

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of March 11, 2025**

**ITEM:                    AGREEMENT WITH ORBACH HUFF & HENDERSON LLP FOR  
LEGAL SERVICES**

**PREPARED BY:    CHRIS THOMAS, INTERIM CHIEF BUSINESS OFFICIAL**

**TYPE OF ITEM:    REVIEW AND ACTION**

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**PURPOSE:** The purpose of this item is for the Board of Education to review and approve the Agreement With Orbach Huff and Henderson LLP for legal services.

**BACKGROUND INFORMATION/DETAILS:**

As the District prepares for the next steps related to the implementation of the Measure L Bond that passed in November 2024 (\$64 Million) and the \$10.5 Million in State Modernization funds we recently received, it is prudent to consider approving a contract for a new law firm that specializes in both construction and contract law.

The District currently uses several law firms who provide a great deal of expertise and experience in their particular areas as follows:

- Fagan Friedman and Fulfroast, LLP (F3) - Human Resources, Negotiations and general legal counsel
- Lozano Smith - Special Education, Student Services and student discipline related matters
- Orrick Harrington and Sutcliffe - Bond Measure Counsel and Parcel Tax Measure Counsel

The use of these current firms would not change significantly. However, given the need for legal support in current public contract law, construction law, bidding and procurement, and solar PV contracts, including a depth of knowledge and experience in Power Purchase Agreements (PPA) related to the potential for future solar projects, it is important to approve a contract with an additional firm who has a proven level of expertise and experience in these areas, and one who can advise the District Superintendent, Chief Business Official, and the Board moving forward. Chris Thomas, Interim CBO, has worked effectively with **Orbach, Huff and Henderson, LLP** over the past 20+ years, and recommends contracting with them specifically for the following areas:

***Orbach, Huff and Henderson, LLP***

- Facilities: the bedrock of their practice is their in-depth and experienced understanding of the nature of business and construction-related matters.
- Business and Procurement: They are recognized experts on the required procurement processes for California school districts and routinely present at workshops and conferences on various business topics
- Litigation - on an "as needed" basis: Experienced litigators with trial experience that is unparalleled among their peers and their history of success is impressive

Orbach Huff & Henderson LLP has many other areas of expertise as well, but these in particular would be of great benefit as the District begins to navigate the required processes for identifying either ongoing or new partners to assist us in implementing master planning, design, construction management, and construction related contracts for projects supported and funded by the Bond Measure and State Modernization funds.

**FINANCIAL INFORMATION:** In accordance with their fee structure and determined by legal services provided to the District on an as-needed basis.

**STRATEGIC OBJECTIVES ADDRESSED:**



**Objective #3:** *Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.*

<b>RECOMMENDATION:</b> Approve Agreement with Orbach Huff & Henderson for Legal Services
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