



CITY OF KIRKLAND

Department of Finance & Administration

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MEMORANDUM

To: City Council

From: Mayor Jim Lauinger

Date: December 7, 2009

Subject: **KENYON DISEND CONTRACT AMENDMENT**

RECOMMENDATION:

Council approve the execution of a contract amendment with the law firm Kenyon Disend for additional services related to the Bank of America review and approve the use of \$2,400.49 from the Council Special Projects reserve.

BACKGROUND DISCUSSION:

In June 2009, the City Council approved contracting with the law firm Kenyon Disend for a review of the Bank of America process. The contract amount was \$10,105.00 funded from the Council Special Projects reserve. The City has paid invoices through September totaling \$8,245.02. A new invoice for services through October 31, 2009 in the amount of \$6,660.95 has been received. This invoice brings the total billing to date to \$14,905.97, which exceeds the contract budget by \$4,800.97. I am recommending that the City pay one-half of the amount over budget (\$2,400.49) and authorized the additional use of the Council Special Projects reserve.

Attachment A provides a recap of the billing history.

Attachment A

Kenyon Disend Payment Summary - Bank of America Review

Payments from Check Register Report (City):

- 06/17/2009 2,580.00
- 08/19/2009 645.00
- 09/23/2009 1,215.80
- 10/20/2009 3,804.22

Total \$8,245.02

- 10/31/2009 new invoice \$ 6,660.95

Grand Total \$14,905.97

Kenyon Provided Statements

- 5/31/2009 \$2,580.00
- 7/31/2009 645.00
- 8/31/2009 1,215.80
- 9/30/2009 3,804.22

\$8,245.02

- 10/31/2009 new invoice 6,660.95

Grand Total \$14,905.97

Contract Amount:

- 05/15/2009 \$10,105.00

Difference Over Contract Amount:

- 12/3/2009 \$ 4,800.97

½ of Difference \$ 2,400.49

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Jim Lauinger, Mayor							
Description of Request							
Request for \$2,401 from the Council Special Projects Reserve to pay one-half of the amount over budget for contracted legal services with the law firm of Kenyon Disend.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$2,401 of the Council Special Projects Reserve. The reserve is able to fully fund this request.							
Recommended Funding Source(s)							
<i>Reserve</i>	Description	2010 Est End Balance	Prior Auth. 2009-10 Uses	Prior Auth. 2009-10 Additions	Amount This Request	Revised 2010 End Balance	2010 Target
	Council Special Projects Reserve	271,960	101,875	0	2,401	167,684	250,000
2009-2010 Prior Authorized Uses of this reserve include: \$2,000 for Council Retreat facilitator, \$26,000 for federal lobbyist services, \$25,000 for Neighborhood Connections program, \$20,000 for Hopelink's relocation, \$13,770 for the Flexpass alternative program, \$5,000 for Council requested special investigation, and \$10,105 for the Banak of America review.							
<i>Revenue/ Exp Savings</i>							
<i>Other Source</i>							
Other Information							

Prepared By	Sri Krishnan, Acting Financial Planning Manager	Date	December 7, 2009
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