

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing Change Order No. 2 to the contract with Amino Brothers Company, Inc., of Kansas City, KS, for the Woods Chapel Road Project, No. 2293, increasing the contract amount by \$279,422.00.

**RESOLUTION #17471**, January 18, 2011

**INTRODUCED BY** Bob Spence, County Legislator

WHEREAS, the Legislature did, by Resolution 16511, dated January 22, 2008, award a contract to Amino Brothers Company, Inc., of Kansas City, KS, in the actual amount of \$7,823,471.06, for the Woods Chapel Road Project, No. 2293; and,

WHEREAS, Change Order No. 1 to this contract adjusted line item quantities at no cost to the County; and

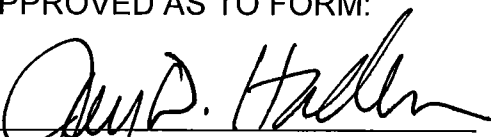
WHEREAS, proposed Change Order No. 2 is necessary to cover the additional costs incurred when it was discovered that the quantities of bid items for temporary pavement, were insufficient to construct the by-passes and transitions needed to keep the project open to traffic during construction; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that Change Order No. 2 to the aforesaid contract be, and is hereby, approved, and the County Executive be, and is hereby authorized to execute the said change order on behalf of the County; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17471 of January 18, 2011, was duly passed on January 18, 2011 by the Jackson County Legislature. The votes thereon were as follows:

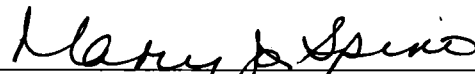
Yeas 8

Nays 0

Abstaining 1

Absent 0

1-18-11  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 015 1511 58040  
ACCOUNT TITLE: Public Building Corp - Fund  
Public Works - County Road Projects  
Roads and Highways  
NOT TO EXCEED: \$176,296.00

ACCOUNT NUMBER: 015 1512 58040  
ACCOUNT TITLE: Public Building Corp - Fund  
Public Works - County Road Projects  
Roads and Highways  
NOT TO EXCEED: \$103,126.00

January 18, 2011  
Date

  
\_\_\_\_\_  
Director of Finance and Purchasing

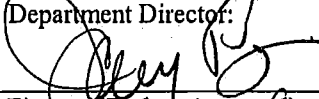
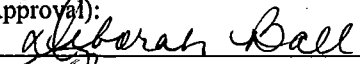


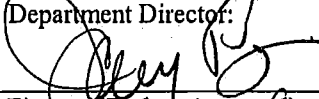
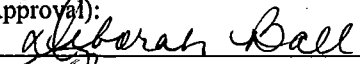


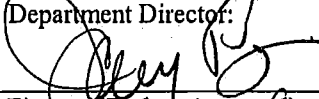
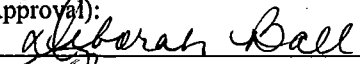


# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 17471

Sponsor(s): Bob Spence

Date: January 18, 2011

SUBJECT	Action Requested <input checked="" type="checkbox"/> Resolution Approval of change order no. 2 <input type="checkbox"/> Ordinance  Project/Title: <u>Woods Chapel Road Project no. 2293</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="321 369 1187 653"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$279,421.65</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$279,421.65</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$998,254.00</td> </tr> <tr> <td>Source of funding (name of fund) and account code number;</td> <td>015-1511-8040 \$176,296 015-1512-8040 \$103,125.65</td> </tr> </table> <p>• If account includes additional funds for other expenses, total budgeted in the account is: 015-1512-8040 \$821,958</p> OTHER FINANCIAL INFORMATION: <input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$279,421.65	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$279,421.65	Amount budgeted for this item * (including transfers):	\$998,254.00	Source of funding (name of fund) and account code number;	015-1511-8040 \$176,296 015-1512-8040 \$103,125.65
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Source of funding (name of fund) and account code number;	015-1511-8040 \$176,296 015-1512-8040 \$103,125.65											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): R16511, dated 1-22-08											
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Earl Newill, Chief Engineer, 881-4538											
REQUEST SUMMARY	Jackson County entered into an agreement with the City of Lee's Summit to design and construct Woods Chapel road. Jackson County is managing the project with Lee's Summit sharing in the costs, and providing on site inspection. The project was designed by Burns and McDonnell Engineers. The public Works department bid the project and the bid was awarded to Amino Bros. As the project was constructed it was discovered that the quantities and bid items for the temporary pavement, were insufficient to construct the by-passes, and transitions needed to keep the project open to traffic during construction. Amino Bros has made a claim against the county regarding this issue.  Change order No. 2 increases the quantities of temporary pavement to cover the costs of the work alleged in this claim; an additional agreed-upon settlement amount will be dealt with separately.  The Public Works Department has reviewed the change order and recommends that it be approved. We therefore request that a resolution be prepared authorizing the County Executive to execute all documents related to Change Order No. 2 and that the Manager of Finance be authorized to encumber \$279,421.65 to cover the costs.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	Change Order No. 2, Attachment A.											
REVIEW	<table border="1" data-bbox="300 1635 1511 1908"> <tr> <td>Department Director: </td> <td>Date: 1/13/2011</td> </tr> <tr> <td>Finance (Budget Approval): If applicable </td> <td>Date: 1-13-2011</td> </tr> <tr> <td>Division Manager: </td> <td>Date: 1/13/11</td> </tr> <tr> <td>County Counselor's Office: </td> <td>Date: _____</td> </tr> </table>		Department Director: 	Date: 1/13/2011	Finance (Budget Approval): If applicable 	Date: 1-13-2011	Division Manager: 	Date: 1/13/11	County Counselor's Office: 	Date: _____		
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Division Manager: 	Date: 1/13/11											
County Counselor's Office: 	Date: _____											

