



## Legislation Details (With Text)

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<b>On agenda:</b>	7/5/2022	<b>Final action:</b>			
<b>Title:</b>	CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT SERVICES AGREEMENT WITH STREAM, KIM, HICKS, WRAGE AND ALFARO, P.C., RELATED TO THE PROVISION OF CERTAIN WORKPLACE INVESTIGATION SERVICES (CITY COUNCIL)				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Original Agreement for Contract Services with Stream Kim, 2. Amendment No. 1 to Agreement for Contract Services with Stream Kim				

Date	Ver.	Action By	Action	Result
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## Report to Mayor and City Council

Tuesday, July 05, 2022

Consent

### SUBJECT:

**CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT SERVICES AGREEMENT WITH STREAM, KIM, HICKS, WRAGE AND ALFARO, P.C., RELATED TO THE PROVISION OF CERTAIN WORKPLACE INVESTIGATION SERVICES (CITY COUNCIL)**

### I. SUMMARY

On March 1, 2022, the City and Stream, Kim, Hicks, Wrage, and Alfaro, P.C. ("Stream Kim") entered into a Contract Services Agreement for the provision of certain workplace investigation services (the "Contract"). The Contract Sum was \$24,999, which was estimated to be sufficient to fund performance of the Services to completion. However, due to the need to conduct additional interviews, Consultant incurred total costs of almost \$32,000 to perform the Services to completion. The proposed Amendment No. 1 would increase the Contract Sum to \$32,000 to enable the City to pay for the services rendered in full and close out this Contract.

### II. RECOMMENDATION

TAKE the following actions:

1. APPROVE Amendment No. 1 to Agreement for Contract Services between the City and Stream Kim (Exhibit No. 1; the "Amendment"); and
2. AUTHORIZE the Mayor to execute the Amendment following approval as to form by the City Attorney.

### **III. ALTERNATIVES**

TAKE any other action the Council deems appropriate, subject to compliance with applicable law.

### **IV. BACKGROUND**

The City and Stream Kim entered into the Contract on March 1, 2022, whereby Consultant agreed to provide certain workplace investigation services as set forth in the Contract Scope of Services. The Contract Sum of \$24,999 was, at the time the Contract was entered into, estimated to be sufficient to fund performance of the Services to completion at Consultant's hourly rates set forth in the Contract Schedule of Compensation.

However, the Consultant recently advised that due to the need to conduct additional witness/participant interviews beyond what was anticipated when entering into the Agreement, the Consultant has incurred total costs of almost \$32,000 to perform the Services. Accordingly, the proposed Amendment would increase the Contract Sum from \$24,999 to \$32,000 to fund performance of the Services to completion. Additionally, there was a defect in the original approval/execution of the Contract, as it was done via signature of the City Attorney rather than approval and execution by the City Manager. The Amendment ratifies the validity of the Contract, correcting this defect.

### **V. FISCAL IMPACT**

Funds for this expense will be drawn from the City Council approved budget for professional services in the Human Resources Department (101-65-680-101-6004).

### **VI. EXHIBITS**

1. Original Agreement for Contract Services with Stream Kim (pgs. 3 - 19)
2. Amendment No. 1 to Agreement for Contract Services with Stream Kim (pgs. 20 - 22)

Prepared by: City Attorney's Office and City Manager's Office