

## **BILL NO. 23-133**

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AN ORDINANCE APPROVING MODIFICATION NO. 6 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COLBERN ROAD IMPROVEMENTS FROM M350 TO DOUGLAS STREET (RFQ NO. 569-32272) WITH GARVER, LLC, FOR AN INCREASE OF \$107,036 FOR THE AMENDED BASIC SERVICES, WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$2,219,034, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 8553, the City and Garver, LLC entered into an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) dated February 14, 2019 (hereinafter "Base Agreement"); and,

WHEREAS, the City and Garver, LLC (hereinafter "Engineer") modified the Base Agreement pursuant to Modification No. 1 dated October 18, 2019; Modification No. 2 dated March 27, 2020; Modification No. 3 dated July 27, 2020; Modification No. 4 dated September 10, 2020; and, Modification No. 5 dated June 16, 2021; and,

WHEREAS, Engineer has submitted a proposal with estimated costs to provide additional engineering services for elements of construction services; and,

WHEREAS, the City desires to modify the Base Agreement, as amended, with Engineer to provide said engineering services (hereinafter "Modification No. 6").

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. 6 for an increase of \$107,036 for the amended Basic Services with an amended not to exceed amount of \$2,219,034, as attached hereto as "Exhibit A".

SECTION 2. The City Manager is hereby authorized 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.

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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.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*