

INFORMATIONAL MEMORANDUM Tukwila Metropolitan Park District (MPD)

TO: Tukwila Pool MPD Board Members

FROM: Dennis Robertson & Kate Kruller, MPD Commissioners

DATE: January 22, 2014

SUBJECT: Discussion of process for future amendments to the MPD's Interlocal Agreement with the City of Tukwila

ISSUE

To provide a process by which the Interlocal Agreement with the City of Tukwila may be amended and to bring some initial proposed amendments to the attention of the MPD Board.

FINANCIAL IMPACT

No Financial Impact

BACKGROUND

The Interlocal Agreement was accepted as offered, but the MPD Commissioners may want to establish a process by which amendments may be developed, proposed and voted on.

RECOMMENDATION

The Executive Director should be tasked to review the agreement in depth, and provide recommendations for amendments as needed over time. In addition, the contract should be modified to allow TPMPD policies adopted subsequent to this contract to supersede similar city policies and procedures. The attached document contains amendment language for the Commissioners to consider until February – and to place it on the formal record to be memorialized - while the process is being established.

ATTACHMENTS

-Interlocal Agreement Amendment Language

All:

Below is the language I presented at the last Tukwila Pool Metropolitan District (TP MPD) meeting, that should be considered for amending into the interlocal agreement/contract. I obtained this in consultation with a credentialed Contracts Management professional. It was their opinion that they would not enter into an agreement without stipulations of the nature listed below in the language.

You may recall that both Commissioner Robertson and I presented a printed form each to the TP MPD Board of Commissioners as items to be considered for amending the agreement. While looking at the language below, the TP MPD Attorney indicated his interest in considering it for the agreement amendment – as well as Commission Quinn stating that he recognized this type of language from his experiences at King County, and that we should consider what could be applied in an amendment to the language. Then the Commissioners supported passing the document proposed by the City of Tukwila as-is to get an agreement on record, acknowledging that the TP MPD Board of Commissioners would revisit and consider amendments in January.

While I know there is a new agenda item to formulate a process for considering amendments to the agreement, I would also like to add an item to the agenda regarding this previously recommended amendment language for the Commissioners to consider until February – and to place it on the formal record to be memorialized - while the process is being established. I have no expectations that a decision will be made on any language changes during the January meeting. This may be an item for information only – and possibly Q&A.

Thanks – Commissioner Kate Kruller

PERIOD OF PERFORMANCE:

Unless otherwise amended in writing, the period of performance under [CONTRACT NUMBER HERE] shall commence upon last date of signature from either party, and expires on December 31, 2014. Upon mutual agreement, this contract may be extended for one (1) optional one-year term period. The work under this contract may end earlier than December 31, 2014 as allowed per the provisions set forth under TERMINATION.

REPORTS:

Contractor shall produce a quarterly report summary that compares actual performance by Contractor of the Services (including but not limited to activities related to Deliverables) to budgeted Charges and dates in the Schedule. Contractor shall provide such quarterly report summary for such Services to the Tukwila Pool Municipal Park District Executive Director within 10 days of the end of the immediate past month.

DELIVERABLES:

All Deliverables shall be subject to Tukwila Pool Municipal Park District Board of Commissioners' acceptance. Tukwila Pool Municipal Park District Board of Commissioners' review of Deliverables shall be in accordance with the time frames therefore set forth in the Work Plan.

WORK PLAN :

Contractor shall produce and provide to Tukwila Pool Municipal Park District an updated Work Plan as a Deliverable with input from Tukwila Pool Municipal Park District within 45 Days of the Effective Date. The Work Plan shall provide detailed information, in a Microsoft Excel (Version 2010 or later) document including, but not limited to tasks, task dependencies, identification of resource requirements, and Schedule as identified and prioritized by the Tukwila Pool Municipal Park District Board of Commissioners from, but not limited to, the Tukwila Pool Administrative and Program Assessment produced by KJ Design, LLC.

AUDITS:

The Tukwila Pool Municipal Park District shall conduct performance Audits commencing on June 30, 2014 and repeating every six months. Performance audits will include, but is not limited to, review of contractor performance against the Work Plan, Budget, timeliness of Deliverables presented to Tukwila Pool Municipal Park District Board of Commissioners as delivered to the Executive Director.