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_

Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
015-1511-8040	Public Building Corp-Cap Project	\$176,296
015-1512-8040	Public Building Corp-Cap Project	\$103,125.65

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

**Fiscal Note:**

This expenditure was included in the Annual Budget.

Date: January 13, 2011 Res/Ord No. 17471

Department / Division	Character/Description	Not to Exceed
<b>Public Building Corp - Fund - 015</b>		
1511 - PW - County Road Projects	58040 - Roads and Highways	176,296
1512 - PW - County Road Projects	58040 - Roads and Highways	103,126
	Total	279,422

*Deborah Ball* 1-13-11  
 Budgeting

ATTACHMENT A Woods Chapel Road Improvements  
 Jackson County Project # 2293 Federal Project No. STP-3470(402)

Change Order # 2

ITEM NO.	DESCRIPTION	PLAN QUANTITY	AS-BUILT QUANTITY	QUANTITY CHANGE	UNIT PRICE	PRICE CHANGE
#59	Temporary Pavement	166 ton	1,547.13	1381.13	\$149.59	\$206,603.24
#164 NEW	6" Temporary Aggregate Drainable Base	0	2,966.82 ton	2,966.82	\$17.12	\$50,791.96
#165 NEW	Remove 6" Agg Base ( Item 164 )	0	8,990.39 sy	8990.39	\$2.45	\$22,026.45
TOTAL						\$279,421.65

# Memo of Explanation

**Prepared by:** Rodger Seidelman P.E., Construction Chief

**Date:** January 04, 2011

**Subject:** **Woods Chapel Road Change Order No. 2**

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The woods chapel project was designed with the concept of keeping it open to traffic during construction. To accomplish this, the plans and specifications called for 5 different sections of temporary pavement to be constructed.

These sections allowed traffic to transition from old to new pavements or to bypass areas under construction until the new pavement could be completed.

There was a line item in the bid to accomplish this work. As it was discovered after the work began, the line item didn't have the correct quantity (the quantity was too low) and it was inadequate to cover all the work, and the specification was also inadequate to describe how the work was to be paid for.

Change Order no. 2 adds the correct quantities of materials in 3 lines items existing in the contract.



JACKSON COUNTY DEPARTMENT OF PUBLIC WORKS  
CONTRACT CHANGE ORDER

CHANGE ORDER NO. 2 PROJECT Woods Chapel Road

CONTRACTOR Amino Brothers Company, Inc. COUNTY NO. 2293  
8110 Kaw Drive FED. AID NO. STP-3470(402)  
Kansas City, Kansas 66111

THIS CONTRACT SHALL BE AMENDED AS FOLLOWS:

Description of change:

See Attachment A

Amount this change order (plus) (~~minus~~) (no change).....\$ 279,421.65

The contract amount will be amended as follows:

Original contract price.....	\$ <u>7,823,471.06</u>
Amount of all previous Change Orders + plus or minus .....	\$ <u>-0-</u>
Amount of this Change Order <b>+plus</b> or minus - .....	\$ <u>279,421.65</u>
New total contract price.....	\$ <u>8,102,892.71</u>

The change order shall become an amendment to the contract and all provisions of the contract except as amended above and by any previous change orders, shall apply hereto.

CONTRACTOR'S ACCEPTANCE

OWNER'S APPROVAL

BY \_\_\_\_\_

BY \_\_\_\_\_

Title \_\_\_\_\_

Title County Executive

Date \_\_\_\_\_

Date \_\_\_\_\_

APPROVAL RECOMMENDED

APPROVAL AS TO FORM

\_\_\_\_\_  
County Resident Engineer

\_\_\_\_\_  
County Counselor

\_\_\_\_\_  
Chief Engineer

ATTEST

\_\_\_\_\_  
Clerk, Jackson County Legislature

CERTIFICATION

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable and a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation of \$ \_\_\_\_\_ hereby authorized.