

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES WITH CDM SMITH FOR PHASE 1 OF THE KINGSPORT STORMWATER MASTER PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, proposals were opened on August 10, 2023, for Phase 1 of the Stormwater Master Plan; and

WHEREAS, Phase 1 consists of a long-range Stormwater Master Plan focusing to improve water quality within the city through regulatory compliance, reduction of known contaminants that are causing stream impairments, and working towards the de-listing of streams designated as impaired by the State; and

WHEREAS, upon review of the bids, the board finds CDM Smith is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into an agreement for professional consulting services with CDM Smith at an estimated cost of \$167,500.00; and

WHEREAS, funding is available in ST2302.

Now therefore,

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

SECTION I. That the proposal for Phase 1 of the Stormwater Master Plan is awarded to CDM Smith, at an estimated cost of \$167,500.00.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed 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 Professional Consulting Agreement with CDM Smith for Phase 1 of the Stormwater Master Plan, 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 III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement 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 V. 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 VI. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 19th day of December, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY