

BILL NO. 23-226

AN ORDINANCE APPROVING MODIFICATION NO. 1 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE OLIVE AND ORCHARD ROAD AND STORM SEWER IMPROVEMENTS (DOUGLAS STREET TO CHIPMAN ROAD) PROJECT (RFQ 2022-060) WITH KIMLEY-HORN ASSOCIATES FOR AN INCREASE OF \$119,101.50 FOR THE AMENDED BASIC SERVICES, WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$974,529.50, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, 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 desires to amend the Base Agreement with Engineer to provide additional engineering services during design; and,

WHEREAS, the Engineer has submitted a proposal with estimated costs to provide additional engineering services; and,

WHEREAS, the City desires to modify the Base Agreement, as amended, with Engineer to provide said engineering services ("Modification No. 1").

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. 1 for an increase of \$119,101.50 for the amended basic services with an amended not to exceed amount of \$974,529.50, as attached hereto and incorporated herein as Exhibit 1.

SECTION 2. The City Manager is hereby authorized 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 _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*