

RESOLUTION NO. 14-965

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE MAYOR TO EXECUTE THE FINAL
CONTRACT AMENDMENT TO THE OGDEN MURPHY
WALLACE CONTRACT

WHEREAS, the parties entered into an agreement for professional services relating to a sexual harassment complaint and public records requests, which has been amended twice; and

WHEREAS, the Attorney's final invoice has exceeded the authorized amount by \$5,000.00; and

WHEREAS, the parties wish to amend the Agreement to increase the not-to-exceed amount by \$5,000.00 to cover the Attorney's final invoice;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to execute the final amendment to the Ogden Murphy Wallace, PLLC contract, substantially in the form attached hereto as Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A SPECIAL MEETING THEREOF, THIS 24TH DAY OF JULY, 2014.

CITY OF BLACK DIAMOND:



Dave Gordon, Mayor

Attest:



Brenda L. Martinez, City Clerk

**FINAL AMENDMENT
TO AGREEMENT FOR ATTORNEY SERVICES**

THIS FINAL AMENDMENT to the Agreement for Attorney Services dated _____ is hereby executed by and between the City of Black Diamond, a Washington municipal corporation (hereinafter "the City"), and Ogden Murphy Wallace, PLLC (hereinafter "the Attorney").

WHEREAS, the parties entered into an agreement for professional services relating to a sexual harassment complaint and public records requests, which has been amended twice; and

WHEREAS, on June 12, 2014, the Attorney sent a final invoice to the City in the amount of \$7,981.10 for all work performed for the city which is \$5,000 more than has been provided for by contract to date; and

WHEREAS, the parties wish to amend the Agreement to increase the not-to-exceed amount by \$5,000.00 to cover the Attorney's final invoice; and

NOW, THEREFORE, the City and the Attorney in consideration of the mutual benefits to be derived and the promises contained herein, agree as follows:

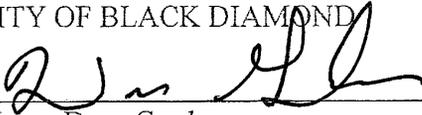
1. The contract as amended ("Agreement") is hereby amended in, but only in, the following respect:

Compensation. The Attorney's final invoice under this Agreement for the identified scope of work, dated June 12, 2014 is \$5,000.00. By this Final Amendment, the City Council hereby increases the do-not-exceed amount of \$37,500 in the Agreement by an additional Five Thousand Dollars (\$5,000), to pay this final invoice, for a sum total of \$42,500. The Attorney has performed all Work contemplated by all of the Agreements between the parties, and the Attorney agrees that it will not send the City any additional invoices for this work.

2. In all other respects, the underlying Agreements between the parties remain in full force and effect.

DATED this 25 day of July, 2014.

CITY OF BLACK DIAMOND



Mayor Dave Gordon

ATTEST:

Rachel Apple for
Brenda Martinez, City Clerk

APPROVED AS TO FORM:

Carol A. Morris, City Attorney

OGDEN MURPHY WALLACE, PLLC

W. Scott Snyder
W. Scott Snyder, Special Counsel