

BILL NO. 22-35

AN ORDINANCE APPROVING CHANGE ORDER NO. 2 TO THE AGREEMENT WITH WIEDENMANN, INC. FOR THE WATER MAIN REPLACEMENT FY21 PROJECT, PROJECT NO. 438-1, FOR AN INCREASE OF \$304,356.32 FOR A REVISED AGREEMENT AMOUNT OF \$3,854,797.63, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, the City of Lee's Summit, Missouri ("City") has previously entered into an agreement with Wiedenmann, Inc. for the FY21 Water Main Replacement Project ("Project"), being undertaken by the City's Water Utilities Department; and,

WHEREAS, multiple water meters needed to be reset, resulting in a significant overrun of meter relocations and ¾ inch service lines; and,

WHEREAS, several fire hydrant replacements were inadvertently left off of the bid quantities; and,

WHEREAS, during the pipe bursting process, a significant number of driveways and sidewalks were broken, at no fault of the contractor, and needed to be replaced; and,

WHEREAS, a section of water main, scheduled to be replaced by pipe bursting, had to be replaced by open cut methods; and,

WHEREAS, several remaining contact quantities are being adjusted to match the actual quantities constructed.

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

SECTION 1. That the Change Order No. 2 to the contract with Wiedenmann, Inc. for the Water Main Replacement FY21 Project, Project No. 438-1, for an increase of \$304,356.32 for a revised contract amount of \$3,854,797.63, attached hereto as Change Order No. 2 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. That 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*