



Berkeley Housing Authority

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Office of the Executive Director

Item 5
NEW BUSINESS
July 9, 2024

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

From: James Williams, Executive Director

Subject: Contract – Legal Counsel - Goldfarb & Lipman, LLP

RECOMMENDATION

Adopt a Resolution authorizing the Executive Director to execute a contract with the law offices of Goldfarb & Lipman, LLP for an initial term of two years, with three one-year options: contract authority not to exceed \$46,000 in year one; \$46,000 in year two; and \$46,000 in each of the three (3) one-year renewal options.

BACKGROUND

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

On May 21, 2024, staff issued a Request for Proposals for PHA legal counsel; we received one response. Goldfarb & Lipman, which has an extensive history in the City of Berkeley through their work with the City of Berkeley Redevelopment Agency and the Berkeley Housing Authority, was declared the most responsive, knowledgeable, and experienced concerning representation (general counsel and beyond) of public housing authorities, and is recommended for retention as legal counsel.

Goldfarb & Lipman has served as general counsel for the Berkeley Housing Authority since 2006. Jhaila Brown is lead counsel, with assistance as needed from James Diamond on personnel matters. Jhaila Brown, in particular, has also been helpful in leveraging information and resources between the various housing authorities she represents.

FISCAL IMPACTS OF RECOMMENDATION

Not to exceed \$46,000 year one; \$46,000 year two; and \$46,000 in each of the three (3) one-year renewal options. There is no retainer; expense is only incurred in response to work authorized by BHA.

CONTACT PERSON

James Williams, Executive Director, (510) 981-5483

Attachments:

1. Resolution
2. Request for Proposal

RESOLUTION NO. 24-05

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH THE LAW OFFICES OF GOLDFARB & LIPMAN LLP FOR AN INITIAL TERM OF TWO YEARS, JULY 1, 2024 THROUGH JUNE 30, 2026, WITH THREE ONE-YEAR RENEWAL OPTIONS; CONTRACT AUTHORITY NOT TO EXCEED \$46,000 IN THE FIRST YEAR; \$46,000 IN THE SECOND YEAR; AND \$46,000 IN EACH OF THE THREE (3) ONE-YEAR RENEWAL OPTIONS

WHEREAS, the Housing Authority requires expert general counsel; and

WHEREAS, the Housing Authority sought interest from qualified individuals and/or law firms through the issuance of a formal Request for Proposals; and

WHEREAS, the law office of Goldfarb & Lipman LLP was the most qualified respondent; and

WHEREAS, the firm has expert knowledge and experience in serving as general counsel for California-based Public Housing Authorities.

NOW THEREFORE, BE IT RESOLVED, that the Executive Director is authorized to enter a contract with the Law Offices of Goldfarb & Lipman LLP.

FURTHER RESOLVED, that the contract authority for the initial two-year period is \$46,000 in the first year and \$46,000 in the second year;

FURTHER RESOLVED, that the contract authority for the option periods, if exercised, will be \$46,000 in each of the three (3) one-year option periods.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on July 9, 2024, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: _____
James Williams, Secretary