

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 7 TO THE PROFESSIONAL SERVICE AGREEMENT WITH LOR ENGINEERING, LLC dba COCHRAN ENGINEERING TO RELATED SERVICES IN APPLYING FOR GRANT FUNDING THROUGH MODOT’S RURAL STATEWIDE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) PROGRAM AS WELL AS DESIGN AND CONSTRUCTION PHASE FOR NEW HWY 42 SIDEWALKS IN AN AMOUNT NOT EXCEED \$91,971.00.

WHEREAS, the City of Osage Beach entered into an agreement with LOR Engineering, LLC dba Cochran Engineering, for engineering services for applying for grant funding through MoDOT's Rural Statewide Transportation Alternatives Program (TAP) funding program as well as engineering and construction phase engineering for a new Hwy 42 Sidewalks; and

WHEREAS, the City desires to enter into Supplemental Agreement No. 7 to, extend, the original agreement.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS:

Section 1. The Board of Aldermen hereby authorizes the Mayor to sign a contract with Cochran Engineering to assist with the city with engineering and construction phase engineering for a new HWY 42 sidewalks, under substantially the same or similar terms and conditions as set forth in “Exhibit A”.

Section 2. Total expenditures or liability authorized under this Ordinance shall not exceed Ninety-One Thousand Nine Hundred Seventy-One Dollars (\$91,971.00)

Section 3. The City Administrator is hereby authorized to take such further actions as are necessary to carry out the intent of this Ordinance and Contract.

Section 4. This Ordinance shall be in full force and effect from date of passage and approval by the Mayor.

READ FIRST TIME: June 16, 2022

READ SECOND TIME: June 16, 2022

I hereby certify that the above Ordinance No. 22.39 was duly passed on June 16, 2022, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6                      Nays: 0                      Abstain: 0                      Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

June 16, 2022  
Date

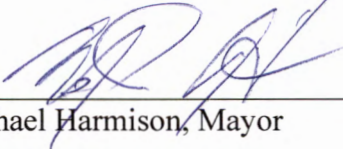
Tara Berreth  
Tara Berreth, City Clerk

Approved as to form:

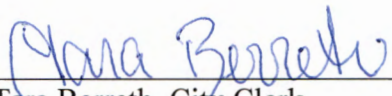
Edward B. Rucker  
Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 22.39.

June 16, 2022  
Date

  
Michael Harmison, Mayor

ATTEST:

  
Tara Berreth, City Clerk

## **SUPPLEMENTAL AGREEMENT #7 –** **LUMP SUM PROPOSAL**

June 5, 2022

This Supplemental Agreement is made part of the Contract dated November 7, 2019 between the **City of Osage Beach** and LOR Engineering, LLC dba **Cochran** for Professional Civil Engineering Services. The purpose for this Lump Sum Proposal is to submit an application and provide engineering services for the Highway 42, 2022 Transportation Alternatives Program (TAP) Sidewalk Project. In accordance with our previous discussions, we offer the following professional services:

### **SCOPE OF SERVICES:**

1. **Application Phase** – we will prepare and submit the application in accordance with the attached cost estimate. The application is a very detailed and involved process; here are some of the questions and information required on the application:
  - a. Location map showing project limits required
  - b. Directional maps, Site Maps, and Photographs
  - c. Written description of proposed project
  - d. Evidence of Public Involvement and Support
  - e. Property Ownership and Acquisition Information
  - f. Description of bicycle and pedestrian elements
  - g. Detailed cost estimate
  - h. Project implementation schedule
  - i. Project budget summary
  
2. **Design and Bidding Phase** – we will provide professional services necessary to produce a quality set of construction and bidding documents. The scope will be in accordance with the attached cost estimate. Tasks will include the following:
  - a. Determine the needs of the City by meeting with City officials and representative interest groups.
  - b. Conduct topographic, property and utility surveys sufficient to develop plans for the project.
  - c. Develop preliminary plans and cost estimates and recommend to the City the best overall general design.
  - d. Submit four copies of preliminary plans and estimates for review by the City and the Missouri Department of Transportation.
  - e. Based on approvals of preliminary plans, prepare detailed construction plans, cost estimates, specifications and related documents as necessary for the purpose of soliciting bids for constructing the project.

