

**RESOLUTION NO. R-14-59**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF WORK UNDER CONTRACT WITH GUNTER CONSTRUCTION COMPANY, FOR THE ROUTE M1 AND NORTHEAST 73<sup>rd</sup> TERRACE PEDESTRIAN IMPROVEMENTS; AND AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$3,012.50.**

WHEREAS, work under the contract with Gunter Construction Company, for the Route M1 and Northeast 73<sup>rd</sup> Terrace Pedestrian Improvements, Project TP1410, has been completed to the satisfaction of the Director of Public Works and the City Engineer;

**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 accept work under the contract and make final payment as follows:


Original Contract Amount:	\$ 214,629.00
Change Orders:	<u>13,561.97</u>
Revised Contract Amount:	\$ 228,190.97
Amount Paid to Date:	<u>225,178.47</u>
<b>Total Amount Due Final Pay:</b>	<b><u>\$ 3,012.50</u></b>

FURTHER, funds for such purpose are authorized from the Transportation Sales Tax fund and a grant from the Missouri Department of Transportation.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 25<sup>th</sup> DAY OF AUGUST 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: August 18, 2014  
RE: Final Pay, Project TP1410 – Route M1 and NE 73<sup>rd</sup> Terrace Pedestrian Improvements

Work has been completed on the referenced project and the contractor, Gunter Construction Company, has made application for final pay. Staff has conducted a final inspection and determined the work to be completed in a satisfactory manner, in accordance with the specifications.

A financial breakdown is as follows:

Original Contract Amount:	\$ 214,629.00
Change Orders:	<u>13,561.97</u>
Revised Contract Amount:	\$ 228,190.97
Amount Paid to Date:	<u>225,178.47</u>
<b>Total Amount Due Final Pay:</b>	<b><u><u>\$ 3,012.50</u></u></b>

The Change Orders on this project resulted from additional traffic control per MoDOT standards, the repair of a curb inlet near the intersection, and the adjustment of quantities to actual quantities installed per field measurement. Funds for this project are provided for from the TIST and a grant from the Missouri Department of Transportation (\$70,000.00).

Based on all available information, the receipt of required lien waivers and the acceptance of the performed work by our staff, I am recommending that this request for final pay be placed on the next regularly scheduled City Council agenda for approval.

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

CC: Scott Wingerson; Assistant City Manager

**PART D - CONTRACT**

State of Missouri

} ss:

County of Clay

THIS AGREEMENT AND INDENTURE made and entered into this, the 28th day of October, 20 13 by and between

The City of Gladstone

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

Gunter Construction Company 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 8<sup>th</sup> day of October, 2013, 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: \$ 214,629.00, including Bid Alternate 1.

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:

*Cathy L. Swenson*

Cathy L. Swenson

Title: City Clerk

Approved as to form:

*[Signature]*

Randall D. Thompson, Attorney for the Owner

ATTEST:

By:

*Stephanie Hunter*

Title: Secretary

Approved as to form:

By:

Attorney for the Contractor (Optional)

CORPORATE SEAL:

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

ATTEST:

Owner

City of Gladstone

By:

*[Signature]*

Kirk L. Davis

Title: City Manager



ATTEST:

Contractor

Gunter Construction Company

By:

*[Signature]*

Christina Gunter

President

CORPORATE SEAL: