



Office of the County Attorney

Date: July 14, 2015

To: Board of Acquisition and Contract

From: Robert F. Meehan
County Attorney

Ann Marie Berg
Commissioner, Dept. of Finance

Re: Authority to amend a retainer agreement with the law firm of Fulbright & Jaworski LLP to serve as bond counsel to the County of Westchester for the period from August 1, 2013 through July 31, 2016 to reflect firm's name change to Norton Rose Fulbright US LLP, effective January 22, 2015.

On July 13, 2015, by Act No. 121-2015, the Westchester County Board of Legislators (the "Board") authorized the County to amend the Board's prior authorization to retain the law firm of Fulbright & Jaworski LLP by reflecting the firm's name change to Norton Rose Fulbright US LLP, effective January 22, 2015. Under section 161.11(1) of the County Charter, the authority of your Honorable Board is also required in order to amend the retainer agreement with the firm.

By resolution approved on July 18, 2013 (the "July 18th Resolution"), your Honorable Board authorized the County to enter into contracts with three (3) law firms to serve as bond counsel to the County of Westchester in an "of counsel" capacity to the County Attorney on an "as-needed" basis, for the period from August 1, 2013 through July 31, 2016. All three contracts were subsequently executed.

We were recently notified that one of the law firms authorized under the July 18th Resolution to serve as bond counsel, Fulbright & Jaworski LLP, filed a change of partnership name from Fulbright & Jaworski LLP to Norton Rose Fulbright US LLP, effective January 22, 2015. Accordingly, authority is respectfully requested to amend the agreement with Fulbright & Jaworski LLP for the limited purpose of reflecting the firm's name change to Norton Rose Fulbright US LLP, effective January 22, 2015.

Except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect.

The goals and objectives of this agreement are to provide the County with the bond counsel expertise that it does not have in-house and which is necessary to represent and assist the County in all matters relating to the issuance of general obligation bonds (e.g.: taxable, tax-exempt and/or Build America Bonds), revenue bonds and/or other methods of financing public projects, including, but not limited to, tax anticipation notes, bond anticipation notes and revenue anticipation notes; debt sold through the New York State Environmental Facilities Corporation, and financial matters related to the Westchester County Health Care Corporation.

The services provided under this agreement will be tracked and monitored by both the Finance Department and the attorneys in the Law Department tasked with working with these firms.

Based upon the foregoing, your favorable action on the annexed Resolution is urged and recommended.

RFM/AMB/JPG/ml
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/03/2015 JOAN COUGHLIN, CLERK

RESOLUTION

Upon a communication from the County Attorney and the Commissioner, Department of Finance, be it hereby:

RESOLVED, that the County of Westchester is authorized to amend a retainer agreement with the law firm of Fulbright & Jaworski LLP to serve as bond counsel to the County of Westchester for the period from August 1, 2013 through July 31, 2016 (the "Agreement"), to reflect the firm's name change to Norton Rose Fulbright US LLP, effective January 22, 2015; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions of the Agreement shall remain in full force and effect; and it is further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

| Account to be Charged/credited | Fund | Dept | Major Program, Program & Phase Or Unit | Object/ Sub Object | Trust Account | Dollars |
|--------------------------------|------|------|--|--------------------|---------------|---------|
| | | | | | | N/A |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Budget Funding Year(s) 2013-2016 Start Date 8/1/13 End Date 7/31/16
 (must match resolution)
 Funding Source Tax Dollars _____
 State Aid _____
 \$ N/A Federal Aid _____
 (must match resolution) Other _____

APPROVED BOARD OF ACQUISITION & CONTRACT 10/30/2015 JOHN COCCARDI SECRETARY