

**SIDEWALK RENOVATION AGREEMENT**

This agreement is entered into on this 16<sup>th</sup> day of December, 2023 by and between the City of Columbia, Missouri, a municipal corporation (hereinafter "City") and Franzen Properties LLC.

WHEREAS, Franzen Properties LLC owns and operates Franzen Properties LLC, properties located at 820 E. Broadway, 5 N. Ninth Street; and 11 S. Ninth Street.

WHEREAS, Franzen Properties LLC is currently in the process of extensive renovation and restoration, and removal and replacement of adjacent sidewalks, curbs and accessories; and

WHEREAS, such removal of the old sidewalks and their replacement and rebuilding to current City codes will be a benefit to City and all who will use such sidewalks, curbs and accessories.

NOW, THEREFORE, in consideration of the mutual covenants set out herein, the parties agree as follows:

1. Franzen Properties LLC, through its contractor, shall remove the sidewalks, curbs, parking meters trash cans, tree grates and any other accessories, per City codes and follow the specific directions of the City Public Works department, along the west side of 9<sup>th</sup> Street between Broadway and Alley A as such are adjacent to the 820 E. Broadway, 5 N. Ninth Street; and 11 S. Ninth Street properties.
2. Franzen Properties LLC, through its contractor, shall replace all sidewalks, curbs, tree grates and accessories removed above as instructed by City and in accordance with City standards and codes currently in effect.
3. City will reimburse Franzen Properties LLC for three-fourths the cost of the replacement of sidewalks, curbs, etc., set out above, provided that City's contribution to such costs shall not exceed \$30,772.13.
4. City will pay Franzen Properties LLC up to ninety-five percent (95%) of the amount promised as City's reimbursement within thirty (30) days of receipt of a written statement of Franzen Properties LLC cost to replace the curbs, sidewalks, etc., set out herein. City will pay Franzen Properties LLC the remaining five percent (5%) of the amount promised upon City's acceptance of the work.
5. Franzen Properties LLC agrees to comply with the provisions of the Missouri Prevailing Wage Act (Sections 290.210 through 290.340 RSMo.) and shall provide in the contract with its contractor that not less than the prevailing hourly

rate of wages shall be paid to all workers performing work under the contract that is required under this sidewalk renovation agreement.

6. Franzen Properties LLC agrees to comply with all requirements established in the Central Business District Sidewalk Renovation Cost Share Agreement Procedures, which are attached hereto as Exhibit A.
7. This agreement is made solely for the benefit of the party's hereto and not for the benefit of any third party.

**CITY OF COLUMBIA, MISSOURI**

By: \_\_\_\_\_  
De'Carlon Seewood, City Manager

556

ATTEST:

\_\_\_\_\_  
Sheela Amin, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Nancy Thompson, City Counselor

**OWNER**

By: \_\_\_\_\_  
George FRANZEN 8/16/2023

CERTIFICATION: I hereby certify that this contract is within the purpose of the appropriation to which it is to be charged, Account No. 44008830-604990 00171, that there is an unencumbered balance to the credit of such appropriation sufficient to pay therefor.

\_\_\_\_\_  
Matthew Lue, Finance Director

## **Exhibit A - Central Business District Sidewalk Renovation Cost Share Agreement**

1. The City of Columbia has established a Sidewalk Renovation Cost Share program for the maintenance, repair and construction of sidewalks located in the Central Business District. The Central Business District consists of the area bounded by College Avenue on the east, Elm Street and Elm Street extended on the south, Garth Avenue on the west, and Park Avenue and Park Avenue extended on the north.
2. An interested property owner may approach the City, or the City may approach the property owner concerning a sidewalk problem located in the Central Business District.
3. A representative from the City will meet with the property owner to discuss recommendations for repairs.
4. The property owner is required to receive a minimum of three bids for the sidewalk renovation, and provide these bids to the City of Columbia unless the City chooses to forego the submission of three bids and gets a bid as provided in Paragraph 7, below. The work must meet all requirements of the current City of Columbia Street, Storm Drain, and Sanitary Sewer Construction Standards and Specifications.
5. All prospective bidders must meet the following requirements:
  - Must be enrolled in E-Verify.
  - The contractor and all subcontractors must require all on-site employees to complete the ten-hour safety training program required in Section 292.675 RSMo prior to the start of the work.
  - Be aware and able to comply with the of the requirements of Missouri prevailing wage laws as described in Sections 290.210 through 290.340 RSMo.
  - Have a copy of and know the requirements of the current City of Columbia Street, Storm Drain, and Sanitary Sewer Construction Standards and Specifications.
6. Sidewalks being reconstructed along the following streets in the Downtown Area shall use decorative brick sidewalk details and specifications:
  - East Broadway between Providence Road and College Avenue
  - Eighth Street between Walnut Street and Elm Street

