IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating $85,000.00 from the undesignated fund balance of the Self-Insurance Fund in acceptance of payment from the County's engineering consultant to cover its portion of the settlement related to the construction of the Woods Chapel Road Project, No. 2293 and authorizing the payment of $85,000.00 to Amino Bros. co., Inc., of Kansas City, KS, to finalize this settlement.

ORDINANCE #4299, February 28, 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, in the course of its work on this project, Amino Brothers Company, Inc., claimed that it incurred significant damages due to inadequate specifications contained in the bid documents that are attributable to the County, the City of Lee's Summit, and Burns & McDonnell Company, Inc., the County's engineering consultant, and for which the County, the City of Lee's Summit, and Burns & McDonnell Company, Inc. are liable; and,

WHEREAS, the Legislature did, by Resolution 17472, dated January 18, 2011, authorize the settlement of the claim against the County in the amount of $17,500.00; and,

WHEREAS, Burns & McDonnell Engineering Company, Inc.'s portion of the settlement is $85,000.00, which will be paid by the County from funds provided by Burns & McDonnell; and,

WHEREAS, an appropriation is necessary to place the funds in the proper spending account; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the Self-Insurance Fund be and hereby is made:

DEPARTMENT/DIVISION	CHARACTER/DESCRIPTION	FROM	TO
Self-Insurance Fund Non-Departmental			
060-9999	47045 – Settlements & Jgmts	$85,000	
060-2810	Undesignated Fund Balance		$85,000
060-2810	Undesignated Fund Balance	$85,000	
060-5160	56380 – Uninsured Claimants		$85,000

and,

BE IT FURTHER ORDAINED by the County Legislature of Jackson County, Missouri, that the Director of Finance and Purchasing is authorized to issue a check in the amount of $85,000.00 to Amino Brothers Company, Inc., pursuant to the specific direction of the County Counselor.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

_____
Chief Deputy County Counselor

_____
County Counselor

      I hereby certify that the attached Ordinance, Ordinance #4299 introduced on February 28, 2011, was duly passed on _____February 28_____, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____9_____ Nays _____0_____

Abstaining _____0_____ Absent _____0_____

This Ordinance is hereby transmitted to the County Executive for his signature.

_____2-28-11_____
Date

_____
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4299.

_____3/1/2011_____
Date

_____
Michael D. Sanders, County Executive

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

ACCOUNT NUMBER: 060 2810

ACCOUNT TITLE: Self-Insurance Fund
Undesignated Fund Balance

NOT TO EXCEED: $85,000.00

This 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.

_____February 28, 2011_____
Date

_____
Director of Finance and Purchasing

Supplemental Appropriation Request
Jackson County, Missouri

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

Date: February 24, 2011   ORD # 4299

Department / Division	Character/Description	From	To
Self-Insurance Fund - 060			
9999 - Non Departmental	47045 - Settlements and Judgement	85,000	
2810	Undesignated Fund Balance		85,000
2810	Undesignated Fund Balance	85,000	
5160 - Non Departmental	56380 - Uninsured Claimants		85,000

Deborah Ball 2-24-11
Budgeting