

BILL NO. 23-225

AN ORDINANCE APPROVING CHANGE ORDER NO. 2 TO THE AGREEMENT WITH SANDS CONSTRUCTION, LLC FOR THE SIDEWALK GAP PROGRAM FY23 PROJECT, PROJECT NO. 718, FOR AN INCREASE OF \$219,880.73 FOR A REVISED AGREEMENT AMOUNT OF \$2,049,991.23 AND TO INCREASE THE PROJECT TIMELINE BY 113 DAYS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE SAME.

WHEREAS, pursuant to Ordinance No. 9586, the City of Lee's Summit, Missouri ("City") and Sands Construction, Inc. ("Contractor") entered into an agreement for the construction of the Sidewalk Gap Program FY23 Project ("Project"); and,

WHEREAS, pursuant to the change order approval process prescribed in the City's Procurement Policy, the City and Contractor entered Change Order No. 1 to adjust the Project price; and,

WHEREAS, the City desires to modify the Base Agreement further, as amended, to adjust construction contract time to allow for the removal and replacement of driveways in multiple locations to maintain ADA compliance.

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

SECTION 1. Change Order No. 2 to the Base Agreement, as amended, with the Contractor, an increase of \$219,880.73 for a revised amount of \$2,049,991.23 and an increase of 113 calendar days to the project timeline for a revised agreement timeline of 233 days, 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. 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.

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*

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APPROVED by the Mayor of said city this ____ day of _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*