

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 19265

Sponsor(s): Tony Miller

Date: September 26, 2016

<p>SUBJECT</p>	<p>Action Requested  <input checked="" type="checkbox"/> Resolution  <input type="checkbox"/> Ordinance</p> <p>Project/Title: Award of Bid No. PW-09-2016 for Longview Lake Trail Resurfacing.</p>										
<p>BUDGET INFORMATION  <i>To be completed                  By Requesting                  Department and                  Finance</i></p>	<table border="1" data-bbox="321 514 1198 829"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$218,301.00</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$218,301.00</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$270,984.00</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; Grant Fund Construction Services/Other Improvements; 010-1608-58060</td> <td>FROM ACCT 010-1608-58060  TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:                  Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable): NA                  Prior Year Actual Amount Spent (if applicable): NA</p>	Amount authorized by this legislation this fiscal year:	\$218,301.00	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$218,301.00	Amount budgeted for this item * (including transfers):	\$270,984.00	Source of funding (name of fund) and account code number; Grant Fund Construction Services/Other Improvements; 010-1608-58060	FROM ACCT 010-1608-58060  TO ACCT
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Ord. #4827 Feb. 29, 2016</p> <p>Prior resolutions and (date): Res. #18652 Nov. 3, 2014</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, &amp; phone): Bruce Wilke, Landscape Architect 503-4802</p>										
<p>REQUEST SUMMARY</p>	<p>A bid opening for Bid No. PW-09-2016, for the Longview Lake Multi-purpose Trail Renovation was held on August 23, 2016. Eleven responsive bids were received. Orr Wyatt Streetscapes, (Raytown, Mo.), submitted the lowest and best bid in the amount of \$218,300.90. Wil-Pav Inc. submitted the second low bid in the amount of \$239,037.50. The Parks Department has received a "Concurrence In Award" letter from the Missouri Department of Transportation that Orr Wyatt Streetscapes provided the lowest and best bid. The Jackson County Compliance Review Office has stated that Orr Wyatt Streetscapes is in compliance. Funding for this project was appropriated previously by Ordinance 4827 on February 29, 2016. We are therefore requesting the Legislature to accept the bid and award a contract on Bid No. PW-09-2016. We further request authorization for the County Executive to execute the Contract for this bid.</p>										
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										

ATTACHMENTS	Bid Tabulation, Bid Bond, Compliance Review, Concurrence Request Letter, MoDOT Concurrence In Award, Ordinance #4827, Location Map, Legislative memo	
REVIEW	Department Director: <i>Michael Peron</i>	Date:
	Finance (Budget Approval): <i>If applicable</i> <i>Mary Rasmussen</i>	Date: <i>9/20/16</i>
	Division Manager: <i>Mary Lou Brown</i>	Date: <i>9/21/16</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #4827 on February 29, 2016.
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
010-1608-58060	Grant Fund Construction Services/Other Improvements;	\$270,984.00

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



Jackson County, Missouri  
 Department of Public Works -Engineering Division  
 303 W. Walnut  
 Independence, MO. 64050

Bid Tabulation Prepared By:  
 Chris Jenkins,  
 Project Manager



## LIST OF BIDDERS

### UNOFFICIAL

JCP+Rec Contact for project information: Bruce Wilke at 816-503-4802

### Longview Lake Multi-Purpose Trail Renovation

COUNTY PROJECT NO. 3204 - BID NO. PW 09-2016

FEDERAL PROJECT NO. FLAP 9901(430)

**BID OPENING DATE AND TIME: August 23, 2016 2:05 p.m.**

NOTE: This is an unofficial bid tabulation and only reflects the initial reading of the bids received, not the evaluation of such bids.

NO.	Firm	City and State	Amount Bid	% above Low
1	Orr Wyatt Streetscapes	Raytown, MO.	\$218,300.90	0.00%
2	Wii-Pav, Inc.	Sugar Creek, MO.	\$239,037.50	9.50%
3	Midwest Heavy Construction, LLC	Pleasant Hill, MO.	\$245,000.00	12.23%
4	VF Anderson Builders, LLC	Harrisonville, MO.	\$251,226.00	15.08%
5	Phoenix Concrete & Underground, LLC	Olathe, KS.	\$254,334.46	16.51%
6	Downey Construction, Inc.	Independence, MO.	\$256,215.00	17.37%
7	Mega Industries Corporation	No. Kansas City, MO.	\$258,969.38	18.63%
8	Gunter Construction Company	Kansas City, KS.	\$268,467.50	22.98%
9	MS Contracting, LLC	Brookfield, MO.	\$304,463.00	39.47%
10	Hessling Construction, Inc.	Dexter, MO.	\$315,477.03	44.51%
11	The Wilson Group, Inc.	Greenwood, MO.	\$391,785.20	79.47%
	Engineers Estimate - JCPW	Independence, MO.	\$267,337.80	22.46%

Bid Opening Date and Time: August 23, 2016 at 2:05 p.m.

