



DATE: April 15, 2025

TO: Mayor and City Council

FROM: Director of Public Works and City Attorney

SUBJECT:

Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with Jones Hall, A Professional Law Corporation, and Increase the Contract Amount by \$111,000 for a Total Not-to-Exceed Amount of \$185,000, for Bond Counsel and Disclosure Counsel Services Related to the Water Resource Recovery Facility (WRRF) Improvements - Phase II Project

RECOMMENDATION

That City Council adopts a resolution (Attachment II) authorizing the City Manager to Execute Amendment No. 2 to the Professional Services Agreement with Jones Hall, a Professional Law Corporation, and Increase the Contract Amount by \$111,000 for a Total Not-to-Exceed Amount of \$185,000, for Bond Counsel and Disclosure Counsel Services Related to the Water Resource Recovery Facility (WRRF) Improvements - Phase II Project.

SUMMARY

On March 13, 2024, the City of Hayward and Jones Hall, a Professional Law Corporation, entered into an agreement for legal services related to the preparation and legal services related to the Water Infrastructure Finance and Innovation Act (WIFIA) loan and municipal bonds. Amendment No. 1 to the agreement with Jones Hall was executed on October 15, 2024, which set the not-to-exceed agreement amount to \$74,000. Staff now requires support in closing the WIFIA loan and the 2025 Wastewater Revenue Bonds and recommends that City Council authorize the City Manager to increase the agreement not to exceed amount to \$185,000.

BACKGROUND AND DISCUSSION

The City of Hayward's Department of Public Works & Utilities is pursuing a major capital improvement project to improve the Water Resources Recovery Facility, formerly known as the Water Pollution Control Facility, (WRRF Phase II Improvement Project, the "Project") to meet the nutrient reduction mandate for treated effluent identified in the 3rd Nutrients Watershed Permit adopted by the California Regional Water Quality Control Board in July

