

**Metropolitan Transportation Commission
Administration Committee**

May 14, 2025

Agenda Item 2c-25-0600

**Contract Amendment - Legal Services: Goldfarb & Lipman LLP
(\$350,020)**

Subject:

Request for authorization to negotiate and execute an amendment to the contract with Goldfarb & Lipman LLP that was procured via direct selection from the BAHFA Legal Services Bench to add \$150,020, for a total contract amount not to exceed \$350,020, for additional legal support to the Metropolitan Transportation Commission (MTC) and the agencies staffed by MTC for the Regional Housing Technical Assistance Program, and request for authorization to amend the term of the agreement in the future should the grant expenditure date be extended by the State of California.

Background:

MTC/Association of Bay Area Government's (ABAG) Regional Housing Technical Assistance Program ("RHTA") was established in 2020 to support jurisdictions in the Bay Area to meet their obligations under state housing laws, including their obligations to produce state-mandated Housing Elements, which demonstrate how they will accommodate their Regional Housing Needs Allocation ("RHNA"). Goldfarb & Lipman LLP was directly selected from the BAHFA Legal Services Bench to provide legal support to RHTA, including providing technical publications review, and preparing technical assistance for local governments, and providing other advice and counseling services as it relates to housing as requested. As allowed by MTC Resolution 4546, on July 1, 2024, MTC entered into a contract with Goldfarb & Lipman LLP not to exceed \$200,000 to provide these services through December 31, 2025. This contract was funded through Regional Early Action Planning Grant Program of 2021 (REAP 2.0) grant funds. Additional legal support is now needed as RHTA is preparing additional technical assistance for local governments that is impacted by a substantial number of new state laws related to housing.

The proposed amendment would add an amount not to exceed \$150,020, which would also be funded through REAP 2.0. There are no subcontractors on this contract and Goldfarb & Lipman LLP in neither a Small Business Enterprise or Disadvantaged Business Enterprise.

Issues:

None identified.

Recommendations:

Staff recommends that the Committee authorize the General Counsel to negotiate and enter into a contract amendment to the contract with Goldfarb & Lipman LLP that was procured via direct selection from the Bench for Legal Services to add \$150,020, for a total contract amount not to exceed \$350,020, for additional legal support to the MTC/ABAG Regional Housing Technical Assistance Program through December 31, 2025. Should the expenditure period of the Regional Early Action Planning Grant Program of 2021 (REAP 2.0) funding be extended by the State of California, staff recommends that the Committee authorize the General Counsel to enter into a contract amendment to extend the contract to match the new grant expenditure date.

Attachments:

- Request for Committee Approval –Summary of Proposed Contract Amendment



Andrew B. Fremier

Request for Committee Approval

Summary of Proposed Contract Amendment

Work Item No.:	1615
Consultants:	Goldfarb & Lipman LLP
Work Project Title:	Legal support
Purpose of Project:	To provide legal support to Metropolitan Transportation Commission/Association of Bay Area Government's Regional Housing Technical Assistance Program (RHTA), such as providing technical publications review, preparing technical assistance for local governments, and providing advice and counseling services as it relates to housing as requested.
Brief Scope of Work:	Consultant will continue providing legal support to RHTA, including support related to new state housing laws.
Project Cost Not to Exceed:	\$150,020 this amendment Previous approved contract amount = \$200,000 Total approved contract amount based on this action = \$350,020
Funding Source:	2312 Regional Early Action Planning (REAP) Grants of 2021 (REAP 2.0)
Fiscal Impact:	Funding is included in the FY2024-25 agency budget.
Motion by Committee:	That the General Counsel is authorized to negotiate and enter into a contract amendment to the contract with Goldfarb & Lipman LLP that was procured via direct selection from the BAHFA Legal Service Bench for additional legal support to the Metropolitan Transportation Commission/Association of Bay Area Government's Regional Housing Technical Assistance Program described above and in the Administration Committee Summary Sheet dated May 14, 2025.
Administration Committee:	<hr/> Gina Papan, Chair
Approved:	May 14, 2025