

EXHIBIT 1 TO ORDINANCE

**MODIFICATION NO. 1 TO AGREEMENT  
FOR PROFESSIONAL ENGINEERING SERVICES FOR  
3<sup>rd</sup> STREET IMPROVEMENTS FROM JEFFERSON STREET TO BLUE PARKWAY  
(RFQ No. 2020-066)**

**THIS MODIFICATION NO. 1 TO AGREEMENT** made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the City of Lee's Summit, Missouri (hereinafter "City"), and WSP USA, Inc. (hereinafter "Engineer").

**WITNESSETH:**

**WHEREAS**, City and Engineer entered into an Agreement for Professional Engineering Services for 3<sup>rd</sup> Street Improvements from Jefferson Street to Blue Parkway (RFQ No. 2020-066) dated August 26, 2020 (hereinafter "Base Agreement"); and

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

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

**WHEREAS**, the City Manager is authorized and empowered by City to execute contracts providing for professional engineering services.

**NOW THEREFORE**, in consideration of the mutual covenants and considerations herein contained, **IT IS HEREBY AGREED** by the parties hereto to amend the following Articles contained in the Base Agreement as follows:

**ARTICLE I  
SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER**

Article I of the Base Agreement is hereby amended to also include the services contained in *Exhibit A*, attached hereto and incorporated herein by reference.

**ARTICLE IV  
PAYMENTS TO THE ENGINEER**

Article IV of the Base Agreement is hereby amended to provide additional compensation to Engineer as follows:

- A. The additional compensation to be paid to Engineer for the amended Basic Services described in Article I of this Modification No. 1 above shall not exceed the total sum of Eighty-Two Thousand Dollars (\$82,000.00). The total fees (hourly fees and expenses) for the Basic Services is hereby amended and shall not exceed the total sum of Six Hundred Twenty-Three Thousand Five Hundred Dollars (\$623,500.00).

**EXHIBIT 1 TO ORDINANCE**

- B. The amended total not to exceed amount for both the Basic Services and Optional Services is Seven Hundred Twenty-Nine Thousand Three Hundred Dollars (\$729,300.00).

**ARTICLE VIII  
ALL OTHER TERMS REMAIN IN EFFECT**

All other terms of the Base Agreement not amended by this Modification No. 1 to Agreement shall remain in full force and effect.

This Modification No. 1 to Agreement shall be binding on the parties thereto only after it has been duly executed and approved by City and Engineer.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

**IN WITNESS WHEREOF**, the parties have caused this Modification to Agreement to be executed on the 28 day of April, 2022.

**CITY OF LEE'S SUMMIT, MISSOURI**

\_\_\_\_\_  
Stephen A. Arbo, City Manager

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of City Attorney



**WSP USA, INC.**

\_\_\_\_\_  
BY: Scott M. Cogan

TITLE: Assistant Vice President

ATTEST:

*Heather Marie Gardner*  
\_\_\_\_\_

## EXHIBIT 1 TO ORDINANCE

Exhibit A – Supplemental Services Provided by Engineer  
RFQ No. 2020-066

# Third Street Improvements – Jefferson to Blue Parkway

## Supplemental Services to be Provided by Engineer

### 1. Project Purpose/Justification

The project enhances safety and operations by improving the 3rd Street corridor through complete street improvements to include access management, sidewalks, ADA improvements, lighting, etc.

### 2. Project Plan/Scope

- a. Project Limits – The project limits were originally 3<sup>rd</sup> St. from the east curb returns of Blue Parkway to the west curb returns of Jefferson St. The project limits have been expanded to include the Jefferson St. intersection and storm sewer improvements on Lakeview Blvd. from 3<sup>rd</sup> St. to 2<sup>nd</sup> St.
- b. Storm Sewer Design – The inclusion of drainage improvements for Lakeview Blvd. beginning at SW 3<sup>rd</sup> St. to end before SW 2<sup>nd</sup> St. Engineer will evaluate the driveway pipes and surface drainage at this location in coordination with the drainage system outfall from the proposed improvements on SW 3<sup>rd</sup> St.
- c. Water Main Design – The replacement of the water main along 3<sup>rd</sup> Street will extend approximately 150' east of Jefferson to tie into the water main that was replaced with the downtown improvements project in 2006. The existing water main that runs along Jefferson Street will be replaced to the extents of pavement replacement and require additional design and detailing.
- d. Sanitary Manhole Modification – There are three brick sanitary manholes that require replacement. It is assumed the manholes will be replaced using the City's standard sanitary manhole details. No additional design is included.
- e. Public Involvement – It is anticipated that additional stakeholder coordination and subsequent design revisions will be required for several properties as a result of right-of-way negotiations. The additional scope of services assumes an additional one-on-one meeting with up to three property owners including associated design revisions.
- f. Utility Coordination – AT&T and Evergy require additional coordination as part of their relocation.
  - i. AT&T has a large duct bank that runs through the project. With previous scope, a probable horizontal layout has been established as part of that work. Additional coordination beyond the original scope is needed for the vertical design of the duct back to avoid existing and proposed facilities due to the timing of this work. An additional 3 meetings for design coordination, verifying the utility's design, and showing the design of the duct bank in the plans for contactor information.
  - ii. Evergy has limited space to place poles for relocating overhead lines. For the preferred location to be in the buffer space on the south side of SW 3<sup>rd</sup> St., some special pole designs will be required. Foundation sizes for special poles

## EXHIBIT 1 TO ORDINANCE

Exhibit A – Supplemental Services Provided by Engineer  
RFQ No. 2020-066

- must be accommodated, pole locations must be carefully coordinated, and an additional 2 meetings will be required to implement Evergy's design.
- g. Traffic Control – Maintenance of traffic will need to be accommodated during the pavement replacement and water main operations in the intersection of SW 3<sup>rd</sup> St. and Jefferson Street. Traffic control plans and details will be developed for phasing the pavement replacement and waterline improvements in the Jefferson St./3<sup>rd</sup> St. intersection.
  - h. CID Street Lighting – Lighting plans and details will be provided along 3<sup>rd</sup> St. from Jefferson St. to Market St. in coordination with the additional streetscape improvements requested by the downtown Community Improvement District. The lighting will closely match the existing decorative lighting throughout the downtown area. Existing shepherd hook street lighting will remain in place and new pedestrian lights will be added. No lighting level analysis will be performed.
  - i. Request for Environmental Review (RER) – For MoDOT's Request for Environmental Review (RER) process, Engineer will be responsible for the LPA Actions in the Request for Environmental Review Form last updated 04/28/2021 unless otherwise stated below. Sections requiring LPA Action include: Socioeconomic Impact, Threatened & Endangered Species (not including tree clearing for effects on summer roosting bats which will be performed by the City), Migratory Birds, Hazardous Waste Impact, Cultural Resources Impact (Section 106/Historic 4f), and FAA Clearance. It is assumed that there will not be any significant impacts which require additional effort beyond that being requested in the RER Form.
  - j. Design Surveys – Additional survey from potholing will be required to properly identify waterline locations. Additional Lakeview Blvd. coverage for storm sewer improvements and associated property descriptions, two extended driveway locations, and updating base files for utility pothole locations will be required.

### 3. Deliverables

It is assumed that deliverables for these Supplemental Services would be incorporated into the corresponding Basic Services submittals.

- 95% Plans
- Final Plans, Special Provisions, and Cost Estimate