Department of Public Works - Engineering Division  
 Bid Tabulation for: Jackson County Parks + Recreation  
 Longview Lake Multi-Purpose Trail Renovation

NOTE: This is an Unofficial bid tabulation and only reflects the initial reading of the bids received, not the evaluation of such bids.

Jackson County PN 3204 - Bid No. PW-09-2016  
 Federal Project No. FLAP 9901(430)

**UNOFFICIAL**

Numbers highlighted in Yellow denote mathematical error.

Item No	Description	Unit	No. Units	1		2		3		4		5	
				Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Bid
<b>LONGVIEW LAKE MULTI-PURPOSE TRAIL RENOV. BID ITEMS</b>													
1	Mobilization	Lump Sum	1	17,850.00	17,850.00	3,200.00	3,200.00	8,071.90	8,071.90	10,000.00	10,000.00	23,500.00	23,500.00
2	Contractor Construction Staking	Linear Ft	2,994	1.10	3,293.40	1.00	2,994.00	1.25	3,742.50	2.00	5,988.00	0.95	2,944.30
3	10' Tube Gates	Each	2	1,290.00	2,580.00	350.00	700.00	295.00	590.00	700.00	1,400.00	525.00	1,050.00
4	Excavation	Cubic Yards	554	10.75	5,955.50	67.75	37,533.50	61.00	33,794.00	60.00	33,240.00	11.34	6,282.36
5	Subgrade Recompaction	Square Feet	29,940	0.11	3,293.40	0.10	2,994.00	0.30	8,982.00	0.20	5,988.00	1.08	32,335.20
6	Concrete Pavement - 6' thick	Square Feet	29,940	6.19	185,328.60	6.40	191,616.00	6.34	189,819.60	6.50	194,610.00	6.29	188,322.60
	TOTAL BID =				218,300.90		239,037.50		245,000.00		251,226.00		254,334.46
Received Bid Totals 8-23-2016					\$218,300.90		\$239,037.50		\$245,000.00		\$251,226.00		\$254,334.46
Math or Extension Error Total Amount					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
Extension or math error line (s) (Item No. Above) ??													

**Notes:**

1. The County reserves the right to adjust the quantities up or down to any and all bid items to accommodate available funds.

Bid Opening Date and Time: August 23, 2016 at 2:05 p.m.

Department of Public Works - Engineering Division  
 Bid Tabulation for: Jackson County Parks + Recreation  
 Longview Lake Multi-Purpose Trail Renovation

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Jackson County PN 3204 - Bid No. PW-09-2016  
 Federal Project No. FLAP 9901(430)

**UNOFFICIAL**

Numbers highlighted in Yellow denote mathematical error.

6			7			8			9			10			11		
Downey Construction, Inc. Independence, MO.		Mega Industries Corporation No. Kansas City, MO.		Gunter Construction Company Kansas City, KS.		MS Contracting, LLC Brookfield, MO.		Hessling Construction, Inc. Dexter, MO.		The Wilson Group, Inc. Greenwood, MO.		Engineers Estimate		Avg. unit \$ of 3 lowest Bids Received			
Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Bid	Unit Price	Total Amt Estimated				
7.199.00	7,199.00	67,850.00	67,850.00	20,763.00	20,763.00	16,500.00	16,500.00	20,000.31	20,000.31	5,500.00	5,500.00	35,000.00	35,000.00	9,707.30			
0.00	0.00	0.37	1,107.78	0.75	2,245.50	3.50	10,479.00	4.12	12,335.28	2.30	6,886.20	1.50	4,491.00	1.12			
375.00	750.00	550.00	1,100.00	400.00	800.00	750.00	1,500.00	1,974.62	3,949.24	400.00	800.00	300.00	600.00	645.00			
32.00	17,728.00	47.00	26,038.00	39.00	21,608.00	41.50	22,991.00	83.50	46,259.00	70.00	38,780.00	20.00	11,080.00	46.50			
0.50	14,970.00	0.24	7,185.60	0.25	7,485.00	2.50	74,850.00	0.91	27,245.40	0.35	10,479.00	1.67	49,999.80	0.17			
7.20	215,568.00	5.20	155,688.00	7.20	215,568.00	5.95	178,143.00	6.87	205,687.80	11.00	328,340.00	5.55	166,167.00	6.31			
	256,215.00		258,969.38		268,467.50		304,463.00		315,477.03		381,785.20		267,337.80				
	\$256,215.00		\$258,969.38		\$268,467.50		\$304,463.00		\$315,477.03		\$381,785.20		\$267,337.80				
	\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00				

