

**RESOLUTION NO. R-14-48**

**A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH SUPERIOR BOWEN ASPHALT COMPANY, LLC, IN THE TOTAL AMOUNT NOT TO EXCEED \$560,487.40 FOR THE 2014 MILL AND OVERLAY PROGRAM; PROJECT TP1506.**

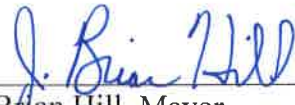
**WHEREAS**, four proposals were received for the 2014 Mill and Overlay Program, and the proposal of Superior Bowen Asphalt Company, LLC, in the amount of \$560,487.40 has been determined by the Director of Public Works and City Engineer to be the lowest and best proposal; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:**


**THAT**, the City Manager of the City of Gladstone, Missouri, is hereby authorized to execute a contract with Superior Bowen Asphalt Company, LLC, for work as outlined in the contract for a total amount not to exceed \$560,487.40.

**FURTHER, THAT** funds for such purpose are authorized from the Transportation Sales Tax fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14<sup>th</sup> DAY OF JULY 2014.**

  
\_\_\_\_\_  
J. Brian Hill, Mayor

ATTEST:

  
\_\_\_\_\_  
Ruth E. Bocchino, City Clerk

## MEMORANDUM

TO: Kirk L. Davis; City Manager

THROUGH: Tim Nebergall; City Engineer; Director of Public Works

FROM: Glen Whitten; Construction Contracts Administrator

DATE: July 9, 2014

RE: Project TP1506  
2014 Mill and Overlay Program

Staff received the following bids for the referenced project:

Superior Bowen Asphalt Co., LLC	\$560,487.40	Little Joe's Asphalt, Inc.	\$668,863.38
Metro Asphalt, Inc.	\$586,736.20	Harnahan Asphalt Paving Co., Inc.	\$669,707.20

The Engineer's estimate, prepared by staff, was \$552,247.00.

This project involves the placement of approximately 8,000 tons of asphalt on streets throughout the City. The contract also includes a "piggy-back" provision for the Village of Oakview and the Village of Oakwood. As in past years, the project includes an asphalt index to allow for the adjustment of asphalt unit prices due to changes in the oil market. Due to the volatile nature of the current oil market, City staff will monitor the asphalt index throughout the project. Should the cost of oil continue to escalate, it may be necessary to defer a street until next year. N. Tracy from N. Englewood Road to Oakwood Manor Middle School is a potential candidate to be deferred until next year's street maintenance program.

Superior Bowen Asphalt Co. is a company based in Kansas City, Missouri that has been in business for more than 60 years. Superior Bowen Asphalt Co. has performed the City's Mill and Overlay Programs in the past. Staff is very pleased with their work and is looking forward to working with them again this year.

Based on all available information staff is recommending that this project be awarded to Superior Bowen Asphalt Co. at the bid price of \$560,487.40 at the next regularly scheduled City Council meeting. Funds for this project are provided for from the TST.

If you have any questions or require additional information please contact me at your convenience.

Cc: Scott Wingerson; Assistant City Manager

12-14-48

**PART D - CONTRACT**

State of Missouri

} ss:

County of Clay

**THIS AGREEMENT AND INDENTURE** made and entered into this, the 27<sup>th</sup> day of

July, 20 17 by and between

The City of Gladstone

party of the first part, termed in this agreement and the specifications as the "**OWNER**", and

Superior Bowen Asphalt Company, LLC party of the second part, termed in this

agreement and the specifications as the "**CONTRACTOR**".

**WITNESSETH;**

**THAT, WHEREAS**, The Owner has heretofore caused to be prepared certain Contract Documents comprising the Notice to Bidders, Instructions to Bidders, Proposal Form, Bond Forms, Contract Form, Regulations of the Contract and the Specifications and Plans for furnishing material and constructing improvements therein fully described, and the Contractor did, on the 17<sup>th</sup> day of June, 2014, file with the Owner a Proposal to furnish said materials and construct said improvements at the terms thereto fully stated and set forth; and

**WHEREAS**, the said Contract Documents and Proposal accurately and fully describe the terms and conditions upon which the Contractor is willing to furnish the material, construct the improvements, and pay not less than the "Prevailing Wages" called for by the said specifications and in the manner and time of furnishing and constructing same.

**IT IS THEREFORE AGREED:**

**FIRST**--That a copy of said Contract Documents and Proposal filed as aforesaid are a part hereof and that the same do in all particulars become the agreement and Contract between the parties hereto in all matters and things set forth therein and described; that both parties hereby accept and agree to the terms and conditions of said Contract Documents and Proposal so filed; and further that the part or parts of the Proposal accepted and the compensation therefore are as follows:

For the unit prices as set forth in the attached Proposal, having an estimated total price of: \$ 560,487.40.

SECOND--The Contract Documents and Proposal hereto annexed are made a part of this Agreement and Contract as fully and absolutely as if herein set out in haec verba.

THIRD--This Contract is executed in quintuplicate, with distribution as specified in the Regulations of the Contract.

IN FAITH WHEREOF, Witness the hands and seals of both parties on the day and year in this agreement first above written.

ATTEST:

By: Ruth E. Bocchino

Ruth E. Bocchino

Title: City Clerk

Approved as to form:

Randall Thompson; Attorney for the Owner

ATTEST:

By: [Signature]

Title: Secretary

Approved as to form:

By: [Signature]

Attorney for the Contractor

Owner City of Gladstone

By: [Signature]

Kirk L. Davis

Title: City Manager

Superior Bowen Asphalt Co. LLC  
2501 Manchester Trafficway  
Kansas City, MO 64129

Contractor

By: X [Signature]

John T. Bowen-Vice President

CORPORATE SEAL:

If Contractor is not an individual, authority for signing Contract must be shown or attached.