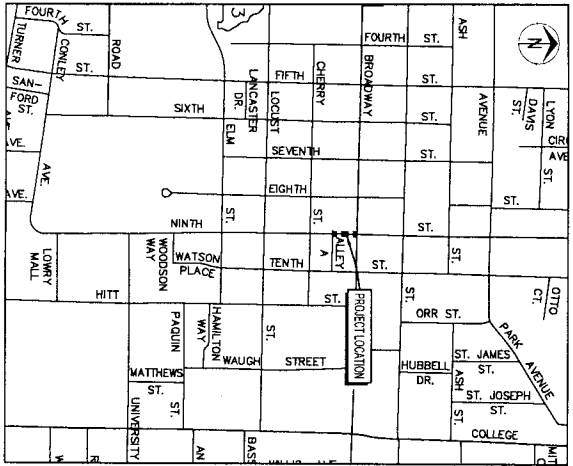
Sidewalks being constructed elsewhere in the Downtown Area may use the aforementioned brick sidewalk detail if desired, and width requirements are met. The brick details and specifications will be provided by Public Works.

7. Regardless of whether the property owner obtained bids, the City reserves the option to get its own bid from a contractor currently under contract with the City.
8. If the bids are reasonable, and budget allows, the City of Columbia will provide the property owner with a draft of a "Sidewalk Renovation Agreement". It is critical the property owner carefully reviews the agreement and ensures their prospective contractor is aware of all requirements and stipulations therein. The dollar value shown in the agreement shall not to exceed one-half of the lowest best bid.

## **Exhibit A - Central Business District Sidewalk Renovation Cost Share Agreement**

9. If the property owner fully understands and agrees to the terms of the "Sidewalk Renovation Agreement" the property owner will return three original signed copies to the City.
10. City Public Works staff will draft a resolution allowing the City Manager to enter into the agreement.
11. If the resolution is approved by City Council, the Public Works Department will notify the Finance Department, and, for any project subject to prevailing wage requirements, a Prevailing Wage Project Notification – Contractor Information Notification will be submitted to the Missouri Department of Labor and Industrial Relations, Division of Labor Standards.
12. The property owner or their representative shall then complete all of the procedures necessary for the sidewalk and/ or lane restrictions or closures as specified on the "Checklist for Short-Term Street and Sidewalk Restrictions & Closures for Construction Projects and Repairs" and submit the "Application for Short-Term Restrictions & Closures for Construction Projects & Repairs". Note if the closure is to be longer than thirty calendar days the closure will require the approval of City Council.
13. The property owner and their contractors are responsible for obtaining all necessary permits and to coordinate all of the necessary inspections with the City of Columbia. A right of way permit is needed anytime work is performed within the public right of way or easement. Other permits may be required as well, depending on the specifics of the project.
14. Once work commences all contractors performing work on the project are required to submit certified payroll to the City of Columbia as specified in the attached "Requirements for Payroll" document.
15. An affidavit of final receipt and payment from each contractor will be required. In addition, for any project subject to Missouri's Prevailing Wage Law, once the work is completed, the property owner must provide the City of Columbia Finance Dept. with an affidavit of compliance with prevailing wage for each contractor who performed work on the project.
16. Before payment can be made to the property owner, the work must be accepted by the City of Columbia Community Development Dept., the above mentioned affidavit provided, and all certified payroll be provided.
17. Once all of the certified payroll, affidavit of prevailing wage, and inspections are passed, the property owner submits an invoice to the City of Columbia referencing the resolution number for reimbursement.

