

BILL NO.: 5023

ORDINANCE NO.: _____

Introduced by: City Manager Nathan Mai-Lombardo

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT AGREEMENT WITH SAFEUILT (THE COUNCIL FINDS THAT AN EMERGENCY EXISTS AND DECLARES THAT PASSAGE OF THIS ORDINANCE IS NECESSARY FOR THE PRESERVATION OF THE WELFARE OF THE CITIZENS OF THE CITY OF BERKELEY.)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

Section 1. The City Manager is hereby authorized to enter into and execute an agreement with Safebuilt, LLC for Service Fee Schedule amendments.

Section 2. The agreement is attached and hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

Section 3. This Ordinance shall be in full force and effect from and after its date of passage.

Section 4. This Council does hereby find and declare that an emergency exists, which requires the immediate passage of this ordinance for the preservation of the welfare of the citizens of the City of Berkeley.

1st Reading this _____ day of _____ 2024

2nd Reading this _____ day of _____ 2024

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2024

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Final Roll Call:

Councilwoman Verges	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Anthony	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman Hindeleh	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman-at-Large Crawford-Graham	Aye ___	Nay ___	Absent ___	Abstain ___
Mayor Deinbo	Aye ___	Nay ___	Absent ___	Abstain ___

Approved as to Form:
Donnell Smith, City Attorney

**FIRST AMENDMENT OF
PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF BERKELEY, MISSOURI
AND SAFEbuilt, LLC**

THIS FIRST AMENDMENT OF PROFESSIONAL SERVICES AREEMENT is made effective as of the date of the last signature below by and between City of Berkeley, Missouri (Municipality) and SAFEbuilt, LLC, a wholly owned subsidiary of SAFEbuilt, LLC, (Consultant). Municipality and Consultant shall be jointly referred to as the "Parties".

This Amendment shall be effective on the latest date fully executed by both Parties.

RECITALS AND REPRESENTATIONS

WHEREAS, Parties entered into a Professional Services Agreement (Agreement), by which both Parties established the terms and conditions for service delivery on August 23, 2023; and

Parties hereto now desire to amend the Agreement as set forth herein; and

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, the Parties agree as follows:

1. The above recitals are acknowledged as true and correct and are incorporated herein.
2. For the Boeing Advance Mfg Facility Project only, Agreement, Exhibit B, 1. Fee Schedule shall be:

Service Fee Schedule:	
Building Permit Fee Plan Review Fee	50% of Municipal Building Permit and Plan Review Fee as established by ordinance or resolution
MEP Permits <ul style="list-style-type: none"> • Residential and Commercial • Sign Permits 	82% of Municipal Permit Fee as established by ordinance or resolution
Hourly inspection time tracked will start when Consultant checks in at Municipality or first inspection site. Time tracked will end when the inspector completes the last scheduled inspection or leaves Municipal office. Time tracked will include travel time between inspection sites and all administrative work related to inspection support.	

3. All other conditions and terms of the original Agreement not specifically related to the Boeing Advance Mfg Facility Project or as amended herein, shall remain in full force and effect.

IN WITNESS HEREOF, the undersigned have caused this Amendment to be executed in their respective names on the dates hereinafter enumerated.

SAFEbuilt, LLC

City of Berkeley, Missouri

By:  _____

By: _____

Name: Matthew K. Causley

Name: _____

Title: Chief Operating Officer

Title: _____

Date: 03/06/2024

Date: _____