

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 180-07

AN ORDINANCE

determining that it is in the public interest to proceed with construction of improvements to the tennis court complex at Cosmo-Bethel Park and Gentry Middle School; approving and adopting plans and specifications; determining that the work shall be done by contract; calling for bids through the Purchasing Division; providing for payment for the improvement; providing for compliance with the prevailing wage law; authorizing an agreement with the Columbia Public School District; appropriating funds; and fixing the time when this ordinance shall become effective.

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

SECTION 1. The Council finds that construction of improvements to the tennis court complex at Cosmo-Bethel Park and Gentry Middle School, specifically the resurfacing and striping of the eight court tennis complex, is necessary for the welfare and improvement of the City and that it is in the public interest such improvement be made.

SECTION 2. The plans and specifications for this improvement, including a schedule of prevailing hourly wages needed to execute the contract, and the general prevailing rate for legal holiday and overtime work, as prepared by the Director of the Parks and Recreation Department and filed in the office of the City Clerk, are hereby approved, adopted and made a part of this ordinance.

SECTION 3. The construction of the improvement shall be done by contract in accordance with the plans and specifications adopted therefor, 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 improvement.

SECTION 5. Payment for this improvement shall be made from Park Sales Tax Funds, funds received from the Columbia Public School District, and such other funds as may be lawfully appropriated.

SECTION 6. The City shall cause to be inserted into the contract a stipulation to the effect 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 include such provisions as will guarantee the faithful performance of the prevailing hourly wage clause, as provided by the contract.

SECTION 7. The City Manager is hereby authorized to execute an agreement with the Columbia Public School District. The form and content of the agreement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 8. The sum of \$25,000.00 is hereby appropriated from the Miscellaneous Revenue Account No. 440-0000-480.10-00 C00307 to the Cosmo-Bethel Tennis Improvement Project Account No. 440-8800-548.49-90 C00307.

SECTION 9. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2007.

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 C00307 to cover the above appropriation.

Director of Finance

AGREEMENT

This Agreement is made and entered into this _____ day of _____, 2007, by and between the City of Columbia, Missouri ("City") and Columbia Public School District, a political subdivision of the State of Missouri ("District").

WHEREAS, City and District desire to resurface tennis courts on District and City property.

NOW, THEREFORE, City and District agree as follows:

1. Eight tennis courts shall be resurfaced on City and District property, four of which are located on City's Bethel Park adjacent to Gentry Middle School and four of which are located on the grounds of Gentry Middle School. Plans and specifications for the project shall be prepared by City and shall contain the following requirements:
 - a. All high points and seams on the courts shall be ground to allow for sufficient drainage.
 - b. All low points shall be leveled.
 - b. Following the grinding and leveling of low points, contractor shall conduct a water test to confirm appropriate drainage.
 - c. All courts shall receive appropriate final resurfacing including leveling, color coats and striping.
 - d. All work shall be conducted under USTA standards.
2. City agrees, subject to District approval, to prepare bid documents, advertise the project for bidding and administer the contract awarded in the bid process. District agrees that the project shall be administered as a City project and shall comply with requirements for bidding of public projects as set out in Missouri statutes, Charter and ordinances of the City and District policies. The project will be bid following approval of the agreement with an estimated work schedule of July, 2007.
3. The cost of construction of the project shall be shared equally by City and District. It is estimated that the total cost of the project will be in the \$35,000-\$50,000 range. District and City shall agree on the maximum cost of the project prior to proceeding with the project. Payment for project shall be as set out in contract awarded. District shall pay City its portion of the cost upon acceptance of the project by the City.
4. Upon completion of the resurfacing, the eight courts shall maintain public access during scheduled tennis class and meets, either sponsored by City or District and, at least one court on either District or City property shall remain open to the public. A limited number of tournaments shall be allowed on the project which requires closing of the entire eight tennis courts to public (non-tournament) access. A written request for use of the other entity's courts is required. Gentry Middle School parking lots shall be opened to the public during times established by the District.

5. Facilities including tennis courts, gazebo and landscaping on City property shall be maintained by the City and those courts and amenities on District property shall be maintained by the District.

WHEREFORE, the parties hereto have been duly authorized to enter into this agreement as of the above-referenced date.

CITY OF COLUMBIA, MISSOURI

BY: _____
H. William Watkins, City Manager

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

COLUMBIA SCHOOL DISTRICT

BY: _____
President
Columbia Board of Education

ATTEST:

Secretary
Columbia Board of Education

Source

Mike Hood
MH

TO: City Council
FROM: City Manager and Staff 
DATE: May 14, 2007
RE: FY-07 Annual Park Improvement Program—Bethel Tennis Court Resurfacing Project

Summary: The City of Columbia’s fiscal year 2007 budget includes an appropriation of \$85,000 for an Annual Park Improvement Program. At the March 5, 2007, Council meeting, funding in the amount of \$55,000 was approved for improvements to Nifong and Valley View Parks and a new entry sign at Hickman Pool. The remaining funds were tentatively set aside to resurface the eight tennis courts at Cosmo-Bethel Park with the Columbia Public School District (District) providing matching funds. P&R staff has learned that District funding has been authorized and would like to proceed with an agreement with the District to complete the resurfacing project. The estimated total cost of the resurfacing project is \$50,000. The project will be bid through the City’s purchasing department and will be completed with contract labor. Upon completion of the project, the District will reimburse the City for their portion of the project cost.

Fiscal Impact

YES x
NO

Project Description: The Annual Park Improvement Program was established to provide a flexible funding source for those projects for which a need might arise throughout the year, but which were not specifically identified in a ballot issue or the City’s approved Capital Improvement Program. Funding for this program comes from the 2005 Park Sales Tax.

Other Info.

The Cosmo-Bethel Tennis Court complex consists of four courts on the City owned Cosmo-Bethel Park and four courts on Columbia Public School District’s Gentry Middle School property. These courts were constructed when the District and City entered into a formal agreement in December of 2000 which specified responsibilities including the cost sharing structure and payment schedule, the maintenance responsibilities, and a use policy pertaining to school and public use of the facility. Staff is recommending that a similar agreement be approved to complete the proposed resurfacing project.

Under the terms of the agreement, the P&R Department will handle the specifications and project management and will receive reimbursement from the District following completion of the project. The specific resurfacing project will consist of grinding down some of the high points and seams and leveling some of the shallow areas. The court will then be resurfaced and striped. The work will begin in either mid-June or early July and will be done by contract labor. It is anticipated that it will take 7-14 days to complete the work and the contractor will be required to work around scheduled tennis programs. The estimated cost is \$50,000 with the District and the City each providing equal funding.

Suggested Council Action: If the Council concurs that the tennis court re-surfacing project should proceed, the resolution scheduling the public hearing should be passed. Following the public hearing, approve the ordinance authorizing the agreement with the School District, appropriating the necessary funds, and authorizing construction.