



# City of Austin

## Recommendation for Action

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**File #:** 24-4263, **Agenda Item #:** 34.

4/4/2024

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### **Posting Language**

Authorize an increase to a professional services agreement for legal services with Baker, Donelson, Bearman, Caldwell & Berkowitz, PC related to the arbitration between the City and the Federal Emergency Management Agency in an amount not to exceed \$76,000, for a total contract amount not to exceed \$150,000.

### **Lead Department**

Law Department.

### **Fiscal Note**

Funding in the amount of \$150,000 is available in the Fiscal Year 2023-2024 Financial Services Department's Operating Budget.

### **For More Information:**

Chris Coppola, Division Chief, 512-974-2161.

### **Additional Backup Information:**

The City retained the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC ("Baker Donelson") in to represent it in an arbitration against the Federal Emergency Management Agency ("FEMA") before the Civilian Board of Contract Appeals ("CBCA"). The CBCA will decide whether FEMA Region VI correctly denied the City's request for reimbursement of \$8,013,774.67 in costs associated with City-provided non-congregate shelters for certain individuals at high risk for severe Covid-19 illness.

The proposed increase will, if approved, increase the total contract with Baker Donelson to an amount not to exceed \$150,000.

Baker Donelson has a practice group dedicated to disaster recovery and government services and is highly knowledgeable and experienced in these matters. It regularly represents public entities, both in Texas and around the nation, in similar arbitration matters against FEMA before the CBCA.