

BILL NO. 23-227

AN ORDINANCE APPROVING MODIFICATION NO. 3 TO AN AGREEMENT DATED FEBRUARY 23, 2021 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE EAST FORK OF LITTLE BLUE RIVER WATERSHED STORMWATER IMPROVEMENT PROJECT (SOLE SOURCE) BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND ALLGEIER, MARTIN & ASSOCIATES, INC., FOR AN INCREASE OF \$275,600 FOR THE AMENDED BASIC SERVICES, WITH AN AMENDED AMOUNT OF \$928,600.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, pursuant to Ordinance 9077, the City and Allgeier, Martin & Associates, Inc. ("Engineer") entered into an Agreement for Professional Engineering Services for the East Fork of Little Blue River Watershed Stormwater Project (Sole Source) dated February 23, 2021 ("Base Agreement"); and,

WHEREAS, pursuant to Ordinance 9308, the City and Engineer modified the Base Agreement to provide design services described in Modification No. 1 to the Base Agreement; and,

WHEREAS, pursuant to Ordinance 9587, the City and the Engineer further modified the Base Agreement to provide design services described in Modification No. 2 to the Base Agreement; and,

WHEREAS, Engineer has submitted a proposal with estimated costs for additional design services described in Modification No. 3; and,

WHEREAS, The City desires to modify the Base Agreement, as amended, with Engineer to provide said engineering services ("Modification No. 3").

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. 3 for an increase of \$275,600.00 for the amended Basic Services with an amended amount of \$928,600.00, 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 or substantially similar 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 _____, 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*