

## **BILL NO. 24-XXX**

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AN ORDINANCE APPROVING CHANGE ORDER NO. 6 TO THE AGREEMENT FOR THE CHIPMAN ROAD IMPROVEMENTS FROM VIEW HIGH DRIVE TO BENT TREE DRIVE PROJECT, PROJECT NO. 73, BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND EMERY SAPP & SONS, INC., TO INCREASE THE PROJECT TIMELINE BY 155 CALENDAR DAYS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 9668, the City and Emery Sapp & Sons, INC. ("Contractor") entered into an agreement for the construction of the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, Project No. 73 ("Base Agreement"); and,

WHEREAS, the City and Contractor modified the Base Agreement, as amended, per Change Orders 1 through 5 administratively in accordance with the City's Procurement Policy; and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, to adjust construction contract time to allow for the impeded progress throughout the project due to utility relocation delays.

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

SECTION 1. Change Order No. 6 to the Base Agreement, as amended, with the Contractor, an increase of 155 calendar days to the overall project for a revised agreement timeline of 700 days, attached hereto as Change Order No. 6 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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
*Mayor William A. Baird*

\_\_\_\_\_  
*City Clerk Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Mayor *William A. Baird*

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*