

To: Board of County Commissioners
Penny Post oak Ferguson, County Manager
From: Susan D. Pekarek, Wastewater General Manager
Date: January 22, 2026
Re: State Line Road Pump Stations and Force Main Projects – Change Order with Rodriguez Mechanical Contractors and Future Change Order Authority

Issue: Invitation for Bid (IFB) 2024-029. Consider authorizing contract change order authority with Rodriguez Mechanical Contractors, Inc., for unanticipated media management of contaminated soil and groundwater, as part of the State Line Road Force Main Project, in an amount not to exceed \$153,173.82; and consider authorizing the Wastewater General Manager to execute this and future change orders up to \$300,000 for additional scope related to the construction of the State Line Road Force Main Project.

Suggested Motion: I move the Board authorize contract change order authority with Rodriguez Mechanical Contractors, Inc., for unanticipated media management of contaminated soil and groundwater, as part of the State Line Road Force Main Project, in an amount not to exceed \$153,173.82; and authorize the Wastewater General Manager to execute this and future change orders up to \$300,000 for additional scope related to the construction of the State Line Road Force Main Project, per IFB 2024-029.

Background: The State Line Road Pump Stations and Force Main Projects involve the construction of two new pump stations and one common force main in the City of Leawood to convey flow generated in the Leawood basin to JCW's Tomahawk Wastewater Treatment Facility (WWTF), as shown in Attachment A. Currently, the projects are in construction, and the Force Main Project is around 50% complete.

During design phase of the State Line Road Force Main Project, the consulting engineer, GBA, had an Environmental Limited Phase II Investigation completed that identified potential site contaminants at the former Pride Cleaners (a dry-cleaning company) contamination site at 10314 State Line Rd. The contamination site was listed as Kansas Department of Health and Environment (KDHE) Project # C4-046-72697 and had several environmental studies conducted since 2002. From the Environmental Limited Phase II Investigation, it was determined that the dry-cleaning contaminants were not present at the depth of the new force main pipe. However, a gravity sewer connection, which was required to connect existing sewers to the new pump station at 10346 State Line Rd (104th Street Pump Station), would be at a depth where dry-cleaning contaminants were present. Because the design of the gravity sewer connection was predetermined by existing sewer locations and depths, it was not practical to design the gravity pipe outside the limits of the dry-cleaning contaminants. Attachment B shows the contamination site and the lines that needed to be installed in the project.

GBA had a subconsultant, Terracon Consultants, Inc., prepare a Media Management Plan (MMP) for guidance on potential impacts and estimated limits of contaminants, proper management and disposal of contaminated soil and groundwater, and safe practices to reduce exposure risk to workers. The MMP was reviewed and approved by KDHE. Prior to bid phase, GBA provided an opinion of cost for the media management during construction. That estimated cost was included as an allowance of \$250,000 on the bid form, which was to be tracked by the contractor on a time and material basis. The allowance amount was GBA's best professional

estimate, as the exact extent of the contaminant concentrations and the amount of groundwater to be encountered in the excavation could vary over time.

Analysis: During construction, Rodriguez Mechanical Contractors (RMC) and their subcontractors conducted the work within the contamination site according to the MMP and found that the volume of groundwater exceeded the amount estimated by the MMP. The increased removal amount caused the media management cost to exceed the bid allowance of \$250,000. This change order authority request is for the difference between the actual costs (\$403,173.82) and the bid allowance to make payment to the contractor for work performed. GBA monitored the work as it took place, reviewed the actual costs, and provided their recommendation for the change order.

No additional funding is needed for this change order request. The Board approved \$30,131,800.00 for construction phase of both the State Line Road Pump Stations and State Line Road Force Main Projects on October 31, 2024. Of this amount, \$2,066,092.84 (approx. 7.5%) was allocated as contingency funds for unforeseen conditions, for both projects. To date, the remaining contingency for both projects is \$1,823,997.63.

With the approval of this change order authority request, the change order status for both projects would be as follows:

Project	Original Bid	CO Amount With Request	Percent Increase	Remaining Contingency
State Line Rd Pump Stations	\$10,839,000.00	\$ 29,424.95	0.27%	---
State Line Rd Force Main	\$12,455,101.16	\$365,844.08	2.94%	---
TOTAL	\$23,294,101.16	\$395,269.03	1.70%	\$1,670,823.81

JCW also requests the BOCC authorize the General Manager to approve this and future change order requests up to \$300,000. The reason for this authorization request is to support the sensitivity of the project schedule given the nature of pipeline excavation and installation work and the increased potential for unknown conditions. Maintaining the force main construction schedule and restoring full use of State Line Road before June 2026 is critical to meeting the anticipated increased traffic due to World Cup visitors. Authorizing the General Manager to execute these change orders reduces the potential for work delays or stoppages while waiting for change order execution. This request would authorize an increase in change order authority for the General Manager from \$149,999 (per Purchasing Policy 110.155) to \$300,000 for the State Line Road Force Main Project contract with RMC only. The \$300,000 limit was selected as the appropriate amount because it would have been sufficient to cover the largest change order on the project to date, which the Board approved in 2025. If the cost of a single change order were to exceed \$300,000, or if the total change order costs were to exceed 10% of the bid amount, or additional funding was needed, JCW would return to the Board for review and approval. This change order authority is requested for the contract with RMC only and does not apply to the pump station construction contract.

Funding Overview: No increase in funding is required for this change order. This item does not require additional budget authority or funding.

Alternatives:

1. Approve change order authority for RMC, in an amount not to exceed \$153,173.82, and authorize the Wastewater General Manager to execute this and future change orders up to \$300,000 for additional scope related to the construction of the State Line Road Force Main Project.
2. Approve the change order for RMC, in an amount not to exceed \$153,173.82, and disapprove authorizing the \$300,000 increase the Wastewater General Manager can execute on future construction change orders. This will require additional action through the board for approval of future change orders that exceed \$149,999 and could negatively impact the project schedule.
3. Disapprove change order authority for RMC and disapprove authorizing the \$300,000 increase the Wastewater General Manager can execute on future change orders. By not approving this change order authority, RMC will not be paid for actual costs necessary for managing dry-cleaner contaminants according to the MMP. Additionally, the project schedule could be negatively impacted by change orders exceeding \$149,999.

Recommendation: Staff recommends the Board authorize contract change order authority with Rodriguez Mechanical Contractors, Inc., for unanticipated media management of contaminated soil and groundwater, as part of the State Line Road Force Main Project, in an amount not to exceed \$153,173.82; and authorize the Wastewater General Manager to execute this and future change orders up to \$300,000 for additional scope related to the construction of the State Line Road Force Main Project.

Purchasing Review: No approval needed. This item does not require Purchasing Approval.

Budget Review: Budget and Financial Planning has reviewed this briefing sheet and Resolution.

Legal Review: The Legal Department reviewed the briefing sheet and Resolution and will review the contract change order prior to execution by the County.

Briefing Sheet No. 26-01