

A RESOLUTION OF THE CITY COUNCIL AMENDING RESOLUTION 23-R-44 AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH REDEC, LLC FOR CONTINUATION OF PROFESSIONAL SERVICES FOR 2023-2024 IN CONNECTION WITH THE CITY'S EFFORTS TO OBTAIN FUNDING FOR ITS NEW WASTEWATER TREATMENT SYSTEM

WHEREAS, the City of Republic, Missouri ("City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, with authorization from City Council via Ordinance 21-62, the City entered into an Abatement Order on Consent with the Department of Natural Resources ("DNR Order") on or about October 5, 2021, to address the deficiencies with the City's Wastewater Treatment System ("WWTS") and to reach compliance with all applicable regulations by April of 2025; and

WHEREAS, the State of Missouri has announced a financial commitment from its American Rescue Plan Act ("ARPA") funds allocation for water infrastructure improvements pursuant to which it will award those funds to select communicates in the form of grant programs; and

WHEREAS, the City has been working diligently to obtain available ARPA and other funding for the new WWTS, which is a multi-step, complex process that begins with applying for and obtaining the funds and subsequently requires staff to carefully and properly document, allocate, obligate, and responsibly spend the funds in accord with the conditions under which they were awarded; and

WHEREAS, the City anticipates the required improvements to the WWTS will continue through April of 2025, or until all necessary improvements are completed (if sooner than April of 2025); and

WHEREAS, on November 30, 2021, via Resolution 21-R-59, Council authorized the City to enter into an agreement Redec, LLC ("Redec") for the provision of advisory services and assistance in connection with the City's efforts to obtain the funds needed to bring the WWTS into compliance, at an expense not to exceed \$100,000 without separate or additional approval of Council; and

WHEREAS, on July 19, 2022, via Resolution 22-R-37, Council authorized renewal of the City's agreement with Redec for continuation of its services in connection with the WWTS funding efforts for 2022-23, at an additional cost not to exceed \$100,000 without separate approval of Council; and

WHEREAS, on July 18, 2023, via Resolution 23-R-44, Council authorized renewal of the City's agreement with Redec for continuation of its services in connection with the WWTS funding efforts for 2023-24, at a cost not to exceed \$175,000 without additional approval of Council; and

WHEREAS, following passage of Resolution 23-R-44 and prior to execution of any renewal of the agreement, staff identified an error in Resolution 23-R-44 as it indicates the not-to-exceed amount is to be "inclusive of costs previously paid by City to Redec for the same or similar services," though the intent was that the not-to-exceed amount apply solely to the new contract period of 2023-2024; and

WHEREAS, staff believes authorization of up to \$180,000 (as opposed to \$175,000) for the 2023-2024 contract period is appropriate in order to align with the contemplated monthly billing amount of \$15,000¹ under the agreement authorized herein, and to correct the error in 23-R-44; and

WHEREAS, the City believes Redec's services have significantly contributed to its success to date in working to reduce the financial burden on its citizens in connection with the WWTS efforts, and wishes to continue with its engagement, but requires authorization from Council to execute a new contract that allows expenditures of up to \$180,000, not inclusive of prior amounts authorized or expended for the services; and

WHEREAS, Council believes it is in the City's best interest to authorize the City Administrator to enter into an agreement with Redec for continuation of its services for an additional one year term, at a total cost not to exceed \$180,000 for the services provided under said agreement, as the City has achieved success under Redec's guidance to date in obtaining a sizeable portion of the cost for the new WWTS and approval of such expenditure will help maximize the City's chances of successfully procuring the remainder of the funding needed for the WWTS from outside sources such as ARPA, ultimately reducing financial burden on the City's residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

- Section 1:** The City Administrator, and/or his designee, is authorized on behalf of the City to enter into an agreement with Redec, LLC for its continued professional services relating to the City's efforts to obtain funding for its new wastewater treatment system, to be in substantially the same form as that attached hereto and labeled "Attachment 1."
- Section 2:** The City Administrator, and/or his designee, is authorized on behalf of the City to expend a sum up to but not to exceed \$180,000 under the contract approved herein. Any expenditure for the services referenced herein that exceeds the amount authorized herein shall require separate, additional approval from Council.
- Section 3:** The City Administrator, and/or his designee, is authorized on behalf of the City to take the steps necessary to execute this Resolution and initiate the engagement described herein.
- Section 4:** The WHEREAS clauses are hereby specifically incorporated herein by reference.
- Section 5:** This Resolution shall become effective on and after the date of passage and approval as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____, 2023.

¹ The monthly billing amount of \$15,000 is also contemplated under the previous and current agreements between the City and Redec; however, the total cost authorized under the previous and current agreements was \$100,000.

Matt Russell, Mayor

ATTEST:

Laura Burbridge, City Clerk

Approved as to Form:

A handwritten signature in blue ink, appearing to read 'Megan McCullough', is written over a horizontal line.

Megan McCullough, City Attorney

Final Passage and Vote: