

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing Change Order No. 1 to the contract with Superior Bowen Asphalt Company, LLC, of Kansas City, MO, for the 2012 Pavement Maintenance Project Phase 1 (asphaltic concrete overlay, chip seal, and pavement marking), No. 3161, increasing the contract amount by \$138,567.74.

RESOLUTION #17950, August 6, 2012

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, the Legislature did, by Resolution 17886, dated April 30, 2012, award a contract to Superior Bowen Asphalt Company, LLC, of Kansas City, MO, in the actual amount of \$1,561,300.00 for the 2012 Pavement Maintenance Project Phase 1 (asphaltic concrete overlay, chip seal, and pavement marking), No. 3161; and,

WHEREAS, the City of Lake Lotawana has requested that a section of Langsford Road between Milton Thompson Road and 7 Highway be included in the Pavement Maintenance Project Phase 1; and,

WHEREAS, pursuant to section 2836., Jackson County Code, 1984, the City of Lake Lotawana has requested the use of its County Urban Road System (CURS) funds in the amount of \$138,567.74 to cover the cost of these improvements to Langsford Road; and,

WHEREAS, the Director of Public Works recommends approval of the request; and,

WHEREAS, the Legislature finds that the Langsford Road improvements will benefit the citizens of Lake Lotawana and the citizens of Jackson County; now therefore,


BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that Change Order No. 1 to the aforesaid contract be, and is hereby, approved, and the County Executive of be, and is hereby authorized to execute 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 #17950 of August 6, 2012 was duly passed on August 6, 2011 by the Jackson County Legislature. The votes thereon were as follows:

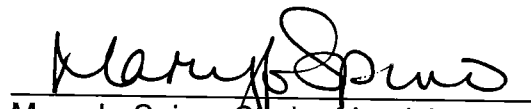
Yeas 9

Nays 0

Abstaining 0

Absent 0

8/6/12
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: 400 1545 58070
ACCOUNT TITLE: CURS Fund
City of Lake Lotawana
City Projects

NOT TO EXCEED: \$138,568.00

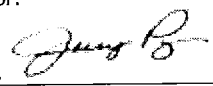
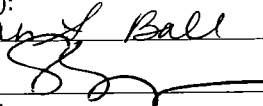
August 1, 2012
Date


Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 17950
 Sponsor(s): Bob Spence
 Date: August 6, 2012

