

BILL NO.: 4766

ORDINANCE NO.: \_\_\_\_\_

Introduced by: City Manager Irvin

**AN ORDINANCE OF THE CITY OF BERKELEY, MISSOURI, AUTHORIZING THE  
MAYOR TO EXECUTE THE ATTACHED AGREEMENT WITH TR & L CONTRACTORS,  
INC FOR THE FUEL CANOPY**

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

**Section 1.** The Mayor is hereby authorized to execute the attached Agreement with TR & L Contractors, Inc. for the construction of a fuel canopy at the police station according to Bid #899.

**Section 2.** The attached agreement is hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

**Section 3.** This Ordinance shall be in full force and effect upon its passage.

1st Reading this 17<sup>th</sup> day of February 2020

2nd Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2020

3rd Reading, PASSED and APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_ 2020

\_\_\_\_\_  
Theodore Hoskins, Mayor

ATTEST:

\_\_\_\_\_  
Deanna L. Jones, City Clerk

\_\_\_\_\_  
Approved as To Form:  
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Mitchell	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman-at-Large Greene	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Anthony	Aye	___	Nay	___	Absent	___	Abstain	___

# REPORT TO CITY COUNCIL



To: Honorable Mayor of Berkeley and City Council  
From: Habte Teferi, Fleet Superintendent  
Thru: Debra M. Irvin, City Manager  
Date: February 11, 2020  
Subject: Approval of Bid #899, Fuel Canopy

A bid opening was held on February 4, 2020 at 10:30 a.m. in the Berkeley Council Chambers for the construction of a fuel canopy at the police station. One (1) company submitted a sealed bid.

The results are as follows:

**1. *TR & L Contractors, Inc, 4556 St Peters Pkwy, Ste 3, St Peters MO 63304 (\$48,070)***

## **RECOMMENDATION**

I am recommending ***TR & L Contractors, Inc, 4556 St Peters Pkwy, Ste 3, St Peters MO 63304***, for the construction of a fuel canopy as outlined in the bid specifications; *a 24' wide x 40' long metal structure with metal roof, siding and underside, with LED lights.*

## **SUPPORTING DOCUMENTS**

Please find attached the Proposed 2020 Contract Agreement for ***TR & L Contractors, Inc, 4556 St Peters Pkwy, Ste 3, St Peters MO 63304***, and the bid results from the Bid Opening.

## **IMPACT ON BUDGET**

Approximately \$49,920

## **BUDGET ACCOUNT BALANCE**

LLEBG - \$125,250

## **RECOMMENDED CITY COUNCIL ACTION**

Approval of the 2020 – 2023 agreement with ***TR & L Contractors, Inc, 4556 St Peters Pkwy, Ste 3, St Peters MO 63304***

Respectfully submitted,  
Habte Teferi

This will verify that at 10:30 am on FEBRUARY 4, 2020  
 BID NO. 899 "BID SPECIFICATIONS FUEL CANOPY" was opened and read aloud.

Signed: Sheila Swinney Title: Contract Specialist



Pg.No.	Item Description	Name of Bidder:	Name of Bidder:	Name of Bidder:	Name of Bidder:	Name
		TR & L CONTRACTORS, INC.				
		Bid Bond: Yes ___ No ___	Bid Bond: Yes ___ No ___	Bid Bond: Yes ___ No ___	Bid Bond: Yes ___ No ___	Bid Bo
14-15	TOTAL PROPOSAL FORM	X				
16-17	STATEMENT OF VENDOR'S QUALIFICATIONS	X				
18-20	CONTRACT AGREEMENT	X				
21	CHANGE ORDER FORM					
22	BID FORM	X				
24	PROJECT REFERENCE SHEET	X				
25	BIDDER'S COMPANY INFORMATION	X				
26	AFFIRMATIVE ACTION STATEMENT	X				
27	AFFIRMATIVE ACTION/PRIME VENDOR QUESTIONNAIRE	X				
29	WORK AUTHORIZATION AFFIDAVIT	X				
	OPTION-1	\$34,620.00				
	OPTION-2	\$48,070.00				
	TOTAL BID					
	NO. of Copies	1				

# TR&L Contractors, Inc

4556 S St. Peters Pkwy, #3  
St. Peters, MO 63304  
Phone: 636-317-1072  
Fax: 636-939-7989

## Proposal

Date	Estimate #
2/4/2020	1083



Name / Address
Berkeley Police Station Deanna Jones 8340 Frost Avenue Berkeley MO. 63134

