

**RESOLUTION NO. R-16-53**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MTS CONTRACTING, INCORPORATED, IN THE TOTAL AMOUNT NOT TO EXCEED \$57,200.00 FOR THE WATER TREATMENT PLANT LIME TOWER MASONRY REPAIR; PROJECT WP1785.**

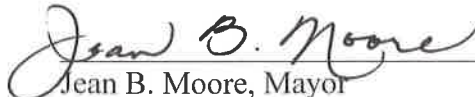
**WHEREAS**, two (2) proposals were received for the Water Treatment Plant Lime Tower Masonry Repair Project, and the proposal of MTS Contracting, Incorporated, in the negotiated bid amount of \$57,200.00, has been determined by the Director of Public Works and City Engineer to be the lowest and best 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 MTS Contracting, Incorporated, for work as outlined in the contract for a total amount not to exceed \$57,200.00.

**FURTHER, THAT** funds for such purpose are authorized from the Combined Water and Sanitary Sewerage fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 12<sup>th</sup> DAY OF SEPTEMBER 2016.**

  
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Jean B. Moore, Mayor

ATTEST:

  
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Ruth E. Bocchino, City Clerk

## MEMORANDUM

TO: Scott Wingerson; City Manager

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

FROM: Glen Whitten; Construction Contracts Administrator

DATE: September 7, 2016

RE: Project WP1785  
Water Treatment Plant Lime Tower Masonry Repair

Staff received the following bids for the referenced project:

MTS Contracting, Inc.	\$64,400.00	Innovative Masonry Restoration, LLC	\$190,941.00
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The Engineer's estimate, prepared by staff, was \$50,000.00.

Subsequent to the bid opening, staff entered into negotiations with the low bidder to introduce value engineering elements into the project. As a result of those negotiations, a final bid price of \$57,200.00 was agreed upon.

This project consists of repair and replacement of broken brick, installation of stainless steel drip edges, mortar, caulking, and brick sealing of the existing masonry to eliminate water intrusion into the water treatment plant.

MTS Contracting is based in North Kansas City, MO and has been in business for 20 years. Staff conducted a reference check of previous work MTS Contracting has performed and found all respondents to be satisfied with the work they completed.

Based on all available information, staff is recommending that Project WP1785 be awarded to MTS Contracting at a total price of \$57,200.00 at the next regularly scheduled City Council meeting. Funds are provided from the CWSS Fund.

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

**PART D - CONTRACT**

State of Missouri

} ss:

County of Clay

THIS AGREEMENT AND INDENTURE made and entered into this, the 28<sup>th</sup> day of September, 20 16 by and between

The City of Gladstone

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

MTS Contracting, Inc. 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 6<sup>th</sup> day of September, 2016, 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: \$57,200.00 (as adjusted by attached MTS Contracting letter of 9/15/16 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: Scott Wingerson

Scott Wingerson

Title: City Manager

Approved as to form:

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

ATTEST:

By: Mark Spears

Title: Secretary

Contractor MTS Contracting Inc

By: Mark Spears

Mark Spears

Vice President

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.