

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 145-13

AN ORDINANCE

determining it is in the public interest to repair and resurface the tennis courts 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; authorizing an agreement with the Columbia Public School District; providing for payment for the improvement; appropriating funds; 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 of repairing and resurfacing the tennis courts at Cosmo-Bethel Park and Gentry Middle School; 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 improvement.

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

SECTION 1. The Council finds that the repair and resurfacing of twelve (12) tennis courts at Cosmo-Bethel Park and Gentry Middle School 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 Parks and Recreation, are hereby approved and made a part of this ordinance by reference.

SECTION 3. The construction 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, and the policies of the Columbia Public School District.

SECTION 4. The Purchasing Agent is hereby authorized to call for bids and execute a contract for the improvement.

SECTION 5. The City Manager is hereby authorized to execute an agreement with the Columbia Public School District relating to the repair and resurfacing of the tennis courts at Cosmo-Bethel Park and Gentry Middle School. 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 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 sum of \$18,000.00 is hereby appropriated from the Cosmo-Bethel Tennis Resurfacing Miscellaneous Revenues Account No. 440-0000-480.10-00, C00540 to the Cosmo-Bethel Tennis Resurfacing Project Account No. 440-8800-548.49-90, C00540.

SECTION 7. 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 8. 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 9. 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 10. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

CERTIFICATION: I certify there are sufficient funds available in the Cosmo-Bethel Tennis Resurfacing Miscellaneous Revenues Account No. 440-0000-480.10-00, C00540 to cover the above appropriation.

Director of Finance

AGREEMENT

This Agreement is entered into on this _____ day of _____, 2013, by and between the City of Columbia, Missouri (hereinafter "City") and Columbia Public School District, a political subdivision of the State of Missouri (hereinafter "District").

WHEREAS, the twelve (12) tennis courts at Cosmo-Bethel Park (hereinafter the "Park") and Gentry Middle School (hereinafter "Gentry") were originally constructed as cooperative projects between the City and the District;

WHEREAS, eight (8) of the tennis courts are located on Park property and four (4) of the tennis courts are located on District property at Gentry; and

WHEREAS, City and District desire to provide for the resurfacing of all twelve (12) tennis courts at the Park and Gentry by the City with the cost of such work to be shared proportionately by the parties;

NOW, THEREFORE, City and District agree as follows:

1. The City shall provide for the resurfacing of twelve (12) tennis courts at the Park and Gentry. Plans and specifications for the project shall be prepared by City and shall contain the following minimum 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;
 - c. Following the grinding and leveling of low points, contractor shall conduct a water test to confirm appropriate drainage;
 - d. All courts shall receive appropriate final resurfacing including leveling, color coats and striping; and
 - e. 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, the Charter and ordinances of City and District policies. The project will be bid following approval of the agreement with an estimated work schedule of July-August, 2013.
3. The cost of construction of the project shall be shared proportionally by City and District such that City shall be responsible for 8/12ths of the cost of construction and District shall be responsible for 4/12ths of the cost of construction. It is

estimated that the total cost of the project will be between \$71,000 and \$75,000. Payment for project shall be as set out in contract awarded; however, District and City shall agree, in writing, to the maximum cost of the project prior to issuance of a notice to proceed to the contractor. City shall invoice District for its proportionate share of the project and District shall pay City for its portion of the cost upon acceptance of the project by City.

4. Upon completion of the resurfacing, the parties agree to maintain public access on all twelve (12) courts except during scheduled tennis classes and meets sponsored by either City or District. At least one court on either District or City property shall remain open to the public at all times. A limited number of tournaments shall be allowed on the project which requires closing of the entire twelve tennis courts to public (non-tournament) access. A written request for use of the other entity's courts is required. Gentry parking lots shall be opened to the public during times established by District.
5. Facilities including tennis courts, gazebo and landscaping on City property shall be maintained by City and the tennis courts and amenities on District property shall be maintained by District.
6. Liability and Insurance. City and District shall each maintain such policies of insurance or self-insurance to provide for the protection of each parties interests under applicable Missouri law. City and the District shall each be responsible for the cost of their respective policies of insurance (including any deductible amounts and payments for self-insurance). Nothing contained herein shall be deemed a waiver of either party's immunity or defenses provided under state law.
7. Term of the Agreement. This Agreement shall be effective immediately after the last party executes same, and said date shall be entered in the recital above.
8. Modification and Termination. Any and all amendments or modifications to this Agreement shall be made in writing and must be agreed to and executed by the parties before becoming effective.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have been duly authorized to enter into this Agreement as of the above-referenced date.