Rev. 10/2019: JKM Law Department



LOCATION MAP  
Not to Scale

1. All construction to be in accordance with City of Columbia Street, Storm and Sanitary Specifications for Highway Construction (current edition).
2. Known underground utilities are shown in their approximate locations. Other utilities may exist.
3. All removals shall be verified by field inspection.
4. All excavation to be in accordance with Sections 319.010-319.030, Revised Statutes of Missouri. The contractor shall be responsible for the safety of all workers including any excavation from doing so in a careful and prudent manner to ensure such person from liability for any damage or injury to underground utilities resulting from the excavation.
5. Removal of trees and bushes shall be verified by field inspectors. Exercise caution when working near the construction limits to minimize disturbance to adjacent trees and shrubs that are not being removed by construction activities.
6. No open trenches shall be allowed overnight outside of the "road closed" area. Appropriate road signs shall be used for a temporary road closure. Temporary parking shall be considered infeasible to the work.
7. All barricades, signs, other traffic control devices and placement thereof shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) (10th Edition) and the Manual on Uniform Traffic Control Devices for Additional Signs (MUTCD). Signs shown as minimum requirements for adjacent roadways shall be maintained prior to improvements. Contractor responsible for additional signing, marking, or detectors for site specific construction pleasing to comply with MUTCD standards.



# Ninth Street Sidewalk

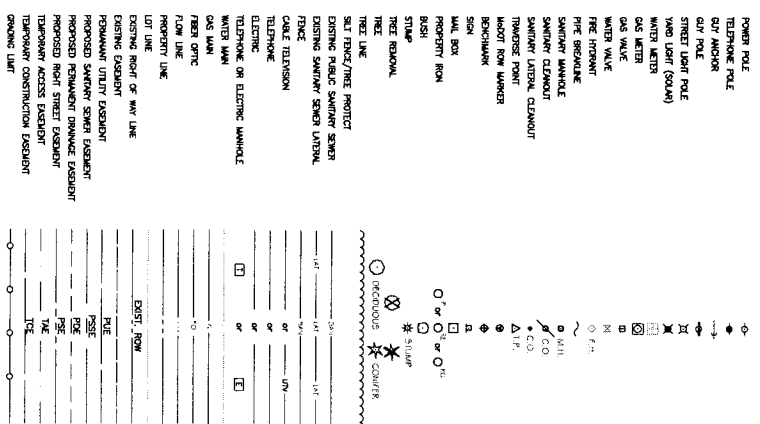
## CITY PROJECT NO. 00000

**UTILITY COMPANIES:**

- TELEPHONE**  
Columbia Gas System  
Columbia, MO 65206  
572-998-5000
- WATER**  
American Water  
2001 Maguire Boulevard  
Columbia, MO 65201  
573-476-3000
- SEWER/STORM**  
Sewer/Storm Department  
Columbia, MO 65202  
888-874-2388
- CABLE TELEVISION**  
Mediacom  
16000 Northrup Avenue  
Columbia, MO 65201  
573-443-1508 ext 334
- NATURAL GAS**  
Midwest Energy/SAFE SERVICES  
1200 E. Northside Drive  
Columbia, MO 65201  
573-474-2488
- LOCATOR**  
The City of Columbia, MO 65206  
1022 E. Northside Drive  
Columbia, MO 65201  
http://www.ci.columbia.mo.us/

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Cover Sheet	1
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**LEGEND OF SYMBOLS**



**PROJECT INFORMATION**

Project No. 00000  
Scale: 1" = 5'