		Project	
		Fuel Canopy	
Description	Qty	Rate	Total
Option #1 To design build a 24' wide X 40' long wood structure with a metal roof, siding, and underside. Color to be picked by customer.	1	32,770.00	32,770.00
Option #2 To design build a 24' wide X 40' long metal structure with a metal roof, siding, and underside. Color to be picked by customer. Total price: \$48,070.00			0.00
Install five LED lights	1	1,850.00	1,850.00
27 21-7111 \$125,250.00			
Proposal Is Good for 30 Days Your Signature Constitutes Acceptance of This Proposal as a Legal and Binding Contract Modifications to This Proposal/Contract will Require Add/Change Order Signed Before Proceeding Terms - Net 30 Days		<b>Total</b> \$34,620.00	

Signature/Date



**Charcoal**  
THRIFTY | PRIME



**Desert**  
PRIME



**Gray**  
THRIFTY | PRIME

**Polar**  
THRIFTY | PRIME

**Brilliant**  
PRIME

**Fern**  
PRIME



**Hunter**  
THRIFTY | PRIME



**Colony**  
PRIME



**Crimson**  
PRIME



**Rustic**  
THRIFTY | PRIME



**Burgundy**  
PRIME



**Gallery**  
PRIME



**Hawaiian**  
PRIME



**Light Stone**  
THRIFTY | PRIME



**Tan**  
THRIFTY | PRIME



**Brown**  
THRIFTY | PRIME



**Burnished  
Slate**  
PRIME



Choose CentralGuard for the best protection  
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# Commercial

## Color Selection Tool

M-Loc™  
R-Loc™



[www.centralstatesmfg.com](http://www.centralstatesmfg.com)

\*Contact your sales person for accurate pricing. †Color variation between orders is normal and not cause for rejection.  
‡Weathering and appearance variation, including color, sheen, and spangle, is common in non-painted materials and is  
not a cause for rejection. For consistent appearance, choose a paint-finished product.

Colors on this chart are close representations of actual metal color, limited by printing and viewing conditions.  
Color matching is optimized for outdoor viewing.

CHRT\_COML\_1 80620

valspar®



ENERGY  
STAR  
RATED

Check our website to  
verify which colors meet  
ENERGY STAR® requirements  
for steep slope roofs.

Clear acrylic coating

**Galvalume®†**  
PRIME



**PREMIUM  
COLOR**

Fluropon® 70% PVDF

**Copper  
Metallic\*†**  
PRIME



## TOTAL PROPOSAL FORM

### CITY OF BERKELEY MO

To the City of Berkeley, Missouri herein called the Owner:

The undersigned, as Vendor, herein referred to as singular and masculine declares as follows:

1. All interested in the Proposal as Principals are named herein.
2. This proposal is not made jointly, or in conjunction, cooperation or collusion with any other person, firm, corporation, or other legal entity;
3. No officer, agent or employee of the Owner is directly or indirectly interested in this Proposal.
4. The vendor has carefully examined the sites of the proposed work and fully informed and satisfied himself as to the conditions there existing, the character and requirements of the proposed work, the difficulties attendant upon its execution and the accuracy of all estimated quantities stated in this Bid, and the vendor has carefully read and examined the Proposal, Specifications and other Contract Documents therein referred to and knows and understands the terms and provisions thereof;
5. The vendor understands that the quantities of work calculated in the Proposal or indicated in the Specifications or other Contract Documents are approximate and are subject to increase or decrease or deletion as deemed necessary by the City. Any such changes will not result in, or be justification for, any penalty or increase in contract prices; and agrees that, if the Proposal is accepted, the vendor will contract with the Owner, as provided in the Contract Documents, this Proposal Form being part of said Contract Documents, and that the vendor will supply or perform all labor, services, material, plant, machinery, apparatus, appliances, tools, supplies and all other activities required by the Contract Documents in the manner and within the time therein set forth, and that the vendor will take in full payment therefore the following item prices, to wit:  
Include on separate sheets a complete breakdown of all parts and components to be installed, a sketch showing your proposed design, location of heads, valves, pipes, etc. and a proposed project completion schedule with your proposal.

**I, the undersigned, propose to Design, furnish and install a complete fuel canopy structure in accordance with this Request for Proposal:**

Location	Work	Costs
Berkeley Police Station	Structural 24 x 40' wood	\$ 32,770.00
	Electrical 15kV 115 LED lights	\$ 1,850.00
		\$
	Total Bid	\$ 34,620

  
Signature

4 Feb 20  
Date



To Vendor: It is the intention of this contract that the cost listed above describes completely and thoroughly the entirety of the work as described in the specifications. All other items required to accomplish the above items are considered to be subsidiary work, unless shown as a pay item. The undersigned agrees that for extra work, if any, performed in accordance with the terms and provisions of the Contract Documents, the vendor will accept compensation as stipulated therein.

