



**Berkeley Housing Authority**

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*Office of the Executive Director*

Item 6E

NEW BUSINESS

June 8, 2017

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

From: William Wilkins, Executive Director

Subject: Contract Amendment – Goldfarb and Lipman, LLP

RECOMMENDATION

Approve a resolution authorizing the Executive Director to exercise the second one-year renewal option for the Goldfarb and Lipman, LLP contract, extending the term through June 30, 2018, and increasing contract amount by \$8,000 for a total contract amount not to exceed \$151,640.

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.

On June 2, 2014 staff issued a Request for Proposals (RFP) to procure legal counsel; 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 periods. The initial two year term expired on June 30, 2016. On June 9, 2016 the Board approved the 1<sup>st</sup> renewal option, extending the term through June 30, 2017 and increasing the contract amount by \$36,000, for a not to exceed amount of \$143,640. Staff has managed the contract well, with actual expenditures of \$115,666 to date. We anticipate that the current contract will have a balance of approximately \$21,000 on June 30, thus, we would only need \$8,000 to cover the \$29,760 budget for legal fees in FY2018.

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

\$29,760 is budgeted for FY2017-2018.

CONTACT PERSON

William Wilkins, Executive Director, 981-5471

Jesy Yturalde, Finance Manager, 981-5488

Attachment: Resolution – Goldfarb and Lipman

BERKELEY HOUSING AUTHORITY  
RESOLUTION 17-\_\_\_

ADOPT A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE SECOND ONE-YEAR RENEWAL OPTION FOR THE CONTRACT WITH THE LAW OFFICES OF GOLDFARB & LIPMAN, LLP, EXTENDING THE TERM THROUGH JUNE 30, 2018, AND INCREASING CONTRACT AMOUNT BY \$8,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$151,640.

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, 2017; 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 second one-year renewal option with the Law Offices of Goldfarb & Lipman LLP, extending the term through June 30, 2018 and increasing contract amount by \$8,000 for a not to exceed amount of \$151,640.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on June 8, 2017 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: \_\_\_\_\_  
William Wilkins, Secretary