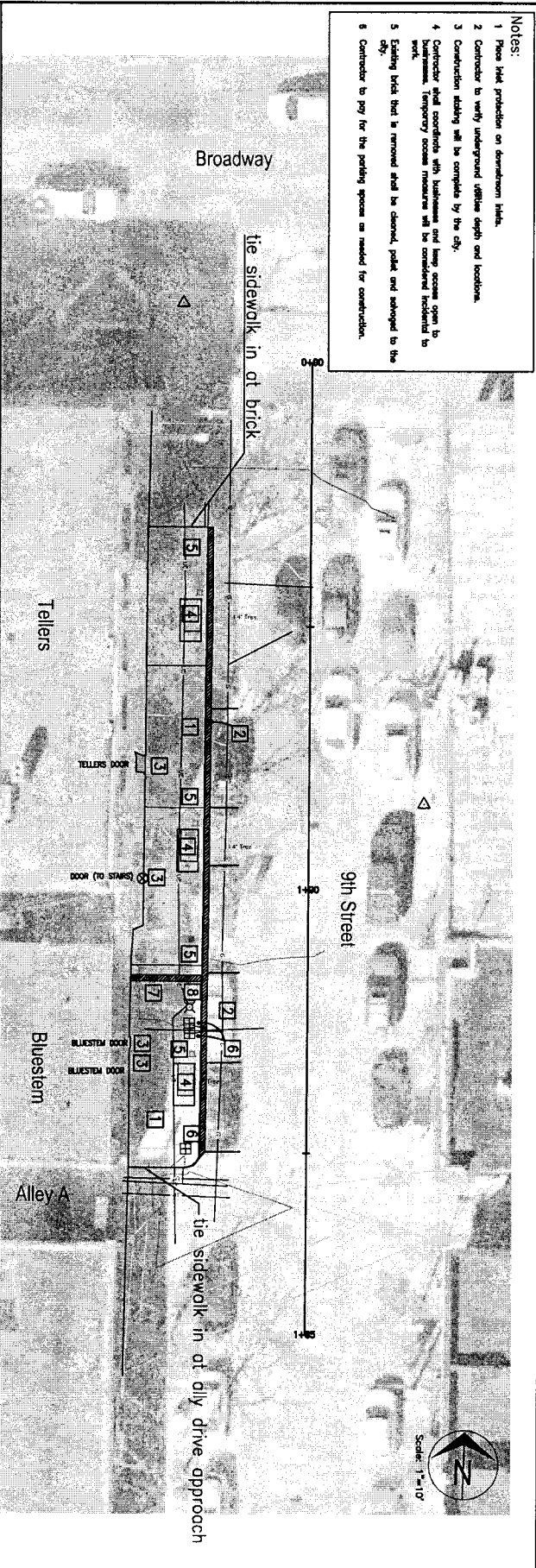
Date: 2/28/2021  
By: [Signature]

**CITY OF COLUMBIA**  
Public Works

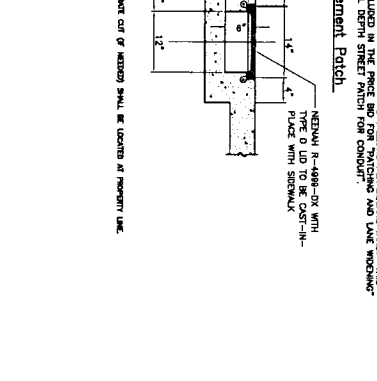
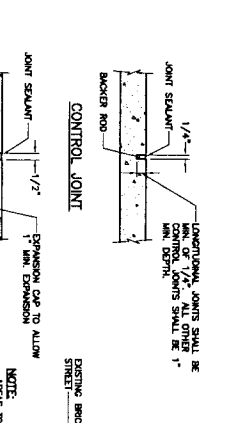
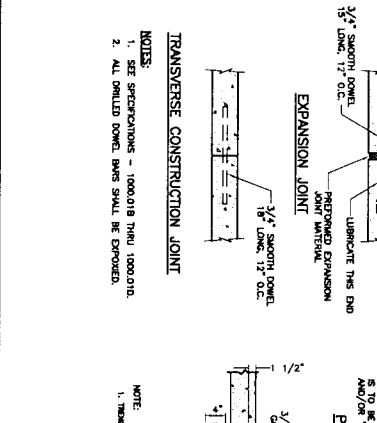
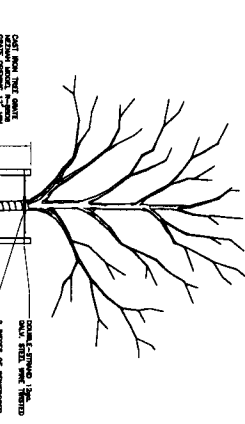
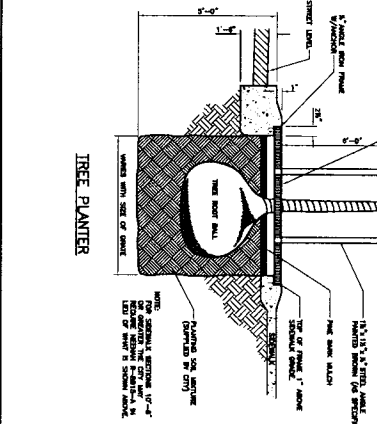
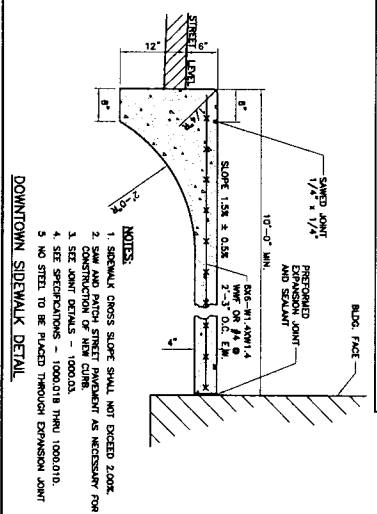
701 East Broadway  
P.O. Box 6515  
Columbia, MO 65206  
573-474-2488

