

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

**A RESOLUTION** authorizing Change Order No. 1 to the contract with Radmacher Brothers Excavating of Pleasant Hill, MO, for the Blue Ridge Boulevard and Wornall Road Intersection Improvements, Project No. 3086, increasing the contract amount by \$5,083.59.

**RESOLUTION #17689**, October 10, 2011

**INTRODUCED BY** Bob Spence, County Legislator

WHEREAS, the Legislature did, by Resolution 17007, dated September 14, 2009, award a contract to Radmacher Brothers Excavating, of Pleasant Hill, MO, in the actual amount of \$549,111.64.00 for the Blue Ridge Boulevard and Wornall Road Intersection Improvements, Project No. 3086; and,

WHEREAS, proposed Change Order No. 1 is necessary to adjust the various plan quantities to the as-built quantity amounts, resulting in an increase to the contract in the amount of \$5,083.59; and,

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

Bill Lyden  
Senior Deputy County Counselor

W. Stephen Neff  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17689 of October 10, 2011 was duly passed on October 10, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

10-11-11  
Date

Mary Jo Spino  
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 1540 58070  
ACCOUNT TITLE: Public Bldg Corp Fund  
City of Kansas City CURS  
City Projects

NOT TO EXCEED: \$5,084.00

October 5, 2011  
Date

R. Scott Thomas  
Director of Finance and Purchasing

**REQUEST FOR LEGISLATIVE ACTION**

Completed by County Counselor's Office:  
 Res/~~Ord~~ No.: 17689  
 Sponsor(s): Bob Spence  
 Date: October 10, 2011

SUBJECT	Action Requested <input checked="" type="checkbox"/> Resolution for the approval of Change Order One (1) (Final) <input type="checkbox"/> Ordinance  Project/Title: <u>Blue Ridge Blvd and Wornall Road Intersection Improvements; Project Number 3086</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="326 499 1198 751"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$5,083.59</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>\$5,083.59</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$5,083.59</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO Kansas City, MO Bond account 015-1540-58070</td> <td>Kansas City CURS Bond 015-1540-58070</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <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:	\$5,083.59	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$5,083.59	Amount budgeted for this item * (including transfers):	\$5,083.59	Source of funding (name of fund) and account code number; FROM / TO Kansas City, MO Bond account 015-1540-58070	Kansas City CURS Bond 015-1540-58070
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PRIOR LEGISLATION	Prior ordinances and (date): _____  Prior resolutions and (date): R 17007 dated September 14, 2009											
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Rodger Seidelman, Chief Field Inspector, 816-830-3002											
REQUEST SUMMARY	Resolution 17007 approved a contract with Radmacher Brothers Excavating for construction of the Blue Ridge Blvd and Wornall Road Project (3086). The project is now complete. Change Order Number One (1) (Final) adjusts various plan quantities to as-built quantities and increases the contract amount by \$5,083.59. The contractor agrees with the changes in quantities and has signed the change order.  We therefore, request a Resolution be prepared authorizing the County Executive to execute this Change Order Number One (1) and further authorizing the Manager of Finance to encumber \$5,083.59.											
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	Copies Change Order Number One (1), Consent of Surety, Contractor's Affidavit											
REVIEW	<table border="1" data-bbox="310 1633 1539 1950"> <tr> <td>Department Director: </td> <td>Date: 9/26/2011</td> </tr> <tr> <td>Finance (Budget Approval): If applicable </td> <td>Date: 10-4-11</td> </tr> <tr> <td>Division Manager: </td> <td>Date: 10/4/11</td> </tr> <tr> <td>County Counselor's Office:</td> <td>Date:</td> </tr> </table>		Department Director: 	Date: 9/26/2011	Finance (Budget Approval): If applicable 	Date: 10-4-11	Division Manager: 	Date: 10/4/11	County Counselor's Office:	Date:		
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Finance (Budget Approval): If applicable 	Date: 10-4-11											
Division Manager: 	Date: 10/4/11											
County Counselor's Office:	Date:											

