



Jackson County Missouri

Jackson County Courthouse
415 E. 12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Legislation Details (With Text)

File #: 3017 **Version:** 0 **Name:** Walton Construction
Type: Ordinance **Status:** Passed
File created: 4/25/2000 **In control:** County Legislature
On agenda: 4/25/2000 **Final action:** 4/24/2000
Title: AN ORDINANCE appropriating \$1,575,000.00 from the unappropriated surplus of the 2000 Criminal Justice Improvement Fund and authorizing the Jackson County Counselor to settle the claim of Walton Construction Company, Inc., relating to the construction of the Detention Center Annex, for a total payment of \$1,575,000.00.
Sponsors: Victor E. Callahan
Indexes: CRIMINAL JUSTICE FUND, DETENTION CENTER, SETTLEMENT OF CLAIM
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
4/24/2000	0	County Legislature	perfect	Pass
4/24/2000	0	County Legislature	suspend the rules to consider final passage	Pass
4/24/2000	0	County Legislature	adopt	Pass

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$1,575,000.00 from the unappropriated surplus of the 2000 Criminal Justice Improvement Fund and authorizing the Jackson County Counselor to settle the claim of Walton Construction Company, Inc., relating to the construction of the Detention Center Annex, for a total payment of \$1,575,000.00.

ORDINANCE 3017, April 24, 2000

INTRODUCED BY Victor E. Callahan, County Legislator

WHEREAS, by Resolution 11712, dated April 14, 1997, the Legislature did award a contract to Walton Construction Company, Inc., of Kansas City, Missouri, for construction of a portion of the Jackson County Detention Center Annex project (Bid Package No. 8, general construction), in the actual amount of \$6,762,426; and,

WHEREAS, previously authorized change orders have brought the current authorization up to a total of \$7,631,913; and,

WHEREAS, Walton Construction Company, Inc. has now made a claim against the County for additional costs associated with its work on this project, not contemplated or foreseen at the time of the contract, which it is entitled to recover under Missouri law; and,

WHEREAS, the County intends to seek recovery of these funds in the arbitration proceedings initiated against the design professionals; and,

WHEREAS, after a thorough and complete investigation of this claim, the County Counselor, based upon the recommendation of special counsel and the County's retained experts, recommends that the claim be settled by the total payment to Walton Construction Company, Inc. of \$1,575,000 in full, final, and complete release of all claims against Jackson County; and,

WHEREAS, in order to fund this payment, an appropriation is necessary; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following appropriation be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM TO</u>
Criminal Justice Improvement Fund 012-2810		Unappropriated Surplus \$1,575,000
Construction Program 012-2303-8020	Buildings and Improvements	1,575,000

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to settle the claim of Walton Construction Company, Inc., as outlined above, for the payment of \$1,575,000; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effectuate this settlement; and,

BE IT FURTHER RESOLVED that the Manager of the Division of Finance be and hereby is authorized to issue his check in settlement of this claim in the amount of \$1,575,000, pursuant to the specific instructions of the County Counselor.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

County Counselor

I hereby certify that the attached Ordinance, Ordinance #3017 introduced on April 24, 2000, was duly passed on _____ April 24 _____, 2000 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 7 _____

Nays _____ 0 _____

Abstaining _____ 0 _____

Absent _____ 2 _____

This Ordinance is hereby transmitted to the County Executive for her signature.

Date

Mary Jo Brogoto, Clerk of Legislature

I hereby approve the attached Ordinance #3017.

Date

Katheryn J. Shields, County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 012 2810

ACCOUNT TITLE: Criminal Justice Improvement Fund
Unappropriated Surplus

NOT TO EXCEED: \$1,575,000

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: 012 2303 8020

ACCOUNT TITLE: Criminal Justice Improvement Fund
Construction Program
Buildings & Improvements

NOT TO EXCEED: \$1,575,000

Date

Director of the Department
of Finance