Approved By: [Signature]  
3/24

- Notes:**
1. Place plank protection on downtown sidewalk.
  2. Contractor to verify underground utilities depth and location.
  3. Construction activity will be complete by the city.
  4. Contractor shall coordinate with businesses and keep access open to business. Temporary access measures will be considered incidental to work.
  5. Existing brick that is removed shall be stored, packed and salvaged to the city.
  6. Contractor to pay for the parking spaces as needed for construction.



1. Saw cut and remove existing sidewalk. Construct 4" Concrete Sidewalk with integral curb. (Overturn sidewalk, Detail 1000.02)
2. Saw cut remove pavement as needed for Sidewalk construction (Concrete 1" width). (Paved pavement, Detail 1000.03)
3. Construct concrete leveling of curb.
4. Install polymer forms for 4 1/2" top profile. (Detail 1000.08, Kern Steel top specifications). Form 1' extension will remove the steel.
5. Remove and replace latex rock, mixture.
6. Adjust volume/mixture.
7. Install trench grids with Type P Rd. (Detail 1000.16)
8. Light pole to remain in place.



No.	Date	By	Revision
1			
2			

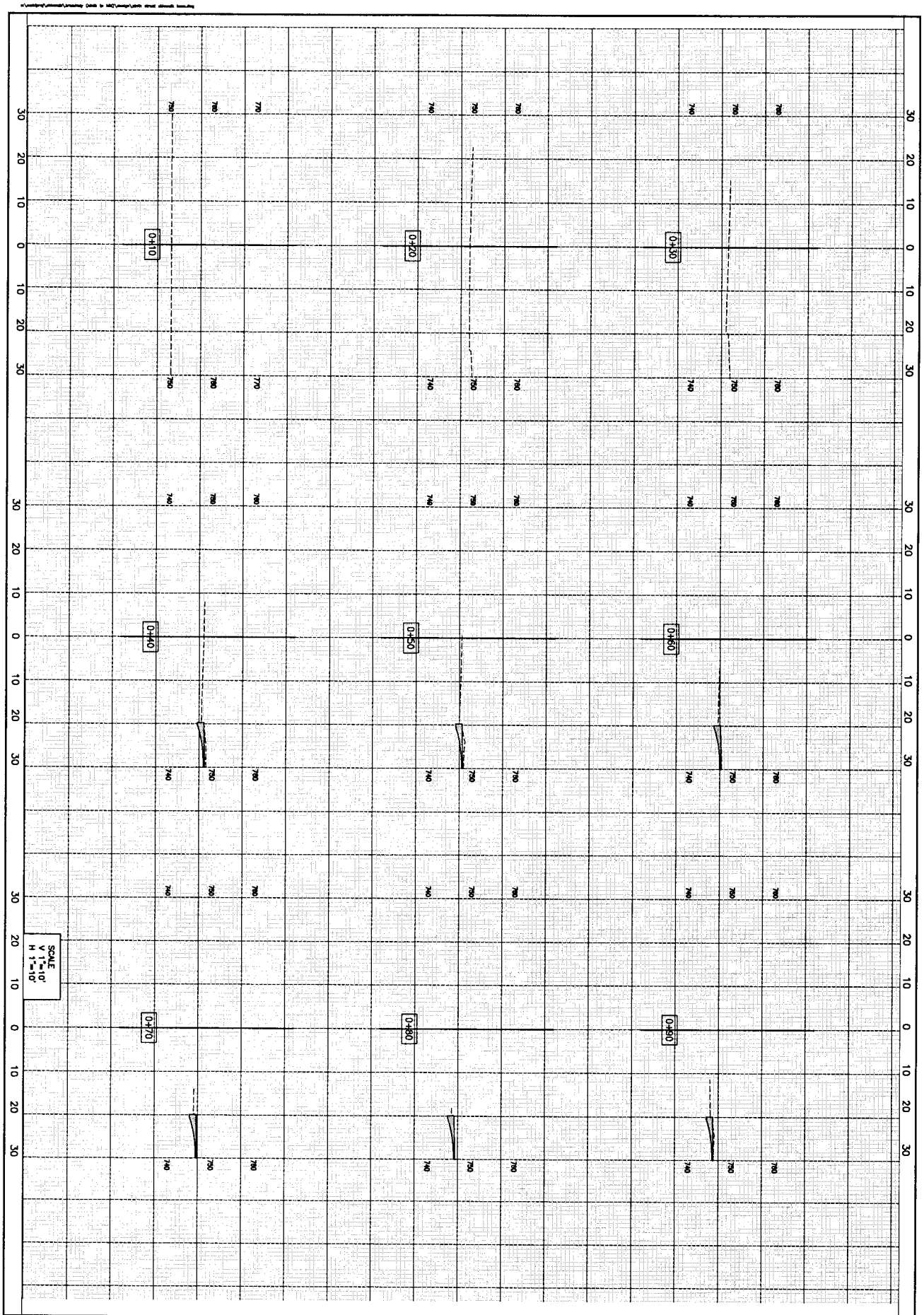
Project Name: Downtown Sidewalk  
 Project Number: 110  
 Date: 2/28/2013  
 Drawn by: ALE  
 Checked by: ALE



