

## **BILL NO. 22-131**

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AN ORDINANCE AWARDING THE BID FOR PROJECT NO. 794 FOR THE CURB REPAIR FY23 PROGRAM TO PHOENIX CONCRETE & UNDERGROUND, LLC IN THE AMOUNT OF \$2,637,383.38, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, the annual Curb Repair Program replaces damaged and deteriorated curb on some of the streets scheduled for overlay the following fiscal year and updates sidewalk approaches to current specifications as required by the Federal Americans with Disabilities Act; and,

WHEREAS, the Curb Repair FY23 Program will replace 84,310 lineal feet (nearly 16 miles) and renovate 115 sidewalk ramps (hereinafter "Project No. 794"); and,

WHEREAS, Project No. 794 is funded by the Transportation Sales Tax Fund and supplemented with the 2017 CIP Sales Tax Renewal; and,

WHEREAS, Public Works Engineering issued an advertisement for bids for the construction of Project No. 794 on May 11, 2022, guided by local policies and state statutes; and,

WHEREAS, Phoenix Concrete & Underground, LLC (hereinafter "Contractor") was determined to be the lowest and best bidder by City staff; and,

WHEREAS, the City desires to enter into an agreement with the Contractor to construct Project No. 794.

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

SECTION 1. That the City Council of the City of Lee's Summit, Missouri, hereby awards the bid for Project No. 794 to the Contractor in the amount of \$2,637,383.38.

SECTION 2. The agreement between the City of Lee's Summit, Missouri, and the Contractor, attached hereto as Exhibit A and incorporated by reference, is hereby approved and the City Manager, or designee, is hereby authorized to execute an agreement substantially similar to the same on behalf of the City of Lee's Summit, Missouri.

SECTION 3. 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.

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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*