

**MODIFICATION NO. 2 TO
AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
FOR SW JEFFERSON ST. (PERSELS RD TO OLDHAM PKWY)
(RFQ NO. 419-32272)**

THIS MODIFICATION NO. 2 is made and entered into this ____ day of _____, 2018, by and between the City of Lee's Summit, Missouri, a Missouri Constitutional Charter City (hereinafter "City"), and George Butler Associates, Inc. (hereinafter "Engineer").

WITNESSETH:

WHEREAS, City and Engineer entered into a Professional Engineering Services Agreement (RFQ No. 419-32272) ("Base Agreement"); and

WHEREAS, City and Engineer desire to amend the provisions of the Base Agreement as provided herein; and

WHEREAS, City and Engineer desire to modify Article I of the Base Agreement to specify and authorize the performance of certain Basic Scope of Services.

NOW THEREFORE, in consideration of the mutual covenants and considerations herein contained, **IT IS HEREBY AGREED** by the parties to amend the Base Agreement as follows:

**ARTICLE I
SCOPE OF BASIC SERVICES TO BE PROVIDED BY ENGINEER**

Article I of the Base Agreement is hereby amended to specify and authorize the performance of the following Basic Services:

Refer to Modification #2 to the Agreement – Scope for Additional Work attached hereto and incorporated herein by reference, but generally described as follows:

Final Design Phase shall be amended to include redesign of storm sewer inlets and erosion control elements to accommodate utilities for unforeseen utility conflicts.

Amendment also includes additional project management and utility coordination resulting from the extension of the project schedule for ongoing property and easement negotiations.

**ARTICLE IV
PAYMENTS TO THE ENGINEER**

Article IV-B. of the Base Agreement 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 in Article I, of this Modification No. 2, above shall not exceed the total sum of Eighteen Thousand Four Hundred Forty-Eight Dollars (\$18,448.00).

- B. The amended total not to exceed amount for both the Basic Services and Optional Services is Three Hundred Eighteen Thousand Four Hundred Dollars (\$318,400.00).

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

The parties agree that all other terms and conditions of the Base Agreement not amended by this Modification No. 2 shall remain in full force and effect.

THIS MODIFICATION NO. 2 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 Agreement to be executed on the ____ day of _____ 2018.

CITY OF LEE'S SUMMIT

Stephen A. Arbo, City Manager

APPROVED AS TO FORM:

Nancy K. Yendes,
Chief Council of Infrastructure and Planning,
Office of City Attorney

ENGINEER:

BY: _____

TITLE: _____

ATTEST:

10/23/2018