

BILL NO. 21-118

AN ORDINANCE APPROVING MODIFICATION NO. 5 TO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COLBERN ROAD IMPROVEMENTS FROM M350 TO DOUGLAS STREET (RFQ NO. 569-32272) WITH GARVER, LLC, FOR AN INCREASE OF \$556,278 FOR THE AMENDED BASIC SERVICES, WITH AN AMENDED NOT TO EXCEED AMOUNT OF \$2,111,998, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 8553, the City and Garver, LLC entered into an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) dated February 14, 2019 (hereinafter "Base Agreement"); and,

WHEREAS, the City and Garver, LLC (hereinafter "Engineer") modified the Base Agreement pursuant to Modification No. 1 dated October 18, 2019; Modification No. 2 dated March 27, 2020; Modification No. 3 dated July 27, 2020; and, Modification No. 4 dated September 10, 2020; and,

WHEREAS, Engineer has submitted a proposal with estimated costs to provide design revisions and construction phase engineering services; and,

WHEREAS, the City desires to modify the Base Agreement, as amended, with Engineer to provide said engineering services (hereinafter "Modification No. 5").

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the City Council of the City of Lee's Summit, Missouri, hereby approves Modification No. 5 for an increase of \$556,278 for the amended Basic Services with an amended not to exceed amount of \$2,111,998, as attached hereto as "Exhibit 1".

SECTION 2. That the City Council of the City of Lee's Summit, Missouri, hereby authorizes the City Manager to execute the same on behalf of the City of Lee's Summit, Missouri.

SECTION 3. That 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 4. 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.

BILL NO. 21-118

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:

City Attorney *Brian W. Head*