

RESOLUTION NO. 22-2024

**A RESOLUTION OF THE CITY COUNCIL OF CLINTON, MISSOURI AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CLINTON (CITY) AND ALLIANCE WATER RESOURCES, INC. (ALLIANCE).**

**WHEREAS**, the City and Alliance entered into an Agreement for management, operation and maintenance services for wastewater collection, wastewater treatment systems and compost facilities on September 15, 2020; and

**WHEREAS**, the City and Alliance entered into a Memorandum of Agreement on August 3, 2021, to establish Alliance's Base Fee for the period of October 1, 2021, through September 30, 2022;

**WHEREAS**, the City and Alliance entered into a Memorandum of Agreement on September 20, 2022, to establish Alliance's Base Fee for the period of October 1, 2022, through September 30, 2023;

**WHEREAS**, the City and Alliance entered into a Memorandum of Agreement on September 19, 2023, to establish Alliance's Base Fee for the period of October 1, 2023, through September 30, 2024;

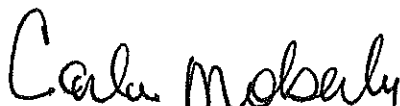
**WHEREAS**, the City desires to continue the professional relationship with Alliance; and

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

**Section 1.** The attached Memorandum of Agreement (Exhibit A) with Alliance Water Resources, Inc., for an Annual Base Fee of \$773,952.00, which includes an Annual Repair Limit of \$60,000.00, an Annual Chemical Limit of \$22,000.00, and an individual project repair limit of \$3,000.00 for the period of October 1, 2024, through September 30, 2025, is hereby approved.

**Section 2.** The Mayor is hereby authorized to execute said agreement on behalf of the City of Clinton.

Read and passed this 17<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
Carla Moberly, Mayor

ATTEST

  
\_\_\_\_\_  
Wendee Seaton, City Clerk



## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement has been entered into on this 18<sup>th</sup> day of SEPTEMBER 2024 by and between the City of Clinton, Missouri, a municipal corporation ("hereinafter referred to as "City"), and Alliance Water Resources, Inc., (hereinafter referred to as "Alliance").

This Memorandum of Agreement has as its purpose to modify the initial Professional Services Agreement dated September 15, 2020, to establish Alliance's Base Fee for the period of October 1, 2024, through September 30, 2025, and to increase the limit of "extraordinary" repair costs from \$2500 to \$3000.

Section 6.1 of the Professional Services Agreement is modified as follows:

**6.1 City shall pay Alliance an Annual Base Fee of \$773,952 (\$64,496 per month) beginning October 1, 2024. The Annual Repair Limit for the period beginning October 1, 2023, shall be \$60,000 and the annual Chemical Limit for this period shall be \$22,000. The Repair and Chemical Limits are included in the Alliance Base Fee.**

Section 5.4 of the Professional Services Agreement is modified as follows:

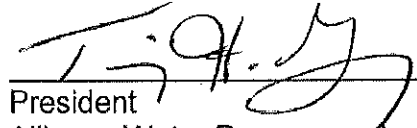
**5.4 Extraordinary expenses shall be defined as costs in excess of the maximum annual Repair Limit as specified herein. In addition, any unbudgeted individual project repair costs in excess of \$3000 shall be considered extraordinary.**

**In the event that any extraordinary expenses should occur, City shall be promptly notified and shall be provided with an accounting of such expenses. Any extraordinary expenses must be approved by City in advance and payment thereof shall be the responsibility of City.**

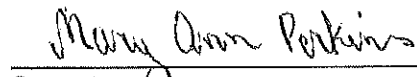
This Amendment becomes effective on October 1, 2024. All other terms and conditions of the Professional Services Agreement dated the 15<sup>th</sup> day of September 2020 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the first date written above.

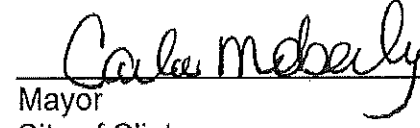
Authorized Signature

  
\_\_\_\_\_  
President  
Alliance Water Resources, Inc.  
9/27/2024  
\_\_\_\_\_  
Date


ATTEST:

  
\_\_\_\_\_  
Secretary

Authorized Signature

  
\_\_\_\_\_  
Mayor  
City of Clinton  
9-18-24  
\_\_\_\_\_  
Date

ATTEST:

  
\_\_\_\_\_  
City Clerk