

**Vision Alignment**

Goal 20 – Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

**Fiscal Impact**

The agreement limits the fees to \$400,000, unless this Board authorizes additional payment. These payments are made from the proceeds of the 1994 Series A Health Center bonds.

  
THOMAS F. CASEY III, COUNTY COUNSEL

cc: John Maltbie, County Manager  
Paul Scannell, Assistant County Manager

**RECOMMENDED**  
  
ASSISTANT COUNTY MANAGER