

**MODIFICATION NO. 1 TO AGREEMENT
DATED 02/26/2020 (SOLE SOURCE)
FOR PROFESSIONAL ENGINEERING SERVICES
FOR NW MAIN STREET from CHIPMAN ROAD TO COMMERCE DRIVE**

THIS MODIFICATION TO AGREEMENT made and entered into this ____ day of _____, 2021, by and between the City of Lee's Summit, Missouri (hereinafter "City"), and Walter P. Moore (hereinafter "Engineer").

WITNESSETH:

WHEREAS, City and Engineer entered into an Agreement dated 02/26/2020 (Sole Source) for professional engineering services for Main Street from Chipman Road to Commerce Drive (hereinafter "Base Agreement"); and

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

WHEREAS, Engineer has submitted proposal No. 1 and 2 (Exhibit "1"-NW Main Street Amended Scope of Services) for the amended engineering services and estimates of engineering costs to perform said services; and

WHEREAS, the City Manager is authorized and empowered by City to execute contracts providing for professional engineering services.

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

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

Article I of the Base Agreement, as amended, is hereby amended as shown in Exhibit "1", entitled "NW Main Street Amended Scope of Services", attached hereto and incorporated herein by reference.

**ARTICLE IV
PAYMENTS TO THE ENGINEER**

Article IV of the Base Agreement, as amended, 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 described in Article I, of this Modification No. 1, above shall not exceed the total sum of Sixty-Two Thousand Five Hundred Dollars (\$62,500.00). The total fees (hourly fees and expenses) for the Basic Services is hereby amended and shall not exceed the total sum of Two Hundred and Thirty-Three Thousand Five Hundred Dollars (\$233,500.00).
- B. The amended total not to exceed amount for both the Basic Services and Optional Services is Two Hundred and Thirty-Three Thousand Five Hundred Dollars (\$233,500.00).

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

All other terms of the Base Agreement not amended by this Modification to Agreement shall remain in full force and effect.

This Modification, Exhibit 1-NW Main Street Amended Scope of Services, to Agreement 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 Modification to Agreement to be executed on the ____ day of _____, 2021.

CITY OF LEE'S SUMMIT

Stephen A. Arbo, City Manager

ATTEST:

City Clerk, Trisha Fowler Arcuri

APPROVED AS TO FORM:

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

ENGINEER:

BY: Dan Brown
TITLE: Principal/Managing Director

ATTEST:

Exhibit "1"-NW Main Street Amended Scope of Services

SCOPE OF SERVICES – MODIFICATION NO. 1

The following Scope of Services describes the Engineer's services associated with Modification No. 1 to Agreement for Professional Services dated February 26, 2020 for Main Street Improvements from Chipman Road to Commerce Drive.

The Project in general consists of replacing the 12" water main on the east side of NW Main Street, abandoning the 6" water main on the west side of the roadway, connecting service lines to the new 12" water main, and associated improvements to the distribution system within the project limits; generally defined as along NW Main Street from Chipman Road to NW Commerce Drive. No work will be completed on the 20" transmission main.

PHASE 1. PRELIMINARY DESIGN**1.15. Collect Pothole Data.**

- A. Coordinate with Lee's Summit Water Utilities to have existing water main potholed in multiple locations. Survey crew will visit the site and collect pothole data. Information will be added to the survey base map.

1.16. Preliminary Water Main Design

- A. Generate base plan sheets with updated utility information and surface features.

- B. Prepare preliminary construction drawings (60%) per Lee's Summit Water Utilities standards. The preliminary drawings shall include the proposed alignment, ground surface profile, known above ground and buried utilities, crossing locations, proposed valves, branch line connections and temporary and permanent connection details. Construction details must include provisions that provide for filling, flushing, testing, disinfection, flushing disinfectant, thrust restraint, and permanent connections, with the least possible disruption of service to customers. Particular attention should be paid to sequencing of connections to further reduce service outages. A profile of the water main will be developed to show slope of line segments and elevations of critical points such as changes in grade and sewer line crossings. Anticipated plan sheets include:

- General notes and legend.
- Water Main Plan and Profile sheets (Plan Scale 1"=20', Profile Scale Horiz. 1"=20', Vert. 1"=5')
- Connection details
- Standard and special details.

- 1.17. Meet with Lee's Summit Water Utilities staff as necessary during preliminary design. Assumes two (2) meetings with two (2) people for two (2) hours with meeting minutes prepared and distributed.**

- 1.18. Complete an opinion of probable construction cost for the preliminary water main design. It's assumed Lee's Summit Water Utilities will provide recent bid information for use in preparing cost opinion.**

- 1.19. Submit preliminary water main plans and opinion of probable construction cost to Lee's Summit Water Utilities for review. Consulting Engineer will provide two (2) full-size and two (2) half-size sets of plans and one digital PDF set of plans suitable for printing additional copies.**

Exhibit "1"-NW Main Street Amended Scope of Services

- 1.20. Field Check to be performed with representatives of the Consulting Engineer, City Public Works and Lee's Summit Water Utilities at the project site with appropriate detailed plans.
- 1.21. Perform quality assurance review.
- 1.22. Contact utility companies to provide them an update on the project. Submit updated plans to utility companies that include the preliminary water main design once that design is complete. Schedule and attend one (1) utility coordination meeting.
- A. Assumes 2 people for 2 hours with meeting minutes prepared and distributed for each meeting.
- B. Preparation of meeting agenda and list of conflicts table for each meeting.
- C. Assist utilities with conflict coordination.
- Provide electronic base maps to all utilities for their use in developing relocation plans.
 - Compile a master utility relocation drawing from the individual utility's electronic relocation plans provided above. These plans are intended to facilitate timely and more accurate coordination among utilities and are NOT intended for construction or locating purposes.

