

## **BILL NO. 24-012**

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AN ORDINANCE APPROVING CHANGE ORDER NO. 3 TO THE AGREEMENT WITH SANDS CONSTRUCTION, LLC. FOR THE SIDEWALK GAP PROGRAM FY23 PROJECT, PROJECT NO. 718, FOR AN INCREASE OF \$242,219.97 FOR A REVISED AGREEMENT AMOUNT OF \$2,292,211.20 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 9586, the City of Lee's Summit, Missouri ("City") and Sands Construction, Inc. (hereinafter "Contractor") entered into an agreement for the construction of the Sidewalk Gap Program FY23 Project ("Project"); and,

WHEREAS, pursuant to the administrative change order approval process prescribed in the City's Procurement Policy, the City and Contractor executed Change Order No. 1 to adjust the Project price; and,

WHEREAS, pursuant to Ordinance No. 9799, the City and Contractor executed Change Order No. 2 to adjust construction time and price to allow for removal and replacement of driveways in multiple locations to maintain ADA compliance; and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, to adjust the construction contract price to allow for the removal and replacement of driveways beyond the Right-of-Way in multiple locations to complete the work.

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 \$242,219.97 for a revised amount of \$2,292,211.20, 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, 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 \_\_\_\_\_, 2024.

ATTEST:

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

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

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

ATTEST:

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

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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