

## **BILL NO. 23-047**

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AN ORDINANCE APPROVING CHANGE ORDER NO. 4 TO THE AGREEMENT FOR THE CONSTRUCTION OF THE WATER MAIN REPLACEMENT FY22 – FIRST PHASE PROJECT, PROJECT NO. 496-1, BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND WIEDENMANN, INC., FOR AN INCREASE OF \$56,149.47 FOR A REVISED AGREEMENT PRICE OF \$4,129,983.57 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, pursuant to Ordinance No. 9390, the City and Wiedenmann, Inc. ("Contractor") entered into an Agreement for the construction of the Water Main Replacement: FY22 Project, Project No. 496-1 ("Base Agreement"); and,

WHEREAS, pursuant to the change order approval process prescribed in the City's Procurement Policy, the City and Contractor executed Change Order No. 1 for additional work for an increased price; and,

WHEREAS, pursuant to Ordinance No. 9525, the City and Contractor executed Change Order No. 2 for work authorizing additional calendar days to be added to substantial completion; and,

WHEREAS, pursuant to Ordinance No. 9554, the City and Contractor executed Change Order No. 3 for additional work for an increased price and to adjust contract time; and,

WHEREAS, the City desires to further modify the Base Agreement, as amended, due to additional costs associated with added 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, for an increase of \$56,149.47 for a revised amount of \$4,129,983.57, 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 \_\_\_\_\_, 2023.

ATTEST:

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

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

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

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

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City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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