

## **BILL NO. 26-031**

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AN ORDINANCE APPROVING MODIFICATION NO. 3 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE OLIVE AND ORCHARD STREET AND STORM SEWER IMPROVEMENTS (DOUGLAS STREET TO CHIPMAN ROAD - RFQ NO. 2022-060), BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND KIMLEY-HORN, FOR AN INCREASE OF \$85,460.00 WITH AN AMENDED AMOUNT OF \$1,071,893.50 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 9547, the City and Kimley-Horn and Associates ("Engineer") entered into an Agreement for Professional Engineering Services for the Olive and Orchard Road and Storm Sewer Improvements (Douglas St. to Chipman Rd.) Project (RFQ No. 2022-060) dated November 21, 2022 ("Base Agreement"); and

WHEREAS, the City and Engineer modified the Base Agreement per Modification No. 1 dated November 30, 2023; and Modification No. 2 dated January 10, 2024; and

WHEREAS, City staff has determined the necessity to incorporate construction and engineering administration support services ("Additional Services"); and

WHEREAS, Engineer has submitted a proposal with estimated costs to provide the Additional Services; and

WHEREAS, the City desires to further modify the Base Agreement, as amended, with Engineer for the Additional Services (hereinafter "Modification No. 3").

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. 3 for an increase of \$85,460.00 with an amended amount of \$1,071,893.50, 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 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 \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2026.

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Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*