

023841

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First Reading 4-1-19

Second Reading 4-15-19

Ordinance No. 023841

Council Bill No. B 90-19

**AN ORDINANCE**

determining it is in the public interest to construct the Cosmo-Bethel Park improvement project to include the renovation of eight (8) tennis courts, installation of a new park entry sign and renovations to the north parking lot; approving and adopting plans and specifications; determining that a portion of the improvement project shall be done by contract; calling for bids for a portion of the improvement project through the Purchasing Division; authorizing a portion of the improvement project may be done by city employees; providing for payment for the improvement project; appropriating funds; authorizing an agreement with Columbia School District No. 93; authorizing the City Manager to obtain, execute and record all documents necessary for the improvement project; 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, an interested parties meeting for the proposed construction of the Cosmo-Bethel Park improvement project to include the renovation of eight (8) tennis courts, installation of a new park entry sign and renovations to the north parking lot was held by the Parks and Recreation Department on March 21, 2019; and

WHEREAS, the City Council adopted a resolution declaring the necessity for the proposed construction of the improvement project; and

WHEREAS, the notice of a public hearing on this improvement 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 Cosmo-Bethel Park improvement project to include the renovation of eight (8) tennis courts, installation of a new park entry sign and renovations to the north parking lot 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.

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

SECTION 3. A portion of the construction of the improvement project 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 construction of a portion of the improvements. As deemed advisable by the City Manager, city employees may be used to construct all other improvements.

SECTION 5. Payment for this improvement project shall be made from park sales tax funds and such other funds as may be lawfully appropriated.

SECTION 6. The sum of \$125,000.00 is hereby appropriated from the Park Sales Tax Fund Account No. 2200-411000 to the Cosmo-Bethel Park Improvements CIP Account No. 44008850-604990-00739.

SECTION 7. The City Manager is hereby authorized to execute an agreement with Columbia School District No. 93 to provide for resurfacing of the tennis courts and cost-sharing of such expenses. The form and content of the agreement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof.

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. Pursuant to Section 290.250 RSMo., the contract for the improvement project 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 any contract in excess of \$75,000.00. The contractor's bond shall guarantee the faithful performance of the prevailing hourly wage clause in the contract.

SECTION 10. Pursuant to Section 292.675 RSMo., 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 15<sup>th</sup> day of April, 2019.

ATTEST:

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

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

APPROVED AS TO FORM:

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

CERTIFICATION: I certify there are sufficient funds available in the Park Sales Tax Fund Account No. 2200-411000 to cover the above appropriation.

  
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Director of Finance *AW*