

RESOLUTION NO. R-17-51

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH AB CREATIVE, INCORPORATED, IN THE TOTAL AMOUNT NOT TO EXCEED \$438,421.81 FOR THE HOBBY HILL PARK PLAYGROUND EQUIPMENT, PARK SHELTERS AND RESTROOM PROJECT CO1656.

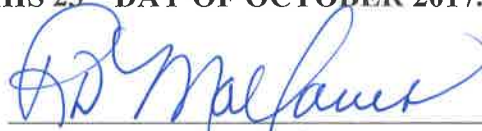
WHEREAS, one proposal was received for the Hobby Hill Park Playground Equipment, Park Shelters and Restroom, and that proposal from AB Creative, Incorporated, in the amount of \$438,421.81 has been determined by the Director of Parks, Recreation and Cultural Arts to be an acceptable proposal.

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 AB Creative, Incorporated for work as outlined in the agreement for a total amount not to exceed \$438,421.81.

FURTHER, THAT, funds for such purpose are authorized from the Hobby Hill Bond proceeds.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23rd DAY OF OCTOBER 2017.


R. D. Mallams, Mayor

ATTEST:


Ruth E. Bocchino, City Clerk



***Department of Finance
Memorandum***

DATE: October 18, 2017

TO: Scott Wingerson, City Manager

THROUGH: Justin Merkey; Director of Parks, Recreation and Cultural Arts

FROM: Glen Whitten; Construction Contracts Administrator

RE: Project No. CO1656; Hobby Hill Park Playground Equipment, Park Shelters and Restroom

Staff is recommending that this project be awarded to AB Creative, Inc. in accordance with the attached proposal, thru the Houston-Galveston Area Council (HGAC), for a total sum of \$438,421.81. HGAC is a purchasing cooperative of which the Mid-America Regional Council is a member, allowing the City of Gladstone to make this purchase through that membership. This type of purchase through a cooperative is authorized by Missouri Revised Statutes, Chapter 70.

AB Creative has been in business for twenty four years and has worked closely with the Parks and Recreation Department in the past. They are based in De Soto, KS., and are recognized as one of the area's leading suppliers and installers of park and playground equipment.

Funds for such equipment are authorized from the Hobby Hill Bond proceeds

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 29th day of

December, 20 17 by and between

The City of Gladstone

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

AB Creative 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 10th day of November, 2017, 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 17380-GB dated November 10, 2017 and incorporated herein by this reference, having a total price of: \$ 431,783.25.

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:

Chris Williams
Chris Williams, Attorney for the Owner

ATTEST:

By: Tina M. H.

Title: Secretary

Approved as to form:

By: _____
Attorney for the Contractor (Optional)

Owner City of Gladstone

By: Scott Wingerson

Scott Wingerson

Title: City Manager

Contractor Abel Creative Inc

By: Kan R. Kern

CORPORATE SEAL:

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