Date 4 Feb 2020

Company Name: TR + L Contractors, Inc

Title: Project Manager

Signature: [Signature]

Business Address: 4556 St. Peters Pkwy. Suite 3

City, State, Zip Code: St. Peters, Mo. 63304

Telephone: 314-267-9751

Email: M.hemann@TRLContractors.com

The Vendor has received and acknowledged Addenda No. 1 Through 1

All Proposals are to be submitted on this form and in a sealed envelope, plainly marked on the outside with the Vendor's name and address and the Project name as it appears at the top of the Proposal Form.

## STATEMENT OF VENDOR'S QUALIFICATIONS

All questions must be answered and the data given must be clear and comprehensive. Add separate sheets if necessary:

1. Name of Vendor: TR + L Contractors
2. Permanent Main Office Address 4556 St. Peters Pkwy Suite 3  
City: St. Peters State: MO Zip: 63304
3. Form of Entity: March 2003
4. When Organized: March 2003
5. Where Organized: MO
6. How many years have you been engaged in the fuel canopy structures business under your present name; also state names and dates of previous firm names, if any.
7. Contracts on hand; (schedule these, showing gross amount of each contract and the approximate anticipated dates of completion).
8. General character of work performed by your company.
9. Have you failed within the last seven years to complete any work awarded to you?  
☒ (no) \_\_\_\_\_ (yes). If so, where and why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Have you defaulted on a contract within the last seven years? ☒ (no) \_\_\_\_\_ (yes). If so, where and why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. Have you ever failed to complete a project in the time allotment according to the Contract Documents? ☒ (no) \_\_\_\_\_ (yes). If so, where and why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. List the most important contracts recently executed by your company, stating approximate cost for each, and the month and year completed.  

<u>Pole Barn - 40' x 40' x 14'</u>	<u>\$ 72,400</u>	<u>completed - Dec 2019</u>
<u>Fort Zumwalt</u>	<u>\$ 180,128.00</u>	<u>still working</u>
<u>Pattersonville School</u>	<u>\$ 617,340.00</u>	<u>still working</u>
13. List your major equipment available for this contract. Bobcat, Auger, ScatHoles, walk piers & hand tools



14. List your key personnel such as project superintendent and foremen who will be assigned and available for this contract. Math Hemen - project Super  
Bill Danco - foreman
15. List any subcontractors whom you would expect to use for this project (unless all work is to be done by your own organization). None
16. Provide at least five (5) client references, preferably in the public sector, including all contact information. **Reference sheet is attached.**
17. Latest Financial Statements: The City reserves the right to request Vendors' latest Financial Statements. Certified audited statements if available, prepared by an independent certified public accountant, may be requested by Owner. If requested, such statements must be provided within five (5) business days or the bid proposal will be rejected. Certified Audited Statement is preferred. Internal statements may be used only if independent statements were not prepared.

Dated this 4<sup>th</sup> day of January, 20 20.

Name of Vendor TRH Contractors

BY Math H

TITLE Project Manager

State of MO

County of St. Louis

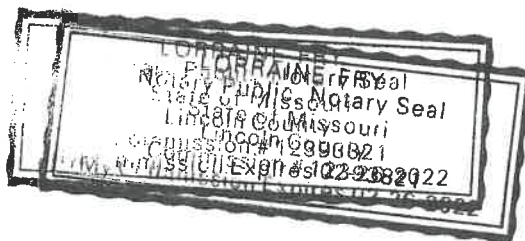
Comes now, the vendor states that the answers to the foregoing questions and all statements contained therein are true and correct. Sworn to before me this 4<sup>th</sup> day of January, 20 20.

I am commissioned as a Notary Public within the County of Lincoln  
State of MO and my commission expires on

Feb. 26<sup>th</sup> 20 22.

Notary Public [Signature]

My Commission expires 2-26-2022



## **CONTRACT AGREEMENT**

### **FUEL CANOPY**

THIS AGREEMENT made as of the \_\_\_ day of \_\_\_\_\_ in the year 2020, by and between the City of Berkeley, MO (hereinafter call the Owner) and \_\_\_\_\_ (Hereinafter called the Contractor), WITNESSETH; that the Owner and Contractor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

**ARTICLE I- Work** - The Contractor shall perform all work as specified or indicated in the Contract Documents for the completion of the Project. The Contractor shall provide, at his expense, all labor, materials, equipment and incidentals as may be necessary for the expeditious and proper execution of the Project.

**ARTICLE II – FLEET SUPERINTENDENT** - The City's Fleet Superintendent shall mean the Owner's authorized representative, will act as in connection with completion of the Project in accordance with the Contract Documents.

