

BILL NO. 1149

RESOLUTION NO. 1149

A RESOLUTION TO APPROVE THE ADMINISTRATIVE CONTRACT FROM THE SOUTH CENTRAL OZARK COUNCIL OF GOVERNMENTS (SCOCOG) FOR THE ACCESSIBLE PLAYGROUND BEING INSTALLED WITH FUNDS FROM THE LAND WATER CONSERVATION FUND (LWCF).

WHEREAS, The City of West Plains received a LWCF grant for the enhancements at the Butler Children's Park.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI AS FOLLOWS:

Section 1: That the City of West Plains, Missouri hereby approves the contract with SCOCOG (Exhibit A)

Section 2: That this Resolution shall be in full force and effect from and after its date of passage and approval.

PASSED AND APPROVED THIS 18th DAY OF OCTOBER 2021.

CITY OF WEST PLAINS, MISSOURI

BY: Michael Topliff
MAYOR MICHAEL TOPLIFF

ATTEST:

Allison Skinner
CITY CLERK ALLISON SKINNER

PROPOSAL FOR ADMINISTRATIVE SERVICES

FOR THE

The City of West Plains

LAND AND WATER CONSERVATION FUND PROGRAM

Butler Park Renovations and Improvements

This proposal is being presented regarding administration services for **Butler Park Renovations and Improvements** project that includes the purchase of playground equipment, walking trail improvements, and other activity as described in the application.

South Central Ozark Council of Governments proposes to provide the administrative assistance for the completion of this project. The personnel of the South Central Ozark Council of Governments have the qualifications necessary for all administration activities throughout the course of the program.

Organizational Background

The South Central Ozark Council of Governments was organized as a Regional Planning Commission in 1967 and reorganized in 1981 as a Council of Governments. The primary purpose is to provide technical assistance to member communities within the seven county region (Douglas, Howell, Wright, Texas, Shannon, Oregon, and Ozark). The eight member staff includes an Executive Director, Regional Planners, Project Administrators, Financial Management Specialists, GIS Specialist and Clerical support.

Project Goals

Technical - Our agency is proposing to provide administrative services that would meet all requirements in completing the West Plains's LWCF project funded by the Missouri Department of Natural Resources. The South Central Ozark Council of Governments Community Development Department would hold direct administrative responsibilities. This department is comprised of a department manager, accountant, and clerical personnel.

Financial

The method of payment proposed by our agency would be on a fixed fee basis. The final payment would not be made to our agency until the project is closed out and/or administratively closed and certified by the MODNR.

Our agency is proposing administrative costs not to exceed a sum of \$10,000. The administrative costs were arrived at by calculating our cost in personnel, travel and overhead based on the approximate construction period.

A Scope of Administrative Services follows:

AGREEMENT OF ADMINISTRATIVE SERVICES

THIS AGREEMENT, made the 16th day of October, 2021 by and between the City of West Plains hereinafter referred to as the GRANTEE, and the South Central Ozark Council of Governments, hereinafter, referred to as the ADMINISTRATOR.

WITNESSTH: That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed: that the Administrator shall furnish basic administration services, act in the Grantee's best interest, and see to it that transactions in the following areas are carried out and in accordance with all applicable local, state and federal laws, with specific regard to the Missouri Department of Natural Resources' Land and Water Conservation Fund Program.

Grantee Responsibilities

1. Grantee will notify the administrator of and request attendance at all meeting which could have an impact on the scope, cost or scheduled completion of the project.
2. Assist administrator by placing at his disposal all available information pertinent to the project, including previous reports and any other data relative to the project.

1. Program Set-Up

The Administrator will:

- 1.1. Determine what rules bind the use for the Land and Water Conservation Fund Program with respect to the Grantee and the Project.
- 1.2. Assist in soliciting participation of minority-owned, female-owned, and local businesses with the Project.
- 1.3. Establish procedures for financial management of grant funds.
- 1.4. Provide for implementation of project financial management including bookkeeping services, preparation drawdown forms for grant funds, and preparation of reimbursement requests to the Department of Natural Resources.
- 1.5. Prepare and update project implementation schedules.
- 1.6. Establish and maintain complete project files.

2. Construction (Public improvements)

The Administrator will:

- 2.1. Advise the Grantee of the selection process for acquiring an architect/engineer and assure contract includes conformance regarding civil rights.
- 2.2. Review all construction contracts for compliance with:
 - Contractor's Certification Concerning Labor Standard and Prevailing Wage Requirements.

- Subcontractor's Certification Concerning Labor Standards and Prevailing Wage Requirements.
- Davis-Bacon provisions (contracts of \$2,000.00 or more)
- Contract Work Hours and Safety Standards Clause
- Employment of Apprentices/Trainees Clause
- Copeland Anti Kick-Back Clause
- Applicable Wage Rate Determinations
- Contractor's Certification regarding Equal Employment Opportunity.
- Contractor's Certification regarding Section 3 and Segregated Facilities
- Subcontractor's Certification regarding Equal Employment Opportunity.
- Subcontractor's Certification regarding Section 3 and Segregated Facilities
- 11246 Clause (A-G involving subcontracts of \$10,000.00 and above will be included in such subcontracts)
- Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (E.O. 11246) (Over \$10,000.00)
- Standard Federal Equal Employment Opportunity Construction Contract Specifications (E.O. 11246) (Over \$10,000.00)
- Segregated Facilities Clause
- Title VI Clause
- Section 109
- Section 3 (written plan if \$10,000.00+)

2.3. Perform progress monitoring.

2.4. Accept pay estimates and prepare progress payments.

2.5. Assist in the coordination and participate in all meetings attended by the Grantee which may affect the scope, cost, or scheduled completion of the Project. Coordinate with Grantee, Architect, and Contractor regarding-construction inspections, acceptance of work performed, project close-out, and prepare final payments.

3. Program Close-Out

The Administrator will:

- 3.1. Prepare appropriate Grantee Performance Reports.
- 3.2. Respond to DNR monitoring visits.
- 3.3. Prepare all Project Close-Out forms and reports.

4. Compensation

The Grantee shall:

4.1. Compensate the Administrator for basic administration services as previously set forth in Section One (1) through Three (3), a lump sum of Ten Thousand Dollars (\$10,000.) to be paid as follows:

50% of above agreed compensation upon execution of agreement for Administrative Service and receipt of formal written grant award from MODNR.

25% of above agreed compensation within 30 days after start of construction

The final payment of 25% to be held until the Grantee enters into close-out with the Department of Natural Resources.

It is hereby understood and agreed that, should the Grantee be compelled to abandon the improvements for reasons beyond their control, and on which he has ordered detailed plans, specifications, and estimates, or shall be compelled to terminate any other work before, the completion thereof, at a point where the amount of the fees due the Administrator cannot be determined on a percentage basis, in accordance with the provisions of the foregoing paragraphs of the Agreement, then the Administrator shall be entitled to and shall receive a reasonable fee for the services actually rendered on such improvements up to the time the improvements are ordered abandoned and the administrative work thereby discontinued. Said fee shall be total payroll cost of all personnel assigned to the abandoned work by the Administrator times a multiplier of 2.25 for overhead.

IN WITNESS HEREOF, the parties hereto mutually agree to the work elements above and have executed, or caused to be executed by their fully authorized officials, this Agreement in duplicate on the respective dates indicated below.


Attest:

Grantee: City of West Plains


Mike Topliff - Mayor

Date

Attest:


Angela Ball

10-26-21

Date

Administrator: South Central Ozark
Council of Governments


Cody Dalton, Executive Director