

HAYWARD CITY COUNCIL

RESOLUTION NO. 25-____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NHA ADVISORS, LLC, TO EXTEND THE AGREEMENT AND INCREASE THE CONTRACT AMOUNT BY \$45,000 FOR A TOTAL NOT TO EXCEED \$195,000 FOR WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA) LOAN APPLICATION AND FINANCIAL CONSULTING SERVICES RELATED TO THE WATER RESOURCE RECOVERY FACILITY (WRRF) IMPROVEMENTS – PHASE II PROJECT

WHEREAS, the City entered into an Agreement with NHA Advisors, LLC on March 15, 2024 for professional services related to Water Infrastructure Finance and Innovation Act (WIFIA) loan application preparation and related consulting services, in an amount not to exceed \$85,000; and

WHEREAS, on October 8, 2024 , City Council authorized the City Manager to execute amendment no. 1 to the PSA with NHA Advisors to increase the contract by \$45,000 for an amount not to exceed \$195,000 for additional financial analysis and counsel through the close of the WIFIA loan; and

WHEREAS, the City originally anticipated executing its WIFIA loan on April 11, 2025; however, the EPA notified the City on April 10, 2025, that the loan execution was put on hold by the EPA Administrator and Office of Management Budget; and

WHEREAS, should there be any action from the EPA to finalize the loan execution, it could require rapid action from the City, including financial related tasks that may be required to complete by NHA Advisors; and

WHEREAS, the additional cost for such services has been negotiated at an amount not to exceed \$45,000; and

WHEREAS, Sewer Improvement Fund 612, which is an enterprise fund, and related Capital Projects 07760 and 07786 have sufficient funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute, on behalf of the City of Hayward, Amendment No. 2 to extend the agreement to June 30, 2026, and to increase the contract by \$45,000 for a total not to exceed \$195,000, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2025

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward