

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 180-16

**AN ORDINANCE**

determining it is in the public interest to construct the Black Field improvement project at Thomas E. Atkins Jr. Memorial Park; approving and adopting plans and specifications; determining that a portion of the work shall be done by contract; calling for bids through the Purchasing Division for a portion of the project; providing for payment for the improvement; appropriating funds; authorizing a facility usage agreement with Columbia College; authorizing the City Manager to obtain, execute and record all documents necessary for the improvement; providing for compliance with the prevailing wage law and state-mandated construction safety training; and fixing the time when this ordinance shall become effective.

WHEREAS, the City Council adopted a resolution declaring the necessity for the proposed construction of the Black Field improvement project at Thomas E. Atkins Jr. Memorial Park; and

WHEREAS, the notice of a public hearing on this project was published in a daily newspaper of general circulation in the city; and

WHEREAS, the City Council has held a public hearing on construction of the proposed improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The Council finds that the construction of the Black Field improvement project at Thomas E. Atkins Jr. Memorial Park in the City of Columbia, Missouri, is necessary for the welfare and improvement of the city and that it is in the public interest that such improvements be made. Specifically, the improvements include the following:

- Conversion of the infield skin and warning track material from an ag-lime surface to an engineered soil.
- Purchase of an infield tarp, mound tarp and plate tarp for rain events.

- Dugout renovations to enclose the three (3) exterior walls and the installation of electricity within each dugout.
- Purchase of fencing slats for the outfield fence.
- Construction of a storage shed for baseball equipment and field preparation equipment.
- Purchase of backstop padding.
- Expansion of existing bullpens to include two (2) pitching rubbers on each side of the field.

SECTION 2. The plans and specifications for this improvement, as prepared by the Director of Parks and Recreation, are hereby approved.

SECTION 3. The construction of a portion of the improvement shall be done by contract in accordance with the plans and specifications, the laws of the State of Missouri, and the Charter and Ordinances of the City of Columbia, Missouri.

SECTION 4. The Purchasing Agent is hereby authorized to call for bids and execute a contract for the infield conversion and bullpen construction improvements. As deemed advisable by the City Manager, city employees shall be used to construct all other improvements, including the dugout renovations, construction of the storage shed and fence slat installation.

SECTION 5. Payment for this improvement project shall be shall be reimbursed in full by Columbia College per the terms of Facility Usage Agreement.

SECTION 6. The sum of \$150,000.00 is hereby appropriated from the Miscellaneous Revenue Account No. 440-0000-480.10-00 C00681 to the Atkins Black Field Improvement Project Account No. 440-8800-548.49-90 C00681.

SECTION 7. The City Manager is hereby authorized to execute a Facility Usage Agreement with Columbia College. The form and content of the agreement shall be substantially in the same form as set forth in "Exhibit A" attached hereto.

SECTION 8. The City Manager is authorized to obtain, execute and have recorded all licenses, easements, deeds and any other conveyances or instruments necessary for the City to complete this improvement.

SECTION 9. The contract for the improvement shall provide that not less than the prevailing hourly rate of wages, as found by the Department of Labor and Industrial Relations of Missouri, shall be paid to all workers performing work under the contract. The contractor's bond shall guarantee the faithful performance of the prevailing hourly wage clause in the contract.

SECTION 10. The bid specifications and contract for the improvement shall provide that the contractor and any subcontractor shall provide a ten-hour Occupational Safety and Health Administration construction safety program (or a similar program approved by the Missouri Department of Labor and Industrial Relations) for all employees working on-site. All employees working on the site of the improvement are required to complete the safety program within 60 days of beginning work on the improvement project.

SECTION 11. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

CERTIFICATION: I certify there are sufficient funds available in the Miscellaneous Revenue Account No. 440-0000-480.10-00 C00681 to cover the above appropriation.

\_\_\_\_\_  
Director of Finance