



Jackson County, Missouri

Request for Legislative Action

REQUESTED MEETING DATE: _____ **SPONSOR:** Jalen Anderson

To be completed by the County Counselor's Office:

NUMBER: 21624 **ASSIGNED MEETING DATE:** 05/13/2024

STAFF CONTACT: Ric Johnson **PHONE:** (816) 881-4499

EMAIL: eljohnson@jacksongov.org

DEPARTMENT: Public Works Department - Engineering Division

TITLE: Approving Supplemental Agreement No. 3 with OWN, Inc. (formerly Anderson Engineering, Inc.) in Kansas City, Missouri for additional hydraulic modeling (HEC-RAS) at no additional cost to the County for the Stoenner Road Bridge Reconstruction project, Federal Project BRO-B048 (59).

SUMMARY:

The County entered into an agreement with MoDOT to fund the construction of a new bridge on Stoenner Road in the Off System Bridge Program (BRO). This program provides for 80% funding on eligible costs for the project. The Local Entity is responsible for the 20% match. MoDOT has approved using our soft match credit for the match, which results in 100% federal funding for the design of this bridge.

The County entered a design contract (Ordinance No. 5553 for \$98,100.00) with Anderson Engineering, Inc. (Kansas City, MO) dated October 4, 2021. Supplemental Agreement No. 1 (Ordinance No. 5673 for \$16,500.00) dated October 3, 2022 was to compensate the Engineer for additional design and plan preparation efforts to develop water main relocation plan/profile sheets, construction detail sheets, and prepare a revised Engineer's Estimate of Probable Construction Costs. Supplemental Agreement No. 2 (Ordinance No. 5713 at no cost change) dated February 14, 2023 was to extend the agreement schedule for the design delays associated with the water main relocation. Supplemental Agreement No. 3 (\$5,037.05) is to compensate the Engineer for additional hydraulic modeling (HEC-RAS) to demonstrate to a property owner that the proposed stream conditions will not change significantly beyond the existing stream condition with respect to erosion and stream velocity. This Supplemental Agreement has been approved by the Federal Highway Administration (FHWA) and the Missouri Department of Transportation (MoDOT). The notice of approval is included as an attachment.

We request that:

1. The County Executive be authorized to execute Supplemental Agreement No. 3.
2. The Director of Finance be authorized to encumber funds to cover the costs for the supplemental agreement (\$5,037.05).
3. The Director of Public Works be authorized to approve adjustments in the design agreement, to the extent that there will be no further funding obligation by the County.

FINANCIAL IMPACT: NO ☐

YES ☒

Amount	Fund	Department	Line-Item Detail
\$ 5,038.00	010	1577	56030

ACTION NEEDED: AUTHORIZE

ATTACHMENT(S): 01_BRO-B048(59) Stoenner Road Bridge_Supplemental No. 3_signed
02_Attachment to Supplement No. 3
03_Location Map_Stoenner Road Bridge
04_Tax Clearance
05_MoDOT Approval

Fiscal Note:

This expenditure was included in the Annual Budget.

PC#

Date: January 1, 2024

RES # 5848
eRLA ID #: _____

010 Grant Fund

Cost Center		Spend Category	Program/Grant/Project	Not to Exceed
1501	Public Works - Director's Office	56030 Architectural & Engin. Services	GR100025	\$ 5,038
<div>APPROVED</div>				\$ 5,038

Budget Office

**SUPPLEMENTAL AGREEMENT NO. 3
TO
ENGINEERING SERVICES CONTRACT**

This Supplemental Agreement is made part of an agreement date October 15, 2021 between the County of Jackson and OWN, Inc. (formerly Anderson Engineering, Inc.) for design and construction inspection of the Stoenner Road Bridge Replacement project (MoDOT Project No. BRO-B048 (059) / Jackson County Project No. 3247). The purpose of this Supplemental Agreement is to compensate the Engineer for the additional hydraulic modeling (HEC-RAS) to demonstrate to the property owner that the proposed stream conditions will not change significantly beyond the existing stream condition with respect to erosion and stream velocity. These additional services shall be in an amount not to exceed Five Thousand Thirty-seven Dollars and Five Cents (\$5,037.05). The total design phase services shall be in an amount not to exceed One Hundred Nineteen Thousand, Five Hundred Thirty-seven Dollars and Five Cents (\$119,537.05). Attachment A outlines the chronological progression of the additional scope and cost breakdown.

