

BILL NO. 22-239

AN ORDINANCE RATIFYING AN EMERGENCY PURCHASE SERVICES AGREEMENT BETWEEN INSITUFORM TECHNOLOGIES USA, LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI IN THE AMOUNT OF \$1,246,064.95 TO REPAIR THE SCRUGGS ROAD PUMP STATION FORCE MAINS THROUGH THE INSTALLATION OF A LINER AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, the City of Lee's Summit, Missouri ("City") needed to procure emergency repair services; and,

WHEREAS, Section 7.1 of the City's Procurement Policy allows the City to make certain purchases before receiving City Council approval when an emergency exists. The Procurement Policy defines an emergency in part as an unexpected and urgent situation where an immediate threat to public health and safety exists; and,

WHEREAS, a pressurized wastewater force main recently failed near Prairie Lee Lake, creating a potential environmental and public health and safety risk; and,

WHEREAS, in response to the emergency, the City contracted with Insituform Technologies USA, LLC to perform a repair on the force mains through the installation of a liner; and,

WHEREAS, the City estimates the total cost of the repairs to the Scruggs Road Pump Station force mains to be \$1,504,264.95, with Insituform Technologies USA, LLC proposed cost of \$1,246,064.95 and Wiedenmann, Inc. proposed cost of \$258,200.00; and,

WHEREAS, the services of both Insituform Technologies USA, LLC and Wiedenmann, Inc. are needed for this project; and,

WHEREAS, pursuant to Section 7.1 of the Procurement Policy, emergency purchases in an amount of \$50,000 or more must be presented to the City Council for ratification at the earliest opportunity after the purchase has been made.

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 ratifies the agreement between the City of Lee's Summit, Missouri and Insituform Technologies USA, LLC in the amount of \$1,246,064.95 for repair services to the sanitary sewer system in substantially the same form attached as Exhibit A and incorporated herein by reference, and ratifies the City Manager's execution of such agreement on behalf of the City of Lee's Summit, Missouri.

SECTION 2. 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 3. 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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SECTION 4. 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 _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

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

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*