

## **BILL NO. 24-092**

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AN ORDINANCE APPROVING CHANGE ORDER NO. 4 TO THE AGREEMENT FOR THE MCCLENDON DITCH SEWER IMPROVEMENTS PROJECT, PROJECT NO. 425, BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND INFRASTRUCTURE SOLUTIONS, LLC., TO INCREASE THE PROJECT TIMELINE BY 103 CALENDAR DAYS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 9556, the City and Infrastructure Solutions, LLC. (hereinafter "Contractor") entered into an agreement for the construction of the McClendon Ditch Sewer Improvements Project, Project No. 425 (hereinafter "Base Agreement"); 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, pursuant to Ordinance No. 9840, the City and Contractor modified the Base Agreement, as amended, per Change Order No. 2 for an adjustment in construction time for additional rock excavation and a change in the boring method to complete the work; and,

WHEREAS, the City and Contractor modified the Base Agreement, as amended, per Change Order No. 3 administratively in accordance with the City's Procurement Policy; and,

WHEREAS, the City desires to modify the Base Agreement further, as amended, to adjust construction contract time to allow for the impeded progress throughout the project due to the amount and type of rock encountered, extending the amount of time 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. 4 to the Base Agreement, as amended, with the Contractor, an increase of 103 calendar days to the project timeline for a revised agreement timeline of 586 days, 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 \_\_\_\_\_, 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:

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City Attorney *Brian W. Head*