

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: February 9, 2011

Board Item: V-A-3

**Fifth Amendment to Agreement for Professional Services with Reinhart, Boerner, and Van Deuren, s.c.**

Action by Consent

Action

Information

Contract # 07746A

Mary A. Brauer, of the firm of Reinhart, Boerner and Van Deuren, has provided specialized legal services regarding the Board's pension and retirement savings plans, as well as tax and fiduciary issues since January 1, 2004. The contract will expire November 1, 2011. Additional funding is necessary to cover expenses in 2011. Requests for proposals to provide specialized legal services, from qualified law firms, regarding pension and retirement savings plans and related issues will be sought in late summer 2011.

Ms. Brauer has most recently provided assistance to the Retirement Program Committee in the preparation of agreements necessary to engage Great-West Retirement Services, as recordkeeper for the 401(k) and 457 plans. Those efforts were more extensive than originally planned. In 2011 Mr. Brauer will assist in development of QDRO procedures for the 401(k) and 457 plans (necessary because of the new record keeper for those plans) and amendments to the 401(k) and Defined Benefit plans necessary to maintain compliance with the IRS regulations. Expenses under the Amended Professional Services Contract are estimated at \$50,000 for the remainder of 2010 and 2011. There are sufficient funds in the Professional Services portion of the Legal Division budget to fund the services.

Recommendation:

It is recommended that the Board authorize the Fifth to Agreement for Professional Services with Reinhart, Boerner and Van Deuren, s.c.

Respectfully submitted,

  
James S. Lochhead, CEO/Manager

Approvals:

  
General Counsel