

BILL NO. 26-018

AN ORDINANCE APPROVING CHANGE ORDER NO. 2 TO THE AGREEMENT FOR THE CONSTRUCTION OF PROJECT NO. 722 FOR THE WATER MAIN REPLACEMENT FY24 PROJECT TO LEATH & SONS, INC. IN FOR AN INCREASE IN THE CONTRACT PRICE OF \$730,569.17 FOR A REVISED AGREEMENT AMOUNT OF \$5,222,412.17, AND AN INCREASE OF 56 CALENDAR DAYS IN ASSOCIATION WITH SAID WORK TO THE AGREEMENT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, Pursuant to Ordinance 10112, the City and Leath & Sons, Inc. ("Contractor") entered into an Agreement for the construction of the Water Main Replacement: FY24 Project, Project No. 722, ("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 additional costs associated with added work to connect new water lines and add additional tees, and to adjust construction contract time 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 Change Order No. 2 for Project No. 722 to the Contractor for an increase of \$730,569.17 with a revised agreement amount of \$5,222,412.17, and an increase of 56 calendar days.

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 *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

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

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*