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

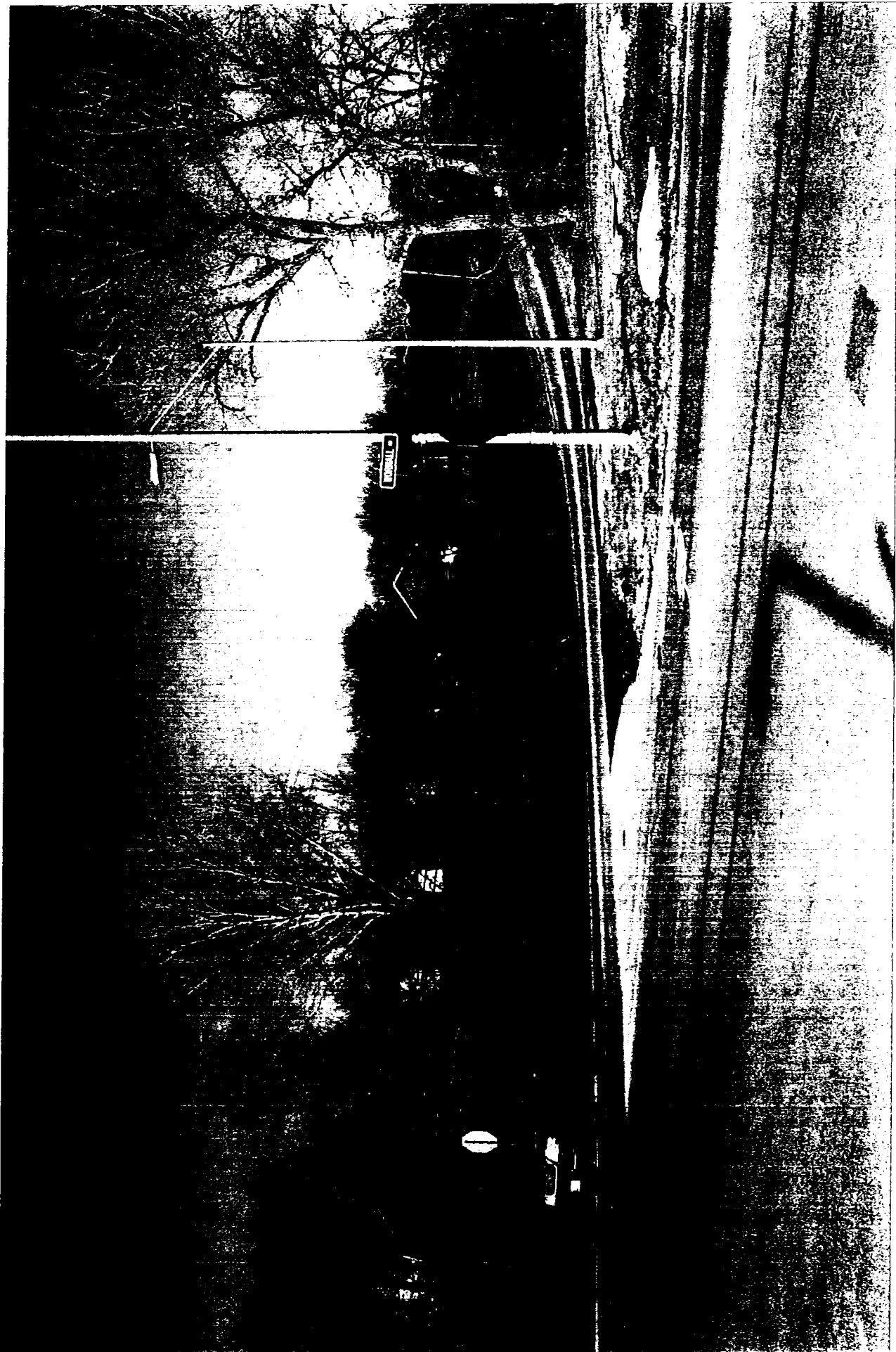
- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the 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:
015-1512-58070	City of Kansas City, MO Bond	\$5,083.59

- 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.





