




# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 19655

Sponsor(s): Greg Grounds

Date: November 20, 2017

|   |   |   |
|---|---|---|
| SUBJECT   | Action Requested<br><input checked="" type="checkbox"/> Resolution<br><input type="checkbox"/> Ordinance<br>Project/Title: Approving Change Order No. 1 to the Pavement Maintenance Phase 1 (Asphalt Overlay) Project #3209 Construction Contract with Superior Bowen Asphalt Company   |   |
| BUDGET INFORMATION<br><i>To be completed By Requesting Department and Finance</i>   | Amount authorized by this legislation this fiscal year:<br>Amount previously authorized this fiscal year:<br>Total amount authorized after this legislative action:<br>Amount budgeted for this item * (including transfers):<br>Source of funding (name of fund) and account code number; FROM / TO<br>004-5104-58040<br>Road and Bridge Fund – Non Departmental – Roads and Highways  | \$77,038.50<br>\$1,313,886.43<br>\$1,390,924.93<br>0<br>\$77,038.50 |
| * If account includes additional funds for other expenses, total budgeted in the account is: \$240,000.00<br>OTHER FINANCIAL INFORMATION:<br><input type="checkbox"/> No budget impact (no fiscal note required)<br>Prior Year Budget (if applicable): N/A<br>Prior Year Actual Amount Spent (if applicable): N/A |   |   |
| PRIOR LEGISLATION   | Prior ordinances and (date):<br>Prior resolutions and (date): R 17443, Dated 4-10-17 ; R#19443, Dated 4-3-2017  |   |
| CONTACT INFORMATION   | RLA drafted by: Earl Newill, Chief Engineer 816-401-6401 cell   |   |
| REQUEST SUMMARY   | The County awarded a construction contract Superior Bowen Asphalt to accomplish the asphalt overlay program. The contract was awarded to Bowen Superior Asphalt Company. Parks + Rec desires to accomplish milling and asphalt work at the Blue Springs Lake Dam area. Specifically, repave the mill and overlay the dam road, the parking lot at the Dam, and the area adjacent to the boat ramp. A proposal from Bowen Superior has been submitted to do this work. Change Order No. 1 covers the proposal for the work. Parks + Rec and the Public Works Departments recommend approval of change order no. 1. We therefore request:<br><br>1. A Resolution be prepared authorizing the County Executive to execute construction Change Order No.1<br>2. We further request that the Manager of Finance be authorized to encumber \$77,038.50 to cover the costs of the Change Order No.1. |   |
| CLEARANCE   | <input type="checkbox"/> Tax Clearance Completed (Purchasing & Department)<br><input type="checkbox"/> Business License Verified (Purchasing & Department)<br><input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)  |   |
| ATTACHMENTS   | Change Order No. 1, Superior Bowen Proposal   |   |
| REVIEW  | Department Director: Brian D. Gaddie, P.E.    | Date: 11-9-17   |
|   | Finance (Budget Approval):<br><i>If applicable</i>    | Date: 11/14/17  |
|   | Division Manager:   | Date: 11/14/17  |
|   | 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: |
|-----------------|----------------|-----------------------|
| [REDACTED]      | [REDACTED]     | [REDACTED]            |

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.





**SUPERIOR BOWEN**

|  |  |
|--|--|
| Client: Jackson County Public Work<br>303 W. Walnut<br>Independence MO 64050 | Bid Date: 03/07/2017<br>Project No: 3209 - PW 02-2017<br>Project: JACOMO – Longview Dam Rd Work<br>Call No: N/A<br>County: Jackson |
| Attention: Ben Allen<br>Phone: (816) 847-7050<br>Fax: (816) 847-7051         | 11/08/2017   |

| Bid Item Code       | Description                           | Quantity | Unit | Unit Price | Ext Price          |
|---------------------|---------------------------------------|----------|------|------------|--------------------|
| 9600                | 2" Dam Rd Mill & Fill - APWA TY 3R    | 807.000  | TONS | \$ 76.50   | \$61,735.50        |
| 9601                | 2" Dam Rd Parking Lots - APWA Ty 3R   | 102.000  | TONS | \$ 76.50   | \$7,803.00         |
| 9602                | 2" Boat Ramp Mill & Fill - APWA TY 3R | 50.000   | TONS | \$ 150.00  | \$7,500.00         |
| <b>Grand Total:</b> |                                       |          |      |            | <b>\$77,038.50</b> |

Please Note all conditions stated below.

**Addendum Noted**

1. If so directed by owner and/or his representative to pave on unstable subgrade, owner assumes responsibility for pavement failures due to such conditions.
2. Final payment to be based on actual completed quantities at unit prices shown.

*This proposal may be withdrawn by Superior Bowen Asphalt Company, L.L.C. ("SB") 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

Proposal accepted by Client: \_\_\_\_\_ Date \_\_\_\_\_

Owner: \_\_\_\_\_

JACKSON COUNTY DEPARTMENT OF PUBLIC WORKS  
CONTRACT CHANGE ORDER

CHANGE ORDER NO. 1

PROJECT Pavement Maintenance Phase 1  
(Asphalt Overlay)

CONTRACTOR Superior Bowen Asphalt.  
2510 Manchester  
Kansas City, Missouri 64129

COUNTY NO. 3209  
FED. AID NO. N/A

THIS CONTRACT SHALL BE AMENDED AS FOLLOWS:

Description of change:

**See Attachment Proposal dated 11/8/17**

Amount this change order (**plus**) (~~minus~~) (~~no change~~).....\$ 77,038.50

The contract amount will be amended as follows:

|   |                        |
|---|------------------------|
| Original contract price.....                      | \$ <u>1,313,886.43</u> |
| Amount of all previous Change Orders + plus ..... | \$ <u>0.00</u>         |
| Amount of this Change Order <b>+plus</b> - .....  | \$ <u>77,038.50</u>    |
| New total contract price.....                     | \$ <u>1,390,924.93</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.

\_\_\_\_\_  
Manager – Division of Finance