

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE ISSUANCE OF A FULL NOTICE TO PROCEED  
PURSUANT TO AMENDMENT 1 TO THE PHASE 2 CONTRACT PRICE AMENDMENT FOR THE  
WASTEWATER TREATMENT FACILITY EXPANSION PROJECT**

**WHEREAS**, the City of Republic, Missouri, (“City” and/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**, pursuant to an Abatement Order on Consent (“Consent Order”) between the City and the Missouri Department of Natural Resources (“MDNR”), the City is required to bring its wastewater treatment system (“WWTS”) into compliance within a specific timeline set in the Consent Order; and

**WHEREAS**, the City is currently in the process of making the necessary improvements to the WWTS under the Consent Order, estimated to cost the City a total of approximately \$150 million; and

**WHEREAS**, on February 15, 2022, via Resolution 22-R-09, the Council authorized the City to engage Burns & McDonnell Engineering Co., Inc. (“Engineer”) to provide engineering design and construction services on five (5) separate Phase 1 projects as part of the various improvements to the WWTS; and

**WHEREAS**, in Resolution 22-R-09, the Council acknowledged the City’s intent to engage Engineer for five (5) additional projects to be known as “Phase 2”, for the construction of the designed improvements following completion of Phase 2; and

**WHEREAS**, on February 18, 2022, the City and Engineer entered into a ‘Progressive Design-Build Agreement for Water and Wastewater Projects - Wastewater Treatment Facility Expansion Project’ (“Master Agreement”) for the design and construction of the required improvements to the City’s WWTS; and

**WHEREAS**, the City and Engineer later executed a ‘Phase 2 Contract Price Amendment,’ as required under the Master Agreement, which governs the prices and specifications for the work in Phase 2; and

**WHEREAS**, on February 20, 2024, via 24-R-07, the Council authorized the City to apply to the MDNR for State Revolving Loan funds (“SRF”), in furtherance of the City’s ongoing efforts to secure the remaining funding needed to complete the work in Phase 2; and

**WHEREAS**, on February 20, 2024, via Resolution 24-R-08, the Council authorized the City to issue a limited notice to proceed in an amount not to exceed \$25,800,000 of the GMP, in connection with its application for the aforementioned SRF funds; and

**WHEREAS**, the City has now been approved for the SRF funds and is ready to proceed with a full notice to proceed; and

**WHEREAS**, based upon presentation by City staff and review of the materials submitted, the Council believes it is in the City’s best interest to authorize the issuance of a full notice to proceed up to the contract guaranteed maximum price (GMP) of \$94,944,300, for completion of the corresponding improvements to the City’s WWTS.

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

**Section 1.** The City Administrator, or his designee, on behalf of the City, is authorized to issue a Full Notice to Proceed, in an amount up to but not to exceed the contract guaranteed maximum price (GMP) of \$94,944,300, inclusive of any amounts previously authorized and included in limited notice(s) to proceed issued by the City, in connection with completion of Phase 2 of the wastewater treatment system improvements.

**Section 2.** The City Administrator, or his designee, on behalf of the City, is authorized to take all other necessary and reasonable steps to implement this Resolution.

**Section 3.** The whereas clauses are hereby specifically incorporated herein by reference.

**Section 4.** 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 \_\_\_\_\_, 2024.

**Attest:**

\_\_\_\_\_  
Eric Franklin, Mayor

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

  
\_\_\_\_\_

Megan McCullough, City Attorney

**Final Passage and Vote:**