H-WAY STOP



TRUSS SIGN



JACKSON COUNTY DEPARTMENT OF PUBLIC WORKS  
CONTRACT CHANGE ORDER

CHANGE ORDER NO. 1 (FINAL) PROJECT Blue Ridge Blvd & Wornall Rd. Intersec Improvements  
CONTRACTOR Radmacher Bros Excavating COUNTY NO. 3086  
2201 N 7 Hwy Suite B Pleasant Hill, MO 64080 FED. AID NO. n/a

THIS CONTRACT SHALL BE AMENDED AS FOLLOWS:  
Description of change:

SEE ATTACHMENT A

Amount this change order (plus) (minus) (no change)..... \$ 5,083.59  
The contract amount will be amended as follows:  
Original contract price..... \$ 549,111.64  
Amount of all previous Change Orders + or - ..... \$ -0-  
Amount of this Change Order + ..... \$ 5,083.59  
New total contract price..... \$ 554,195.23

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 V.P.  
Date 8-23-11

APPROVAL RECOMMENDED

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

OWNER'S APPROVAL

BY \_\_\_\_\_  
Title County Executive  
Date \_\_\_\_\_

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

ATTACHMENT A Blue Ridge & Womail Improvements Change Order # 1 ( FINAL )  
 Jackson County Project # 3086

ITEM NO.	DESCRIPTION	PLAN QUANTITY	AS-BUILT QUANTITY	QUANTITY CHANGE	UNIT PRICE	PRICE CHANGE
#14	Type 3-01 Asph Conc Surface	98.0 ton	126.2 ton	28.20	\$105.00	\$2,961.00
#32	Type 3 Object Markers	2 each	0	(2.00)	\$157.00	(\$314.00)
#34	Changeable Message Sign	60 Days	52 Days	(8.00)	\$86.10	(\$688.80)
#35	Type III Barricades	10 each	9 each	(1.00)	\$11.00	(\$11.00)
#39	Project Signs	4 each	0	(4.00)	\$310.00	(\$1,240.00)
#55	3" Trenched Conduit	231 lf	240 lf	9.00	\$16.80	\$151.20
#57	2" Signal Conduit	12 lf	229 lf	217.00	\$21.00	\$4,557.00
#84	Force Account	\$20,000.00	\$19,668.19	(331.81)	NA	(\$331.81)
TOTAL						\$5,083.59



**CONSENT OF  
SURETY COMPANY  
TO FINAL PAYMENT**

Bond No. 58666024

PROJECT: COUNTY PROJECT NO. 3086 - BLUE RIDGE BOULEVARD & WORNALL ROAD INTERSECTION IMPROVEMENTS

TO: DEPARTMENT OF PUBLIC WORKS  
303 West Walnut  
Independence, MO 64050

CONTRACT FOR: INTERSECTION IMPROVEMENTS

CONTRACT DATE: SEPTEMBER 14, 2009

CONTRACTOR: RADMACHER BROTHERS EXCAVATING CO., INC.

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the

WESTERN SURETY COMPANY SURETY COMPANY,

on bond of

RADMACHER BROTHERS EXCAVATING CO., INC. CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety Company of any of its obligations to

JACKSON COUNTY, MISSOURI, OWNER,

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,

the Surety Company has hereunto set its hand this

20TH day of JUNE 2011

WESTERN SURETY COMPANY

Surety Company

*Kelly R. Watson*  
Signature of Authorized Representative

KELLY R. WATSON  
ATTORNEY-IN-FACT

Title

Attest:  
(Seal):

