

**AUTHORIZING EXECUTION OF AMENDMENT TO CONTRACT WITH  
EISENSTEIN MALANCHUK LLP FOR ENVIRONMENTAL INSURANCE COST RECOVERY  
FOR THE DANE COUNTY REGIONAL AIRPORT**

7 The Office of Corporation Counsel has recently found evidence of old insurance policies  
8 that could potentially provide coverage to the Dane County Regional Airport ("Airport") for PFAS  
9 contamination resulting from the use of aqueous film forming foam (commonly known as AFFF)  
10 as required by the FAA. Under Contract #15848, Eisenstein Malanchuk LLP ("EM") has helped  
11 with the Airport's forensic investigation as outside counsel to gather actual insurance policies and  
12 further evidence of insurance. They have also prepared and drafted notice letters to relevant  
13 insurers to begin the claim process.

Now that this initial phase has been substantially completed, the Airport has determined that it is in its best interest to continue engaging EM for the next phase to handle the Airport's claims against the relevant insurers and negotiate recovery. This work will include continuing the forensic investigation into old insurance policies, negotiating with insurers and their claim administrators for payment of ongoing defense costs, monitoring claims, and negotiating final settlements. The Airport is initially budgeting \$300,000 for EM to continue this work.

22                   **NOW, THEREFORE, BE IT RESOLVED** that the Dane County Executive and Dane  
23 County Clerk are authorized to execute on behalf of Dane County an amendment to Contract  
24 #15848, under which Eisenstein Malanchuk LLP will continue to provide environmental insurance  
25 cost recovery services, as set forth above.