

BILL NO. 21-216

AN ORDINANCE APPROVING MODIFICATION NO. 4 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR CHIPMAN ROAD (FROM VIEW HIGH DRIVE TO BENT TREE DRIVE) (RFQ NO. 73-3221), BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND WILSON & COMPANY, INC., FOR AN INCREASE OF \$111,000.00 FOR THE AMENDED BASIC SERVICES, WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$524,032.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 8417, the City and Wilson & Company, Inc. (hereinafter "Engineer") entered into an Agreement for Professional Engineering Services for Chipman Road (from View High Drive to Bent Tree Drive) (RFQ No. 73-221) dated July 3, 2018 (hereinafter "Base Agreement"); and,

WHEREAS, pursuant to Ordinance No. 8546, the City and Engineer modified the Base Agreement per Modification No. 1 dated January 28, 2019, to design for the extension of NW Ashurst Drive for detouring during construction; and,

WHEREAS, pursuant to Ordinance No. 8857, the City and Engineer further modified the Base Agreement, as amended, per Modification No. 2 dated April 24, 2020, to provide design services for the Rock Island Trail Pedestrian Bridge over Chipman Road; and,

WHEREAS, City and Engineer further modified the Base Agreement, as amended, pursuant to Modification No. 3 dated August 26, 2020, to provide additional private easements for two utility relocations; and,

WHEREAS, Engineer has submitted a proposal with estimated costs to provide property staking, new road centerline staking, and construction phase services; and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, with Engineer to provide said engineering services (hereinafter "Modification No. 4").

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. 4 for an increase of \$111,000.00 with an amended not to exceed amount of \$524,032.00, substantially similar to said modification agreement attached hereto as "Exhibit 1".

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.

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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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2021.

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:

Scott Ison, Chief Counsel of Infrastructure & Recreation