*Kari Beckman*  
Kari Beckman

SURETY BROKER  
WITNESS

CONSENT OF SURETY CO. FINAL PAYMENT

CONTRACTOR'S AFFIDAVIT

STATE OF Missouri

COUNTY OF Cass

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Robert C. Radmacher being first duly sworn,  
(Name)

deposes and says he is President  
(Title)

of Radmacher Brothers Excavating Company, Inc., and  
(Contractor)

that Contractor has fully complied with all provisions and requirements of the prevailing wage law as stated in the specifications for the project, and that all labor, material, rental, subcontractors, and indebtedness arising out of performance of the Contract have been paid; and that all other claims against the Contractor or subcontractors arising out of performance of the Contract either have been paid or that the Contractor has and will maintain in force such Public Liability and Property Damage Insurance as will fully protect him and his subcontractors and the Owner and the Engineer from any such claims as may be pending or that may thereafter arise in conjunction with work on Contract Number 3086 for Blue Ridge Blvd. & Wornall Road Intersection  
(Name of Project)

for the Jackson County  
(Owner)

of Blue Ridge Blvd. & Wornall Rd., K.C. Mo. in accordance  
(Location)

with the Contract between Jackson County  
(Owner)

and Radmacher Brothers Excavating Company, Inc.  
(Contractor)

dated 9/14/09

Subscribed and sworn to before me this 20<sup>th</sup> day of June, 2011.  
By [Signature]

My commission expires Dec. 17, 2013.  
(Date)

[Signature]  
Notary Public

KATHY L. KEE  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Cass County  
My Commission Expires: December 17, 2013  
Commission Number: 08666189

CONTRACTOR'S AFFIDAVIT

STATE OF Kansas  
COUNTY OF Johnson

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Jim Gould being first duly sworn,  
(Name)

deposes and says he is Vice President  
(Title)

of Gun-Ko, and  
(Contractor)

that Contractor has fully complied with all provisions and requirements of the prevailing wage law as stated in the specifications for the project, and that all labor, material, rental, subcontractors, and indebtedness arising out of performance of the Contract have been paid; and that all other claims against the Contractor or subcontractors arising out of performance of the Contract either have been paid or that the Contractor has and will maintain in force such Public Liability and Property Damage Insurance as will fully protect him and his subcontractors and the Owner and the Engineer from any such claims as may be pending or that may thereafter arise in conjunction with work on Contract Number 3086 for Blue Ridge & Wornall Rd.  
(Name of Project)

for the Radmacher Brothers  
(Owner)

of Jackson Co. Mo in accordance  
(Location)

with the Contract between Radmacher Brothers  
(Owner)

and Gun-Ko  
(Contractor)

dated 2/5/10

By Linda Oberheide  
Subscribed and sworn to before me this 14<sup>th</sup> day of June, 192011.

My commission expires 6/8/14  
(Date)



Linda Oberheide  
Notary Public

CONTRACTOR'S AFFIDAVIT

STATE OF Missouri  
COUNTY OF Platte

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared

CHRIS ROBERTS  
(Name)

being first duly sworn,

deposes and says he is Member (Title)

of Soil Innovations LLC (Contractor), and

that Contractor has fully complied with all provisions and requirements of the prevailing wage law as stated in the specifications for the project, and that all labor, material, rental, subcontractors, and indebtedness arising out of performance of the Contract have been paid; and that all other claims against the Contractor or subcontractors arising out of performance of the Contract either have been paid or that the Contractor has and will maintain in force such Public Liability and Property Damage Insurance as will fully protect him and his subcontractors and the Owner and the Engineer from any such claims as may be pending or that may thereafter arise in conjunction with work on Contract Number 3082 for Blue Ridge Blvd and Wornall Rd. (Name of Project)

for the Jackson County, Missouri (Owner)  
of Kansas City, Missouri (Location) in accordance

with the Contract between Jackson County, Missouri (Owner)  
and Soil Innovations LLC (Contractor)

dated 6-20-11

Subscribed and sworn to before me this 20th day of June, 2011  
By [Signature]

My commission expires 2-27-15 (Date)

PENNY K. WRIGHT  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Commissioned for Clay County  
My Commission Expires: Feb. 27, 2015  
ID # 11148232

[Signature]  
Notary Public

SUB-CONTRACTOR'S AFFIDAVIT

STATE OF Kansas  
COUNTY OF Johnson

Before me, the undersigned, a Notary Public in and for said County and State,  
personally appeared

