



TACOMA HOUSING AUTHORITY

RESOLUTION 2021-10-27 (3)

Date: October 27, 2021
To: THA Board of Commissioners
From: April Black
Executive Director
Re: Amendment to Foster Garvey Legal Services Contract

This resolution would authorize Tacoma Housing Authority's (THA) Executive Director to increase the amount of the contract with Foster Garvey Law PLLC from \$739,350.00 to \$939,350.00.

Background

On March 14, 2017, THA entered into a contract for legal services with Foster Pepper PLLC. The contract stipulates that each engagement under the contract will require a Letter of Engagement (LOE) detailing the Scope of Work and associated fees for services. Section 2.1 of the Contract also indicates that the contract amount "shall not exceed \$150,000 unless approved by the Board of Commissioners.

Approval of Resolution 2017-10-25 (1) increased the authorized contract amount by \$168,500.00 for a not to exceed total of \$316,350.00 for various development projects.

Approval of Resolution 2018-02-28 (4) increased the authorization contract amount by \$423,000.00 for a not to exceed total of \$739,350.00 for various development projects.

There were two other amendments since 2017 that extended the contract term.

At this time, THA would like to increase the total contract with Foster Garvey to include the fees associated with developing the approximately 230 units and commercial space associated with the Housing Hilltop project on either side of S. 11th Street.

This resolution will allow THA to increase the total contract with Foster Garvey PLLC by \$200,000.00 to include fees associated with on-going Hillside Housing Development activities and other development activities. The new contract not to exceed total will be \$939,350.00. The proposed increase will be funded from THA development sources.

Recommendation

Authorize THA's Executive Director to increase the contract amount with Foster Garvey by \$200,000.00 for a total not-to-exceed amount of \$939,350.00



TACOMA HOUSING AUTHORITY

RESOLUTION 2021-10-27 (3) (Amendment #5 to contract with Foster Garvey PLLC)

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

Whereas, On March 14, 2017, THA's Executive Director entered into contract for legal services with Foster Pepper PLLC, doing business as Foster Garvey PLLC since 2019 in an amount not to exceed \$150,000.00 unless approved by the Board of Commissioners; and

Whereas, THA Board Resolution 2017-10-25 (1) increased the authorization contract amount by \$168,500.00, for a not to exceed \$ 316,350.00 for various development projects; and

Whereas, THA Board Resolution 2018-02-28 (4) increased the authorized contact amount by \$423,000, for a not to exceed of \$739,350.00; and

Whereas, THA would like to amend the total contract amount for work associated with the Housing Hilltop development to include fees associated with on-going development activities, including the financing of the development, negotiating with investors and lenders and bond issuance; now, therefore, be it

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

Authorize THA's Executive Director to increase the contract amount with Foster Garvey PLLC by \$200,000.00 for a total not-to-exceed amount of \$939,350.00.

Approved: October 27, 2021



Stanley Rumbaugh, Chair