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Orr Wyatt Streetscapes - A Joint Venture
9812 East 56th Street, Raytown, MO 64133
as Principal, hereinafter called the Principal, and Western Surety Company
P. O. Box 5077, Sioux Falls, SD 57117-5077
a corporation duly organized under the laws of State of SD

as Surety, hereinafter called the Surety, are held and firmly bound unto

Jackson County, Missouri

415 East 12th Street, Kansas City, MO 64106

as Obligee, hereinafter called the Obligee, in the sum of

Five Percent of Amount Bid Dollars (\$ 5% ),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs,
executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

Approximately 30,000 SF of 6" concrete trail in Longview Lake Park

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with
the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or
Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt
payment of labor and material furnished in the prosecution hereof, or in the event of the failure of the Principal to enter
such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty
hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract
with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain
in full force and effect.

Signed and sealed this 23rd of August, 2016.

[Signature]
(Witness)

Orr Wyatt Streetscapes - A Joint Venture
(Principal) (Seal)

BY: [Signature]
(Title)

[Signature]
(Witness)

Western Surety Company
(Surety)

BY: [Signature]
(Title) Attorney-in-Fact



Surety Phone No. 605-336-0850

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Mindy M. Goss, Individually**

of **Kansas City, MO** its true and lawful Attorney-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

Surety Bond No: Bid Bond

Principal: Orr Wyatt Streetscapes - A Joint Venture

Obligee: Jackson County, Missouri

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 1st day of December, 2015.



WESTERN SURETY COMPANY

Paul T. Brufat, Vice President

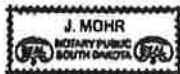
State of South Dakota }  
County of Minnehaha }

ss

On this 1st day of December, 2015, before me personally came Paul T. Brufat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2021



J. Mohr, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 23rd day of August, 2016.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary



**From:** Thomas J. Wyrsh  
**Sent:** Friday, August 26, 2016 10:34 AM  
**To:** Bruce M. Wilke  
**Subject:** RE: Compliance Review

Bruce, Orr Construction Management is in compliance. Renewal date is 12/31/2016. We received their Compliance Review form on 8/18/16.

**From:** Bruce M. Wilke  
**Sent:** Friday, August 26, 2016 10:17 AM  
**To:** Thomas J. Wyrsh  
**Subject:** Compliance Review

Tom,  
Attached is the bid proposal form from Orr Wyatt Streetscapes. They submitted the apparent low bid for PW-09-2016 which opened August 23. Please review the compliance review form and let me know the results.  
Thank you

**Bruce Wilke**  
Jackson County Parks + Rec  
22807 Woods Chapel Road  
Blue Springs, Mo. 64015  
Phone: (816) 503-4802  
fax: (816) 795-1234  
email: [bwilke@jacksongov.org](mailto:bwilke@jacksongov.org)



**JACKSON COUNTY  
Parks + Rec**

22807 Woods Chapel Road  
Blue Springs, Missouri 64015  
MakeYourDayHere.com

**Res. 19265**

Michele Newman, Director  
(816) 503-4800  
Fax: (816) 795-1234

August 29, 2016

Ms. Eva Steinman  
Missouri Department of Transportation  
600 Northeast Colbern Road  
Lee's Summit, Mo. 64086

Re: FLAP-9901(430) Longview Lake Trail Resurfacing

Dear Ms. Steinman,

This letter is to inform you that a bid opening for the Longview Lake Multi-purpose Trail Renovation was held on August 23, 2016. Eleven bids were received. Orr Wyatt Streetscapes submitted the apparent lowest and best bid in the amount of \$218,300.90. Wil-Pav Inc. submitted the second low bid in the amount of \$239,037.50.

- The bid total is for the base bid only.
- There were no alternates.
- The DBE goal was set at 0% for this project.
- Bidders were not required to be pre-qualified for this job. The low bidder is on the Prime Contractor MoDOT approved list.
- All Bidders were responsive.
- Bidders were required to fill out the following additional forms: Equipment Questionnaire, List of Contracts on Hand, Tax Clearance and Jackson County, Missouri Compliance Review Form. All bidders submitted completed forms with their bid.

