

## **BILL NO. 26-138**

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AN ORDINANCE APPROVING MODIFICATION NO. 1 TO THE AGREEMENT DATED MARCH 3, 2026 (RFQ NO. 2026-014) BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND BURNS & MCDONNELL ENGINEERING COMPANY, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CEDAR CREEK INTERCEPTOR PHASE 4 IMPROVEMENTS PROJECT, FOR AN INCREASE OF \$446,159.00 FOR A TOTAL AMENDED AMOUNT OF \$751,912.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, the City and Burns & McDonnell Engineering Company, Inc. ("Engineer") entered into an agreement dated March 3, 2026 - RFQ No. 2026-014 – ("Base Agreement") for professional engineering services consisting of the preliminary design for the Cedar Creek Interceptor Phase 4 Improvements Project ("Project"); and,

WHEREAS, the City and Engineer desire to further amend the provisions of the Base Agreement to now include final design and bidding phase services; and,

WHEREAS, this Project is funded from the Sewer Tap Fund; and,

WHEREAS, as approved in the FY26 Capital Improvement Plan, the Project is intended to resolve current and projected capacity constraints in the upper reaches of the Cedar Creek Watershed; and,

WHEREAS, Engineer completed a preliminary design establishing pipe size based on recommended alignments and slopes; and,

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 1 to the Base Agreement in the amount of \$446,159.00 for a total amended amount of \$751,912.00.

SECTION 2. Modification No. 1 to the Base Agreement between the City of Lee's Summit, Missouri, and the Engineer, attached hereto as Exhibit A and incorporated by reference, is hereby approved, and the City Manager, or designee, is hereby authorized to execute an agreement substantially similar to 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 *J. Beto Lopez*

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

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

ATTEST:

\_\_\_\_\_  
Mayor *J. Beto Lopez*

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

APPROVED AS TO FORM:

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