

ITEM NUMBER: 10(a)(i)

To: KPPCSD Board of Directors
From: Ann R. Danforth, General Counsel
Date: November 15, 2018
Subject: Approval of Funding Agreement with the Kensington Community Council

I. BACKGROUND

The Kensington Community Center project will be going out for bid in the next month. Before letting the contract, the District should secure the funding pledged by outside sources to assist with the project. The Kensington Community Council ("KCC") has pledged to contribute \$465,000. The attached funding agreement memorializes the terms and conditions of that contribution.

II. ANALYSIS

The KCC contribution includes an unrestricted component of \$255,000. This component includes \$35,540 in funds that the KCC raised from members of the Community. The total contribution also includes \$210,000, which was conditioned on the final project including a bifold door and operable glass wall system and heating system upgrade. The base project's scope of work includes those items.

The Agreement provides for the KCC to deliver the pledged funds to the District prior to going out to bid. However, the District retains the discretion of modify the project scope. If the final project contract, as awarded, does not include the door, wall and heating improvements, the District would return the \$210,000 that the KCC conditioned on the inclusion of those improvements.

III. CONCLUSION AND RECOMMENDATION

Staff recommends that the Board approve and authorize the General Manager to execute the KCC Funding Agreement.

Exhibits: Draft Funding Agreement