

RESOLUTION NO. R-16-03

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH STERLING CONSTRUCTION COMPANY, LLC, IN THE TOTAL AMOUNT NOT TO EXCEED \$509,510.00 FOR THE MUNICIPAL POOL MECHANICAL ROOM RENOVATION.

WHEREAS, two proposals were received for the Municipal Pool Mechanical Room Renovation, Project CO1657, and the proposal of Sterling Construction Company, LLC, in the amount of \$509,510.00 has been determined by the Director of Parks and Recreation to be a fair proposal.

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 Sterling Construction Company, LLC, for work as outlined in the contract for a total amount not to exceed \$509,510.00


FURTHER, THAT funds for such purpose are authorized from the Certificates of Participation, Series 2015.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 11th DAY OF JANUARY 2016.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk

MEMORANDUM

TO: Kirk L. Davis; City Manager
THROUGH: Scott Wingerson; Assistant City Manager
FROM: Glen Whitten; Construction Contracts Administrator
DATE: January 5, 2016
RE: Project No. CO1657; Municipal Pool Mechanical Room Renovation

Staff received the following base bids for the referenced project:

Sterling Construction Co., LLC	\$	518,000.00
Irvinbilt Construction, Inc.	\$	529,900.00

Subsequent to the bid opening, negotiations were entered into with the low bidder, Sterling Construction, with the goal of introducing value engineering aspects into the final bid in order to meet the project budget.

As a result of these negotiations, an agreement was reached with Sterling Construction to provide the Municipal Pool Mechanical Room Renovation for a total sum of \$509,510.00. This amount incorporates the value engineering modifications to the scope of work as agreed to by both parties. Funds for this project are provided from the Certificates of Participation, Series 2015.

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

CC: Justin Merkey; Director of Parks and Recreation
Alan Napoli, Building Official

PART D - CONTRACT

State of Missouri

} ss:

County of Clay

THIS AGREEMENT AND INDENTURE made and entered into this, the 19th day of

January, 2016 by and between

The City of Gladstone

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

Sterling Construction 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 17th day of December, 2015, 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 lump sum price as set forth in the attached Proposal, having a total price of:

\$509,510.00, excluding Bid Alternate 1 and including value engineering changes detailed in Sterling Construction's proposal and incorporated herein by this reference.

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.

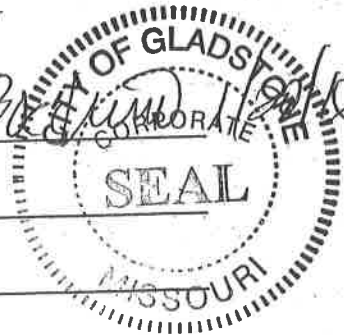
IN FAITH WHEREOF, Witness the hands and seals of both parties on the day and year in this agreement first above written.

ATTEST:

By: Ruth E. Bocchino

Ruth E. Bocchino

Title: City Clerk



Owner City of Gladstone

By: Kirk L. Davis

Kirk L. Davis

Title: City Manager

Approved as to form:

T. Chris Williams
T. Chris Williams, Attorney for the Owner

ATTEST:

By: Estelle Chafue

Title: Secretary

Contractor Frank Castle

By: [Signature]

Approved as to form:

By: _____
Attorney for the Contractor

CORPORATE SEAL:

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