This Supplemental Agreement is contingent upon approval by the Federal Highway Administration (FHWA) and the Missouri Department of Transportation (MoDOT). Supplemental Agreement No. 3 accepted as defined herein:

OWNER: JACKSON COUNTY

ENGINEER: OWN, INC.

BY: _____
Bob Crutsinger
Director of Finance & Purchasing

BY: Kurt D. Mouta
r

BY: Brian Gaddie
Brian Gaddie, PE
Director of Public Works

DATE: 03/20/2024

ATTEST:

BY: Hanna Samuelson
Project Coordinator

Executed by the County on the _____ day of _____, 2024.

APPROVED AS TO FORM:

ATTEST:

County Counselor

Clerk of the County Legislature

AMENDMENT TO CONTRACT FOR PROFESSIONAL SERVICES



March 15, 2024

Jackson County Public Works
Ric Johnson-Director of Public Works
303 W Walnut
Independence, MO 64050

Re: OWN Amendment #3 to Contract for Professional Services dated 10/11/2021 Engineering Design Services for BRO-B048(059) Jackson County Project #3247 Stoenner Road Bridge over Fire Prairie Creek Tributary

Dear Ric,

This Amendment is hereby attached to and made part of the Contract for Professional Services dated 10/11/2021 and Additional Work dated 10/3/2022 between Jackson County Public Works ("Client") and OWN, Inc. (formerly Anderson Engineering, Inc.). All Terms and Conditions remain the same unless specifically modified herein. OWN's scope of services for this Amendment is as follows:

ADDITIONAL HEC-RAS MODELING \$5,037.05

- Performed additional HEC-RAS modeling to illustrate channel velocities and shear stress calculations for concerned property owners.
- Prepared exhibits from modeling results.
- Held various property owner meetings and phone conversations regarding HEC-RAS modeling results and easement concerns.
- Coordinated easement revisions as requested by property owners and obtained easement signatures.

Name	Date	Hours	Billing Amount	Comment
Jonathan Daldalian	03/29/23	1.5	\$159.00	Model SearchProp. Model Revision
Jonathan Daldalian	03/30/23	4	\$424.00	Channel velocity and shear stress calculations
Kent Monter	04/04/23	0.25	\$44.38	Project coordination
Jonathan Daldalian	05/10/23	0.5	\$53.00	Revised Hydraulic Data Table
Jonathan Daldalian	06/08/23	3	\$318.00	Meeting PrepEx Conditions Model CheckPro Conditions Model CheckExhibit Prep
Jonathan Daldalian	06/08/23	1	\$106.00	Coordination Meeting
Kent Monter	06/08/23	1	\$196.50	property easements, owner concerns - erosion
Scott Edgar	06/08/23	1	\$177.50	review HEC-RAS output with Jon/Kent
Jonathan Daldalian	06/09/23	1	\$106.00	Cross Section Review
Kent Monter	06/23/23	0.25	\$49.13	Project discussions
Kent Monter	07/11/23	0.25	\$49.13	property owner coordination attempt
Kent Monter	07/21/23	0.25	\$49.13	Property owner coordination
Kent Monter	07/25/23	0.75	\$147.38	Property owner meeting coordination
Kent Monter	07/27/23	0.75	\$147.38	Property owner mtg prep
Mitch Gible	07/27/23	1	\$113.50	discussion with Kent about an owner meeting
Jonathan Daldalian	07/31/23	3.5	\$371.00	Site VisitClient MeetingTravel Time
Kent Monter	07/31/23	2	\$393.00	Property owner meeting
Mitch Gible	07/31/23	3	\$340.50	Land Owner meeting at site
Kent Monter	08/14/23	0.75	\$147.38	property owner correspondence
Mitch Gible	08/14/23	2	\$227.00	updated easements
Kent Monter	08/16/23	0.75	\$147.38	property owner correspondence
Naomi Daldalian	08/16/23	1.5	\$159.00	Stoenner Rd Redlines / Revisions
Naomi Daldalian	08/17/23	4	\$424.00	Stoenner Rd Redlines / Revisions
Kent Monter	09/07/23	0.25	\$49.13	Property owner communication - easement signatures
Kent Monter	09/08/23	0.25	\$49.13	Property owner communication - easement signatures
Kent Monter	09/13/23	0.5	\$98.25	Property easements
Kent Monter	09/14/23	0.5	\$98.25	property easement
Kent Monter	09/18/23	1	\$196.50	Property owner easement negotiations
Kent Monter	09/22/23	1	\$196.50	property owner negotiations
		37.5	\$5,037.05	

TOTAL AMENDMENT FEE \$5,037.05

AMENDMENT TO CONTRACT FOR PROFESSIONAL SERVICES



TOTAL REVISED CONTRACT FEE

Original Contract:	\$98,000.00
Amendment #1:	\$16,500.00
Amendment #2:	\$0.00
Amendment #3:	\$5,037.05

NEW TOTAL CONTRACT FEE: \$119,537.05

Special Note: Provided below is a page from the Negotiator Report which shows the contacts that were made with the property owners in an attempt to obtain their signatures on the required easements. These are considered to be over and above the typical number of attempts needed.

