

RESOLUTION NO. R-21-09

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ORR WYATT STREETSCAPES IN THE TOTAL AMOUNT NOT TO EXCEED \$705,625.55 FOR THE ROCK CREEK GREENWAY TRAIL – PHASE 2; CITY PROJECT #TP2072; FEDERAL PROJECT #TAP-3323(412).

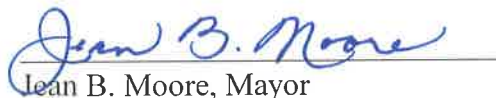
WHEREAS, ten proposals were received for the construction of the Rock Creek Greenway Trail – Phase 2 Project and the proposal of Orr Wyatt Streetscapes in the amount of \$705,625.55 has been determined by the Director of Public Works to be the lowest and best proposal.

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 Orr Wyatt Streetscapes for work as outlined in the contract for a total amount not to exceed \$705,625.55, pending MoDOT approval.

FURTHER, THAT, funds for such purpose are authorized from the Transportation Sales Tax Fund and a grant from the Federal Transportation Alternatives Program administered by the Missouri Department of Transportation.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 8th DAY OF FEBRUARY 2021.


Jean B. Moore, Mayor

ATTEST:


Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-21-09

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/2/2021

Department: Public Works

Meeting Date Requested: 2/8/2021

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

Subject: Contract Award, Project TP2072, Rock Creek Greenway Trail, Phase 2, pending MoDOT approval.

Background:

Ten bids were received for this project:

| | |
|--|----------------|
| Orr Wyatt Streetscapes | \$705,625.55 |
| Gunter Construction Company | \$773,811.00 |
| MegaKC Corporation | \$776,096.50 |
| National Streetscape, Inc. | \$784,168.00 |
| Linaweaver Construction Inc. | \$785,969.30 |
| Primetime Contracting Corp. | \$808,005.00 |
| Sands Construction Company | \$839,162.20 |
| Julius Kaaz Construction Company Inc. | \$882,731.00 |
| Pyramid Excavation & Construction | \$892,104.00 |
| Radmacher Brothers Excavating Co. Inc. | \$1,025,553.00 |

The project consists of construction of approximately 1,900 LF of 10 foot wide concrete trail, pedestrian improvements and related appurtenances in the vicinity of Rock Creek.

Budget Discussion: Funds are budgeted in the amount of \$750,000 from the TST Fund. The project will be partially funded with a \$400,000 grant from the Federal Highway Administration. Ongoing costs are estimated to be \$ 1,500 annually. Previous years' funding was \$50,000. The Engineer's Estimate for the project is \$844,886.

Public/Board/Staff Input:

Orr Wyatt Streetscapes previously constructed the Shoal Creek Trail Segment 4 project for the City. Staff was pleased with their performance and is looking forward to working with them again.

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

Timothy A. Nebergall
Department Director/Administrator

JM
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 3rd day of

March, 2021 by and between

The City of Gladstone

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

Orr Wyatt Streetscapes 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 19th day of January, 2021, 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: \$ 705,625.25.

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: Benny Orr

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 ORR WHAT
STREETSCAPE'S

By: Kenneth R. Orr

KENNETH R. ORR
BUS. OPS. MGR.

CORPORATE SEAL:

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