

BILL NO. 24-112

AN ORDINANCE APPROVING MODIFICATION NO. 5 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR PRYOR ROAD IMPROVEMENTS FROM LONGVIEW ROAD TO HOOK ROAD (RFQ NO. 2020-046), BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND TRANSYSTEMS CORPORATION, FOR AN INCREASE OF \$76,272.00 WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$1,540,125.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 8865, the City and TranSystems Corporation ("Engineer") entered into an Agreement for Professional Engineering Services for the Pryor Road Improvements from Longview Road to Hook Road (RFQ No. 2020-046) dated April 28, 2020 ("Base Agreement"); and,

WHEREAS, pursuant to Ordinance No. 9134, the City and Engineer modified the Base Agreement per Modification No. 1 dated April 22, 2021; Modification No. 2 dated October 19, 2021; Modification No. 3 dated April 14, 2023; and Modification No. 4 dated May 17, 2024; and,

WHEREAS, City staff has determined the necessity to incorporate a grade-separated crossing of the Mouse Creek Trail ("Services"); and,

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

WHEREAS, the City desires to further modify the Base Agreement, as amended, with Engineer for the Services ("Modification No. 5").

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. 5 for an increase of \$76,272.00 with an amended not to exceed amount of \$1,540,125.00, 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 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 _____, 2024.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*