Blivison  
 Provide safe, sustainable infrastructure for positive communities.  
 701 East Broadway  
 P.O. Box 619  
 Columbia, MO 65205  
 (573) 875-2469

**NINTH STREET SIDEWALK**  
 Plan and Details

No.	Date	By	Revision



3	of	5
Sheet		
Design: <b>AAA</b> Checked: <b>AAA</b> Date: <b>2/28/2013</b> Scale: <b>1"=10'</b> Plot No.: <b>00000</b> Project No.: <b>05071101</b>		

**Mission**  
 Provide safe, sustainable  
 infrastructure that promotes  
 positive communities.

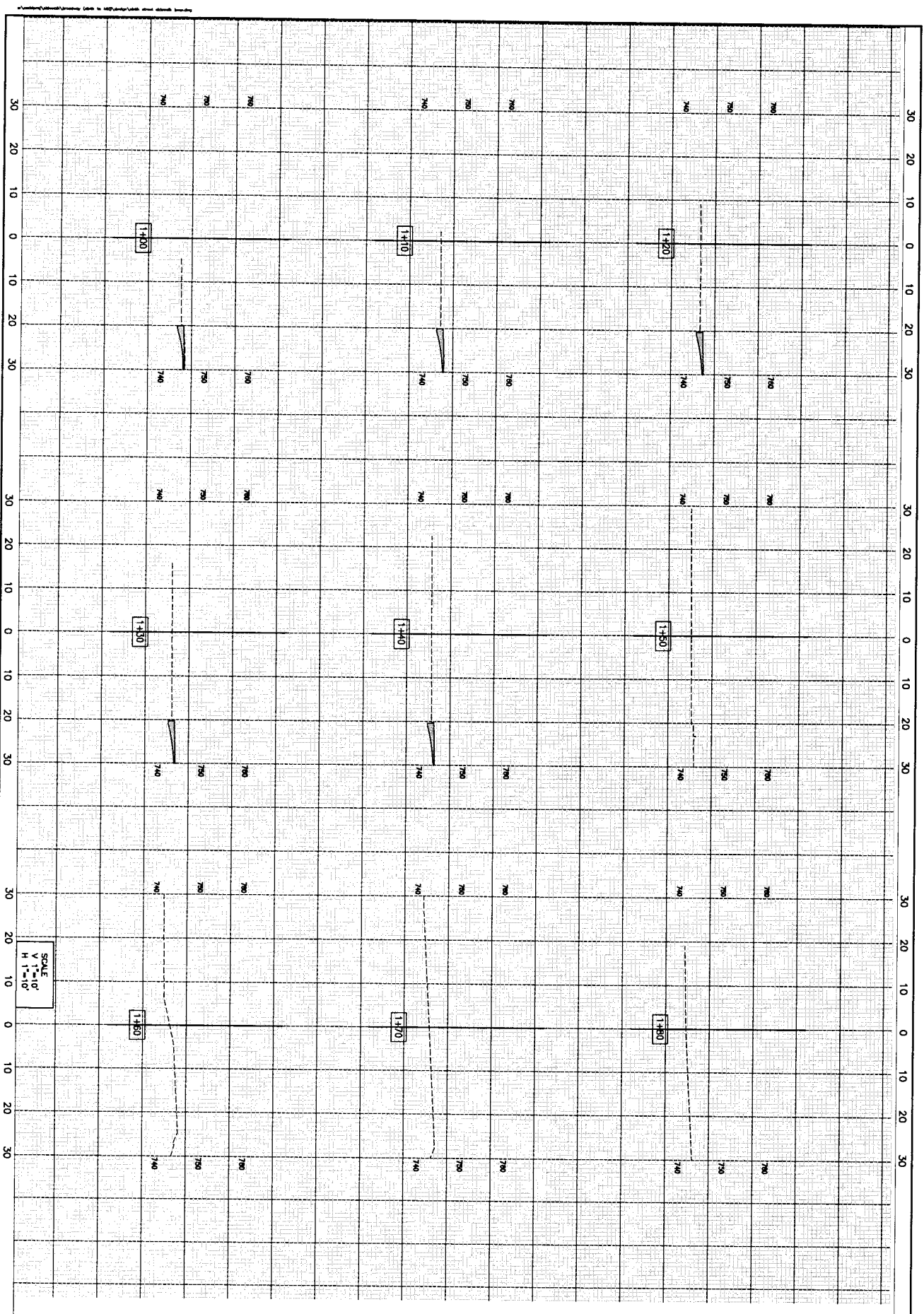
**Columbia**  
 Public Works

701 East Broadway  
 P.O. Box 8010  
 Columbia, MD 21046  
 (573) 875-2489

