

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 23-046	<b>Name:</b>	
<b>Type:</b>	Ordinance - Committee	<b>Status:</b>	Passed
<b>File created:</b>	1/25/2023	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	2/28/2023	<b>Final action:</b>	2/28/2023
<b>Title:</b>	An Ordinance approving Change Order No. 4 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 \$88,332.93 for a revised agreement amount of \$4,096,487.30 and authorizing the City Manager to execute the same. (PWC 2/13/23)		
<b>Sponsors:</b>	Public Works Admin & Engineering		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Attachment: Change Order 4		

Date	Ver.	Action By	Action	Result
2/28/2023	1	City Council - Regular Session	for second reading	Pass
2/28/2023	1	City Council - Regular Session	adopted and numbered	Pass
2/13/2023	1	Public Works Committee	recommended for approval as amended	

An Ordinance approving Change Order No. 4 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 \$88,332.93 for a revised agreement amount of \$4,096,487.30 and authorizing the City Manager to execute the same. (PWC 2/13/23)

### Issue/Request:

An Ordinance approving Change Order No. 4 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 \$88,332.93 for a revised agreement amount of \$4,096,487.30 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.

- Pursuant to Ordinance No. 9524, the City and Contractor further modified the Base Agreement, as amended, per Change Order No. 3 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 upsizing portions of the existing main, trench excavation due to electric conflicts, additional shoring and excavation due to watermain depth, boring complications, emergency sewer repair, and the addition of 10 fire hydrants (hereinafter "Change Order No. 4").

Proposed Committee Motion:

I move to recommend to City Council approval of an Ordinance approving Change Order No. 4 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 \$88,332.93 for a revised agreement amount of \$4,096,487.30 and authorizing the City Manager to execute the same.

Proposed City Council Motion:

FIRST MOTION: I move to advance to second reading an Ordinance approving Change Order No. 4 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 \$88,332.93 for a revised agreement amount of \$4,096,487.30 and authorizing the City Manager to execute the same.

SECOND MOTION: I move for adoption of an Ordinance approving Change Order No. 4 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 \$88,332.93 for a revised agreement amount of \$4,096,487.30 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 \$75,000.00 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 resulted 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 No. 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 No. 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 No. 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.

Change Order No. 4 adjusts for a required upsizing for a water main from a four-inch to a six-inch diameter water main in certain locations, trench excavation where electric conflicts occurred, additional shoring and excavation where the watermain exceeded the forty-two-inch depth threshold, boring damage to hard surfaces, emergency sewer repair, and the addition of 10 fire hydrants.

Perry Allen, Construction Manager

Staff recommends approval.

Committee Recommendation:

The Public Works Committee voted unanimously 4-0 to recommend to City Council approval as amended of an Ordinance approving Change Order No. 4 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 \$88,332.93 for a revised agreement amount of \$4,096,487.30 and authorizing the City Manager to execute the same. (PWC 2/13/23)