

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 23-098	<b>Name:</b>	
<b>Type:</b>	Ordinance - Committee	<b>Status:</b>	Passed
<b>File created:</b>	4/11/2023	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	5/16/2023	<b>Final action:</b>	5/16/2023
<b>Title:</b>	An Ordinance approving Change Order No. 5 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 \$61,305.99 for a revised agreement amount of \$4,191,289.56 and to increase the project timeline by 18 days and authorizing the City Manager to execute the same. (PWC 5/8/23)		
<b>Sponsors:</b>	Public Works Admin & Engineering, Water Utilities		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Exhibit A: Change Order No. 5		

Date	Ver.	Action By	Action	Result
5/16/2023	1	City Council - Regular Session	for second reading	Pass
5/16/2023	1	City Council - Regular Session	adopted and numbered	Pass
5/8/2023	1	Public Works Committee	recommended for approval	Pass

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### Key Issues:

- ☐ Pursuant to Ordinance No. 9390, the City and Wiedenmann, Inc., (hereinafter "Contractor") entered into an Agreement for the construction of the Water Main Replacement: FY22 Project, Project No. 496-1, (hereinafter "Base Agreement").
- ☐ The City and Contractor modified the Base Agreement 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. 9554, the City and Contractor further modified the Base Agreement, as amended, per Change Order No. 3 for increased costs associated with replacing additional fire hydrants and lines and water main replacement involving open-cut methods in lieu of pipe bursting.
- ☐ Pursuant to Ordinance No. 9621, the City and Contractor executed Change Order No. 4 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.
- ☐ The City desires to further modify the Base Agreement, as amended, to increase the agreement amount and to increase the project timeline due to the second revisions to Plan Sheet 9, costs due to extra depth of water mains, added casing pipe removal, costs for sewer lateral potholing, additional sod, additional 12" water line and added days ("Change Order No. 5").

Proposed Committee Motion:

I move to recommend to the City Council approval of an Ordinance approving Change Order No. 5 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 \$61,305.99 for a revised agreement amount of \$4,191,289.56 and to increase the project timeline by 18 days 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. 5 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 \$61,305.99 for a revised agreement amount of \$4,191,289.56 and to increase the project timeline by 18 days and authorizing the City Manager to execute the same.

SECOND MOTION: I move for the adoption of an Ordinance approving Change Order No. 5 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 \$61,305.99 for a revised agreement amount of \$4,191,289.56 and to increase the project timeline by 18 days and authorizing the City Manager to execute the same.

Background:

This Change Order 5 will adjust the contract price for additional costs associated with added work with an increase of \$61,305.99 for a revised agreement amount of \$4,191,289.56 and increase 18 days to the project

timeline.

It was determined the need to pothole and expose the sanitary laterals that cross the existing water main pipe bursting operation along SW 1st Street. The potholing was done to prevent and verify any sanitary lateral damage due to the bursting operation. The laterals were potholed between 1402 and 1516 SW 1st Street. The potholing found sanitary laterals at several locations were damaged during the water main pipe bursting operation. The contractor made necessary repairs.

City Staff determined to add 3/4" water service line at 1401 and 1513 SW 1st St in order to relocate the water service connections outside the driveways.

Water Utilities requested to substitute the proposed tee fitting with a cross fitting and plug on the west side. The substitution was requested to allow for a future water main connection that is to be included in a future project.

The existing water meters were leaking at various locations and City staff determined to repair the leaks using replacement parts supplied by Water Utilities. Water Utilities staff determined to add two 8" gate valves on M291 to eliminate disruptions to the water service during water main replacement and to provide additional valves for future use.

Change Order 1 authorized adding straddle blocks and additional/amended DI fittings to correct the size of a proposed tee fitting and to document material substitutions. This change increased the contract price by \$6,300.75. The price increase was than 5% for the base contract, so it was approved administratively in accordance with Section 8.2 of the City's Procurement Policy.

Change Order 2 added additional scope to the project. Initially, the water main replacement along NW O'Brien Road was part of the FY22 - Phase 2 Watermain replacement project as open cut main replacement. Upon further evaluation, City Staff determined that the work along O'Brien was better suited for the pipe bursting methods used on the Phase 1 project. So that work was transferred from Phase 1 to Phase 2, so this Phase contract price was increased by \$197,938.00 and added 40 calendar days to the completion time of this contract.

Change Order 3 added additional scope to the project changing the contract price for additional costs associated with added work and to add contract time to the Milestone 3 area.

Change Order 4 addressed the need for potholing sanitary sewer service laterals, sanitary lateral repairs, additional water service line, fitting substitution, water meter leak repairs, additional 8" gate valves, and increased quantities.

Change Order 5 addresses change in the contract price due to the second revisions to Plan Sheet 9, costs due to extra depth of water mains, added casing pipe removal, costs for lateral potholing, additional sod, additional 12" water line, and added days.

Perry Allen, Construction Manager

Staff recommends approval.

*..Committee Recommendation*

Committee Recommendation:

The Public Works Committee voted unanimously 4-0 to recommend to City Council approval of an Ordinance approving Change Order No. 5 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 \$61,305.99 for a revised agreement amount of \$4,191,289.56 and to increase the project timeline by 18 days and authorizing the City Manager to execute the same. (PWC 5/8/23)