

## COVER MEMO

**Briefing Date/Time:** May 27, 2025

**Staff Contact/Title:** Alex Smith, Executive Director, 360.528.8001,  
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**Subject:** Port Legal Counsel Contract Amendment

**Purpose:** ☐ Information Only ☒ Decision Needed

### **Overview:**

This Action item is to apprise the Commission of the need to increase the “not-to-exceed” amount in the Port’s contract with Dickson Frohlich Phillips Burgess PLLC (DFPB).

### **Background:**

The Port of Olympia chose DFPB to provide general counsel legal services to the Port following a public procurement process. On June 27, 2024, the Port entered into Agreement No. 2024-1017 with DFPB with an initial term of one year, starting July 1, 2024, and ending June 30, 2025. The parties agreed to a “not-to-exceed” amount of \$250,000 for that one-year period.

The Port has used DFPB’s services more than anticipated, and will exceed the initial not-to-exceed amount approximately a month sooner than anticipated. The Port would like to add an additional \$300,000 to the contract and extend it for an additional year.

### **Documents Attached:**

Contract 2024-1017

### **Summary and Financial Impact:**

The additional funds indicate the Port spent more on general counsel legal services than we budgeted for. The Port will be looking for ways to save on those costs as we move into the second year of the contract.

### **Staff Recommendation:**

Staff recommend that we increase the amount of the contract with DFPB to a new not-to-exceed amount of \$550,000.