

RESOLUTION NO. R-14-33

A RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH FLESHMAN CONSTRUCTION, INCORPORATED, IN THE TOTAL AMOUNT NOT TO EXCEED \$720,031.00 FOR THE 76TH AND NORTH OAK INTERSECTION IMPROVEMENTS, PROJECT TP0818.

WHEREAS, eight proposals were received for the 76th and North Oak Intersection Improvements Project, and the proposal of Fleshman Construction, Incorporated, in the amount of \$720,031.00 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 Fleshman Construction, Incorporated, for work as outlined in the contract for a total amount not to exceed \$720,031.00.

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

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 27TH DAY OF MAY 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: May 13, 2014

RE: Project TP0818, CMAQ-3323(406)
76th and N. Oak Intersection Improvements

Staff received the following bids for the referenced project:

Fleshman Construction, Inc.	\$720,031.00	Metro Asphalt, Inc.	\$769,442.75
Linaweaver Construction, Inc.	\$724,524.00	MEGA Industries Corp.	\$777,700.00
Freeman Concrete Const., LLC	\$743,962.20	Gunter Construction Co.	\$810,344.00
Seal-O-Matic Paving Co., Inc.	\$761,318.35	Amino Bros. Co., Inc.	\$859,286.05

The Engineer's estimate, prepared by staff, was \$846,893.00.

This project involves the construction of new turn lanes on N. Oak Trafficway at NE 76th Street, including the installation of new traffic signals, asphalt pavement, curb and gutter, sidewalk, stormwater, and other related appurtenances.

Fleshman Construction, Inc. is a company based in North Kansas City, Missouri that has been in business for a total of 23 years. Fleshman Construction previously completed the Linden Square Amphitheater and Ice Rink Project for the City. Staff is very pleased with their work and is looking forward to working with them again on this project.

Based on all available information, staff is recommending that this project be awarded to Fleshman Construction, Inc., at the bid price of \$720,031.00 at the next regularly scheduled City Council meeting. The project is partially funded by the Federal Congestion Mitigation and Air Quality (CMAQ) program that will reimburse the City for 80% of the construction costs to a maximum of \$600,000.

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 19th day of

June, 20 14 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 25th day of April, 2014, 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: \$720,031.00.

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

Approved as to form:

Randall D. Thompson, Attorney for the Owner

Owner City of Gladstone

By: Kirk L. Davis

Kirk L. Davis

Title: City Manager

ATTEST:

By: Sharon

Title: Secretary

Approved as to form:

By: _____
Attorney for the Contractor (Optional)

Contractor Fredman Construction, Inc

By: Sharon
Sharon Fredman, President

CORPORATE SEAL:

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