| | | | | | | | | | | | | |
|--|--|--|--------------|--|-----|--|--------------|----------------------------------|--------------|--|---|--|
| <p>SUBJECT</p> | <p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: Recommending approval of change order No. 1 to the construction contract with Superior Bowen Asphalt Company in the amount of \$138,567.74 for work on Langsford Road within the City of Lotawana, using CURS funds.</p> <p>Project Number: <u>County No. 3161</u></p> | | | | | | | | | | | |
| <p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p> | <table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$138,567.74</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$138,567.74</td> </tr> <tr> <td>Amount budgeted for this item *:</td> <td style="text-align: right;">\$138,567.74</td> </tr> <tr> <td>Source of funding (name of fund) and account code number</td> <td> <p>Lake Lotawana CURS: 004-1506-58040 (Roads) \$138,567.74 400-1545-58070 -</p> </td> </tr> </table> | Amount authorized by this legislation this fiscal year: | \$138,567.74 | Amount previously authorized this fiscal year: | \$0 | Total amount authorized after this legislative action: | \$138,567.74 | Amount budgeted for this item *: | \$138,567.74 | Source of funding (name of fund) and account code number | <p>Lake Lotawana CURS: 004-1506-58040 (Roads) \$138,567.74 400-1545-58070 -</p> | |
| Amount authorized by this legislation this fiscal year: | \$138,567.74 | | | | | | | | | | | |
| Amount previously authorized this fiscal year: | \$0 | | | | | | | | | | | |
| Total amount authorized after this legislative action: | \$138,567.74 | | | | | | | | | | | |
| Amount budgeted for this item *: | \$138,567.74 | | | | | | | | | | | |
| Source of funding (name of fund) and account code number | <p>Lake Lotawana CURS: 004-1506-58040 (Roads) \$138,567.74 400-1545-58070 -</p> | | | | | | | | | | | |
| <p>* If account includes additional funds for other expenses, total budgeted in the account is</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)</p> <p>Prior Year Budget (if applicable): N/A Prior Year Actual Amount Spent (if applicable): N/A</p> | | | | | | | | | | | | |
| <p>PRIOR LEGISLATION</p> | <p>Prior ordinances and (date): N/A</p> <p>Prior resolutions and (date): R17886 dated April 30, 2012</p> | | | | | | | | | | | |
| <p>CONTACT INFORMATION</p> | <p>RLA drafted by: <u>Earl Newill 881-4538 office or 401-6401 cell</u></p> | | | | | | | | | | | |
| <p>REQUEST SUMMARY</p> | <p>R17886 awarded a contract to Bowen Superior Asphalt Company, LLC for the annual contract road program for the public works Department.</p> <p>The city of Lake Lotawana has contacted the public works department requesting that we assist them through the contract with Bowen Superior Asphalt Co. with improvements to Langsford Road between Milton Thompson and 7 highway, using funds from their CURS account.</p> <p>Langsford Road is on the list of CURS routes, and the Department of Public Works recommends that this work be funded from the city of Lake Lotatwana's CURS funds.</p> <p>The Public Works department has prepared a change order for the work requested, and requests that a resolution be prepared authorizing the Director of Public Works to execute Change Order No. 1 with Superior Bowen Asphalt Co., LLC. We further request that the Manager of Finance be authorized to encumber \$138,567.74.00 to cover the costs.</p> | | | | | | | | | | | |
| <p>CLEARANCE</p> | <p><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)</p> | | | | | | | | | | | |
| <p>ATTACHMENTS</p> | <p>Change Order No. 1, Location Map, Letter of request from the City of Lake Lotawana</p> | | | | | | | | | | | |
| <p>REVIEW</p> | <p>Department Director:  Jerry A. Page, P. E.</p> <p>Finance (Budget Approval): <i>If applicable Alexander Ball</i> Division Manager: </p> <p>County Counselor's Office:</p> | <p>Date: 07/24/2012</p> <p>Date: 7-31-12</p> <p>Date: 7/31/12</p> <p>Date:</p> | | | | | | | | | | |

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: |
|-----------------|--------------------|-----------------------|
| 400-1545-8070 | Lake Lotawana CURS | 138,567.74 |
| | | |
| | | |

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.



City of Lake Lotawana
100 Lake Lotawana Drive
Lake Lotawana, MO 64086

July 19, 2012

To: Earl Newill, Chief Engineer
Jackson County Public Works
303 West Walnut
Independence, MO 64050

Re: CURS Fund, Langsford Road, Lake Lotawana, MO

Mr. Newill:

The City of Lake Lotawana, Missouri, is hereby requesting the work to be done on Langsford Road between Milton Thompson Road and Highway 7 per the quote forwarded by you from Superior Bowen Asphalt Company, L.L.C. dated July 6, 2012 for \$138,567.74.

The City is also hereby authorizing Jackson County to use the City's portion of the CURS fund to cover the costs of the project as proposed and that no additional funds from the City will be required to pay for this project.

If I can be of further service in this matter please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Chamberlin", written over a horizontal line.

