

BILL NO. 23-166

AN ORDINANCE APPROVING MODIFICATION NO. 2 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR 3RD STREET IMPROVEMENTS FROM JEFFERSON STREET TO BLUE PARKWAY (RFQ NO. 2020-066) BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND WSP USA, INC., FOR AN INCREASE OF \$106,000.00 FOR THE AMENDED BASIC SERVICES, WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$835,300.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, pursuant to Ordinance No. 8249, the City and WSP USA, Inc. (hereinafter "Engineer") entered into an Agreement for Professional Engineering Services for 3rd Street Improvements from Jefferson Street to Blue Parkway (RFQ No. 2020-066) dated August 26, 2020 (hereinafter "Base Agreement"); and,

WHEREAS, City and Engineer modified the Agreement through Modification No. 1 dated May 25, 2022 (RFQ No. 543-32272B) for Professional Engineering Services for 3rd Street Improvements From Jefferson Street To Blue Parkway (hereinafter "Base Agreement"); and,

WHEREAS, City and Engineer desire to further 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.

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 \$106,000.00 for the amended basic services with an amended not to exceed amount of \$835,300.00, substantially similar to said modification agreement attached hereto as "Exhibit A".

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.

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 _____, 2023.

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*