



## Berkeley Housing Authority

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*Office of the Executive Director*

Item 5A

### **CONSENT CALENDAR**

June 14, 2012

To: Honorable Chairperson and  
Members of the Berkeley Housing Authority Board

From: Tia M. Ingram, Executive Director

Subject: Resolution authorizing the Executive Director to exercise the second option to extend the contract with the law offices of Goldfarb & Lipman, LLP through June 30, 2013 in the amount \$105,000, for a total amount not to exceed \$555,000.

### **RECOMMENDATION**

Adopt a Resolution authorizing the Executive Director to exercise the second option to extend the contract with the law offices of Goldfarb & Lipman, LLP through June 30, 2013 in the amount \$105,000, for a total amount not to exceed \$555,000.

### **BACKGROUND AND CURRENT SITUATION**

Public Housing Authorities (PHAs) use a variety of models to ensure adequate legal representation. Some have access to their City Attorneys or County Counsel, some use private firms, and some use a combination of government attorneys and private firms.

When BHA conducted solicitation for legal services, we sought a multi-year contract, with three, one-year renewal options; there is a modest rate adjustment for each renewal option. In recognition of the financial challenges faced by BHA, in 2011 the firm has consented to continue services at the 2010 rate, and forego the scheduled increase. This renewal is also based on the 2010 rate.

The renewal option is also an opportunity for us to recognize the superior service that has met or exceeded our expectations in terms of the responsiveness, stellar legal advice, and partnership in resolving sensitive and/or complex situations. Jennifer Bell has been particularly helpful in negotiations with various entities involved in the LIPH disposition project. We anticipate increased services from James Diamond in the upcoming year as we: negotiate new labor contracts with SEIU, Local 1021 and Local One, on behalf of BHA employees; execute a new retirement contract with CalPERS, and implement a new, independent payroll system with ADP.

### **FISCAL IMPACTS OF RECOMMENDATION**

\$105,000 for the second option year, bringing the total contract cost to a maximum of \$555,000. Contract authorizes expenditure up to \$105,000 for Fiscal Year 2012-13; expenses are only incurred as work is assigned and completed.

### **ALTERNATIVE ACTIONS CONSIDERED**

None.

**CONTACT PERSON**

Tia Ingram, Executive Director, 981-5471

**Attachment: Resolution**

RESOLUTION NO. 12-\_\_

ADOPT A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXERCISE THE SECOND OPTION TO EXTEND THE CONTRACT WITH THE LAW OFFICES OF GOLDFARB & LIPMAN, LLP THROUGH JUNE 30, 2013 IN THE AMOUNT OF \$105,000, FOR A TOTAL AMOUNT NOT TO EXCEED \$555,000.

WHEREAS, the Berkeley Housing Authority requires expert general counsel; and

WHEREAS, the law office of Goldfarb & Lipman LLP has served BHA competently for the past five years; and

WHEREAS, the firm has demonstrated expert knowledge and experience in serving as general counsel for California-based Public Housing Authorities, and superior responsiveness on all issues; and

WHEREAS, the existing contract contains three, one-year renewal options, this the second such one year renewal.

NOW THEREFORE, BE IT RESOLVED, that the Executive Director is authorized to execute the second one-year renewal option with the Law Offices of Goldfarb & Lipman LLP.

FURTHER RESOLVED, that the contract authority for the one-year renewal period is \$105,000, approximately 30% less than the prior three years.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on June 14, 2012 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: \_\_\_\_\_  
Tia M. Ingram, Secretary