

RESOLUTION NO. 663

A RESOLUTION APPROVING A CONTRACT WITH SWEETENS CONCRETE SERVICES AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF SUNSET HILLS.

**WHEREAS**, the City has determined that it is necessary to contract with Pipe Solution to provide and install two water heaters; and

**WHEREAS**, following review by City staff, the City wishes to enter into an agreement with Pipe Solutions for two water heaters; and

**WHEREAS**, the Board of Aldermen of the City of Sunset Hills, Missouri has determined it is in the best interest of the City to enter into a Contract Agreement (the "Agreement") with Pipe Solutions for two water heaters in substantially the form attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:**

**Section 1:** The Board of Aldermen of the City of Sunset Hills, Missouri, hereby approves the Contract Agreement in the amount of \$28,856.00 with Pipe Solutions in substantially the form attached hereto as Exhibit A. The terms of the Agreement shall be substantially similar to, and no less favorable to the City, than the terms reflected within the attached Exhibit A.

**Section 2:** The City shall and the Mayor, City Administrator and other appropriate officers, agents and employees of the City are hereby authorized to execute the Agreement, in substantially the form as Exhibit A incorporated herein by reference, and to take such further actions and execute and deliver such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**Section 3:** The Board of Aldermen hereby further authorizes, only in the case of unforeseen circumstances requiring a change order, an additional expenditure of funds as follows a 10% contingency allowance, up to \$15,000, remaining in compliance with the City's purchasing policy:

Account #05-8003-9203 in the amount of \$28,856

**Section 4:** The portions of this Resolution shall be severable. In the event that any portion of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution shall be deemed valid, unless the court finds the valid portions of this Resolution are so essential and inseparably connected with and dependent upon the void portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 5:** This Resolution shall be in full force and effect from and after its passage and approval.

**PASSED** by the Board of Aldermen this 14th day of February 2023.

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Mayor

ATTEST:

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City Clerk/City Administrator