

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

**A RESOLUTION** authorizing the County Executive to execute Change Order No. 3 to the contract with Radmacher Brothers Excavation Co., Inc., of Pleasant Hill, MO, for necessary changes to the construction of the Rock Island Shared Use Path Project, at an additional cost to the County not to exceed \$257,955.26.

**RESOLUTION NO. 20576**, December 7, 2020

**INTRODUCED BY** Tony Miller, County Legislator

WHEREAS, by Resolution 19659, dated November 20, 2017, the Legislature did award a contract to Radmacher Brothers Excavation Co., Inc. of Pleasant Hill, MO, pursuant to Bid No. PW 07-2017, for the furnishing of construction services relating to the Rock Island Shared Use Path Project at a cost to the County not to exceed \$11,067,439.71; and,

WHEREAS, subsequent change orders have brought the total not to exceed cost to \$11,284,335.04; and,

WHEREAS, due to the County's 2019 Surface Transportation Board mandated construction shut down, a negotiated settlement with Radmacher Brothers for its delay costs has been negotiated, at an additional cost to the County not to exceed \$257,955.26; and,

WHEREAS, per general condition 39 of the construction contract for this project, costs related to a work stoppage are to be paid by the County to the contractor; and,

WHEREAS, Change Order No. 3, which addresses the delay costs will bring the total not to exceed cost of the project to \$11,542,290.30; and,

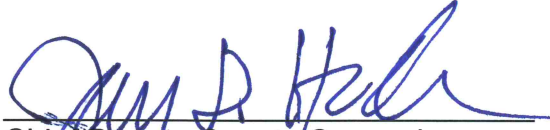
WHEREAS, no other contract changes are included in this change order; now therefore,

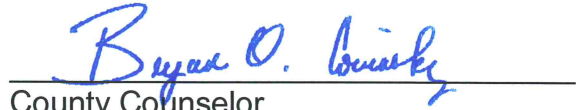
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive be and hereby is authorized to execute Change Order No. 3 to the contract with Radmacher Brothers Excavation Co., Inc., of Pleasant Hill, MO, in a form to be approved by the County Counselor; and,

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

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 No. 20576 of December 7, 2020, was duly passed on December 14, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

12.14.2020  
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: 011 3601 58060  
ACCOUNT TITLE: Rock Island Railroad Capital Project Fund  
Rock Island Rail Corridor Auth.  
Other Improvements  
NOT TO EXCEED: \$257,956.00

12/3/20  
Date

  
\_\_\_\_\_  
Interim Chief Administrative Officer