

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

**A RESOLUTION** authorizing Change Order No. 2 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 \$39,485.00.

**RESOLUTION NO. 17997**, October 8, 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, by Resolution 17950, dated August 6, 2012, the Legislature did authorize Change Order No. 1 to the contract with Superior Bowen Asphalt Company to include a section of Langsford Road at the request of the City of Lake Lotawana using the City's CURS funds, at an additional cost to the County not to exceed \$138,567.74; and,

WHEREAS, the Jackson County Election Board has requested that its parking lots located at Truman Road and Liberty and Noland Road to Fisher Road in Independence, MO, be patched and overlaid with asphalt, at an additional cost to the County in the amount of \$39,485.00; and,

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

WHEREAS, this project is in the best interest of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that Change Order No. 2 to the aforesaid contract be, and is hereby, approved, and the County Executive 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 No. 17997 of October 8, 2012 was duly passed on October 8, 2012 by the Jackson County Legislature. The votes thereon were as follows:


Yeas 9

Nays 0

Abstaining 0

Absent \_\_\_\_\_

10-8-12  
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: 001 5101 58020  
ACCOUNT TITLE: General Fund  
Non-Departmental  
Buildings/Improvements  
NOT TO EXCEED: \$39,485.00

October 8, 2012  
Date

  
\_\_\_\_\_  
Director of Finance and Purchasing

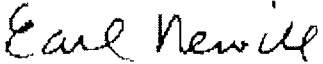
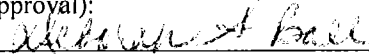
**REQUEST FOR LEGISLATIVE ACTION**

Completed by County Counselor's Office:

Res/Ord No.: 17997

Sponsor(s): Bob Spence

Date: October 8, 2012

<p><b>SUBJECT</b></p>	<p>Action Requested  <input checked="" type="checkbox"/> Resolution <u>Change Order Number 2 for the maintenance overlay on the Election Board parking lots.</u>  <input type="checkbox"/> Ordinance                  Project/Title: Recommending approval of change order No. 2 to the construction contract with Superior Bowen Asphalt Company in the amount of \$39,485.00 for work on the Independence Election Board Parking Lot.</p>											
<p><b>BUDGET INFORMATION</b>                  To be completed By Requesting Department and Finance</p>	<table border="1" data-bbox="326 499 1203 779"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$39,485.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$1,699,867.74</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$1,739,352.74</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$39,485.00</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT 001-5101-8020 TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p><b>OTHER FINANCIAL INFORMATION:</b></p> <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: \$</p> <p>Prior Year Budget (if applicable):                  Prior Year Actual Amount Spent (if applicable):</p>		Amount authorized by this legislation this fiscal year:	\$39,485.00	Amount previously authorized this fiscal year:	\$1,699,867.74	Total amount authorized after this legislative action:	\$1,739,352.74	Amount budgeted for this item * (including transfers):	\$39,485.00	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT 001-5101-8020 TO ACCT
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<p><b>PRIOR LEGISLATION</b></p>	<p>Prior ordinances and (date): <u>N/A</u></p> <p>Prior resolutions and (date): Res. 17886, dated April 30, 2012 and Res. 17950, dated August 6, 2012</p>											
<p><b>CONTACT INFORMATION</b></p>	<p>RLA drafted by (name, title, &amp; phone): Rodger Seidelman, P.E., Chief Field Inspector, 816-830-3002</p>											
<p><b>REQUEST SUMMARY</b></p>	<p>Res. 17886 awarded a contract to Superior Bowen Asphalt Company for 2012 Pavement Maintenance Program. Res. 17950 approved Change Order Number 1 to the contract for Lake Lotawana CURS work on Langsford Road.</p> <p>The Election Board wishes to have their parking lots at Truman Road and Liberty Road, and Noland Road to Fisher Road overlaid with asphalt and patched. Change Order Number 2 encompasses this work and increases the contract by \$39,485.00. We therefore request a Resolution be prepared authorizing the County Executive to execute this Change Order Number 2 and further authorizing the Manager of Finance to encumber \$39,485.00.</p>											
<p><b>CLEARANCE</b></p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>											
<p><b>ATTACHMENTS</b></p>	<p>Change Order Number 2</p>											
<p><b>REVIEW</b></p>	<p>Department Director: Earl Newill, Deputy Director  </p>	<p>Date: 10/5/2012</p>										
	<p>Finance (Budget Approval):                  If applicable </p>	<p>Date: 10-5-12</p>										
	<p>Division Manager:</p>	<p>Date:</p>										

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:
001-5101-8020	Buildings & Improvements	\$39,485.00

- 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.



JACKSON COUNTY DEPARTMENT OF PUBLIC WORKS  
CONTRACT CHANGE ORDER

CHANGE ORDER NO. 2

PROJECT 2012 Pavement Maintenance  
Phase 1 (Asphalt Overlay)

CONTRACTOR Superior Bowen Asphalt  
P.O. Box 9669, Kansas City MO 64134

COUNTY NO. 3161  
FED. AID NO. n/a

THIS CONTRACT SHALL BE AMENDED AS FOLLOWS:

Description of change:

2" Asphalt Overlay, Patching, and Striping for Election Board Parking lots at Liberty & Truman Road  
And Noland Road & Fisher at the unit prices in Attachment A

Amount this change order (plus) (~~minus~~) (~~no change~~)..... \$ 39,485.00

The contract amount will be amended as follows:

Original contract price..... \$ 1,561,300.00

Amount of all previous Change Orders + ..... \$ 138,567.74

Amount of this Change Order + ..... \$ 39,485.00

New total contract price..... \$ 1,739,352.74

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 [Signature]

Title Keith E. Davenport  
Project Manager

Date 09.20.12

OWNER'S APPROVAL

BY \_\_\_\_\_

Title County Executive

Date \_\_\_\_\_

APPROVAL RECOMMENDED

[Signature]  
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

**ATTACHMENT A CHANGE ORDER # 2**



**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



**MEMBER**  
**NAPA**  
NATIONAL ASPHALT  
PAVEMENT ASSOCIATION

Client: Jackson County Public Works  Attn: Rodger Seidleman Ph: Fax:	Project Name: JACOMO 2012 Overlay Project Location: Jackson Engineer: Rod Date of Plans: 9/17/2012
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**Proposal:**

Item	Description	Unit	Quantity	Unit Price	Amount
<b>Liberty &amp; Truman Building</b>					
01	Asphalt Surface	Ton	285.00	75.00 \$	21,375.00
02	8" Full Depth Patching	SY	230.00	35.20 \$	8,098.00
03	Parking Lot Stripes	LUMP	1.00	1,550.00 \$	1,550.00
				<b>Sub Total</b>	<b>\$ 31,021.00</b>
<b>Noland &amp; Fisher Building</b>					
01	Asphalt Surface	Ton	80.00	75.00 \$	6,000.00
02	8" Full Depth Patching	SY	70.00	35.20 \$	2,464.00
				<b>Sub Total</b>	<b>\$ 8,464.00</b>
<b>Total</b>					<b>\$ 39,485.00</b>

**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 PURBUANT 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:  Kelly E. Davenport Superior Bowen Asphalt Company, L.L.C.	Proposal accepted by Client: _____	Date: _____
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