I am requesting MoDOT concurrence in the award of the bid for this project to Orr Wyatt Streetscapes in the amount of \$218,300.90. All supporting documentation is attached.

If you have questions or need further information please feel free to contact me at (816) 503-4802.

Sincerely,

A handwritten signature in black ink that reads 'Bruce Wilke'.

Bruce Wilke  
Jackson County Parks + Rec



*Frank White Jr., County Executive*

Bruce M. Wilke

**From:** Innovations <MoDOTSP@modot.mo.gov>  
**Sent:** Tuesday, September 6, 2016 7:44 AM  
**To:** Patrick.Hake@modot.mo.gov; Eva.Steinman@modot.mo.gov; Bruce M. Wilke  
**Cc:** Randy.Gilliland@modot.mo.gov; Kim.Temmen@modot.mo.gov;  
Amanda.Haynes@modot.mo.gov; Donna.Roewe@modot.mo.gov;  
Linda.Conner@modot.mo.gov; Lindsey.Boswell@modot.mo.gov;  
MaryAnn.Jacobs@modot.mo.gov; data\_backup@ghspfewp21.dot.missouri  
**Subject:** Concurrence in Award



9/6/2016

Jackson County Parks & Rec  
Bruce Wilke

Re: Concurrence in Award  
FLAP-9901(430)  
Trail Resurfacing

Dear Bruce Wilke

The Missouri Department of Transportation (MoDOT) concurs with the recommendation to award this project to Orr Wyatt Streetscapes, with a low bid of \$218,300.90. MoDOT's External Civil Rights have approved the DBE participation submitted by the awarded bidder to fulfill the DBE Goal of 0%.

After executing the contract, please submit an electronic copy of the following documents to your MoDOT district contact:

- Final Plans Package given to Bidders (include all addenda that were issued)
- Fully Executed Contract
- Payment Bond, Performance Bond
- Insurance Certificate
- Signed Worker Eligibility Verification Affidavit
- Signed E-Verify Memorandum of Understanding (MOU)
- Certification Regarding Affirmative Action signed by prime contractor (only if NOT utilizing MoDOT's Federal Project Bid Proposal Boilerplate)

MoDOT will grant the authority to issue the Notice To Proceed after these documents have been reviewed. The fully executed contract must be the same version that was shown in the bid proposal and must include all signatures, etc.

The itemized proposal is used in preparing a formal project agreement with FHWA. Upon FHWA's approval, a copy of the summary of estimated cost will be furnished for your use. You will then be able to submit invoices for reimbursement.

