

BILL NO. 20-165

AN ORDINANCE AWARDING THE BID FOR PROJECT NO. 54-4 FOR THE STORMWATER IMPROVEMENTS: MAPLE STREET, GRAND AVENUE, BINGHAM DRIVE AND BRENTWOOD DRIVE TO LEATH & SONS, INC., IN THE AMOUNT OF \$691,003.60, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME AND CONTAINING AN EMERGENCY CLAUSE.

WHEREAS, City staff identified locations within the City where structural flooding occurs; and

WHEREAS, pursuant to Ordinance No. 8690, Burns & McDonnell designed stormwater improvements at four of the said locations: Maple Street, Grand Avenue, Bingham Drive and Brentwood Drive (hereinafter "Project No. 54-4"); and,

WHEREAS, Project No. 54-4 includes installation of storm sewer pipe and structures, pervious pavers, infiltration trenches, and final restoration to include new sidewalk, curb and gutter, concrete drives, mill and overlay and sod; and

WHEREAS, funding for Project No. 54-4 is authorized from the Capital Projects Sales Tax Fund that was approved by voters in April 2017 and became effective on April 1, 2018; and,

WHEREAS, Public Works Engineering issued a bid for Project No. 54-4 on July 21, 2020, in accordance with local policies and state statutes; and,

WHEREAS, Leath & Sons, Inc. (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. 54-4; and

WHEREAS, the City Council determines that it is in the best interest of the citizens of Lee's Summit, Missouri to approve the agreement for Project 54-4 in as timely and expeditious manner as possible to reduce or eliminate structural flooding during the current construction season.

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. 54-4 to the Contractor in the amount of \$691,003.60

SECTION 2. That the agreement attached hereto as "Exhibit A" by and between the City of Lee's Summit, Missouri, and the Contractor is hereby approved and the City Manager is hereby authorized to execute the same on behalf of the City of Lee's Summit, Missouri.

SECTION 3. The City Council hereby declares this Ordinance to be an emergency ordinance and may be passed on its day of introduction in order to immediately preserve public peace, property, health and safety through the timely and expeditious approval of this agreement to reduce or eliminate structural flooding during this construction season, and is an emergency within the meaning of Section 3.13(f) (1) of the Charter of the City of Lee's Summit, Missouri.

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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 _____, 2020.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2020.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Brian W. Head, City Attorney