

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

**A RESOLUTION** authorizing the County Counselor to settle the claim of Amino Brothers Company, Inc., for damages in connection with the Woods Chapel Road Project, No. 2293, for the payment by the County of the sum of \$17,500.00.

**RESOLUTION #17472**, January 18, 2011

**INTRODUCED BY** Dennis Waits, County Legislator

WHEREAS, the Legislature did, by Resolution 16511, dated January 22, 2008, award a contract to Amino Brothers Company, Inc., of Kansas City, KS, in the actual amount of \$7,823,471.06, for the Woods Chapel Road Project, No. 2293; and,

WHEREAS, in the course of its work on this project, Amino Brothers Company, Inc., has claimed that it incurred significant damages due to inadequate specifications contained in the bid documents that are attributable to the County and/or the County's engineering consultant and for which the County is liable; and,

WHEREAS, the County Counselor has investigated and evaluated this claim and now recommends that it be settled for the payment of \$17,500.00 by the County to Amino Brothers Company, Inc; and,

WHEREAS, the City of Lee's Summit and the engineering consultant will also participate in the settlement; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Counselor be and hereby is authorized to settle the Claim of Amino Brothers Company, Inc., on terms as set out in this Resolution; and,

BE IT FURTHER RESOLVED that the Director of the Department of Finance and Purchasing be and hereby is authorized to issue checks in the total amount of \$17,500.00, in settlement of this claim, pursuant to the specific direction of the County Counselor; and,

BE IF FURTHER RESOLVED that the County Counselor and all other County officials be and hereby are authorized to execute any and all documents necessary to give effect to this settlement.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Jay P. Hubler  
Chief Deputy County Counselor

W. [Signature]  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17472 of January 18, 2011, was duly passed on January 18, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 1

Absent 0

1-18-11  
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 1512 58040  
ACCOUNT TITLE: Public Building Corp - Fund  
Public Works - County Road Projects  
Roads and Highways  
NOT TO EXCEED: \$17,500.00

January 18, 2010  
Date

[Signature]  
Director of Finance and Purchasing