

**RESOLUTION NO. R-21-28**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH METRO ASPHALT INCORPORATED, IN THE TOTAL AMOUNT NOT TO EXCEED \$829,693.70 FOR THE 2021 MILL AND OVERLAY PROGRAM PROJECT TP2206.**

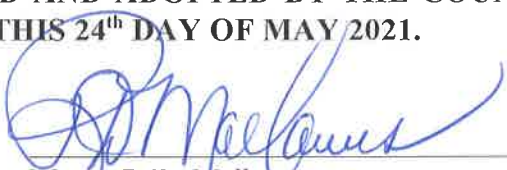
**WHEREAS**, two proposals were received for the 2021 Mill and Overlay Program Project TP2206, and the proposal of Metro Asphalt Incorporated, in the amount of \$829,693.70, has been determined by the Director of Public Works to be the lowest and best proposal.

**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 Metro Asphalt Incorporated, for work as outlined in the contract for a total amount not to exceed \$829,693.70.

**FURTHER, THAT**, funds for such purpose are authorized from the Combined Waterworks and Sewerage System Fund and the Transportation Sales Tax Fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 24<sup>th</sup> DAY OF MAY 2021.**

  
\_\_\_\_\_  
Mayor R.D. Mallams

ATTEST:

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



## *Request for Council Action*

RES ☒ # R-21-28

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 5/17/2021

Department: Public Works

Meeting Date Requested: 5/24/2021

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

Subject: Contract Award, Project TP2206, 2021 Mill and Overlay Program

Background: Two bids were received for this project. Metro Asphalt, Inc. was the low bidder with a bid of \$829,693.70 and Superior Bowen Asphalt was 2nd low with a bid of \$837,535.30, including Bid Alternate 1. The Engineer's Estimate for the project is \$834,827.00. Bid Alternate 1 (\$206,250) includes the resurfacing of N. Oak Trafficway from approximately NE 65th Street to NE 70th Terrace and is contingent upon participation of the Gladstone Special Road District. The project also includes the final resurfacing of N. Indiana from NE 64th Street to NE 67th Terrace in the vicinity of a new water main that was installed in 2020.

Budget Discussion: Funds are budgeted in the amount of \$ 100,000 from the CWSS Fund and \$730,000 from the TST Fund. Ongoing costs are estimated to be \$ 750,000 annually. Previous years' funding was \$850,000.00.

Public/Board/Staff Input: Metro Asphalt has been awarded the annual mill and overlay program in the past, as well as the 69th Street Reconstruction – N. Oak to N. Holmes. Staff recommends the award of this contract to Metro Asphalt.

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

Tim 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 21st day of

June, 2021 by and between

The City of Gladstone

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

Metro Asphalt, 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 4<sup>th</sup> day of May, 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: \$829,693.70, Including Bid Alternate 1.

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

Owner City of Gladstone

By: Scott Wingerson

Scott Wingerson

Title: City Manager

ATTEST:

By: Anita K. Bisby

Title: Assistant Secretary

Approved as to form:

By: \_\_\_\_\_  
Attorney for the Contractor

Contractor Metro Asphalt, Inc.  
By: Daniel C. O'Donnell

Daniel C. O'Donnell

Vice President

CORPORATE SEAL:

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