



# TACOMA HOUSING AUTHORITY

## RESOLUTION 2015-9-23 (4)

**DATE:** September 17, 2015  
**TO:** Board of Commissioners  
**FROM:** Michael Mirra, Executive Director  
**RE:** Amendment to Foster Pepper Legal Services Contract

### Background

This resolution would increase the maximum amount of the present contract for legal services with Foster Pepper to \$1,140,300.

On January 30, 2012, THA contracted for legal services with Foster Pepper, PLLC. It states that the contract amount "shall not exceed \$100,000 unless approved by the Board of Commissioners." On February 22, 2012, the Board of Commissioners approved Resolution Number 2012-2-22 (4) increasing that maximum to \$250,000, largely for work required by the Bay Terrace Phase I project. On July 24, 2013, the Board of Commissioners approved Resolution Number 2013-7-24 (1) increased the amount again to \$562,000 for the following transactions:

Meth Assistance	\$50,000
LASA	\$55,000
New Look	\$40,000
Stewart Court	\$10,000
Brown Star Grill	\$25,000
Citi Bank/Area 3 Land Sales	\$52,000
General Misc. Legal	\$5,000
Bay Terrace Phase I	\$75,000
<b>Total</b>	<b>\$312,000</b>

The Real Estate Development (RED), Administrative Department (AD) and Finance Department (FD) estimate that THA needs an additional \$578,300 worth of work from Foster Pepper during the 2015-2016 fiscal year. This increase will cover legal services for Bay Terrace Phase II, Outrigger and New Look acquisitions and the RAD project tax credit and bond transactions.

Current Board Approved Amount	\$562,000
New Look	\$50,000
Outrigger	\$50,000
Bay Terrace Phase II	\$133,925
RAD	\$234,375
General Misc. Legal	\$10,000
Total Additional Legal Fees	\$578,300
Total Adjusted Contract Amount	\$1,140,300

### **Recommendation**

Authorize THA Executive Director to amend the Foster Pepper Legal Services contract dated January 30, 2012, to a not-to-exceed amount of \$1,140,300 .



# TACOMA HOUSING AUTHORITY

## RESOLUTION 2015-9-23 (4) (Amendment to Foster Pepper Legal Services Contract)

A RESOLUTION of the Board of Commissioners of the Housing Authority of the City of Tacoma

WHEREAS, On January 30, 2012, Tacoma Housing Authority (THA) entered into a contract with Foster Pepper to meet THA wide legal services; and

WHEREAS, The original contract amount was capped at a NTE amount of \$100,000; and

WHEREAS, The original contract term was amended to extend the term to end January, 2016 with an approved option to extend an additional 12 months to January 2017; and

WHEREAS, The original contract not-to-exceed amount was amended by Resolution Number 2013-7-24 (1) in July, 2013 to an amount not-to-exceed \$562,000; and

WHEREAS, THA has estimated and additional \$578,300 in legal services needed for New Look and Outrigger acquisitions, and the financial closing of Bay Terrace Phase II and RAD tax credit projects; and

WHEREAS, THA is requesting to amend the Foster Pepper not-to-exceed contract amount to a total of \$1,140,300; now, therefore, be it

**Resolved by the Board of Commissioners of the Housing Authority of the City of Tacoma, Washington as follows:**

Authorize THA Executive Director to execute the Amendment to the Foster Pepper Legal Services Contract increasing the Not-to-Exceed payment to \$1,140,300.

**Approved: September 23, 2015**

  
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Stan Rumbaugh, Chair