

February 29, 2024

The Honorable Tyisha Walker-Meyers, President
New Haven Board of Alders
165 Church St, 2nd Fl
New Haven, CT 06511

Re: Amendments to Berchem Moses PC legal agreements

Dear Honorable President:

Attached are copies of two agreement packages are submitted to the alders for the approval of an amendment to increase agreement amount over \$100,000.00. The Board's submission on February 26, 2024 the matter was approved for the submission for the full aldermanic approval prior to processing.

On behalf of the Board of Education, I seek approval, pursuant to section 1-376 of the Code of Ordinances of the City of New Haven, to amend two outside legal services agreements with the law firm of Berchem Moses PC.

- (1) For agreement 2024-CON-0236 (General/Litigation) we seek an amendment in the amount of \$30,000.00. This will bring the total agreement amount from \$50,000.00 to \$80,000.00.
 - (2) For agreement 2024-CON-0235 (SPED) we seek an amendment in the amount of \$60,000.00. This will bring the total agreement amount from \$80,000.00 to \$140,000.00.
- The total amount of the two agreements together is not to exceed \$220,000.00

Each amendment is intended to cover current billings in excess of the agreement amounts, plus anticipated billings through the end of the fiscal year.

Berchem Moses PC has been providing legal counsel to the Board of Education for several years and has done so in exemplarily form. Please also note that the requested increase includes anticipated legal expense through the end of the fiscal year.

2024-CON-0236 – General/Litigation

The amendment proposed for this agreement is intended to cover the general legal consultation, including statutory and regulatory interpretation and compliance, claims and litigation.

Original Amount:	\$50,000.00
Bills through Jan 2024	\$31,072.85
Amendment sought	\$30,000.00
FY24 total after amendment	\$80,000.00

2024-CON-0235 – SPED Matters

The amendment proposed for this agreement is intended to cover the legal consultation, including statutory and regulatory interpretation and compliance, SPED claims and litigation. One suit in particular has been active this fiscal year and with an increase in general sped related matters has collectively accumulated charges that equates to 55% of the agreement original amount.

Thomas Lamb
Chief Operating Officer



P: 475-220-1591

Original Amount:	\$80,000.00
Bills through Jan 2024	\$62,197.00
Amendment sought	\$60,000.00
FY24 total after amendment	\$140,000.00

We wish to make it clear that, although the practice has been to split the legal services agreements with each firm by category of work, going forward we intend to enter into a single agreement with each law firm. We would then submit agreements in excess of \$100,000.00 for approval pursuant to section 2-376 of the Charter.

The additional funds in the amount of \$30,000.00 for 2024-CON-0236 (general/litigation) and \$60,000.00 for 2024-CON-0235 (SPED) for an amount not to exceed \$220,000.00 are available from 190-47000-56696.

I look forward to our team's presentation of the proposed amendment to the alders.

Regards,

Thomas Lamb
Chief Operating Officer