



**Contract and Award Letter
Purchase Resolution – Exhibit “A”**

TO: Board of Contracts and Awards
FROM: Geoffrey M. Smyth, P.E., Interim Director, Environmental Services
Chris Bacha, City Attorney, City Attorney's Office *CDB*
COPY: City Council, City Manager, City Clerk, EIC Coordinator, LEAP Coordinator, and
Stan Rowden, Senior Buyer, Finance/Purchasing
SUBJECT: Amendment to Legal Services Agreement with Cascadia Law Group, PLLC
Direct Negotiation Contract No. CW2246751 – May 20, 2025 City Council
DATE: April 21, 2025

Initial Initial
GMS *LF*

RECOMMENDATION SUMMARY: The City Attorney's Office and Environmental Services requests approval to increase Contract No. CW2246751, to Cascadia Law Group, a Professional Limited Liability Company (PLLC), by \$250,000, budgeted from various funds, for legal services and representation to the City in matters relating to a draft Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Permit for outfalls on Puyallup Tribal trust lands and general legal advice regarding exposure to potential liability for future cleanup of Commencement Bay and associated waters. This increase will bring the contract to a projected contract total of \$750,000, plus applicable taxes.

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.
- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.
- Assure outstanding stewardship of the natural and built environment.

BACKGROUND: Cascadia Law Group, PLLC, was hired to provide legal services related to environmental law and regulation. Cascadia Law Group, PLLC, has specialized knowledge and experience in this practice area and can provide legal services and representation to the City in matters relating to NPDES stormwater permits, as well as representation of the City in litigation related to alleged violations of the Clean Water Act and other environmental laws.

ISSUE: This request to increase funding is made so that the Cascadia Law Group, PLLC, can continue its representation in an ongoing stormwater-related litigation and provide general advice on evolving environmental regulatory and litigation matters.

ALTERNATIVES: One alternative is to retain a new law firm that would increase the cost of legal services and negatively impact the City's ability to complete necessary work. Another alternative is to use in-house counsel. Cascadia Law Group, PLLC has substantial experience and expertise in Environmental Law matters and can provide the City with timely, cost-effective, and accurate advice and legal services. The City Attorney's Office does not have the in-house resources that are necessary to effectively advocate on behalf of the City regarding current litigation.

COMPETITIVE ANALYSIS: Cascadia Law Group, PLLC attorneys have substantial experience and expertise in Environmental Law matters and can provide the City with timely, cost-effective, and accurate advice and legal services.

CONTRACT HISTORY: This contract was originally awarded to Cascadia Law Group, PLLC, as a result of a Waiver – Direct Negotiation Agreement in September 2021. The agreement



included a not-to-exceed amount of \$100,000. The contract was amended December 15, 2021, to update the Cascadia Law Group, PLLC's billing rates; and on January 18, 2024, to update the scope of services, billing rates and maximum compensation to \$350,000; and again, on January 15, 2025, to update the attorneys and associated billing rates, and to increase the maximum compensation to \$500,000.

SUSTAINABILITY: Amending the City's contract with outside counsel will not increase the City's carbon footprint as the majority of all meetings have been held remotely to minimize the carbon footprint associated with travel for in-person meetings.

EQUITY IN CONTRACTING (EIC) COMPLIANCE:

Not applicable - EIC Exception: Direct Negotiation Waiver

LOCAL EMPLOYMENT AND APPRENTICESHIP TRAINING PROGRAM (LEAP)
COMPLIANCE: Not applicable to this contract.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Various Departmental Funds			\$250,000
TOTAL			Up to \$250,000

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Various Departmental Funds			(\$250,000)
TOTAL			Up to (\$250,000)

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$250,000

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. N/A