

Bay Area Headquarters Authority (BAHA)

May 22, 2024

Agenda Item 3c - 24-0573

Contract Amendment – Bay Area Headquarters Authority (BAHA) Legal Services: Downey Brand LLP, (\$225,000)

Subject:

Authorization to negotiate and enter into a contract amendment in an amount not to exceed \$225,000 with Downey Brand LLP for as-needed legal services for a new total contract cost not to exceed \$425,000.

Background:

On August 30, 2023, after a competitive procurement, the BAHA General Counsel entered into a legal services contract with Downey Brand LLP in an amount not to exceed \$200,000 for the provision of as-need legal services related to the Bay Area Metro Cener (BAMC) located at 375 Beale Street, San Francisco CA, for the term of September 1, 2023, through June 30, 2025. OGC provides legal support on building matters by reviewing and advising on lease negotiations, advising on procurement issues for services on the building, advising BAHA of its duties and obligations under the Building's CCRs as Facility Manager and other building matters that arise.

The proposed amendment in the not to exceed amount of \$225,000 will allow Downey Brand LLP to build up capacity to respond to BAHA's needs for legal advice related to BAMC.

Downey Brand LLP is neither a small business enterprise nor a disadvantaged business enterprise.

Issues:

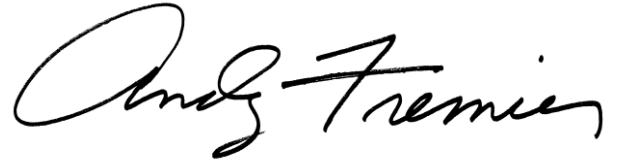
None identified.

Recommendations:

Staff recommends that the Authority authorize the General Counsel or designee to negotiate and enter into a contract amendment with Downey Brand LLP in an amount not to exceed \$225,000 for as-needed legal services for a new contract not to exceed amount of \$425,000.

Attachments:

- Request for Authority Approval – Summary of Proposed Contract Amendment

A handwritten signature in black ink, reading "Andrew B. Fremier". The signature is written in a cursive style with a large initial "A" and "F".

Andrew B. Fremier

Request for Authority Approval

Summary of Proposed Contract Amendment

Work Item No.: 5340, 9181 and 9162

Consultants: Downey Brand

Work Project Title: Legal Services

Purpose of Project: To provide legal services to BAHA

Brief Scope of Work: Legal services related to the Bay Area Metro Center (BAMC) located at 375 Beale, San Francisco, CA 94105

Project Cost Not to Exceed: \$225,000 this amendment
Previous approved contract amount = \$200,000
Total approved contract amount based on this action = \$425,000

Funding Source: FY 2023-24 BAHA Operating and Capital Budget

Fiscal Impact: \$225,000 of the funding for this amendment is available in the FY 2023-24 BAHA budget.

Motion by Committee: That the General Counsel or designee is authorized to negotiate and enter into a contract amendment with Downey Brand LLP, in the amount of \$225,000,000 for as-needed legal services as described above and in Commission Summary Sheet dated May 22, 2024, and the Chief Financial Officer is directed to set aside funds in the amount of \$425,000 for such contract amendment.

Bay Area Headquarters

Authority:

Alfredo Pedroza, Chair

Approved:

May 22, 2024