

**RESOLUTION NO. R-18-61**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH LINAWEAVER CONSTRUCTION, INCORPORATED, IN THE TOTAL AMOUNT NOT TO EXCEED \$2,030,079.80 FOR THE OLD PIKE ROAD IMPROVEMENTS – VIVION ROAD TO NORTHWEST ENGLEWOOD ROAD, PROJECT TE1817.**

**WHEREAS**, six proposals were received for the Old Pike Road Improvements – Vivion Road to Northwest Englewood Road Project TE1817, and the proposal of Linaweaver Construction, Incorporated, in the amount of \$2,030,079.80 has been determined by the Director of Public Works 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 Linaweaver Construction, Incorporated, for work as outlined in the contract for a total amount not to exceed \$2,030,079.80, pending MoDOT approval.


**FURTHER, THAT**, funds for such purpose are authorized from the 2017 lease purchase budgeted in the TST Fund, CWSS Fund, and reimbursement by the Federal Highway Administration Surface Transportation Program.

**INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 22<sup>nd</sup> DAY OF OCTOBER 2018.**



\_\_\_\_\_  
Mayor Bill Garnos

ATTEST:

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



## Request for Council Action

RES  # R-18-61

BILL  # City Clerk Only

ORD # City Clerk Only

Date: 10/17/2018

Department: Public Works

Meeting Date Requested: 10/22/2018

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

Subject: Contract Award, Project TE1817 Old Pike Road Improvements – Vivion Road to NW Englewood Road, pending MoDOT approval.

Background:

Six bids were received for this project, including Bid Alternates 1 and 2:

Linaweaver Construction Inc.	\$2,030,079.80
VF Anderson Builders LLC	\$2,050,244.60
Amino Bros.	\$2,217,482.45
J.M. Fahey Construction	\$2,242,660.75
Leavenworth Excavating & Equipment Co., Inc.	\$2,249,069.15
Gunter Construction Company	\$2,414,028.00

The project consists of roadway construction and improvements along Old Pike Road from Vivion Road to NW Englewood Road. Bid Alternate 1 consists of pedestrian signal upgrades at N. Broadway and NW Englewood Road. Bid Alternate 2 consists of pedestrian signal upgrades at the entrance to Home Depot.

Budget Discussion: Funds are budgeted in the amount of \$1,150,000 from the TST Fund, \$100,000 from the CWSS Fund for water main relocation, and a \$900,000 grant from the Federal Highway Administration Surface Transportation Program. Ongoing costs are estimated to be \$ 1500 annually. Previous years' funding was \$15,000. The Engineer's Estimate for the project is \$2,116,520.

Public/Board/Staff Input:

Linaweaver Construction is a company based in Lansing, KS that has been in business for a total of 33 years. Linaweaver Construction has completed several projects for the City over the past few years (most recently the Pleasant Valley Road project). Staff is very pleased with their work and is looking forward to working with them again on this project.

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

Timothy A. Nebergall  
Department Director/Administrator

PC  
City Attorney

SW  
City Manager

RCA DUE TO CITY CLERK WEDNESDAY 12:00 PM

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 November, 2018 by and between

The City of Gladstone

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

Linaweaver 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 16<sup>th</sup> day of October, 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 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: \$2,030,079.80, Including Bid Alternates 1 and 2.

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: Rita Linaweaver  
Title: Secretary

Contractor Linaweaver Construction, Inc.

By: Mark Linaweaver  
Mark Linaweaver  
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.