

RESOLUTION NO. 89-26

A RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT NO. 1 TO THE AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE CITY OF DYERSVILLE AND KIRKHAM, MICHAEL & ASSOCIATES, INC. FOR U-STEP PROJECT NO. UST-052-2(166)--4A-31

WHEREAS, on January 5, 2026, the City Council adopted Resolution No. 02-26 approving an agreement with the Iowa Department of Transportation under the Urban-State Traffic Engineering Program (U-STEP), U-STEP Project No. UST-052-2(166)--4A-31, Agreement No. 6-25-USTEP-048, for safety and operational improvements on US 52 from 12th Avenue to north of 10th Avenue; and,

WHEREAS, the U-STEP agreement provides that the Iowa Department of Transportation will share eligible construction and right-of-way costs, and that design, inspection, and administration costs are the responsibility of the City; and,

WHEREAS, on February 16, 2026, the City Council adopted Resolution No. 14-26 approving an Agreement for Engineering Services with Kirkham, Michael & Associates, Inc. (the "Base Agreement") for preliminary and final design, construction documents preparation, and letting phase services for U-STEP Project No. UST-052-2(166)--4A-31, with compensation not to exceed \$44,830; and,

WHEREAS, Kirkham, Michael & Associates, Inc. has submitted Supplemental Agreement No. 1 for extra work beyond the scope of the Base Agreement, consisting of additional survey and design for pavement modifications adjacent to the Tauke Motors property, including access to its parking lot; design of a water main connecting a six-inch dead-end main on the west side of US 52 to a twelve-inch main on the east side; and survey and platting of extra right-of-way in front of the Tauke Motors property for submittal to the Iowa Department of Transportation for vacation; and,

WHEREAS, Supplemental Agreement No. 1 increases the compensation payable under the Base Agreement by \$42,670, from \$44,830 to a not-to-exceed amount of \$87,500, payable at standard hourly rates plus reimbursable expenses; and,

WHEREAS, Supplemental Agreement No. 1 provides that, except as specifically amended, all terms and conditions of the Base Agreement remain in full force and effect, and the agreement is governed by the laws of the State of Iowa; and,

WHEREAS, the City Council finds that approving Supplemental Agreement No. 1 is in the best interest of the City because it allows the access, water main, and right-of-way work to be designed together with the U-STEP project on the existing project schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DYERSVILLE, IOWA, AS FOLLOWS:

SECTION 1. APPROVAL. Supplemental Agreement No. 1 to the Agreement for Engineering Services between the City of Dyersville and Kirkham, Michael & Associates, Inc. for U-STEP

Project No. UST-052-2(166)--4A-31, increasing the not-to-exceed compensation by \$42,670 to a total of \$87,500, is hereby approved.

SECTION 2. EXECUTION. The Mayor and City Clerk are authorized and directed to execute and deliver Supplemental Agreement No. 1 on behalf of the City.

SECTION 3. REPEALER. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

SECTION 4. EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 19th day of October, 2026.

Jeff Jacque, Mayor

ATTEST:

Tricia L. Maiers, City Clerk