

**AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON TO ENTER INTO AN AMENDMENT TO THE STREET REPAIR CONTRACT WITH METRO ASPHALT, INC. TO ADD WILLIS STREET TO THE 2018 STREET PROJECT**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

**SECTION 1:** The Board of Aldermen authorizes the City of Hamilton, Missouri to enter into an amendment to the contract with Metro Asphalt, Inc. to add Willis Street to the 2018 Street Project for an additional cost of \$94,912.16. The terms and provisions of the amendment are hereby approved and adopted by the Board of Aldermen of the City of Hamilton, Missouri, on behalf of said City.

**SECTION 2:** The Board of Aldermen authorizes and directs the Mayor of the City of Hamilton, Missouri to execute the Amendment in substantially the same form as the Amendment on file with the City Clerk and any documents the Mayor deems necessary or proper to carry out fully the terms of such Amendment. The Mayor, with the advice of the attorney acting for the City, may make minor corrections and changes to the Amendment that does not affect the substance of the Amendment.

**SECTION 3:** This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith. Due to the necessity to enter into the Amendment while the contractor is working on the street project, the fact the additional street will be paved on the same cost basis as the remainder of the project for which the contractor was the lowest and best bidder, and compliance with the normal bidding procedure would result in unnecessary costs to the City and would delay the necessary street repairs, the City Board of Aldermen waives any and all bidding requirements for this contract amendment to the contract as required by any City ordinance.

**SECTION 4:** This ordinance shall be in full force and effect from and after the date of its passage and approval.


**SECTION 5:** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 6:** The project approved by this Ordinance is subject to the requirements of Section 292.675, RSMo, which requires all contractors or subcontractors doing work on the Project to provide and require its on-site employees to complete, a ten


(10) hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA Program. The training must be completed within sixty (60) days of the date work on the project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.

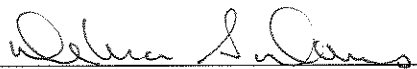
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 5<sup>th</sup> day of July 2018.

  
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Travis Trosper, President of  
Board of Aldermen

Approved this 5<sup>th</sup> day of July 2018.

  
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Winford Gilliam, Mayor

Attest:   
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Debra Davis, City Clerk