

ORDINANCE NO. 110251

Authorizing the Director of Water Services to execute Change Order 1 for \$47,702.79 with Site Rite Construction Company for Project No. 89003372, Sanitary Sewer Improvement at Leeds Road and Hunter Avenue, for additional work and time under the contract; authorizing the Director of Water Services Department to expend up to an additional \$18,217.74 for the work from funds previously appropriated; and authorizing the Director of Finance to return unexpended appropriations to the appropriate account.

WHEREAS, City Council approved Ordinance No. 100016 on January 14, 2010, approving a \$294,849.95 contract with Kincaid Construction, Inc., for sanitary sewer improvements at Leeds Road and Hunter Avenue, authorizing contingency up to \$29,485.05, and assessing benefitted properties for 50% of total construction costs of the sewer extension, plus 25% of the total construction cost of the sewer extension for engineering and administration, less the amount approved for Project No. 89003372 from the Public Improvements Sales Tax Fund for Sewer District No. 10059; and

WHEREAS, Kincaid Construction, Inc., informed the City and their surety, Safeco Insurance Company of America (“Safeco”), that they were unable to complete the performance of the work on the project or comply with their contractual obligations; and

WHEREAS, the City entered into a Release Agreement with Safeco; and

WHEREAS, the City entered into a Completion Contract with Site Rite Construction Company; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Water Services is authorized to execute Change Order 1 to Project No. 89003372 with Site Rite Construction Company, adding \$47,702.79 to the contract for additional work.

Section 2. That the Director of Water Services is authorized to expend \$18,217.74 for the additional contingency from funds previously appropriated in Account No. AL-8184-807170-B-89003372, Infill Sewers CD3, for completion of this contract.

Section 3. That upon completion of the final costs of this contract, the Director of Finance is hereby authorized to return the unexpended portion of this appropriation to the Unappropriated Fund Balance from which it was derived.

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I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, 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 hereby incurred.

Randall J. Landes
Director of Finance

Approved as to form and legality:

Mark P. Jones
Assistant City Attorney