

## **BILL NO. 26-114**

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AN ORDINANCE APPROVING CHANGE ORDER NO. 2 TO THE AGREEMENT FOR THE CONSTRUCTION OF PROJECT NO. 718 SIDEWALK GAP PHASE 2 WITH PHOENIX CONCRETE, LLC FOR AN INCREASE IN THE CONTRACT PRICE OF \$90,135.00 FOR A REVISED AGREEMENT AMOUNT OF \$666,617.48, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, Pursuant to Ordinance 10238, the City and Phoenix Concrete, LLC (hereinafter "Contractor") entered into an Agreement for the construction of the Sidewalk Gap Phase 2, Project No. 718, (hereinafter "Base Agreement"); and,

WHEREAS, the City and Contractor modified the Base Agreement, as amended, per Change Order 1 administratively in accordance with the City's Procurement Policy; and,

WHEREAS, The City desires to further modify the Base Agreement, as amended, due to added sections and additional costs with added work on Change Order No. 2 in order to complete the work.

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

SECTION 1. The City Council of the City of Lee's Summit, Missouri, hereby approves the Change Order No. 2 for Project No. 718 to the Contractor for a revised amount of \$666,617.48.

SECTION 2. The agreement between the City of Lee's Summit, Missouri, and the Contractor, attached hereto as Change Order 2 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 \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Mayor *J. Beto Lopez*

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Mayor *J. Beto Lopez*

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

APPROVED AS TO FORM:

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