

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE CONSULTANT SERVICES CONTRACT WITH O.R. COLAN ASSOCIATES, LLC FOR ADDITIONAL RIGHT OF WAY ACQUISITION SERVICES.

WHEREAS, on June 1, 2022, by Resolution 2022-15, the Board of Aldermen of the City of Twin Oaks approved a consultant services contract with O.R. Colan Associates, LLC, for right-of-way and easement acquisition related to the Crescent Avenue Sidewalk Project (the “Contract”); and

WHEREAS, the City has expanded the scope of the Crescent Avenue Sidewalk Project slightly which will cause the need for the acquisition of more property interests and, as a result, now desires to amend the Contract to include the additional work and adjust the original schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

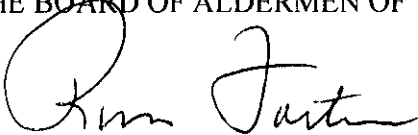
Section 1. The Board of Aldermen hereby approves an amendment to the Consultant Services Contract by modifying the scope of the original proposal, attached as “Exhibit A” to the Contract approved by Resolution 2022-15, by approving the changes set forth on the “Amendment 1 to Consultant Services Contract” attached hereto and incorporated herein by reference (the “Amendment”). The remainder of the Contract and original proposal shall remain in full force and effect.

Section 2. The total contract price after the Amendment shall not to exceed \$18,425.00 plus expenses as detailed in the original proposal attached as “Exhibit A” to the Contract.

Section 3. The Mayor is hereby authorized to execute the Amendment to the Contract substantially the form of the contract, marked “Exhibit 1” attached hereto.

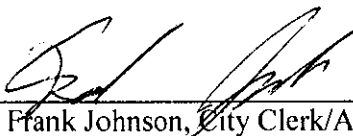
Section 4. This Resolution shall be effective upon its passage by the Board of Aldermen and execution by the Mayor.

THIS RESOLUTION WAS PASSED AND APPROVED THE 4th DAY OF JANUARY 2023, BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI.



Russ Fortune, Mayor

Attest:



Frank Johnson, City Clerk/Administrator

Amendment 1
To
Consultant Services Contract

Whereas on June 7, 2022 The City of Twin Oaks, MO ("City") and O. R. Colan Associates, LLC ("Consultant") entered into an Agreement for Consultant to provide Right of Way Acquisition Services on the project known as Crescent Avenue;

And whereas the parties mutually agree there has been a significant change in the scope of work to be performed by Consultant;

The parties agree to modify the original Agreement as follows:

1. On Exhibit A, remove in it's entirety the section titled "**Valuation Services**" and replace with the following:

"Valuation Services

Based upon our review of the situation, it appears the valuation problem on four of the properties (90 Crescent Ave, 2 Golden Oak Ct., 140 Crescent and 150 Crescent) is uncomplicated and the anticipated value of the proposed acquisition is estimated at less than \$10,000. Due to this situation, these four properties can be valued using the Waiver Valuation/Payment Estimate method.

The property located at 98 Crescent Avenue involves considerably more property and a number of trees, all of which adds to the complexity of the valuation problem. Due to this situation, this parcel will be valued by an appraiser utilizing the Value Finding Appraisal Format and upon completion this report will be reviewed by a separate appraiser. The Value Finding Appraisal and the Appraisal Review will be provided by appraisers that are subcontracted by ORC and are on the MoDOT list of approved appraisers.

Cost of Valuations: 4 Payment Estimates @ \$400 each = \$1,600
 1 Value Finding Report @ \$1,800 = \$1,800
 1 Value Finding Review @ \$900 = \$900"

2. On Exhibit A, in the section titled "**Negotiations**" remove the following:

"Cost for Negotiations: 3 parcels @ \$2,000 per parcel = \$6,000"

And replace with the following:

"Cost for Negotiations: 5 parcels @ \$2,000 per parcel = \$10,000"

3. On Exhibit A, in the section titled “**Project Management**” remove the following:

“3 parcels @ \$300 each = \$900”

And replace with the following:

“5 parcels @ \$300 = \$1,500”

4. On Exhibit A, remove in its entirety the section titled “**Cost Proposal Summary**” and replace with the following:

“Cost Proposal Summary

Cost for City Council Presentation: \$500

Cost for Title Reports: 5 reports @ \$425 each = \$2,125

Cost of Payment Estimates: 4 @ \$400 each = \$1,600

Cost for Value Finding Report: 1 @ \$1,800 = \$1,800

Cost for Value Finding Report Review: 1 @ \$900 = \$900

Cost for Negotiations: 5 parcels @ \$2,000 per parcel \$10,000

Cost for Project Management: 5 parcels @ \$300 each = \$1,500

Total Cost Proposal: \$18,425”

5. On Exhibit A, remove in its entirety the section titled “**Schedule**” and replace with the following:

Schedule

Following is an estimated project schedule, assuming plans and all other items to be provided by others are supplied to ORC by February 1, 2023:

2/1/23 - ORC receives information necessary to begin work

2/1/23 - 4/30/2023 - Valuations

March 15, 2023 - June 30, 2023 – Negotiation process

July 10, 2023 - Parcels not settled or submitted to City for condemnation

The main items that could affect this schedule are the workload of the appraisers at the time the work is assigned to them and how receptive the property owners are to the project, the effect on their property and the compensation offered to them.”

In Witness Whereof, the parties hereto have signed this Contract Amendment as of the date of the last signature below.

O. R. Colan Associates LLC

City of Twin Oaks, MO

By: _____

By: *[Signature]*

Title: Divisional Director

Title: *Mayor*

Date: _____

Date: *Jan 6, 2023*

