

BILL NO. 22-100

AN ORDINANCE APPROVING MODIFICATION NO. 2 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE BROWNING STREET EXTENSION FROM BROWNING STREET TO HAMBLER ROAD (RFQ NO. 568-32372), BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND BARTLETT & WEST, INC., FOR AN INCREASE OF \$31,469.00 WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$245,190.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, pursuant to Ordinance No. 8581, the City and Bartlett & West, Inc. (hereinafter "Engineer") entered into an Agreement for Professional Engineering Services for the Browning Street Extension from Browning Street to Hamblen Road (RFQ No. 568-32372) dated March 26, 2019 (hereinafter "Base Agreement"); and,

WHEREAS, pursuant to Ordinance No. 8717, the City and Engineer modified the Base Agreement per Modification No. 1 dated September 24, 2019, to allow negotiation of additional right-of-way acquisition with UPRR and to design a sewer main extension; and,

WHEREAS, Engineer has submitted a proposal with estimated costs to provide construction administration services (hereinafter "Services"); and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, with Engineer to provide these additional Services (hereinafter "Modification No. 2").

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. 2 for an increase of \$31,469.00 with an amended not to exceed amount of \$245,190.00, 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 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.

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 _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*