

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

May 21, 2024

FROM

TOM BUNTON, County Counsel

SUBJECT

Purchase Order with Hooper, Lundy & Bookman, P.C. for Specialized Legal Services

RECOMMENDATION(S)

Authorize the Purchasing Agent to increase Purchase Order No. 4100341650 with Hooper, Lundy & Bookman, P.C. by \$300,000, from \$200,000 to a not-to-exceed amount of \$500,000, for the continued provision of specialized legal services to defend litigation in federal court titled *American Medical Response of Inland Empire v. County of San Bernardino et al.*, litigation in state court titled *American Medical Response of Inland Empire v. County of San Bernardino* and other specialized legal services related to ambulance services/health care law (Four votes required).

(Presenter: Tom Bunton, County Counsel, 387-5455)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Sufficient appropriation for the not-to-exceed amount of \$500,000 is included in the Litigation 2023-24 budget (13400010000) and will be included in future recommended budgets, as necessary.

BACKGROUND INFORMATION

American Medical Response of Inland Empire v. County of San Bernardino et al. is ongoing litigation in federal court following the Board of Supervisors' (Board) approval on December 5, 2023 (Item No. 80), of a contract with the Consolidated Fire Agencies for ground ambulance services. In early May 2024, American Medical Response also filed a lawsuit against the County in state court. Hooper, Lundy & Bookman, P.C. (Hooper Lundy) has expertise in healthcare law. Four votes are required under Government Code section 25203, as the Board is approving employment of counsel to assist County Counsel in an ongoing legal matter.

PROCUREMENT

Pursuant to County Code section 12.1908 and County Policy 11-04, County Counsel is authorized to select and retain, through a Purchase Order, specialized legal counsel for a particular matter not-to-exceed \$200,000 per fiscal year. Contracts for specialized legal services in excess of \$200,000 per fiscal year require Board approval.

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In December 2023, the Office of County Counsel invited proposals from several law firms. Hooper Lundy was selected after reviewing the proposals and interviewing the proposed attorney.

On February 6, 2024, the Purchasing Department approved Purchase Order No. 4100341650 in the amount of \$200,000 to retain Hooper Lundy to provide specialized legal services. There is approximately \$29,000 remaining on this Purchase Order.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on April 19, 2024; Purchasing (Jessica Barajas, Supervising Buyer, 387-2065) on May 6, 2024; Finance (Carl Lofton, Administrative Analyst, 387-4222) on May 6, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on May 6, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Dawn Rowe, Curt Hagman, Joe Baca, Jr.
Absent: Jesse Armendarez

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 21, 2024



cc: File - County Counsel
CCM 05/24/2024