

RESOLUTION NO. R-20-18

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BKM CONSTRUCTION IN THE TOTAL AMOUNT NOT TO EXCEED \$190,645.00 FOR THE CURB, GUTTER, SIDEWALK, AND TRAIL PROJECT – PHASE 1; PROJECT TP2004.


WHEREAS, seven proposals were received for the Curb, Gutter, Sidewalk, and Trail Project – Phase 1; TP2004, and the proposal of BKM Construction in the amount of \$190,645.00 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 BKM Construction for work as outlined in the contract for a total amount not to exceed \$190,645.00.

FURTHER, THAT, funds for such purpose are authorized from the Transportation Sales Tax fund.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 27th DAY OF APRIL 2020.



Mayor Carol J. Suter

ATTEST:



Ruth E. Bocchino, City Clerk



Request for Council Action

RES # R-20-18

BILL # City Clerk Only

ORD # City Clerk Only

Date: 4/22/2020

Department: Public Works

Meeting Date Requested: 4/27/2020

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

Subject: Contract Award, Project TP2004, Curb, Gutter, Sidewalk, and Trail Project – Phase 1

Background: Seven bids were received for this project. BKM Construction was the low bidder with a bid of \$190,645.00. This project involves the removal and replacement of curbs, gutters, and sidewalks on 72nd Street between N. Broadway and N. Troost and trail replacement in Happy Rock Park. The project will be constructed in FY21.

Budget Discussion: Funds are budgeted in the amount of \$ 200,000.00 from the TST Fund. Ongoing costs are estimated to be \$ N.A. annually. Previous years' funding was \$N.A.

Public/Board/Staff Input: City staff contacted references for BKM Construction and all were positive. Staff recommends awarding the project to BKM Construction.

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

Tim Nebergall
Department Director/Administrator

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 2016 day of

May, 2020 by and between

The City of Gladstone

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

BKM Construction LLC 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 31st day of March, 2020, 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: \$190,645.00.

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



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: Secretary

Title: Secretary

Contractor BKM Construction LLC

By: Brent L. Motley

Brent L. Motley
Majority Partner

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.