

**MODIFICATION NO. 1 TO AGREEMENT  
DATED 02/28/2018 (RFQ NO. 2018-301)  
FOR PROFESSIONAL ENGINEERING SERVICES  
FOR Four Streambank Stabilization/Stormwater Management Projects**

**THIS MODIFICATION TO AGREEMENT** made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the City of Lee's Summit, Missouri (hereinafter "City"), and Allgeier, Martin and Associates, Inc. (hereinafter "Engineer").

**WITNESSETH:**

**WHEREAS**, City and Engineer entered into an Agreement dated 02/28/2018 (RFQ No. 2018-301) for professional engineering services for Four Streambank Stabilization/Stormwater Management Projects (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, as amended, is hereby amended as shown in Exhibit A, entitled "Streambank Stabilization/Stormwater Management Amended Scope of Services SW 3<sup>rd</sup> Street Cedar Creek Culvert", attached hereto and incorporated herein by reference.

**ARTICLE IV  
PAYMENTS TO THE ENGINEER**

Article IV of the Base Agreement, as amended, 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 Sixty Thousand Seven Hundred Dollars (\$60,700.00). The total fees (hourly fees and expenses) for the Basic Services is hereby amended and shall not exceed the total sum of Two Hundred Twenty Thousand Seven Hundred Dollars (\$220,700.00).
- B. The amended total not to exceed amount for both the Basic Services and Optional Services is Two Hundred Twenty Five Thousand Seven Hundred Dollars (\$225,700.00).

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

All other terms of the Base Agreement not amended by this Modification 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.

**IN WITNESS WHEREOF**, the parties have caused this Modification to Agreement to be executed on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**CITY OF LEE'S SUMMIT**

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Nancy K. Yendes,  
Chief Counsel of Infrastructure and Planning  
Office of City Attorney

**ENGINEER: Allgeier, Martin and Assoc.**

\_\_\_\_\_  
BY: Kurt Higgins, P.E.  
TITLE: Vice President

ATTEST:

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