

BILL NO. 24-XXX

AN ORDINANCE APPROVING CHANGE ORDER NO. 3 TO THE GUARANTEED MAXIMUM PRICE (GMP) AGREEMENT FOR THE FIRE STATIONS 4 AND 5 PROJECT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND MCCOWN GORDON CONSTRUCTION, TO INCREASE THE PROJECT TIMELINE BY 40 DAYS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 9486, the City and McCown Gordon Construction ("Contractor") entered into a guaranteed maximum price (GMP) agreement for the construction of the Fire Stations 4 and 5 Project; and,

WHEREAS, the City and Contractor modified the Base Agreement, as amended, per Change Order No. 1 administratively in accordance with the City's Procurement Policy; and,

WHEREAS, the City and Contractor modified the Base Agreement, as amended, per Change Order No. 2 administratively in accordance with the City's Procurement Policy; and,

WHEREAS, the City and Contractor desires to further modify the Base Agreement, as amended, to adjust construction contract time due to utility and procurement delays.

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

SECTION 1. Change Order No. 3 to the Base Agreement, as amended, with the Contractor, an increase of 40 days to the project timeline, attached hereto as Change Order No. 3 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.

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 4. 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 5. 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*

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City Clerk *Trisha Fowler Arcuri*

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*