## NINTH STREET SIDEWALK

Cross Sections Sta. 0+10 to Sta. 0+90

No.	Date	By	Revision



Scale  
 V 1" = 10'  
 H 1" = 10'

Design: [Name]  
 Drawn: [Name]  
 Date: 2/20/2013



Mission  
 Provide safe, world-class  
 infrastructure that promotes  
 positive communities.

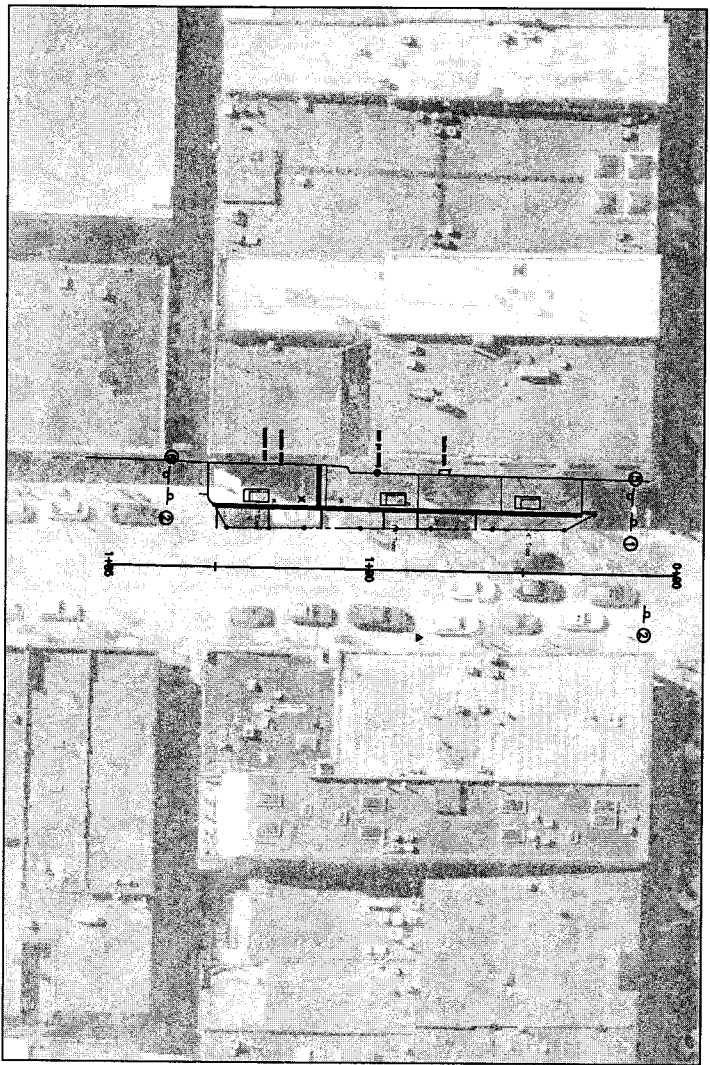
701 East Broadway  
 P.O. Box 6915  
 Columbia, MO 65205  
 (573) 875-2489

# NINTH STREET SIDEWALK

Cross Sections Sta. 1+00 to Sta. 1+80

No.	Date	By	Revision





**TRAFFIC CONTROL PLAN**  
SCALE: 1"=20'

CITY WILL BE RESPONSIBLE FOR COSTS ASSOCIATED WITH CLOSURE OF THE PARKING SPACES TO COMPLETE THE WORK.