PHASE 2. FINAL DESIGN

- 2.11. Coordination of water main design with roadway and storm sewer drainage improvements.
- 2.12. Final Water Main Design
- A. Based on comments received from Lee's Summit Water Utilities, prepare final plans for water main design. Anticipated plan sheets include:
- General notes and legend.
 - Water Main Plan and Profile sheets (Plan Scale 1"=20', Profile Scale Horiz. 1"=20', Vert. 1"=5')
 - Connection details
 - Standard and special details.
- 2.13. Additional design review meetings with City Public Works and Lee's Summit Utilities staff as necessary during preparation of final plans. Assumes two (2) meetings with two (2) people for two (2) hours with meeting minutes prepared and distributed.
- 2.14. Perform quality assurance review.
- 2.15. Submit updated plans to utility companies that include the final water main design once that design is complete. Schedule and attend one (1) utility coordination meeting.
- A. Assumes 2 people for 2 hours with meeting minutes prepared and distributed for each meeting.
- B. Preparation of meeting agenda and list of conflicts table for each meeting.
- C. Assist utilities with conflict coordination.

Exhibit "1"-NW Main Street Amended Scope of Services

- Provide electronic base maps to all utilities for their use in developing relocation plans.
 - Compile a master utility relocation drawing from the individual utility's electronic relocation plans provided above. These plans are intended to facilitate timely and more accurate coordination among utilities and are NOT intended for construction or locating purposes.
- 2.16.** Prepare necessary applications for permit submission and approval through MoDNR and water main replacement.
- 2.17.** Update project manual with information related to water main replacement work. Information to include will be coordinated with Lee's Summit Water Utilities.
- 2.18.** Perform final plan quantity takeoffs and develop quantity summary tables.
- 2.19.** Prepare a detailed opinion of probable construction cost.

SCOPE OF SERVICES – MODIFICATION NO. 2

The following Scope of Services describes the Engineer's services associated with Modification No. 2 to Agreement for Professional Services dated February 26, 2020 for Main Street Improvements from Chipman Road to Commerce Drive.

The Project in general consists of additional storm water drainage analysis for the property at 825 NW Commerce Drive to determine the peak flowrate and water service elevation during the 100-year storm event for the existing detention basin on the east side of the building for the existing and proposed (improvements to NW Main Street) conditions. The increase in peak flow rate and water surface elevation will be determined and then an overflow drainage path will be designed to convey this additional flow to the low point in NW Commerce Drive approximately 75-feet west of the centerline of the driveway to the property. It's anticipated that the overflow path will consist of regrading between the detention pond and the south curb of NW Commerce Drive.

If it's determined that an adequate overflow drainage path cannot be designed to convey the increase in flow during a 100-year storm event, a storm sewer system will be designed that conveys a portion of the stormwater around the detention basin and to the storm sewer system immediately downstream from the detention pond's control structure. Since it's not yet known if these services will be required, they are described as Optional Services and the associated fee is separated.

PHASE 2. FINAL DESIGN**2.20. Additional Topographic Survey**

- A. Collect additional topographic survey information for the property at 825 NW Commerce. In addition, collect information along NW Commerce Drive and north of NW Commerce Drive to accurately evaluate the 100-year overflow path from the existing detention basin to the downstream open channel. The limits of the additional topographic survey are indicated on the attached Exhibit A – Survey Limits.

2.21. Analyze Existing and Proposed 100-Year Overflow Drainage Path

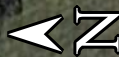
- A. Using the additional topographic survey information collected, the peak flowrate from the 100-year storm event entering and exiting the existing detention basin and the resulting peak water surface elevation will be determined. Next, the resulting peak flowrate and water surface elevation based on the proposed NW Main Street improvements will be determined. Hydrologic values will be calculated and resulting hydrographs routed based on the current City of Lee's Summit drainage design criteria.
- B. Once the flowrates and water surface elevations described above are calculated, an overflow path will be designed that directs stormwater runoff from the detention basin to the low point in NW Commerce Drive to the west and ultimately in the drainage channel to the north. It's assumed that the overflow path can be created by grading the area between NW Commerce Drive and the parking lot and detention basin.

OPTIONAL SERVICES

The following additional services will be furnished by Engineer, if needed by City, upon receipt of written authorization by the Director of Public Works ("Optional Services"):

Exhibit "1"-NW Main Street Amended Scope of Services

1. **Design of Storm Sewer System to Bypass Detention Basin.** The Consulting Engineer will complete the design for a storm sewer system to convey excess stormwater that can't be managed by the existing detention basin around the detention basin and to a point downstream from the detention basin's control structure, thus bypassing the detention basin. The peak flow rate that this system will be designed to convey will be determined from the Phase 2 services described above.



100 ft

NW Main St & NW Commerce Dr

Limits of additional topographic survey

Extend limits to 40' north of curb

Pickup all underground storm sewer and above ground swales

Exhibit A - Survey Limits

825 NW Commerce