***See Negotiator Report Attached.**

Compensation

These amended services add **\$5,037.05** from our original Agreement plus additional reimbursable expenses. Additional services will be invoiced in accordance with the terms of the original Agreement unless otherwise stated herein.

This Amendment, along with any other previous Amendments to the original Agreement, represents the entire understanding between Client and OWN with respect to the Project and may only be modified in writing signed by both parties.

If this Amendment satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to OWN. Client warrants that it is either the legal owner of the property to be improved by this project or that Client is acting as the duly authorized agent of the legal owner.

Sincerely,

OWN, Inc.

A handwritten signature in blue ink that reads "Kent D. Monter".

Kent D. Monter, P.E.
Public Infrastructure Department Manager

By signing below, you acknowledge that you have full authority to bind Client to this Amendment. Your signature indicates authorization to proceed and that you have reviewed and accepted this Amendment.

Jackson County Public Works

Project #21KC40005- Amendment #3

Signature: _____

Name: _____

Title: _____

Date: _____

Client Representative (if different from above): _____

3/20/23: Call to set up virtual meeting with land owner.

6/22/23: response from land owner stating he will be out of country until 7/1/23 and presenting questions and requesting information to confirm concerns are not warranted.

6/20/23: email from 3/24/23 meeting acknowledging land owners concerns about erosion.

7/11/23: follow up email to schedule meeting to discuss concerns.

7/19/23: Response from land owner stating they had just received surgery and will be in touch soon.

7/20/23: Acknowledge email of response. Response from land owner reiterating concerns.

7/24/23: Follow up email stating attempts to coordinate meeting with county staff and consultant, response email stating a meeting at the site is preferred.

7/26/23: Email attempting to coordinate site meeting for 7/31/23, response email verifying date of site meeting.

7/26/23: Email setting meeting at site 7/31/23 @2pm.

7/31/23: Site meeting with Don Borgman and Brad Mershon discussing concerns and fielding questions from land owners. Persons present: Don Borgman, Brad Mershon and Son, AE (Kent Monter, Jon Daldalian, Mitch Gilber), Jackson County (Ric Johnson).

8/12/23: Email from land owner nothing changes needed to easements.

8/16/23: AE response email with updated easements. Response from land owner stating they are traveling and won't be able to sign until returning 8/28/23.

9/6/23: Email to land owner giving direction on where to send signed easements.

9/7/23: Response email from land owner stating easements are in the mail.

9/14/23: Call to discuss status of easements, no answer.

10/5/23: Called and emailed land owner in regards to resign easements after alterations.

11/3/23: Call regarding ownership agreement for D&C Farms LLC

11/3/23: Call and in person meeting for the collection of ownership agreement.

Signed:

Kent D. Monter

14 Nov 2023

Negotiator

Date



PROJECT:	Stoenner Road Bridge	
DRAWING:	genlocation.pptx	
DATE:	November 4, 2020	
DESIGN:	ELJ	CHKD:
DETAIL:	ELJ	APD:

STOENNER ROAD BRIDGE RECONSTRUCTION

General Location Map

C1



Looking east along Stoenner Road from the structure The roadway is chip sealed with minimal grass shoulders. Roadside ditches get steeper as they approach the structure. Guardrail has been installed.

Looking west along Stoenner Road from the structure The roadway is chip sealed with minimal grass shoulders. Roadside ditches get steeper as they approach the structure. Guardrail has been installed.



Looking upstream from the double cell RCB. The stream banks are very well defined and extend outside the wingwalls of the structure.



PROJECT:	Stoenner Bridge	
DRAWING:	genlocation.pptx	
DATE:	November 4, 2020	
DESIGN:	ELJ	CHKD:
DETAIL:	ELJ	APD:

STOENNER ROAD BRIDGE RECONSTRUCTION

General Project Photos

C2



Upstream end of the structure. No center wingwall was constructed. Note the erosion of the roadside ditch at the end of the southeast wingwall. Rock blanket should be considered for each of the locations where the roadside ditches enter the streamway to prevent erosion.

