



District School Board of Pasco County

20430 Gator Lane • Land O' Lakes, Florida 34638 • 813/ 794-2221

Heather Fiorentino, Superintendent

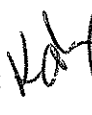
www.pasco.k12.fl.us

Department of Purchasing
Kendra Goodman, CPPO, CPPB, Purchasing Agent
813/ 794-2221 Fax: 813/ 794-2111
727/ 774-2221 TDD: 813/ 794-2484
352/ 524-2221 e-mail: kgoodman@pasco.k12.fl.us

May 18, 2010

MEMORANDUM

TO: Honorable School Board Members

FROM: Kendra Goodman, CPPO, CPPB, Purchasing Agent 

SUBJECT: Approval of Contract and Request to Place Purchase Order
Exceptional Student Education Department
Weatherly Law Firm

Attached is a contract for legal services with the Weatherly Law Firm, a firm which has provided defense counsel for the District in due process cases for several years. The Department of Exceptional Student Education is requesting approval of this contract. The term of this contract will be from Board approval through June 30, 2011.

The District is permitted to negotiate for legal services based on Florida Administrative Code Rule 6A-1.012(11)(a). Nancy and Dennis Alfonso, the Board's attorneys, have approved the use of this firm's services due to their special area of expertise.

The Department of Exceptional Student Education is requesting Board approval of this contract, and permission to place a purchase order not to exceed \$150,000 for encumbrance from general funds. If you have any questions, please feel free to contact Ms. Monica Verra, Director of Exceptional Student Education, or me at your earliest convenience.

KDG/acf
Attachments

Date/Time: May 12, 2010 11:07:00

received
5/7/10

AGREEMENT FOR SERVICES

This Agreement confirms the terms, conditions and mutual understanding under which the Pasco County School Board (hereinafter "the School System") will engage the Weatherly Law Firm (hereinafter "the Firm") to provide legal services in connection with special education matters, including P.K., Case No. 09-006508E. These services will be provided in cooperation with the School System's local Board attorney.

Legal services, which are billed on an hourly basis, will include file preparation and organization, participation in discovery, telephone conferences or other meetings, research, drafting of correspondence or pleadings, agreements or other documents, administrative hearing preparation and appearances, etc. It is understood that the Firm's attorneys and paralegals generally work on the School System's business during any travel time and, as such, will charge for travel time that is spent working on matters for the School System. The Firm's hourly rates, which are reviewed and may be adjusted annually, are as follows:

Charles L. Weatherly, attorney	\$225.00/hour
Jennifer Fair, attorney	\$175.00/hour
Deborah A. Smith, attorney	\$165.00/hour
LaShonda Dillard, paralegal	\$ 65.00/hour

The Firm may use the services of contract attorneys or paralegals when necessary, billed at hourly rates dependent on their experience.

The School System will also be responsible for the cost of various out-of-pocket disbursements, including travel expenses, photocopying, long distance telephone charges, facsimile charges, delivery/courier services, etc. Travel expenses will be billed as they are incurred. Notwithstanding the foregoing, no travel or meal expenses shall exceed amounts allowed by state law, if applicable.

Statements for legal services, out-of-pocket disbursements and other expenses will be billed monthly. If expert witnesses are retained, bills for their services will be submitted to the School System for payment.

While the Firm is hopeful that it can achieve favorable results for the School System, the Firm cannot, of course, guarantee the results of its efforts. The Firm, therefore, makes no representations or warranties, either express or implied, concerning the successful determination or outcome of our relationship. Any such statements made during the course of our relationship are based on our professional judgment and approximately 30 years of experience in this area of law, but have no legally binding effect. In addition, the lawyers of the Firm do not hold themselves out as licensed to practice law in the State of Florida, but will obtain qualified representative status in any due process hearing and/or pro hac vice status in state or federal court.

CONTRACT REVIEWED
AND APPROVED:
Rdy 5/10/10

ACKNOWLEDGED AND AGREED TO:
Pasco County School Board

The Weatherly Law Firm

By: _____
Its: _____

By: _____
Tax ID # 36-4563885

Date: _____

Date: _____

Board Chairperson

3414 Peachtree Road, NE
Suite 1550
Atlanta, Georgia 30326
(404) 262-9500
(404) 262-1040 (fax)

Date

CONTRACT REVIEWED
AND APPROVED:
Katy 5/10/10