

**STAFF REPORT FOR CALENDAR ITEM NO.: 8.4**  
**FOR THE MEETING OF:** October 17, 2025

**TRANSBAY JOINT POWERS AUTHORITY**

**BRIEF DESCRIPTION:**

Authorize the Executive Director to execute Amendment No. 1 to a Professional Services Agreement with Desmond, Marcello & Amster, LLC (“Contractor”) to increase the total compensation amount by \$30,000 for anticipated increased volume of specialty appraisal services, without modification to the scope of services or rate schedule.

**EXPLANATION:**

The TJPA Board of Directors adopted Resolution No. 22-017 on April, 14, 2022 which authorized the TJPA’s Executive Director to execute an agreement in an amount not to exceed \$50,000 for specialty appraisal services with the Contractor. Contractor was one of three separate providers selected by TJPA to provide certain specialty appraisal services. The other two contractors are Donna Desmond Associates (DDA) and Richard Hughs and Associates (RHA). We have been informed that DDA is no longer accepting assignments. As a result, Contractor will be expected to accept an increased volume of work in the coming months associated with anticipated acquisition activities. An increase in the contract’s total compensation amount from \$50,000 to \$80,000 is sufficient at this time to account for the increase in volume of services provided. There are no changes to the scope of services, nor to the rate schedule as set forth in the original 2022 contract.

**RECOMMENDATION:**

Authorize the Executive Director to execute Amendment No. 1 to the Professional Services Agreement with Desmond, Marcello & Amster, LLC, consistent with the attached documents.

**ENCLOSURES:**

1. Resolution
2. Amendment No. 1

**TRANSBAY JOINT POWERS AUTHORITY  
BOARD OF DIRECTORS**

**Resolution No. \_\_\_\_\_**

WHEREAS, The Transbay Joint Powers Authority (TJPA) is a joint powers agency organized and existing under the laws of the State of California to design, build, and operate the Transbay Program; and

WHEREAS, The TJPA is advancing elements of The Portal which includes certain property acquisition activities; and

WHEREAS, TJPA executed a Professional Services Agreement with specialty appraisal firm Desmond, Marcello & Amster, LLC ("Contractor") pursuant to Resolution No. 22-017 adopted April 14, 2022 with a total compensation amount of \$50,000; and

WHEREAS, Contractor was one of three specialty appraisal firms selected by TJPA in 2022 and one of those firms is no longer accepting assignments due to the pending retirement of the principal, therefore the volume of services anticipated to be required from Contractor has increased; and

WHEREAS, TJPA staff and Contractor agree an increase of \$30,000 in the total compensation is sufficient to account for the anticipated increase in volume of services related to property acquisitions anticipated in the near term; now, therefore, be it

RESOLVED, That the TJPA Board authorizes the Executive Director to execute Amendment No. 1 to the Professional Services Agreement with Desmond, Marcello & Amster, LLC to perform specialty appraisal services, consistent with the forms presented to the Board.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of October 17, 2025.

\_\_\_\_\_  
Secretary, Transbay Joint Powers Authority

**Amendment No. 01**  
**Professional Services Agreement between**  
**the Transbay Joint Powers Authority and**  
**Desmond, Marcello & Amster, LLC**

THIS Amendment No. 01 to the Professional Services Agreement to provide Specialty Appraisal Services dated April 14, 2022 (“Agreement”), is entered into effective as of the 17<sup>th</sup> day of October 2025 in San Francisco, California, by and between the Transbay Joint Powers Authority (“TJPA”), and Desmond, Marcell & Amster, LLC (“Contractor”).

**Recitals**

- A. On April 14, 2022, the TJPA Board of Directors adopted Resolution No. 22-017 authorizing the TJPA’s Executive Director to execute an agreement in an amount not to exceed \$50,000 for Specialty Appraisal Services with the Contractor.
- B. In order to accommodate anticipated additional volume of Services from Contractor, the TJPA and Contractor wish to amend the Agreement to increase the total compensation amount by \$30,000, without changing the scope or fee schedule.
- C. On October 17, 2025, the TJPA Board of Directors adopted Resolution No. \_\_\_\_\_, authorizing the TJPA’s Executive Director to execute Amendment No. 01 to the Agreement.
- D. The TJPA and the Contractor intend that this Amendment No. 01 to the Agreement complies with the regulations of the United States Department of Transportation (“USDOT”).

**Terms and Conditions**

Now, therefore, the TJPA and Contractor agree to amend the following sections of the Agreement in their entirety to read as follows (deletions shown in strikeout, additions shown in italics):

- I. Section 5.a Compensation of the Agreement is hereby modified as follows:

**5. Compensation**

- a. All work under this Agreement shall be compensated on an hourly basis, subject to any maximum price set forth in a particular NTP. In no event shall the total compensation under this Agreement exceed ~~Fifty Thousand and no/100 Dollars (\$50,000.00)~~ ***Eighty Thousand and no/100 Dollars (\$80,000.00)***. The breakdown of the Contractor’s fees appears in Appendix B, Fees.

The Agreement is amended only to the extent expressly provided herein; all other provisions of the Agreement shall remain in full force and effect.

The individuals executing this Amendment No. 01 to the Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

IN WITNESS WHEREOF, the parties hereto have executed this contract Amendment No. 01 as of the day first mentioned above.

**TRANSBAY JOINT POWERS  
AUTHORITY**

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Adam Van de Water  
Executive Director

Transbay Joint Powers Authority  
Board of Directors  
Resolution No. \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Attest:

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Secretary, TJPA Board

**Approved as to Form by:**

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TJPA Legal Counsel

**CONTRACTOR  
Desmond, Marcello & Amster, LLC**

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Kevin Blair  
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