Looking downstream from the double cell RCB. The stream banks are very well defined and extend outside the wingwalls of the structure. Note the erosion around the base of the trees immediately downstream of the structure. These should be removed to prevent blockage of the stream if they were to fall during a major storm event.



Looking at the downstream end of the structure. There is a significant drop from the end of the apron to the actual stream bottom.



PROJECT:	Stoenner Bridge	
DRAWING:	genlocation.pptx	
DATE:	November 4, 2020	
DESIGN:	ELJ	CHKD:
DETAIL:	ELJ	APD:

STOENNER ROAD BRIDGE RECONSTRUCTION

General Project Photos

C3



The downstream toewall has degraded to the point that the reinforcing steel is exposed. Note the roadside ditch entering streamway behind the northwest wingwall.

Northeast corner of the structure taken from the roadside. Note the steepness of the grade to the roadside ditch.



Looking west along the north side of Stoenner Road at the structure. Note the underground utility that crosses over the double cell RCB (assumed fiber optic). During the field visit we noted overhead power and telephone on the poles. We did not see any markers for gas or water at this time. Need to review the County records for private easements.



PROJECT:	Stoenner Bridge	
DRAWING:	genlocation.pptx	
DATE:	November 4, 2020	
DESIGN:	ELJ	CHKD:
DETAIL:	ELJ	APD:

STOENNER ROAD BRIDGE RECONSTRUCTION

General Project Photos

C4



Official Receipt

Jackson County, MO

2023 Property Tax

Paid November 20th, 2023

Receipt Details

Receipt Number
13726463**Amount Applied**
\$17.50**Payer Name**
ANDERSON ENGINEERING INC**Tender Type**
PERSONAL CHECK**Payer Address**
941 W 141ST TER
KANSAS CITY, MO 64145

Personal Property

Property Account Number 20220962B

Name
ANDERSON ENGINEERING INC**Address**
941 W 141ST TER
KANSAS CITY, MO 64145**Since**
2022-01-01**To**
--

Tax Year 2023

Receipt Details

Category
--**Purchase Year**
2022**Description**
MACR 7YR**Item ID**
4068602**Amount Applied**
\$2.50**Unpaid Balance**
\$0.00**Description**
A/V Principal-Regular**Amount Applied**
\$15.00**Unpaid Balance**
\$0.00**Description**
Personal Property Late Filing
Penal

Distribution of Districts

STATE BLIND PENSION

\$0.01

BOARD OF DISABLED SERVICES

\$0.02

MENTAL HEALTH

\$0.03

METRO JUNIOR COLLEGE

\$0.05

MID-CONTINENT LIBRARY

\$0.09
JACKSON COUNTY
\$0.15
CITY - KANSAS CITY
\$0.45
GRANDVIEW SCHOOL C-IV
\$1.70

Any unpaid balance will continue to accumulate interest, penalties, and fees.

This receipt reflects the amount of any current unpaid balance at the time this receipt is generated. It does not include any such interest, penalties and fees that are later accrued. Changes to the account may change the unpaid balance amount.

If this payment does not clear your financial institution, this receipt is void and you may receive a returned item fee and late penalty. Please verify with your financial institution that this payment has cleared.

Eric L. Johnson

From: Sarah E. Long <Sarah.Long@modot.mo.gov>
Sent: Wednesday, May 1, 2024 3:14 PM
To: Eric L. Johnson
Cc: Earl J. Newill
Subject: EXTERNAL RE: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

WARNING: This email originated outside of Jackson County.
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Ric,

I just checked our system and **your PE suppliment has been approved**. I usually get a cost summary when things are approved but I am not seeing one so I will investigate that further.

Thanks!

Sarah Long
Senior Transportation Planner
Missouri Department of Transportation
Office Ph: (816) 607-2068



From: Eric L. Johnson <ELJohnson@jacksongov.org>
Sent: Thursday, April 25, 2024 6:02 PM
To: Sarah E. Long <Sarah.Long@modot.mo.gov>
Cc: Earl J. Newill <ENewill@jacksongov.org>
Subject: Fwd: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

Hi Sarah.

Just checking in again now that the County is back up and running. My desk phone is still having issues. You can reach me on my cell at 913-912-0933 if you have any questions.

Ric Johnson, PE
Jackson County Public Works
Engineering Division
(816) 881-4499

Begin forwarded message:

From: "Eric L. Johnson" <ELJohnson@jacksongov.org>
Date: April 3, 2024 at 10:02:00 AM CDT

To: "Sarah E. Long" <Sarah.Long@modot.mo.gov>

Subject: RE: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

Sarah:

I'm sure that you saw in the news that the County was hacked by someone using ransomware. Needless to say, our e-mail and phone system has been spotty at best since Monday. I was wanting to check on the FHWA review/approval of the Supplemental Agreement No. 3? Have they given you any comments yet?

