



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:		DocuSigned by: <i>Michael Jones</i> <small>47000790F2D7463...</small>	GENERAL MANAGER ACTION REQ'D:		
DATE: 3/30/2026		4/2/2026	BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Nicole Granados Dept: Office of the General Counsel	General Counsel	Chief Financial Officer	District Secretary	BARC	
Signature/Date:	DocuSigned by: <i>Nicole Granados</i> <small>13391FFDEB484D5...</small> 4/1/2026	DocuSigned by: <i>Amelia Sandoval-Smith</i> <small>2528C067C44147D...</small> 4/1/2026 []	Signed by: <i>Joseph Beach</i> <small>7D9A7C6E7348456...</small> 4/1/2026 []	DocuSigned by: <i>Angel Rodriguez</i> <small>F7BC4DACB7B1454...</small> 4/2/2026 []	DocuSigned by: <i>Pamela Herlihy</i> <small>3BB24D65B8724F5...</small> 4/1/2026 []

Amendment to Agreement with Ogletree Deakins for Increase in Funding for Legal Services

PURPOSE:

To seek authorization to add \$380,000 of funding to a legal services agreement with Ogletree Deakins for representation in Haynes v. BART for a total not-to-exceed amount of \$479,000.

DISCUSSION:

The District's Office of the General Counsel entered into a legal services agreement in 2025 with the law firm Ogletree Deakins to represent the District in the case of Haynes v. BART for a not-to-exceed amount of \$99,000. Trial is now set for May 11, 2026 and the estimated additional cost to litigate this case through trial is \$380,000. Therefore, the Office of the General Counsel is seeking approval to add \$380,000 of funding to this agreement for a total not-to-exceed amount of \$479,000.

FISCAL IMPACT:

The subject EDD proposes a 2 year term at a cost from the operating budget not to exceed \$479,000 from the date of execution of the Agreements. The Office of General Counsel (Department 0201121 Account 681352) will fund the Agreement including the following estimated expenditures by fiscal year.

Fiscal year	Estimated Expenditure
FY26	\$446,520.00
FY27	\$32,480.00
TOTAL	\$479,000.00

Funding for services in these Fiscal Years are included in the Department's existing operating budget. The budget for subsequent years will be included in the proposed annual operating budget, which is subject to Board approval. The office of the CFO certifies that this action is not anticipated to have any fiscal impact on unprogrammed District reserves in the current Fiscal Year.

ALTERNATIVES:

Without an increase in funding, the General Counsel would need to terminate this agreement with Ogletree Deakins and seek alternate representation for this matter, which would not be feasible at this stage of the litigation.

RECOMMENDATION:

Adopt the following Motion.

MOTION:

The General Counsel or her designee is authorized to amend the District's agreement with Ogletree Deakins for representation in Haynes v. BART to increase the not-to-exceed amount to \$479,000.