



DATE ISSUED: October 19, 2005 REPORT NO. CCDC-05-38

ATTENTION: Chair and Members of the Redevelopment Agency
Docket of October 25, 2005

SUBJECT: Approval of the First Amendment to Agreement for Special Legal Counsel ("Condemnation") Services with the Law Offices of Donald Detisch - Centre City Redevelopment Project

REFERENCE: Scope of Services

STAFF CONTACT: David Allsbrook, Manager-Contracting and Public Works

SUMMARY

Issue - Should the Redevelopment Agency approve the proposed First Amendment to the Agreement with the Law Offices of Donald Detisch?

Staff Recommendation - That the Redevelopment Agency approve the First Amendment to the Agreement for Special Legal Counsel ("Condemnation") services with the Law Offices of Donald Detisch ("Detisch") for \$100,000. The maximum compensation will not exceed \$350,000, of which \$100,000 is designated for Corporation related work.

Centre City Development Corporation Recommendation - On September 21, 2005, the Corporation Board of Directors voted unanimously to recommend approval of the First Amendment.

Centre City Advisory Committee (CCAC) Recommendation - None.

Other Recommendations - None.

Fiscal Impact - Funds are available in the Fiscal Year 2006 East Village Redevelopment District Budget and the Low and Moderate Income Housing Fund for legal services.

BACKGROUND

In October 2000, the City Attorney's Office issued a Request for Qualifications ("RFQ") for condemnation legal services for the next three years (2001-2003). Three firms were selected to provide services through the RFQ process; Detisch, Best Best & Krieger and

Daley & Heft. Last fall, the City Attorney's Office issued an RFQ for the next three-year period (2005-2007) and the same three firms were selected plus Kane Ballmer & Berkman.

Detisch was assigned all of the eminent domain legal work for the 12th and Market Block and the acquisition of abutters rights for the Park to Bay Project, and most recently, the litigation concerning the Yale Hotel under the 2001-2003 contract.

The purpose of the proposed Amendment is to provide funds for the on-going litigation concerning the loss of business goodwill in the Valu Mart case, the last remaining case from the 12th & Market Project, and the Oak Shelter Project.

At the request of the City Attorney's Office, it is recommended that the 2005 Detisch contract be amended to include this continued scope of work.

CONSULTANT FIRM

| ROLE/FIRM | CONTACT | OWNED BY |
|-----------------------------------|----------------|-------------------------------------|
| The Law Offices of Donald Detisch | Donald Detisch | Donald Detisch (Privately Owned) |

EQUAL OPPORTUNITY

Detisch was selected after participating in a RFQ process. Detisch is not certified as an M/W/D/DVBE firm.

SUBCONSULTING FIRMS

| Prime: The Law Offices of Donald Detisch | | |
|--|-------------------|---------------------------|
| SUBCONSULTANT FIRMS | PRINCIPALS | FIRM CERTIFICATION |
| Desmond Marcello & Amster | Aaron Amster | OBE |
| Glen Desmond | Glen Desmond | OBE |
| Overland Pacific & Cutler | Jerry Colburn | OBE |
| Alan Nevin | Alan Nevin | OBE |
| Jonathan Segal | Jonathan Segal | OBE |
| Roger Bill | Roger Bill | OBE |

| | | |
|--|-----------------|-----|
| Hendrickson Appraisal Company, Inc. | Ted Hendrickson | OBE |
|--|-----------------|-----|

Detisch submitted a Work Force Report dated August 2005, which indicated a total of three employees of which two are females and no members of an under-represented ethnic group.

Contractors and subcontractors who do less than a total of \$10,000 worth of business with the Corporation during the preceding twelve (12) months or who have less than a total of fifteen (15) employees are exempt from submitting an Equal Employment Opportunity Plan.

SUMMARY/CONCLUSION

There is no conflict of interest known to me regarding any Agency, Council or Corporation officer or employee regarding this matter.

Respectfully submitted, _____

David N. Allsbrook
Manager-Contracting & Public Works

Approved by: Peter J. Hall
President