

**UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA
BOARD OF HOSPITAL TRUSTEES
AGENDA ITEM**

Petitioner: Mason Van Houweling, Chief Executive Officer

Recommendation:

Approve the award of RFI No. 2022-14, Civil Legal Services, to multiple law firms; and authorize the Chief Executive Officer to sign the Retainer Agreements and exercise any extension options; or take other action as appropriate. (For possible action)

FISCAL IMPACT:

Fund #:	5420.000	Fund Name:	UMC Operating Fund
Fund Center:	3000867500	Funded PGM/Grant:	N/A
Amount:	NTE \$4,500,000 for five (5) years to be shared among the seven (7) law firms		
Description:	Civil Legal Services		
Additional Comments:	12/1/2022 to 11/30/2025 with two, 1-year options; 30 days w/o cause by UMC and 180 days w/o cause by a law firm pursuant to Nevada Rule of Professional Conduct 1.16		

BACKGROUND:

On August 3, 2022, a notice of interest was sent out in NGEM allowing various law firms to express their interest in participating in RFI No. 2022-14 for Civil Legal Services. The RFI was also published in the Las Vegas Review Journal on August 7, 2022. On September 8, 2022, responses were received from:

Holley Driggs, Ltd.
Kaempfer Crowell, Ltd.
Koeller, Nebeker, Carlson & Haluck, LLP
Marquis Aurbach, Chtd.
McBride Hall, PC
Parker Nelson & Associates, Chtd.
Saltzman Mugan Dushoff, PLLC

An ad hoc committee (comprised of UMC Legal, Professional Practice Services and Critical Care Services staff) reviewed the proposals independently and anonymously, and recommends the selection of, and contract approval with the law firms listed above who signed the Retainer Agreement ("Agreement").

For the not to exceed RFI award of \$4,500,000 for the Term of the Agreement, the seven (7) law firms will provide civil legal representation, support and resources, as well as specialized legal advice to UMC, in excess of the services available in-house in any one or more of the following practice areas listed below:

Civil Rights	Personal Injury/Tort Defense
Employment/Labor	Bankruptcy
Collective Bargaining	General Contract Disputes/Transactional Matters

Cleared for Agenda

11/15/2022

File ID#

22-1601

Insurance	Construction and Public Works
Professional Negligence/Medical Malpractice	Regulatory Compliance
Health Care Law	Guardianship
Complex Litigation	Probate Litigation
Class Action Litigation	Breach of Contract

The Agreement Term is from December 1, 2022 through November 30, 2025 with the option to extend for two (2), 1-year periods unless terminated by UMC for its convenience with a 30-day written notice or terminated by a law firm with a 180-day written notice pursuant to Nevada Rule of Professional Conduct 1.16.

Staff also requests authorization for the Hospital CEO, at the end of the initial Term, to exercise the extension option(s) at his discretion if deemed beneficial to UMC.

UMC reserves the right to use the services of any law firm it retains on an as-needed and non-exclusive basis. Execution of the Agreement does not guarantee that any particular level or degree of work will be assigned to the law firm, and nothing in this RFI or any resulting Agreement shall preclude UMC from obtaining services similar to those described herein from other sources.

UMC's Office of General Counsel has reviewed and recommends award of these Agreements.

All law firms, except Marquis Aurbach, Chtd., currently hold a Clark County business license or vendor registration. Marquis Aurbach, Chtd. is coordinating with the Department of Business License in obtaining a Clark County business license.

These Agreements were reviewed by the Governing Board at their October 26, 2022 meeting and recommended for award by the Board of Hospital Trustees.