



**Berkeley Housing Authority**

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*Office of the Executive Director*

Item 5E

NEW BUSINESS

June 9, 2016

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

From: *TI* *per* Tia M. Ingram, Executive Director

Subject: Contract Amendment – Goldfarb and Lipman, LLP

RECOMMENDATION

Approve a resolution authorizing the Executive Director to exercise the first one-year renewal option for the Goldfarb and Lipman, LLP contract, extending the term through June 30, 2017, and increasing contract amount by \$36,000 for a total contract amount not to exceed \$143,640.

BACKGROUND

Public Housing Authorities (PHAs) use a variety of models to ensure adequate legal representation. Some contract with City Attorney Offices, some with County Counsel, still others use private firms, and some use a combination of government attorneys and private firms.

To procure legal counsel, on June 2, 2014 staff issued a Request for Proposals; of the two respondents, Goldfarb rated most points on the scoring criteria. Thus, on July 10, 2014, the Board approved a resolution authorizing the Executive Director to execute a contract with the law office of Goldfarb and Lipman, LLP for an initial term of two years, with three one-year renewal options. The maximum fee for the initial years is \$107,640, and \$36,000 per year for each of the renewal period. The initial two year term will expire on June 30, 2016. Staff has managed the contract well, with annual expenditures of \$69,763 in FY 2015, and \$31,376 to date in FY 2016 (well within the contract amount).

Goldfarb & Lipman has served as general counsel for the Berkeley Housing Authority since 2006. Jennifer Bell is lead counsel, with assistance as needed from James Diamond (personnel issues). Jennifer Bell, in particular, has been very helpful in leveraging information and resources between the various housing authorities she represents.

BHA has determined that it needs additional services from Attorney for general counsel legal services.

FINANCIAL IMPLICATIONS

\$36,000 in budgeted for FY2016-2017.

CONTACT PERSON

Tia M. Ingram, Executive Director, 981-5471

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Attachment: Resolution – Goldfarb and Lipman

BERKELEY HOUSING AUTHORITY  
RESOLUTION 16-\_\_\_

ADOPT A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE FIRST ONE-YEAR RENEWAL OPTION FOR THE CONTRACT WITH THE LAW OFFICES OF GOLDFARB & LIPMAN, LLP, EXTENDING THE TERM THROUGH JUNE 30, 2017, AND INCREASING CONTRACT AMOUNT BY \$36,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$143,640.

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 ten 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 current contract will expire June 30, 2016; and

WHEREAS, the current contract includes three one-year renewal options at \$36,000 per year.

NOW THEREFORE, BE IT RESOLVED, that the Executive Director is authorized to execute the first one-year renewal option with the Law Offices of Goldfarb & Lipman LLP, extending the term through June 30, 2017 and increasing contract amount by \$36,000 for a not to exceed amount of \$143,640.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on June 9, 2016 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: \_\_\_\_\_

Tia M. Ingram, Secretary