

## **BILL NO. 22-75**

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AN ORDINANCE APPROVING CHANGE ORDER NO. 3 TO THE AGREEMENT FOR THE CONSTRUCTION OF THE STORMWATER IMPROVEMENTS: NE DELTA SCHOOL ROAD, PROJECT NO. 576322-5C, BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND INFRASTRUCTURE SOLUTIONS, LLC, TO ADJUST FOR FINAL QUANTITIES AND TO INCREASE THE PROJECT TIMELINE BY 120 CALENDAR DAYS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, pursuant to Ordinance No. 9131, the City and Infrastructure Solutions, LLC (hereinafter "Contractor") entered into an Agreement for the construction of the Stormwater Improvements: NE Delta School Road, Project No. 576322-5C (hereinafter "Base Agreement"); and,

WHEREAS, pursuant to Ordinance No. 9267, the City and Contractor modified the Base Agreement per Change Order No. 1 for increased costs primarily due to a concrete parking lot repair and a water main conflict that required relocation; and,

WHEREAS, the City and Contractor further modified the Base Agreement, as amended, per Change Order No. 2 to provide for the relocation of a sanitary sewer line conflict and installation of a commercial trash enclosure; and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, to adjust for final quantities and to increase the project timeline by 120 calendar days due to time impacts to the critical path by the extra work identified in Change Orders No. 1 and No. 2 (hereinafter "Change Order No. 3").

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, a decrease of \$14,188.50 for a revised agreement amount of \$1,163,248.34 and an increase of 120 calendar days to the project timeline for a revised agreement timeline of 270 calendar days, 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 \_\_\_\_\_, 2022.

ATTEST:

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

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

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

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

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

APPROVED AS TO FORM:

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