

1st Reading 1/23/2024

2nd Reading 1/23/2024

BILL NO. 23-72

ORDINANCE NO. 5426

AN ORDINANCE APPROVING A THIRD ONE-YEAR EXTENSION AND AMENDMENT TO THE AGREEMENT WITH MIDWEST POOL MANAGEMENT OF AMERICA, LTD., FOR THE OPERATION AND MANAGEMENT OF THE WHITECLIFF PARK AQUATIC CENTER, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ALL NECESSARY DOCUMENTS IN CONNECTION WITH SAID EXTENSION ON BEHALF OF THE CITY

WHEREAS, on February 9, 2021, the City of Crestwood (the “City”) entered into an agreement with Midwest Pool Management of America Ltd. (“Midwest”) for the operation and management of the Whitecliff Park Aquatic Center (“Aquatic Center”) within the City for a period of one (1) year with an option to extend for four (4) additional one (1) year term through 2025 (the “Agreement”); and

WHEREAS, on January 25, 2022, the Board of Aldermen approved a one-year extension of the Agreement, and on January 24, 2023, a second one-year extension; and

WHEREAS, Midwest has requested an increase in the cost for the 2024 extension to a not to exceed total cost of five hundred seven thousand and eighty-five dollars (\$507,085.00) due to the labor shortage in the industry; and

WHEREAS, the Department of Parks and Recreation has determined that the cost of the increase is reasonable, and recommends that the City further amend the Agreement to extend the term for an additional year and increase the compensation to Midwest to accommodate for the increase as a result of the labor shortage.


NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CRESTWOOD, MISSOURI, AS FOLLOWS:

SECTION 1: A Second Amendment to the Agreement with Midwest Pool Management of America Ltd. attached hereto as Exhibit A is hereby approved for the period April 2024 through March 31, 2025.

SECTION 2: The Mayor and City Clerk are hereby authorized and directed to execute the Extension of Agreement on behalf of the City and to take further action as may be reasonably necessary to carry out the intent and purposes of this Ordinance.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED AND SIGNED THIS 23rd day of January, 2024.




Mayor

ATTEST:



City Clerk

APPROVED this 23rd day of January, 2024.



Mayor

EXHIBIT A

**SECOND AMENDMENT OF AGREEMENT FOR
OPERATION AND MAINTENANCE OF THE CRESTWOOD AQUATIC CENTER**

WHEREAS, THE CITY OF CRESTWOOD (“City”) and MIDWEST POOL MANAGEMENT (“Contractor”) have heretofore entered into an Agreement for the operation and maintenance of the Crestwood Aquatic Center, which was approved by the Crestwood Board of Aldermen by Ordinance Number 5129 on February 9, 2021 and previously amended in January 2023 (the “Agreement”); and

WHEREAS, said Agreement allows for additional one-year optional extensions by the City and the City previously extended the Agreement through two one-year extensions; and

WHEREAS, the City is desirous of extending said Agreement for an additional term of one year from April 1, 2024 to March 31, 2025; and

WHEREAS, as a result of the current job market, Midwest has requested an increase in the stated salary budget due to a labor shortage in the industry, and the City has found this increase reasonable.

NOW, THEREFORE, the parties agree that said Agreement shall be amended to provide the following:

1. The term as provided in Section 1 of the Agreement shall be extended for one additional year, from April 1, 2024 to March 31, 2025.
2. The annual Compensation for the 2024 year of the Agreement as provided in Section 2 of the Agreement shall be a not-to-exceed amount of \$507,085.00.
3. Except as herein amended, all of the provisions of the Agreement between the parties shall remain in full force and effect.

IN WITNESS WHERETO, the parties have executed this Amendment as of the dates designated by their respective signatures.

CITY OF CRESTWOOD

By: Scott English
Mayor

ATTEST:

Dated: 1/30/24

AK Iyld
City Clerk

MIDWEST POOL MANAGEMENT

By: Julia

Dated: 1/31/24