Howard Chamberlin, Mayor
City of Lake Lotawana



SUPERIOR BOWEN ASPHALT COMPANY, L.L.C.
 11030 Hickman Mills Drive • P.O. BOX 9669 • Kansas City, Missouri 64134
 (816) 765-1313 • Fax (816) 765-0945



Client: Lake Lotawana
 Thru Jackson County, MO Contract

Project Name: JACOMO 2012 Overlay
 Project Location: Jackson
 Engineer: Verbal Mayor of Lotawana

Attn: Rodger Seidleman

Date of Plans: 7/6/2012

Ph:

Fax:

Proposal:

| Item | Description | Unit | Quantity | Unit Price | Amount |
|---------------------------------------|---|------|----------|------------|-------------------|
| Lake Lotawana Proposed Overlay | | | | | |
| 01 | Asphalt Surface TY 3 R +/- 1.5" Thick (31,610 SY) | Ton | 2,608.00 | 52.66 \$ | 137,337.28 |
| 02 | Milling Headers | SY | 238.00 | 5.17 \$ | 1,230.46 |
| Total \$ | | | | | 138,567.74 |

Please Note all conditions stated below.

- 1 Add 1% for subcontractor bond if required.
- 2 Traffic Control devices, setup & takedown is included. We will provide flagmen as need for our work.
- 3 Final payment to be based on actual completed quantities at unit prices shown.

Work completed between November 1 and March 31 will be subject to additional charges.

This proposal may be withdrawn by Superior Bowen Asphalt Company, L.L.C. ("SBAC") if not accepted within twenty days.

Progress payments to be made monthly with final payment due upon completion.

The above prices include labor, material, and equipment unless stated otherwise.

NOTICE TO OWNER: FAILURE OF THIS CONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO CHAPTER 429, RSMO. TO AVOID THIS RESULT YOU MAY ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIAL OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIAL TWICE.

**THE TERMS AND CONDITIONS ON THE REVERSE SIDE ARE INCORPORATED INTO THIS PROPOSAL.
 ONCE EXECUTED BY BOTH PARTIES, THIS PROPOSAL SHALL BECOME A BINDING CONTRACT.**

Proposal authorized by:

Keith E. Davenport

Superior Bowen Asphalt Company, L.L.C.

Proposal accepted by Client:

Date: _____

JACKSON COUNTY DEPARTMENT OF PUBLIC WORKS
CONTRACT CHANGE ORDER

CHANGE ORDER NO. 1 PROJECT 2012 Pavement Maintenance
Phase 1 (Asphalt Overlay)
 CONTRACTOR Superior Bowen Asphalt COUNTY NO. 3161
P.O. Box 9669, Kansas City MO 64134 FED. AID NO. n/a

THIS CONTRACT SHALL BE AMENDED AS FOLLOWS:

Description of change:


Line Item #2 Add 238.00 SY Milling at \$5.17/SY = \$1,230.46
 NEW ITEM
 Line Item 1C 1.5" TY 3R AC Surface 2,608 tons at \$52.66/ton = \$137,337.28
 Brush cutting, grass removal, pavement marking, ditch grading, and inspection by others.

Amount this change order (plus) (~~minus~~) (no change)..... \$ 138,567.74


The contract amount will be amended as follows:

| | |
|---|------------------------|
| Original contract price..... | \$ <u>1,561,300.00</u> |
| Amount of all previous Change Orders + or - | \$ <u>-0-</u> |
| Amount of this Change Order + | \$ <u>138,567.74</u> |
| New total contract price..... | \$ <u>1,699,867.74</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
 BY 
 Title Keith E. Davenport
Project Manager
 Date 07.16.12

OWNER'S APPROVAL
 BY _____
 Title County Executive
 Date _____

APPROVAL RECOMMENDED

 County Resident Engineer

 Chief Engineer

APPROVAL AS TO FORM

 County Counselor

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.

 Manager - Division of Finance

Fiscal Note:

This expenditure was included in the Annual Budget.

PC# _____

Date: July 31, 2012

RES # 17950

| <u>Department / Division</u> | <u>Character/Description</u> | <u>Not to Exceed</u> |
|-------------------------------------|------------------------------|----------------------|
| 400 - CURS | | |
| <u>1545 - City of Lake Lotawana</u> | <u>58070 - City Projects</u> | <u>138,568</u> |
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| <u>Total</u> | _____ | <u>138,568</u> |

Alexander Ball 7-31-12
Budgeting