

EXHIBIT 1 TO ORDINANCE

**MODIFICATION NO. 2 TO AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES FOR
STORMWATER – SW LEA DRIVE (RFQ NO. 543-32272A)**

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 Olsson and Associates (hereinafter "Engineer").

WITNESSETH:

WHEREAS, City and Engineer entered into an Agreement for Professional Engineering Services for Stormwater – SW Lea Drive (RFQ No. 543-32272A) dated July 16, 2019, (hereinafter "Base Agreement"); and

WHEREAS, City and Engineer modified the Base Agreement pursuant to Modification No. 1 dated December 24, 2020; and

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

WHEREAS, Engineer has submitted a proposal for the amended engineering services and an estimate 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 the attached Exhibit A

**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. 2 above shall not exceed the total sum of Twenty-five Thousand Five Hundred Seventy-five Dollars (\$25,575.00).
- B. The amended total not to exceed amount for both the Basic Services and Optional Services is Two Hundred Fifty-nine Thousand Eight Hundred Twenty-six Dollars (\$259,826.00).

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

All other terms of the Base Agreement not amended by this Modification No. 2 to Agreement shall remain in full force and effect.

This Modification No. 2 to Agreement shall be binding on the parties thereto only after it has been duly executed and approved by City and Engineer.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

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IN WITNESS WHEREOF, the parties have caused this Modification to Agreement to be executed on the ____ day of _____, 2021.

CITY OF LEE'S SUMMIT, MISSOURI

Stephen A. Arbo, City Manager

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

Office of City Attorney

OLSSON AND ASSOCIATES



BY: _____ Brent Johnson

TITLE: _____ Vice President

ATTEST:

**SCOPE OF SERVICES
Supplemental Agreement #2
Stormwater - SW Lea Drive
Lee's Summit, Missouri**

The Basic Services provided by Olsson for this supplemental agreement shall be as outlined below. The work will generally consist of construction services throughout the construction of the project.

Phase 100 – Construction Services

101. Review shop drawings and construction submittals as required.
102. Be available for discussion and consultation during the construction phase. Construction observation will be the responsibility of the City.
103. Prepare plan revisions as necessitated by conditions encountered in the field during construction except for traffic control plans.
104. Prepare final record drawings which reflect:
 - a. All change orders
 - b. Changes made in the field by City representatives that are marked on the plan set. Submit updated PDF images.
105. Pre-construction meeting
106. Substantial completion walk-through
107. Construction progress meetings (Assume 6 meetings)