

BILL NO. 23-194

AN ORDINANCE APPROVING MODIFICATION NO. 5 TO THE ON-CALL AGREEMENT FOR ENVIRONMENTAL PROFESSIONAL ENGINEERING SERVICES YEARLY CONTRACT (ORIGINAL RFQ NO. 2020-061) (RENEWAL 2020-061/R3) BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC. DBA SCS ENGINEERS, IN THE AMOUNT OF \$168,872.50, FOR ENVIRONMENTAL SUPPORT SERVICES – MARKET PLAZA REDEVELOPMENT AREA DEMOLITION FOR THE DOWNTOWN MARKET PLAZA, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, the City is required to submit hazardous material abatement testing and inspection reports to the Missouri Department of Natural Resources ("MDNR") as owner of the Downtown Market Plaza Project; and,

WHEREAS, pursuant to Ordinance No. 8883, the City and Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers ("Engineer") entered into an On-Call Agreement for Environmental Professional Engineering Services Yearly Contract (RFQ No. 2020-061) dated May 15, 2020 ("Base Agreement"); and,

WHEREAS, pursuant to Ordinance No. 8884, 9155, and 9447, the City and Engineer modified the Base Agreement per Modification No. 1 dated May 15, 2020, Modification No. 2 dated May 18, 2021, Modification No. 3 dated August 9, 2022, and Modification No. 4 dated May 16, 2023 to provide engineering services for the Resource Recovery Park for FY2021, FY2022, FY2023, and FY2024; and,

WHEREAS, City and Engineer renewed the On-Call Agreement for Environmental Professional Engineering Services on April 5, 2023, for services in Fiscal Year 2024 (FY2024); and,

WHEREAS, the Engineer has submitted a proposal with estimated costs to perform Environmental Support Services – Market Plaza Redevelopment Area Demolition ("Services"); and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, with Engineer to provide these additional Services ("Modification No. 5").

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. 5 in the amount of \$168,872.50, substantially similar to said modification agreement attached hereto and incorporated herein 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 or substantially similar on behalf of the City of Lee's Summit, Missouri.

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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.

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.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*