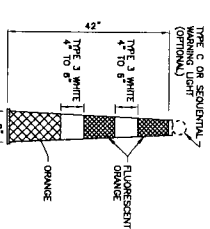
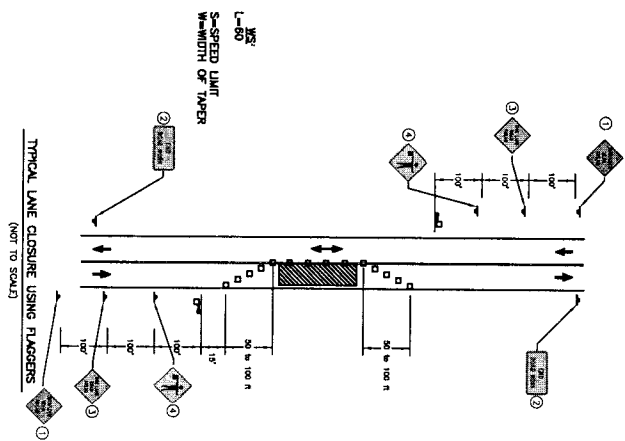
- TRAFFIC CONTROL GENERAL NOTES:
1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT ALL TRAFFIC CONTROL DEVICES ARE MAINTAINED IN GOOD WORKING ORDER. THE CONTRACTOR SHALL NOTIFY THE CITY OF ANY DEFECTS OR DAMAGE TO TRAFFIC CONTROL DEVICES (MUTOS).
  2. THE CONTRACTOR SHALL NOTIFY THE CITY OF ANY COMMUNICATIONS OFFICE OF ALL ROAD CLOSURES OR LANE REDUCTIONS IN ADVANCE. TRAFFIC CONTROL DEVICES SHALL BE IN PLACE FROM TO BEGINNING OF CONSTRUCTION THROUGH THE END OF CONSTRUCTION. THE MAKE OF ACTUAL QUANTITIES, QUANTITIES SHOWN ARE APPROXIMATE.
  3. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PROPERTIES IN THE CONSTRUCTION ZONE TO THE MAXIMUM EXTENT POSSIBLE.
  4. NO OPEN TRENCHES WILL BE ALLOWED OVERNIGHT OUTSIDE OF THE ROAD CLOSED AREA. ASPHALT PATCHES SHALL BE USED AS A CONSIDERED PRACTICAL TO THE WORK.
  5. ALL OPEN TRENCHES ARE TO BE SURROUNDED WITH CONSTRUCTION FENCING.
  6. THE BARRIER BETWEEN TEMPORARY TRAFFIC CONTROL SIGNS MAY BE ADJUSTED ACCORDING TO ROAD CONDITIONS.



ITEM CODE	DESCRIPTION	SIZE	QUANTITY
1	ROAD WORK AHEAD	30"x36"	6
2	END ROAD WORK	36"x48"	3
3	ONE LANE ROAD AHEAD	30"x36"	2
4	FLAGGER SIGN	36"x36"	2

LEGEND

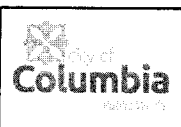
	SIGN
	CHANNELIZER
	FLAGGER
	WORK ZONE



REFLECTIVE SHEETING APPLIED TO CHANNELIZERS SHALL BE REBOUNDABLE MEETING ASTM D 4956.

**TRIM LINE CHANNELIZER**  
N.T.S.

Project Name	Ninth Street Sidewalk
Project No.	00000
Scale	AS SHOWN
Date	2/28/2023
Drawn	A.A.E.
Checked	A.A.A.



Provide safe, sustainable infrastructure that promotes positive communities.

701 East Broadway  
P.O. Box 6015  
Columbia, MO 65205  
(573) 875-2480

**NINTH STREET SIDEWALK**  
Traffic Control Sheet 1

No.	Date	By	Revision