

BILL NO. 22-211

AN ORDINANCE APPROVING CHANGE ORDER NO. 2 TO THE AGREEMENT FOR THE CONSTRUCTION OF THE WATER MAIN REPLACEMENT FY 22 – FIRST PHASE PROJECT, PROJECT NO. 496-1, BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND WIEDENMANN, INC., AN INCREASE OF \$197,938.00 FOR A REVISED AGREEMENT PRICE OF \$4,022,415.75 AND TO INCREASE THE PROJECT TIMELINE BY 40 CALENDAR DAYS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, pursuant to Ordinance No. 9390, the City and Wiedenmann, Inc. (hereinafter "Contractor") entered into an Agreement for the construction of the Water Main Replacement: FY22 Project, Project No. 496-1 (hereinafter "Base Agreement"); and,

WHEREAS, the City and Contractor further modified the Base Agreement pursuant to Change Order No. 1 to provide straddle blocks and additional/amended DI fittings to correct the size of a proposed tee fitting and to document material substitutions; and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, to include work as part of the Water Main Replacement FY22 - Phase 2 Project; and

WHEREAS, the work includes mobilization, demolition and removal, water main replacement, water main abandonment, new water service line, water service reconnects, new meter well, new 6" and 8" gate valves, new fire hydrants, pavement repair, curb and gutter replacements, sidewalk replacements, restoration, erosion control, and traffic control; and

WHEREAS, pay items included in the change order shall meet the requirements of Section 01120 Measurement and Payment included in Water main Replacement FY22 – Phase 1 Project; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. Change Order No. 2 to the Base Agreement, as amended, with the Contractor, an increase of \$197,938.00 for a revised amount of \$4,022,415.75 and an increase of 40 calendar days to the project timeline for a revised agreement timeline of 340 days, attached hereto as Change Order No. 2 and incorporated by reference, is hereby approved and the City Manager, or designee, is hereby authorized to execute the same or substantially similar on behalf of the City of Lee's Summit, Missouri.

SECTION 2. The City Manager, or designee, is further authorized to take such further action and execute such documents as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*