CITY OF COLUMBIA, MISSOURI

ATTEST:

By: _____
Mike Matthes, City Manager

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

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

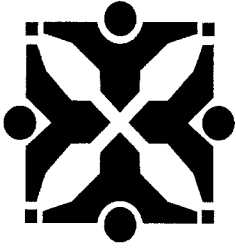
John Blattel, Director of Finance

COLUMBIA PUBLIC SCHOOL DISTRICT

ATTEST:

By: _____
President
Columbia Board of Education

Secretary
Columbia Board of Education



Source: Parks and Recreation *MS*

Agenda Item No:

To: City Council

From: City Manager and Staff *MM*

Council Meeting Date: May 20th, 2013

Re: Cosmo-Bethel Park Tennis Court Resurfacing

EXECUTIVE SUMMARY:

The Parks & Recreation Department is requesting Council approval to proceed with renovations to the 12 tennis courts at Cosmo-Bethel Park, appropriate funds for the project upon reimbursement from Columbia Public Schools and authorize the City Manager to enter into an agreement with Columbia Public School District. Parks and Recreation staff is proposing a multi-step renovation process to repair asphalt cracks, level low places, and restore the courts to their original playability. The first 8 courts at the complex were constructed in 2001 as a joint cooperative project with Columbia Public Schools and the last 4 tennis courts were added in 2008 to complete the 12 court complex. The total project budget is \$54,000 and will be funded as a joint project between Columbia Public Schools and the Parks and Recreation Department. Columbia Public School District (CPSD) will fund the renovations of the 4 courts owned by CPSD at an estimated cost of \$18,000. The Parks and Recreation Department will fund the renovations of the remaining 8 courts and will use \$36,000 from Annual Park Improvement Funds dedicated from the 2010 Park Sales Tax. The project will be bid through the City's Purchasing Department and will be completed using contract labor. Work is scheduled to begin this summer with completion of the project by the middle of July 2013. The mid-year appropriation is requested so that the courts could be resurfaced in time for the University of Missouri to host the 2014 SEC Conference Tennis Championships in April 2014.

DISCUSSION:

The tennis courts proposed for renovations by Park Staff are located within Cosmo-Bethel Park at 4500 Bethel Street. Along with the 12-court tennis complex, the 40 acre park includes multiple shelters, a fishing lake, 0.46 mile walking trail and playgrounds. Considered a Community Park in Columbia, Cosmo-Bethel Park also includes a baseball field and open playfield that provide field space for citizens throughout Columbia.

The construction of the tennis courts at Cosmo-Bethel Park began in 2001 as a joint project between Columbia Public Schools and Columbia Parks and Recreation. The project included the construction of 8 tennis courts at the Park with 4 of the courts located on Gentry Middle School property owned by Columbia Public Schools and 4 of the courts located within park property. In 2008, Columbia Parks and Recreation constructed an additional 4 courts completing the 12 court facility. Tennis is played on the courts every month of the year, weather permitting, and 8 of the courts are lighted allowing play until the Park closes at 11:00 pm.

The tennis courts at Cosmo-Bethel Park are used by multiple user groups including open play by citizens, private tournaments, the Rock Bridge Bruins tennis team and as a host site for the Show-Me State Games. The courts will also serve as the official practice site for the 14 teams participating in the 2014 Women's SEC Tennis Championships in April 2014. This event started the discussion concerning the need to renovate the 12 courts. Park staff also spoke with representatives of Columbia Public Schools District to gauge their interest in participating in the renovations of the tennis complex. The District was agreeable but did not want the courts to be out of play during the fall school tennis season.

The Parks and Recreation Department is proposing to use contract labor to complete a multi-step process to fill all asphalt cracks and resurface the 12 tennis courts. The steps in the process involve repairing all asphalt cracks using a specialized process to seal all existing cracks, leveling all low areas using a high tensile acrylic court leveler and applying three coats of acrylic court surfacing product to restore the tennis courts to the desired condition of Columbia's tennis users. The final step in the process is to repaint the tennis court lines on each court based on United States Tennis Association specifications.

The Cosmo-Bethel Tennis Court project was identified as a mid-year addition to the list of projects funded by 2010 Park Sales Tax and the FY-13 Annual Park Improvement fund. The work is scheduled to begin in June 2013 and will be completed by July 2013. The renovation of the courts will take place in three steps (4 courts at a time) so that tennis courts will always be available for use by citizens of Columbia during the project. All work and materials will be bid through the City's Purchasing Department and will be completed using contract labor.

FISCAL IMPACT:

The total project budget is \$54,000 and will be funded as a joint project between Columbia Parks and Recreation and Columbia Public Schools. The Columbia Public School District will reimburse the City for the actual amount required (estimated at \$18,000) to repair the 4 courts owned by CPSD. The City's portion (estimated at \$36,000) will come from the unappropriated Annual Park Improvement Funds to pay for the renovations of the remaining 8 courts. The renovations will reduce the necessary annual maintenance involved with the tennis courts by eliminating the need for annual crack repair and court painting.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

12.1 Goal: A variety of attractive, well-maintained parks throughout Columbia-including neighborhood parks, regional parks, nature parks, and urban parks-will ensure all residents have access to a full range of outdoor and indoor recreational opportunities.

12.2 Goal: Columbia's recreational needs and desires will be met through effective public and private partnerships that provide outstanding, exciting, and diverse recreational facilities such as, but not limited to, an ice skating rink, golf courses, tennis courts, soccer fields, ball fields, ball parks, and swimming pools. These facilities will be placed appropriately throughout the city to allow easy access for everyone.

Implementation task #40: Fund and complete capital improvement program projects (parks).

SUGGESTED COUNCIL ACTIONS:

Approve the resolution setting a public hearing for the proposed project. Following the public hearing, approve the ordinance authorizing the project to proceed, and to authorize the City Manager to sign an agreement with Columbia Public School District and appropriate the \$18,000.00 to be reimbursed by Columbia Public Schools at the completion of the project.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$54,000.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$36,000.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$54,000.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	12.1
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	12.2
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	40



Cosmo-Bethel Park

4500 Bethel Street