Ric Johnson, PE
Senior Project Manager, Civil Engineer III
Jackson County Public Works – Engineering Division
Office: (816) 881-4499

From: Eric L. Johnson

Sent: Thursday, March 21, 2024 11:18 AM

To: Sarah E. Long <Sarah.Long@modot.mo.gov>

Cc: Earl J. Newill <ENewill@jacksongov.org>

Subject: RE: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

Good morning Sarah:

Attached is the signed supplement. Let us know if you have any questions.

Ric Johnson, PE
Senior Project Manager, Civil Engineer III
Jackson County Public Works – Engineering Division
Office: (816) 881-4499

From: Sarah E. Long <Sarah.Long@modot.mo.gov>

Sent: Wednesday, March 20, 2024 9:00 AM

To: Eric L. Johnson <ELJohnson@jacksongov.org>

Cc: Earl J. Newill <ENewill@jacksongov.org>; Kent Monter <kmonter@weareown.com>

Subject: RE: EXTERNAL RE: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

It looks okay to me and the request seems reasonable so I don't think there will be an issue. But I can not speak for FHWA. But, I have had them approve weirder things for more money.

From: Eric L. Johnson <ELJohnson@jacksongov.org>

Sent: Wednesday, March 20, 2024 8:31 AM

To: Sarah E. Long <Sarah.Long@modot.mo.gov>

Cc: Earl J. Newill <ENewill@jacksongov.org>; Kent Monter <kmonter@weareown.com>

Subject: RE: EXTERNAL RE: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

No problem. I wanted to pass this thru you for thoughts, opinions, format before we pass this to the Legislature for approval.

Ric Johnson, PE
Senior Project Manager, Civil Engineer III

Jackson County Public Works – Engineering Division

Office: (816) 881-4499

From: Sarah E. Long <Sarah.Long@modot.mo.gov>

Sent: Wednesday, March 20, 2024 8:01 AM

To: Eric L. Johnson <ELJohnson@jacksongov.org>

Cc: Earl J. Newill <ENewill@jacksongov.org>; Kent Monter <kmonter@weareown.com>

Subject: EXTERNAL RE: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

WARNING: This email originated outside of Jackson County.

DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Ric,

I think the only thing I need before I can submit this to FHWA is for the agreement to be signed.

Thanks!

Sarah

From: Eric L. Johnson <ELJohnson@jacksongov.org>

Sent: Tuesday, March 19, 2024 1:56 PM

To: Sarah E. Long <Sarah.Long@modot.mo.gov>

Cc: Earl J. Newill <ENewill@jacksongov.org>; Kent Monter <kmonter@weareown.com>

Subject: BRO-B048(59) Stoenner Road Bridge Reconstruction: Amendment No. 3 Request

Good afternoon Sarah:

Attached is a draft of Amendment No. 3 for the above project. The work required to obtain the easement donation from the property owner exceeded normal expectations. The property owner did not understand nor agree with the design information. Additional modeling was required to provide the property owner with the information that they requested/required to approve with the proposed construction and approval of the easement donation.

We are submitting the document for review and approval. If you have any questions, feel free to contact me.

Ric Johnson, PE
Senior Project Manager, Civil Engineer III

Jackson County Public Works – Engineering Division

303 West Walnut Street

Independence, Missouri 64050

(816) 881-4499 direct | (913) 912-0933 cell | (816) 881-1700 fax

www.jacksongov.org | ric.johnson@jacksongov.org

Please consider the environment before printing this email.

Jackson County, Missouri Budget Adjustment Requests

To: _____

Date: _____

From: _____

Reason: _____

One Time Expenditure

Annual Expense to be adjusted in proceeding year's budget

From:

Does this include salary funds?

Fund	Cost Center	Spend Category	Amount	Account Balance Before Transfer	Month to Date Total Transfers from this account
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

To:

Fund	Cost Center	Spend Category	Amount	New Acct Yes or No	Month to Date Total Transfers to this account
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Approvals

Please transfer the preceeding funds to cover a line item deficit in the preceeding account(s). Signify approval by entering name in space below.

Department Director

Director of Finance and Purchasing

Budget Office Use Only

Fiscal Yr:

WD Ref#:

Prepared By:

Date:

Approved By:

Date:

Administration Approval

Date: