



Legislation Text

File #: 210573, Version: 1

ORDINANCE NO. 210573

Estimating revenue in the amount of \$496,142.00 and appropriating the same; authorizing a \$1,103,169.00 construction completion contract with Hettinger Excavating, LLC, for the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project; authorizing a maximum expenditure of \$1,213,486.00; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, on August 27, 2020, Ordinance No. 200620 was passed to authorize a \$1,554,381.03 Construction Contract (“Contract”) with Blue Nile Contractors, Inc., for the Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project; and to authorize a maximum expenditure of \$1,710,000.00; and

WHEREAS, on February 9, 2021, Blue Nile Contractors Inc. signed a Voluntary Letter of Default issued to North American Specialty Insurance Company (“Surety”), in which Blue Nile Contractors, Inc., indicated that it was unable to perform the Contract, and thus it was in default of the Contract; and

WHEREAS, the City and Surety entered into a tender agreement whereby the City agreed to release Blue Nile Contractors, Inc., of its obligations; and

WHEREAS, Surety has tendered to City a completion contractor, Hettinger Excavating, LLC, (“Completing Contractor”); and

WHEREAS, the Completing Contractor will perform the work described in the Contractor Agreement for a sum of \$1,103,169.00; and

WHEREAS, the Surety will pay to City the sum of \$496,142.00, representing the additional cost of performing the work with the Completing Contractor and reimbursement for \$17,256.00 of emergency repair work paid by the City; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the following account of Fund No. 8077, the Water Revenue Bond Series 2020A Fund, is hereby estimated in the following amount:

AL-8077-800000-581160-80002033	Contr. in Aid of Construction	\$496,142.00
--------------------------------	-------------------------------	--------------

Section 2. That the sum of \$496,142.00 is hereby appropriated from the Unappropriated Fund Balance of Fund No. 8077, the Water Revenue Bond Series 2020A Fund, in the following account:


AL-8077-807705-611060-80002033	WMR Program	\$496,142.00
--------------------------------	-------------	--------------

Section 3. That the Director of the Water Services Department is authorized to execute Completion Contract No. 9274R in the amount of \$1,103,169.00 with Hettinger Excavating, LLC, for Water Main Replacement in the Area of Burning Tree Drive to W. 139th Street, St. Andrew Drive to Wornall Road Project, Project No. 80002033. A copy of the contract is on file in the office of Water Services.

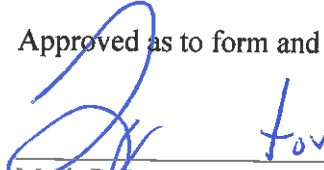
Section 4. That the Director of the Water Services Department is authorized a maximum expenditure of \$1,213,486.00, from funds previously appropriated in Account No. AL-8077-807705-611060, Water Main Replacement Program, to satisfy the cost of this contract.

Section 5. That this ordinance, relating to the design, repair, maintenance, or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3) (D) of the City Charter and shall take effect in accordance with Section 503, City Chapter.

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.

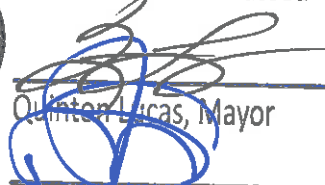
  
Tammy L. Queen  
Director of Finance

Approved as to form and legality:

  
Mark P. Jones  
Assistant City Attorney



Authenticated as Passed

  
Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

JUL 15 2021

Date Passed