


RESOLUTION NO. 69-2002**APPROVING THE REVISION OF THE AGENCY'S PURCHASING POLICY
FOR LEGAL CONTRACTS TO DEFEND COMPLAINTS, CLAIMS,
AND LITIGATION FILED AGAINST THE AGENCY;
ALL REDEVELOPMENT PROJECT AREAS****BASIS FOR RESOLUTION**

1. For over 30 years, the Agency has required Agency staff to purchase goods and services pursuant to its Purchasing Policy and Procedures in order to ensure maximum open and free competition and extensive outreach efforts to inform interested parties of contracting opportunities.
2. On November 22, 1994 by Resolution No. 256-94, the Commission approved the revision of the Purchasing Policy regarding the policy's equal opportunity requirements.
3. Whenever possible, staff has established a panel of firms which can provide legal counsel to the Agency on specific matters. By Resolution No. 209-99 dated
4. January 25, 2000, the Agency established a outside counsel panel for real estate transactions. Agency legal staff has scheduled the issuance of a Request for Qualifications (RFQ) to establish a panel for bond counsel this week and a RFQ for an employment legal panel in the summer of 2002.
5. Given the difficulty in predicting the type of expertise required to defend litigation matters and the fact that a broad RFQ for litigation services could result in an unmanageable number of responses from firms that may never be assigned to a matter, Agency staff recommends approval of a minor revision to Agency's Purchasing Policy and Procedures in order to respond effectively and quickly to legal issues arising from complaints, claims and litigation. Subsection G would be added to Section XIV. Expenditure Authority as set forth in Attachment 1.
6. The revision would permit Agency staff to contract for outside counsel within the Commission-approved Agency budgets. Staff will submit semi-annual reports to the Commission on outside counsel contracts entered into pursuant to this revised policy.
7. This proposed policy revision would formalize the long-standing practice for the General Counsel to assign outside counsel for defense matters, subject to continued compliance with the requirements of the Agency's Equal Opportunity Program and monitoring by the Agency's Contract Compliance division.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO that the Agency's Purchasing Policy is revised to add a new Subsection G to Section XIV. Expenditure Authority (as set forth in Attachment 1) for legal contracts to defend complaints, claims, and litigation filed against the Agency.

APPROVED AS TO FORM:



Bertha A. Ontiveros
Agency General Counsel

ATTACHMENT 1

Add the following new subsection to XIV. EXPENDITURE AUTHORITY:

G. Claims and Litigation

Contracts for legal or related personal or professional services required to defend the Agency against any claims, complaints or litigation shall be the responsibility of the Agency General Counsel and may be made without approval of the Agency Commission following budgetary approval. Any contract shall be approved and executed by the Executive Director. An annual report of all contracts under this section shall be submitted to the Agency Commission.

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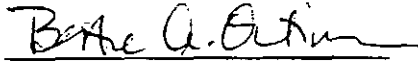
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