

COVER MEMO

Briefing Date/Time: July 27, 2026
Staff Contact/Title: Alex Smith, Executive Director, 360.528.8001,
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Subject: 2024-1017-General Counsel Services Contract Amendment
Purpose: ☐ Information Only ☒ Decision Needed

Type of Agenda Item:

This Consent item is to request an increase in 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 for 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.

This contract has been amended four times to date.

- Amendment #1 – On April 30, 2025, the contract expiration was extended from June 30, 2025, to June 30, 2026.
- Amendment #2 – On May 27, 2025, the commission authorized the increase of the contract not to exceed total to \$550,000.
- Amendment #3 – On January 9, 2026, the contract was amended to reflect a 3% rate increase for calendar year 2026.
- Amendment #4 – On June 23, 2026, under the authority of the executive director, the contract expiration date was extended from June 30, 2026 to June 30, 2027 and the contract not to exceed was increased by \$55,000 to \$605,000.

Summary and Financial Impact:

Amendment #5 (this amendment) – Staff is requesting to increase the total not to exceed amount by \$100,000 for a new not to exceed total of \$705,000. As of June 2026 invoicing, approximately \$540,000 has been spent with approximately \$65,000 of contract authority remaining.

On August 5th, the Port will be bringing on in-house counsel, who will perform most of the legal services DFPB had under the contract. The additional funds requested will allow for the transition of matters DFPB was handling to Port in-house counsel and allow DFPB to continue to handle any matters that are more effectively handled by outside counsel.

Staff Recommendation:

Staff recommend that the Commission approve an increase in the total not to exceed amount in Contract 2024-1017 to \$705,000.

Document(s) Attached:

- Contract 2024-1017 - Amendment #5