

BILL NO. 23-148

AN ORDINANCE APPROVING MODIFICATION NO. 5, TO THE AGREEMENT WITH CRAWFORD, MURPHY AND TILLY, INC. FOR ON-CALL PROFESSIONAL PLANNING & ENGINEERING SERVICES FOR THE AIRPORT (RFQ NO. 2020-067) IN THE AMOUNT OF \$73,000.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 8929, the City and Crawford, Murphy and Tilly, Inc. ("Engineer") entered into an on-call Agreement for professional planning & engineering services for the Airport (RFQ No. 2020-067) dated August 26, 2020 ("Base Agreement"); and,

WHEREAS, the Base Agreement was modified with Modification No. 1 dated September 14, 2021; and,

WHEREAS, the Base Agreement was modified with Modification No. 2 dated December 1, 2022; and,

WHEREAS, the Base Agreement was modified with Modification No. 3 dated March 13, 2023; and,

WHEREAS, the Base Agreement was modified with Modification No. 4 dated June 28, 2023; and,

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

WHEREAS, the amended engineering services contained in this Modification No. 5, were services originally contemplated by the City and the Engineer when entering into the Base Agreement, and which were included in the request for qualifications, and considered in the review that was conducted by the City when awarding the contract for the Base Agreement; and,

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

WHEREAS, funding for this project is provided through a Federal Grant and the City's Transportation Sales Tax and is an approved project in the FY23 Capital Improvement Plan; and,

WHEREAS, the City Manager is authorized and empowered by the City to execute contracts providing for engineering 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 for a not to exceed amount of \$73,000.00, substantially similar to said modification agreement attached hereto as "Exhibit A" attached hereto and incorporated herein by reference.

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SECTION 2. The City Council of the City of Lee's Summit, Missouri, hereby authorizes the City Manager, or designee, to execute the same or substantially similar on behalf of the City of Lee's Summit, Missouri.

SECTION 3. 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 4. That this Ordinance shall be in full force and effect from and after the date of its passage and adoption and approval by the Mayor.

SECTION 5. 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:

City Attorney *Brian W. Head*