

## Legislation Details (With Text)

**File #:** BILL NO. 22-210  
**Name:**  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 8/15/2022  
**In control:** City Council - Regular Session  
**On agenda:** 10/18/2022  
**Final action:** 10/18/2022  
**Title:** An Ordinance approving Change Order No. 3 to the Agreement for the construction of Water Main Replacement: FY21 Project, Project No. 438-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc. for an increase of \$153,356.74 for a revised agreement amount of \$4,008,154.37 and authorizing the City Manager to execute the same. (PWC 10/10/22)  
**Sponsors:** Public Works Admin & Engineering  
**Indexes:**  
**Code sections:**

**Attachments:** 1. Ordinance, 2. Attachment: Change Order No. 3 - Water Main Rehab FY21-Wiedenmann

Date	Ver.	Action By	Action	Result
10/18/2022	1	City Council - Regular Session	for second reading	Pass
10/18/2022	1	City Council - Regular Session	adopted and numbered	Pass
10/10/2022	1	Public Works Committee	recommended for approval	Pass

An Ordinance approving Change Order No. 3 to the Agreement for the construction of Water Main Replacement: FY21 Project, Project No. 438-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc. for an increase of \$153,356.74 for a revised agreement amount of \$4,008,154.37 and authorizing the City Manager to execute the same. (PWC 10/10/22)

Issue/Request:

An Ordinance approving Change Order No. 3 to the Agreement for the construction of Water Main Replacement: FY21 Project, Project No. 438-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc. for an increase of \$153,356.74 for a revised agreement amount of \$4,008,154.37 and authorizing the City Manager to execute the same.

Key Issues:

- Pursuant to Ordinance No. 9132, the City and Wiedenmann, Inc., (hereinafter "Contractor") entered into an Agreement for the construction of the Water Main Replacement: FY21 Project, Project No. 438-1, (hereinafter "Base Agreement").
- The City and Contractor modified the Base Agreement, as amended, per Change Order No. 1 for increased costs and timeline associated with an emergency water break repair.
- Pursuant to Ordinance No. 9346, the City and Contractor further modified the Base Agreement, as amended, per Change Order No. 2 for increased costs associated with the relocation of several water

meters at an apartment complex and unavoidable curb, driveway and sidewalk restoration during the pipe bursting process.

- The City desires to further modify the Base Agreement, as amended, for increased costs associated with replacing additional fire hydrants and lines and water main replacement involving open cut methods in lieu of pipe bursting (hereinafter 'Change Order No.3').

Proposed City Council Motion:

FIRST MOTION: I move to recommend to City Council approval of an Ordinance approving Change Order No. 3 to the agreement with Wiedenmann, Inc., for the Water Main Replacement FY21 Project, Project No. 438-1, for an increase of \$153,356.74 for a revised agreement amount of \$4,008,154.37, and authorizing the City Manager to execute the same.

SECOND MOTION: I move for adoption of an Ordinance approving Change Order No. 3 to the agreement with Wiedenmann, Inc. for the Water Main Replacement FY21 Project, Project No. 438-1, for an increase of \$153,356.74 for a revised agreement amount of \$4,008,154.37, and authorizing the City Manager to execute the same.

Background:

This Change Order will adjust the contract price to perform the work. The overall project time will not be extended and the overall cost will increase. In accordance with Section 8.2.1 of the City's Procurement Policy, Changes (i) exceeding ten percent (10%) of the original contract, (ii) any single change order for an increase of \$50,000.00 or more shall be approved by the City Council.

The contract time to account for a number of delays that significantly impacted the project's critical path timeline added 3 calendar days as Change Order No. 1. This results in a revised contract time of 333 calendar days, that was administratively approved because the change was less than 10% of the contract time.

As presented on Change Order #1, additional tapping saddles and tapping tees were required to perform the work. Additionally, a water main failure adjacent to the work but not part of the project was required to be repaired. This change provided for the repair of the existing waterline to include all ancillary items to reconnect and restore areas disturbed.

As presented on Change Order #2, additional fire hydrants and several tapping sleeves were required to perform the work. There were additional adjacent waterline breaks that required repaired that was not part of the project. Lastly, many of the waterlines marked for pipe bursting were shallow installations and damaged surface improvements such as sidewalks, driveways and curbs. This change provided for the installation and repair of waterlines as well as the repair of surface improvements.

Presented on Change Order #3, quantities of waterline materials and fittings, changes in installation methods from pipe bursting installation to open cut installation and additional damage to surface improvements due to pipe bursting shallow waterlines. Additional materials and time were necessary to complete the work. This

change provides for the proper installation and repair as would be customary during a Water Main Replacement project. Contract time overall for the project remains at 333 calendar days.

This change adjusts for field measured quantities of installed materials and additional work due to varied site conditions. The field measured quantities provided an increase in the project of \$153,356.74. This exceeds 10% of the original base contract, so this change order must be approved by City Council. If approved, the final revised agreement amount will be \$4,008,154.37.

Michael Park, Director of Public Works

Staff recommends approval.

Committee Recommendation:

The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of an Ordinance approving Change Order No. 3 to the Agreement for the construction of Water Main Replacement: FY21 Project, Project No. 438-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc. for an increase of \$153,356.74 for a revised agreement amount of \$4,008,154.37 and authorizing the City Manager to execute the same.