

BILL NO. 23-064

AN ORDINANCE APPROVING MODIFICATION NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND BURNS & MCDONNELL ENGINEERING COMPANY, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR WEST PRAIRIE LEE – SEWER MODELING AND DESIGN SERVICES (RFQ NO. 2022-012), FOR AN INCREASE OF \$427,406.00 WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$558,355.00, AND AUTHORIZING THE CITY MANAGER EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, City and Burns & McDonnell Engineering Company, Inc. (hereinafter “Engineer”) entered into an Agreement dated January 4, 2022 (RFQ No. 2022-012) for professional engineering services for West Prairie Lee Sewer Modeling and Design Services (hereinafter “Base Agreement”); and,

WHEREAS, City and Engineer desire to further amend the provisions of the Base Agreement to provide additional scope of engineering services during final design; and,

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

WHEREAS, the City Manager is authorized and empowered by the City to execute agreements providing for professional engineering services; and,

WHEREAS, the City and Engineer desire to enter into a modified agreement to perform the work.

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. 1 for an increase of \$427,406.00 for the amended Basic Services with an amended not to exceed amount of \$558,355.00, substantially similar to said modification agreement attached hereto as “Exhibit 1”.

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. 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 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*