

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH CDM SMITH FOR WASTEWATER TREATMENT PLANT ELECTRICAL IMPROVEMENTS-MOTOR CONTROL CENTER SIX REPLACEMENT PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on April 12, 2022, the board approved Resolution No.: 2022-197 authorizing the mayor to sign a Professional Services Agreement with CDM Smith for the Wastewater Treatment Plant (WWTP) Motor Control Center Six (MCC6) Replacement project; and

WHEREAS, the original agreement was for an amount not to exceed \$305,400.00;and

WHEREAS, since that time it has been determined that to increase reliability, it is recommended MCC-6 be removed and replaced with two new main-tie-main motor control centers interlocked with kirk keys. New MCC-6A and MCC-6B will be fed from opposite sides of newly constructed switch board 1 (SB-1) to increase reliability, and a new air-conditioned building housing two motor control centers and VFDs is recommended for this area; and

WHEREAS, this amendment is in the amount of \$214,075.00 and will make the current contract in the amount of \$519,475.00.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That an amendment to the Professional Services Agreement with CDM Smith for the Wastewater Treatment Plant (WWTP) Motor Control Center Six (MCC6) Replacement project, in the amount of \$214,075.00, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the the Professional Services Agreement with CDM Smith for the Wastewater Treatment Plant (WWTP) Motor Control Center Six (MCC6) Replacement project, in the amount of \$214,075.00, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution.

SECTION II. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the amendment that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 16th day of January, 2024.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY