

## **BILL NO. 22-34**

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AN ORDINANCE APPROVING CHANGE ORDER NO. 4 TO THE AGREEMENT WITH RADMACHER BROTHERS EXCAVATING COMPANY, INC. FOR PROJECT NO. 422-C, 3<sup>RD</sup> STREET IMPROVEMENTS FROM PRYOR ROAD TO MURRAY ROAD, AN INCREASE OF \$344,354.66 FOR A REVISED AGREEMENT AMOUNT OF \$5,831,449.56, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, the City had previously entered into an agreement with Radmacher Brothers Excavating Company, Inc. for Project No. 422-C, 3<sup>rd</sup> Street Improvements from Pryor Road to Murray Road ("Project"), being undertaken by the City's Public Works Department; and,

WHEREAS, several contract quantities are being adjusted to match the actual quantities constructed for the Project; and,

WHEREAS, integral retaining walls were added to flatten the final slopes of yards at several locations; and,

WHEREAS, additional stamped concrete was added to eliminate small areas of grass; and,

WHEREAS, several water meters were relocated during construction to accommodate relocated utilities.

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

SECTION 1. Change Order No. 4 to the original agreement with Radmacher Brothers Excavating Company, Inc. for the Project, an increase of \$344,354.66 for a revised agreement amount of \$5,831,449.56, attached hereto as Change Order No. 4 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*