Arlin Saville being first duly sworn,  
(Name)

deposes and says he is Vice President  
(Title)

of Teague Electric Construction, Inc., and  
(Contractor)

that Contractor has fully complied with all provisions and requirements  
of the prevailing wage law as stated in the specifications for the project, and  
that all labor, material, rental, subcontractors, and indebtedness arising out  
of performance of the Contract have been paid; and that all other claims against  
the Contractor or subcontractors arising out of performance of the Contract  
either have been paid or that the Contractor has and will maintain in force  
such Public Liability and Property Damage Insurance as will fully protect him  
and his subcontractors and the Owner and the Engineer from any such claims as  
may be pending or that may thereafter arise in conjunction with work on Contract  
Number 07053086 for Blue Ridge, Blue land  
(Name of Project)

Wornall Rd. Intersection Improvement  
for the Jackson County, Missouri  
(Owner)

of Blue Ridge Blvd & Wornall Rd in accordance  
(Location)

with the Contract between Radmacher Brothers Excavating Co., Inc.  
(Owner) (Contractor)

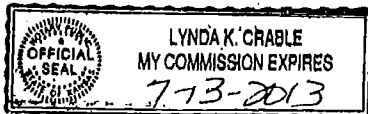
and Teague Electric Construction, Inc.  
(Contractor) (Subcontractor)

dated October 14, 2009

By [Signature]

Subscribed and sworn to before me this 15 day of June, 2011

My commission expires 7-13-2013.  
(Date)



[Signature]  
Notary Public

CONTRACTOR'S AFFIDAVIT

STATE OF

COUNTY OF

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Kelly Thorne being first duly sworn,  
(Name)

deposes and says he is office manager  
(Title)

of Thorne & Son Asphalt Paving, and  
(Contractor)

that Contractor has fully complied with all provisions and requirements of the prevailing wage law as stated in the specifications for the project, and that all labor, material, rental, subcontractors, and indebtedness arising out of performance of the Contract have been paid; and that all other claims against the Contractor or subcontractors arising out of performance of the Contract either have been paid or that the Contractor has and will maintain in force such Public Liability and Property Damage Insurance as will fully protect him and his subcontractors and the Owner and the Engineer from any such claims as may be pending or that may thereafter arise in conjunction with work on Contract Number 0905 for Blue Ridge & Wornall  
3086 (Name of Project)

for the Jackson County, MO  
(Owner)

of Kansas City, MO in accordance  
(Location)

with the Contract between Jackson County, MO  
(Owner)

and Thorne & Son Asphalt  
(Contractor)

dated June 15, 2011

By Kelly Thorne

Subscribed and sworn to before me this 15 day of June, 19 2011.

My commission expires 4/15/15  
(Date)



JOHN G. BENEDETTI II  
My Commission Expires  
April 15, 2015  
Notary Public  
Jackson County  
Commission #11389389



CONTRACTOR'S AFFIDAVIT

STATE OF

COUNTY OF

Before me, the undersigned, a Notary Public in and for said County and State,  
personally appeared

Judy Michael being first duly sworn,  
(Name)

deposes and says she is President  
(Title)

of TURNER & Michael Const, Inc. and  
(Contractor)

that Contractor has fully complied with all provisions and requirements  
of the prevailing wage law as stated in the specifications for the project, and  
that all labor, material, rental, subcontractors, and indebtedness arising out  
of performance of the Contract have been paid; and that all other claims against  
the Contractor or subcontractors arising out of performance of the Contract  
either have been paid or that the Contractor has and will maintain in force  
such Public Liability and Property Damage Insurance as will fully protect him  
and his subcontractors and the Owner and the Engineer from any such claims as  
may be pending or that may thereafter arise in conjunction with work on Contract  
Number 3086 for Blue Ridge & Norvall  
(Name of Project)

for the Jackson County  
(Owner)

of Blue Ridge & Norvall in accordance  
(Location)

with the Contract between Radmacher Bros.  
(Owner)

and TURNER & MICHAEL CONST, INC.  
(Contractor)

dated \_\_\_\_\_

Subscribed and sworn to before me this 20<sup>th</sup> day of June, 2011  
By Judy Michael

My commission expires Dec. 17, 2013  
(Date)

Kathy L. Kee  
Notary Public