**ARTICLE III - CONTRACT TIME** - The work will commence and finish in accordance with the schedule submitted with the Bid Proposal and accepted by the Owner.

**ARTICLE IV - CONTRACT PRICE and PAYMENT**- Upon final acceptance of the work and settlement of all claims, Owner shall pay the Contractor the Contract Price as shown in the Bid Proposal, subject to additions and deductions provided for in the Contract Documents.

**ARTICLE V - RETAINAGE** – To ensure the proper performance of this Contract, the Owner shall retain five percent of the Contract Price until satisfactory completion of the work as specified in the Contract Documents.

**ARTICLE VI – CONTRACT DOCUMENTS** – The Contract Documents, which comprise the contract between Owner and Contractor, are attached hereto and made a part hereof and consist of the following:

8.1 This Agreement

8.2 Contractor's Proposal

8.3 Notice of Award

8.4 Instruction to Vendors

8.5 General Requirements

8.6 Insurance Requirements

8.7 Standard and Technical Specifications

8.8 Any modifications, including change orders, duly delivered after execution of this Agreement.

CONTRACT: THE EXECUTED CONTRACT DOCUMENTS CONSIST OF THE DOCUMENTS FURNISHED TO EACH BIDDER AND THE CONTRACTOR FOR THIS PROJECT.

IN WITNESS WHEREOF, the parties hereto have caused this **AGREEMENT** to be executed in one (1) original and three (3) copies on the day and year first above written.

Contractor: TR+L Contractors

City of Berkeley, Missouri

By: Matt Herman

By: \_\_\_\_\_

Title: PM

Title: \_\_\_\_\_

Street: 4556 St. Peters Hwy Suite 3

Street: 8425 Airport Road

City: St. Peters, MO 63304

City: Berkeley, MO 63134

Attest:

Attest:

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**BID FORM**  
**PROJECT NO. 899**

PROPOSAL HAVE: TR + L Contractors (HEREINAFTER CALLED "BIDDER")

TO: THE CITY OF BERKELEY, 8425 AIRPORT RD, BERKELEY, MO 63134

The Bidder, in compliance with our invitation for proposals for the **Fuel Canopy** in the City of Berkeley, and having examined the specifications with related document and the site of the proposed work, and being familiar with all of the conditions surrounding the proposed project including the availability of materials and labor, hereby proposes to furnish all equipment, labor, materials, and supplies, and to complete the project in accordance with the specifications, within the time set forth therein, and at the prices stated in the bidding documents.

The above unit price shall include all labor, materials, removal overhead, profit, insurance, etc., to cover the finished work of the several kinds called for.

Bidder understands that the owner reserves the right to reject any or all proposals, or any combination thereof, and to waive any informalities in the bidding.

The bidder agrees that this bid shall be good and may not be withdrawn for a period of 120 (one-hundred) calendar days after the scheduled closing time for receiving proposals.

Matt / L

**SIGNATURE**

4556 St. Peters Pkwy.,  
Suite 3  
St. Peters, MO, 63304

4 Feb 20

**DATE**

**ADDRESS/CITY/STATE/ZIP**

**ATTEST**

**References:**

1) Ms. Lorraine F. Fry – President – Fry Electric, Inc. – St. Peters Pkwy., Suite 3 St. Peters, MO 63304 – email - lff@fryelectric.net

Phone: 636-939-7989

2) Mr. Richard Williamson – Bldg. Manager – General Services Administration (GSA) 9700 Page Ave. Prevedal Bldg. – email - Richard.williamson@gsa.gov

Phone: 314-802-3036

3) Mr. James Hildreth – Project Manager – LBB Associates – 4300 Goodfellow Blvd. St. Louis, MO. 63120 – email - jhildreth@lbbassociates.com

Phone: 314-412-3340

4) Mr. Eric Sullivan – Bldg. Manager – Defense Information Systems Agency (DISA) 5534 Pryor drive, Scott AFB, IL. 62225 – email - eric.sullivan.civ@mail.mil

Phone: 618-882-0079

5) Mr. Dennis Sanders – Bldg. Manager – General Services Administration (GSA) Robert A. Young Federal Bldg. 1222 Spruce Street, St. Louis, MO. 63103 – email – dennis.sanders@gsa.gov

Phone: 314-539-7328

6) Mr. Chris Hooper – Director – Federal Executive Board (FEB) - Robert A. Young Federal Bldg. 1222 Spruce Street, St. Louis, MO. 63103 – Christopher.hooper@gsa.gov

Phone: 314-539-6312

7) Mr. Delmar Boyce – Bldg. Manager - General Services Administration (GSA) - 4300 Goodfellow Blvd. St. Louis, MO. 63120 – email – delmar.boyce@gsa.gov

Phone: 314-221-5379

8) