

RESOLUTION NO. R-18-41

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH FLESHMAN CONSTRUCTION, INCORPORATED, IN THE TOTAL AMOUNT NOT TO EXCEED \$1,648,018.00 FOR 501 NORTHEAST 70TH STREET, PROJECT CD1860.

WHEREAS, four proposals were received for the Summit Grill Tenant Finish Project CD1860, and the proposal of Fleshman Construction, Incorporated in the amount of \$1,648,018.00 has been determined by the Assistant City Manager 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 Fleshman Construction, Incorporated for work as outlined in the contract for a total amount not to exceed \$1,648,018.00.

FURTHER, THAT, funds for such purpose are authorized from the Capital Equipment Replacement Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 29TH DAY OF MAY 2018.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk



Request for Council Action

RES # R-18-41

BILL # City Clerk Only

ORD # City Clerk Only

Date: 5/22/2002

Department: General Administration

Meeting Date Requested: 05/29/18

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: A Resolution authorizing the City Manager to execute a contract with Fleshman Construction, Incorporated, in the amount not to exceed \$1,648,018.00 for the Summit Grill tenant finish Project CD1860.

Background: The City of Gladstone and Summit Grill have entered into a lease agreement to occupy the vacant retail space located at 501 NE 70th Street, Gladstone, MO 64118. After receiving four (4) bids for the buildout of the space, Fleshman Construction, Incorporated, was selected as the General Contractor for the Summit Grill Project.

Budget Discussion: Funds are budgeted in the amount of \$ 1,648,018.00 from the CERF fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: N/A

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk

Bob Baer
Assistant City Manager

PC
City Attorney

SW
City Manager

PART D - CONTRACT

State of Missouri

} ss:

County of Clay

THIS AGREEMENT AND INDENTURE made and entered into this, the 13th day of

June, 2018 by and between

The City of Gladstone

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

Fleshman Construction, 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 15th day of May, 2018 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 fi 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 (as modified by Fleshman Construction's Value Engineering Proposal dated 5/24/18, attached), having a total price of:

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:

Chris Williams

Chris Williams, Attorney for the Owner

ATTEST:

By: Shirley Gudman

Title: Secretary

Contractor Fleshman Construction

By: _____

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.