

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING EXECUTION OF A PHASE 2 CONTRACT PRICE AMENDMENT WITH BURNS AND MCDONNELL ENGINEERING CO., INC. FOR CAPITAL IMPROVEMENT PROJECT #7 (CIP#7)**

**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**, 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 City’s wastewater system (“the Project”); 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’ (“CIP#7 Master Agreement”) for the design and (future) construction of the McElhane Lift Station and Forcemain Project (CIP#7); and

**WHEREAS**, pursuant to the CIP#7 Master Agreement, prior to beginning work on Phase 2, the City and Engineer are required to execute a ‘Phase 2 Contract Price Amendment,’ which shall govern the price(s) and specifications for the CIP#7 work in Phase 2; and

**WHEREAS**, in advance of proceeding with construction on CIP#7, the City now seeks the Council’s authorization to execute the Phase 2 Contract Price Amendment with Engineer, allowing the parties to move forward with construction pursuant to the terms therein.

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

- Section 1.** The City Administrator, or designee, on behalf of the City, is authorized to execute the Phase 2 Contract Price Amendment for CIP#7, to be in substantially the same form as that attached hereto as “Attachment 1,” and provide or execute any other documents required to effect execution of said agreement.
- Section 2.** The City Administrator, or designee, on behalf of the City, is authorized to take the necessary steps to execute this Resolution.
- Section 3.** The whereas clauses are hereby specifically incorporated herein by reference.
- Section 4.** This Resolution shall take effect after passage 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.

\_\_\_\_\_  
Matt Russell, Mayor

**Attest:**

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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:**