

## **BILL NO. 23-182**

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AN ORDINANCE APPROVING MODIFICATION NO. 5 TO THE AGREEMENT DATED JULY 16, 2019 (RFQ NO. 543-32272) FOR PROFESSIONAL ENGINEERING SERVICES FOR STORMWATER FOR 4 PROJECTS WITH LAMP RYNEARSON, FOR AN INCREASE OF \$24,314.68 WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$379,714.68 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, the City and Lamp Ryneerson (“Engineer”) entered into an Agreement for Professional Engineering Services for Four Stormwater Improvement Projects – SW Blazing Star Drive, SW 34<sup>th</sup> Street, NE Delta School Road, SW Pinnell Drive (RFQ No. 543-32272) dated July 16, 2019 (“Base Agreement”); and,

WHEREAS, the City and Engineer modified the Base Agreement pursuant to Modification No. 1 dated January 7, 2020, to extend the design efforts at the SW 34<sup>th</sup> Street location; and,

WHEREAS, the City and Engineer further modified the Base Agreement, as amended, pursuant to Modification No. 2 dated August 26, 2020, to extend the design efforts at the NE Delta School Road location; and,

WHEREAS, the City and Engineer further modified the Base Agreement, as amended, pursuant to Modification No. 3 dated December 28, 2020, to provide design for four additional project sites to be known as “Stormwater Improvements – Phase 2” - NW Ponderosa Street, NE Country Lane, NE Pierce Place, and NE Arlington Circle; and,

WHEREAS, the City and Engineer further modified the Base Agreement, as amended, pursuant to Modification No. 4 dated August 19, 2021, to extend the design efforts at the NE Arlington Circle location; and,

WHEREAS, the City and Engineer desire to further amend the provisions of the Base Agreement, as amended, as provided herein; and,

WHEREAS, the Engineer has submitted a proposal for the amended engineering services and an estimate of engineering costs to perform said services.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The City Council of the City of Lee’s Summit, Missouri hereby approves Modification No. 5, attached hereto as Exhibit A and incorporated herein by reference, for an increase in the amended basic services of \$24,314.68 with an amended not to exceed amount of \$379,714.68, and the City Manager, or designee, is hereby authorized to execute the same or substantially similar on behalf of the City of Lee’s Summit, Missouri.

SECTION 2. The City Manager, or designee, is further authorized to take such further action and execute such documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

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SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Mayor William A. Baird

\_\_\_\_\_  
City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Mayor William A. Baird

\_\_\_\_\_  
City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

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City Attorney Brian W. Head