

BILL NO. 19-49

AN ORDINANCE AUTHORIZING EXECUTION OF MODIFICATION NO. 12, TO THE AGREEMENT WITH CRAWFORD, MURPHY AND TILLY, INC. FOR ON-CALL ENGINEERING SERVICES FOR THE AIRPORT (RFQ NO. 2015-300) IN THE AMOUNT OF \$45,164.63 FOR ENGINEERING, INSPECTION AND TESTING.

WHEREAS, the City and Engineer entered into an On-Call Agreement dated September 3, 2015 (RFQ No. 2015-300) for professional engineering services for the Airport (hereinafter "Base Agreement"); 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. 12, 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 construction contractor exceeded the days allowed in the contract; and,

WHEREAS, the City incurred additional costs as a result of the delays, primarily in inspection and testing, the total additional cost charged by CMT to the city was \$45,164.63; and,

WHEREAS, Liquidated damages in the amount of \$45,164.63 were assessed to the contractor as a result of exceeding the contract time; and,

WHEREAS, liquidated damages were based on actual engineering fees resulting in zero cost to the city; 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. That the City Council of the City of Lee's Summit hereby authorizes the execution, by the City Manager on behalf of the City of Lee's Summit, of a Modification No. 12 to On-Call Agreement Dated September 3, 2015 (RFQ No. 2015-300) for professional engineering services for the Lee's Summit Municipal Airport, which is attached hereto and incorporated by reference, as if fully set forth herein.

SECTION 2. 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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Nancy Yendes Chief Counsel of
Infrastructure and Planning
Office of the City Attorney