



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	21-1875	<b>Version:</b>	1	<b>Status:</b>	Agenda Ready
				<b>In control:</b>	County Attorney
<b>On agenda:</b>	11/4/2021	<b>Final action:</b>	11/4/2021		
<b>Title:</b>	MOTION TO AUTHORIZE County Attorney to appoint Kaplan Kirsch & Rockwell LLP as special counsel in connection with complex railroad matters, and to negotiate and execute an appropriate agreement for legal services in a not-to-exceed amount of \$100,000.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Andrew J. Meyers

**Department:** County Attorney

### Information

#### Requested Action

MOTION TO AUTHORIZE County Attorney to appoint Kaplan Kirsch & Rockwell LLP as special counsel in connection with complex railroad matters, and to negotiate and execute an appropriate agreement for legal services in a not-to-exceed amount of \$100,000.

#### Why Action is Necessary

Board approval is required to authorize the County Attorney to appoint special counsel and execute an agreement.

#### What Action Accomplishes

Authorizes the County Attorney to appoint special counsel and to negotiate and execute an appropriate agreement.

#### Is this Action Goal Related

No

#### Previous Action Taken

#### Summary Explanation/Background

The County is in discussions with Florida East Coast Railway and Brightline Holdings in connection with the Broward Coastal Link Commuter Rail Project, additional rail station locations, including at Fort Lauderdale-Hollywood International Airport (FLL), and aerial rights for the proposed Automated

People Mover at FLL. The Office of the County Attorney is seeking to engage Kaplan Kirsch & Rockwell LLP (Kaplan Kirsch) as special railroad counsel to assist in connection with these anticipated transactions, similar rail-related transactions, and related regulatory requirements.

Kaplan Kirsch is highly qualified to provide specialized railroad law services to Broward County and had previously been retained by the County for such services. The most recent retainer agreement expired in 2017.

Kaplan Kirsch has proposed a blended hourly rate for all partners of \$495, a blended hourly rate of \$395 for all associates, and a blended hourly rate of \$175 for paralegals and/or law clerks. These rates are substantially discounted from the firm's regular rates.

**Source of Additional Information**

Alexander J. Williams, Jr., Senior Assistant County Attorney, 954-359-7201

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

Funds for the legal services and associated costs will be provided by transportation surtax and the Aviation Department, as applicable. A budget of \$100,000 is being proposed, which would not be exceeded without prior approval of the Board.