- f. Ensure compliance with all regulations in regards to noise abatement and air quality, if necessary.
  - g. Provide the City with five sets of completed plans, specifications and cost estimates for the purpose of obtaining construction authorization from the Missouri Department of Transportation.
  - h. Upon receipt of construction authorization from MODOT, make final corrections resulting from reviews by agencies involved and provide plans, specifications, and bid documents to the City.
  - i. Provide the City with a list of qualified area bidders and assist the City in advertising for bids.
  - j. Assist the City in evaluating bids and requesting concurrence in award from MoDOT.
3. **Construction Phase** - we will serve as the City's representative for administering the terms of the construction contract between the City and their Contractor. Cochran will endeavor to protect the City against defects and deficiencies in workmanship and materials in work by the Contractor. However, the furnishing of such project representation will not make Cochran responsible for the construction methods and procedures used by the Contractor or for the Contractor's failure to perform work in accordance with the contract documents. Tasks will include the following:
- a. Provide the City with a list of qualified area bidders and assist in advertising for bids, distributing bid packages, pre-bid conference, addendums, and pre-bid questions from Contractors.
  - b. Assist the City in opening and evaluating bids and requesting concurrence in award from MoDOT.
  - c. Assist the City with a preconstruction conference to discuss project details with the Contractor.
  - d. Make periodic site visits to observe the Contractor's progress and quality of work, and to determine if the work conforms to the contract documents. It is contemplated that survey staking and layout will be accomplished by the contractor's forces. We will accompany MoDOT and FHWA representatives on visits of the project site as requested.
  - e. Check shop drawings and review schedules and drawings submitted by the Contractor.
  - f. Reject work not conforming to the project documents.
  - g. Prepare change orders for issuance by the City as necessary and assure that proper approvals are made prior to work being performed.
  - h. Review wage rates, postings, equal employment opportunity and other related items called for in the contract documents.
  - i. Inspect materials, review material certifications furnished by Contractor, sample concrete and other materials as required, and provide for laboratory testing of samples.
  - j. Maintain progress diary and other project records, measure and document quantities, and prepare monthly estimates for payments due the Contractor.

- k. Be present during critical construction operations.
- l. Participate in final inspection, provide the City with project documentation (diaries, test results, certifications, etc.)

OWNER'S RESPONSIBILITY:

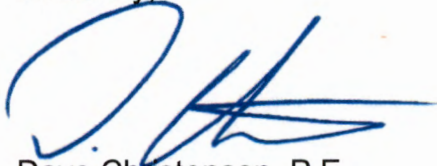
- 1. The Owner shall give prompt and thorough consideration to all sketches, drawings, bid documents and other documents laid before him. Prompt decisions will be required if project is to proceed on schedule.
- 2. Advertisement and receipt of construction bids.

FEE:

- 1. The total amount of fee to be paid for the "Application Phase" outlined in this proposal shall be a lump sum fee of \$2,500.00.
- 2. If the grant application is approved by MoDOT, the total amount of fee to be paid for the "Design and Bidding Phase" outlined in this proposal shall be a lump sum fee of \$49,706.00.
- 3. If the grant application is approved by the MoDOT, the total amount of fee to be paid for the "Construction Phase" outlined in this proposal shall be a lump sum fee of \$39,765.00.

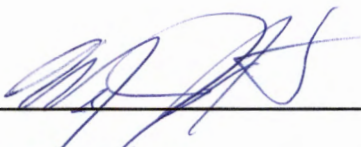
Supplement Agreement No. 6 accepted as defined herein:

Sincerely,



Dave Christensen, P.E.  
Vice President

Acceptance:  
City of Osage Beach

By:  \_\_\_\_\_

Title: Mayor \_\_\_\_\_

Date: June 23, 2022 \_\_\_\_\_