



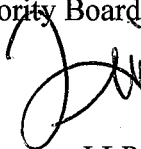
## Berkeley Housing Authority

1936 University Avenue, Suite 150., Berkeley, CA 94704  
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*Office of the Executive Director*

Item 6Ca  
NEW BUSINESS  
April 10, 2014

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

From: Tia M. Ingram, Executive Director 

Subject: Contract Amendment – Goldfarb and Lipman, LLP

### BACKGROUND

Goldfarb and Lipman was last awarded a contract to serve as legal counsel for BHA in May 2009 (service actually dates back to November 2007). For the past two years a considerable amount of time and expertise has been required to facilitate the disposition of the 75 BHA owned rental units. The project never ceased to present new, and complex challenges that required considerable legal expertise to understand and resolve [a major issue with the State regarding the \$763,000 RHCP loan remains unresolved].

When the Fiscal Year (2013-14) budget was prepared we anticipated closing the deal with Berkeley 75 in December 2013; we budgeted \$106,088 for legal services, including 18,000 for disposition- related issues. However, the transaction did not close until February 14, 2014. As of January 2013 we have incurred approximately \$94,000 in legal expenses (including \$61,000 associated with the disposition project), and we anticipate an additional \$70,000 during the remainder of the fiscal year (including \$45,000 associated with the disposition project). In the spirit of partnership, and in recognition of our limited financial, Goldfarb delayed full billing on the account pending receipt of initial proceeds.

### STATUS

A contract amendment increasing the contract authority is required (a) to allow for payment of the disposition related expenses to date, (b) to provide for additional legal services in the pursuit of relief from the State regarding the \$763,000 loan, and (c) for general operations of BHA and the Board of Commissioners.

We should also note that we are in the third and final year of the Goldfarb contract, and will be issuing a Request for Qualifications in the next 30-days.

### FINANCIAL IMPLICATIONS

\$83,000. The increased cost will be covered with disposition proceeds and S8 reserves.

### CONTACT PERSON

Tia M. Ingram, Executive Director, 981-5471  
Jesy Yturralde, Finance Manager, 981-5488

Attachment: Resolution

NEW BUSINESS  
Goldfarb Contract

BERKELEY HOUSING AUTHORITY  
RESOLUTION 14-\_\_

ADOPT A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH THE LAW OFFICES OF GOLDFARB & LIPMAN, LLP INCREASING CONTRACT AUTHORITY BY \$83,000 , FOR A TOTAL NOT TO EXCEED \$724,000.

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 seven 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 firm provided stellar representation and advice on legal issues arising from the disposition project; and

WHEREAS, the firm provided specialized services in the crafting and/or reviewing of documents related to the disposition; and

WHEREAS, the firm continued to work on the project, without full billing, in recognition of BHA's financial condition; and

WHEREAS, the firm continues to provide legal advice to the Executive Director and the Board of Commissioners.

NOW THEREFORE, BE IT RESOLVED, that the Executive Director is authorized to amend the by adding and additional \$83,000 to the budget authority, for a total contract amount not to exceed \$724,000 .

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on April 10, 2014 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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