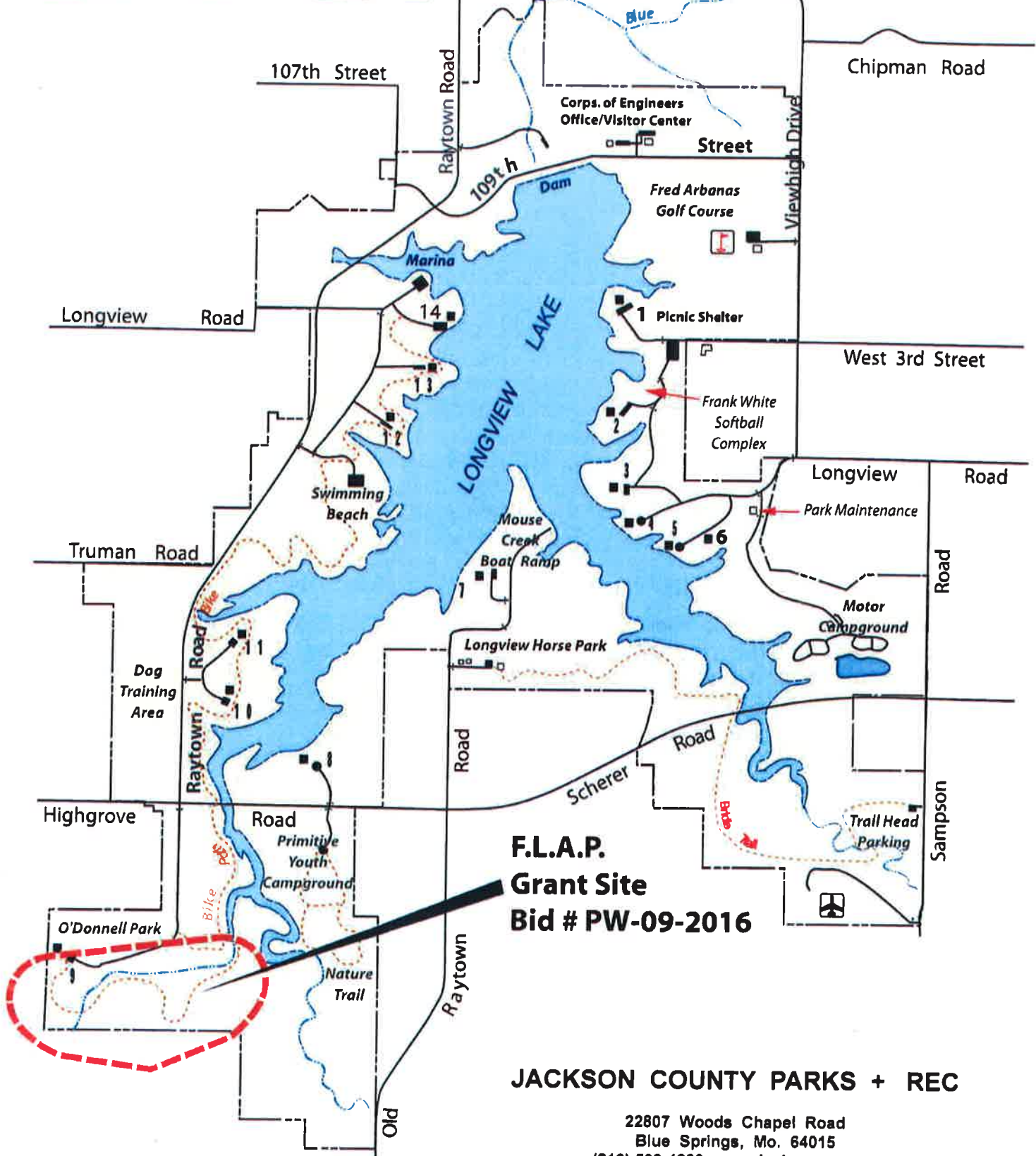
Please contact your district representative at <http://www.modot.org/business/manuals/LPAContacts.htm> to coordinate the scheduling of a pre-construction conference or if you have any questions regarding the required submittals.

Sincerely,

Kenny Voss, P.E.  
LPA Administrator  
(573)526-2924

Please do not respond to this automated email. Forward the email, with your questions or concerns to [LPASubmit@modot.mo.gov](mailto:LPASubmit@modot.mo.gov)

# LONGVIEW LAKE



**F.L.A.P.  
Grant Site  
Bid # PW-09-2016**

**JACKSON COUNTY PARKS + REC**

22807 Woods Chapel Road  
Blue Springs, Mo. 64015  
(816) 503-4800 [www.jacksongov.org](http://www.jacksongov.org)

# Memorandum

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Res. 19265

Date: September 12, 2016

To: Legislative Committee

From: Michele Newman, Director of Parks + Rec

Sub: FLAP-9901(430) Longview Lake Trail Resurfacing

A bid opening for Bid No. PW-09-2016, for the Longview Lake Multi-purpose Trail Renovation was held on August 23, 2016. Eleven responsive bids were received. Orr Wyatt Streetscapes, (Raytown, Mo.), submitted the apparent lowest and best bid in the amount of \$218,300.90. Wil-Pav Inc. submitted the second low bid in the amount of \$239,037.50. The Parks Department has received a "Concurrence In Award" letter from the Missouri Department of Transportation that Orr Wyatt Streetscapes provided the lowest and best bid. The Jackson County Compliance Review Office has stated that Orr Wyatt Streetscapes is in compliance. Funding for this project was appropriated previously by Ordinance 4827 on February 29, 2016. We are therefore requesting the Legislature to accept the bid and award a contract on Bid No. PW-09-2016. We further request authorization for the County Executive to execute the Contract for this bid.

Background:

- Resolution #18652 dated Nov. 3, 2014; authorized a Memorandum of Agreement with MoDOT for a Federal Lands Access Program grant for the Longview Lake Multi-purpose Trail Renovation.
- Ordinance 4827 dated Feb. 29, 2016; authorized execution of a Program Agreement for the project and appropriated \$270,984.00 to account 010-1608-58060, Grant Fund Construction Services Other Improvements.
- MoDOT has issued a "Concurrence in Award" notice allowing the County to execute a contract with Orr Wyatt Streetscapes for the work.

Please let me know if any additional information is required. I would be most happy to meet with you prior to the next Committee meeting to answer any remaining questions.