AGENDA ITEM

TO: Mayor and City Council

FROM: Drew Bontrager, Public Works Director

DATE: October 18, 2010

RE: **5th & Mead Asphalt Contract**

PURPOSE

The attached bill would authorize the City Manager to enter into a contract for the asphalt construction improvements for the 5th & Mead Project. This includes Mead Street from 4th to 6th and 5th Street from Nettleton to Lathrop. Staff has continued to pursue this bid with the added Council direction to complete the pipe installation on Lathrop St. The final leg of pipe into the existing drainage structure at Lathrop and 6th Street was laid this week.

BACKGROUND

The three bids received on October 13, 2009, are as follows:

Herzog Contracting	$151,443.55
Metro Asphalt, Inc	$174,977.65
APAC Missouri	$213,554.30

DISCUSSION

The apparent lowest bid, from Herzog Contracting, added an Exhibit stating they would not guarantee work to be completed by end of the calendar year, there would be extra fees for cold weather work and excluded damages for not completing the project by the end of the calendar year. Council can authorize this bid as acceptable at the lower cost but Staff did not feel there is sufficient contract language to ensure completion before the end of the calendar year.

The second lowest bid was Metro Asphalt, Inc at $174, 977.65. Metro Asphalt did meet all of the bid specifications. We do have a working history with Metro Asphalt, as they were the general contractor for the Griffin and Grand Project.

We are recommending Metro Asphalt, Inc. as the best bid for the reason they meet all the bid specifications. We believe it is important to ensure completion of this work by the end of the calendar year. This would allow residents to maintain access throughout the winter and spring months.

This project will use most of the 2010-2011 road maintenance funds of $200,000 and leave very little for road maintenance funds for next spring and summer. A budget adjustment to put more money into the road maintenance line may need to be considered in the spring.

RECOMMENDATION

We recommend that the Council adopt the attached bill authorizing the City Manager to sign the agreement with Metro Asphalt, Inc for the asphalt construction for 5th & Mead Project.

Bill 2010-61

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI TO ENTER INTO A CONTRACT WITH METRO ASPHALT, INC FOR FIFTH AND MEAD ASPHALT PROJECT

WHEREAS, The City of Cameron has solicited bids for the Fifth & Mead Asphalt Project and did receive three (3) bids; and

WHEREAS, Staff having reviewed the bids received and determining Metro Asphalt, Inc. best bid, that met all the requirements with a total base bid of $174,977.65, recommends approval of an Agreement for Services with Metro Asphalt, Inc.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AS FOLLOWS:

Section 1. The City Manager is hereby authorized to enter into a contract with Metro Asphalt, Inc, for the Fifth and Mead Asphalt Project all as per the agreement attached hereto and made a part hereof.

Section 2. The City Manager is authorized to execute ancillary documents necessary to effect this transaction.

Section 3. The Mayor is hereby authorized to sign this Ordinance on behalf of the City of Cameron.

Section 4. The City Clerk is hereby directed to attest to the Mayor's signature.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

Read two times, passed and approved this 18th day of October 2010.

_____
Mayor Dennis Clark

ATTEST:

_____
City Clerk

AGREEMENT FOR SERVICES

THIS AGREEMENT, made on the 18th day of October 2010 by and between the CITY OF CAMERON, Clinton and DeKalb Counties, Missouri, a municipal corporation, hereinafter called "City", and METRO ASPHALT, INC., hereinafter called "Contractor".

WHEREAS, the City wishes to retain Contractor to furnish construction services for the street repair and asphalt overlay program as authorized under the following sections:

Section 1. The Contractor will abide by the terms and conditions of the "Bid Proposal and Contract" regarding his scope of services and pricing as attached.

Section 2. The Contractor will abide by Missouri Division of Labor Standards attached heretofore.

Section 3. If the Contractor fails to perform the work in accordance with contract documents, the City retains the right of immediate termination, and right of reimbursement for any unearned funds.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first hereinabove written.

City of Cameron

_____

Attest: Mayor Dennis M. Clark

_____

City Clerk

Metro Asphalt, Inc.

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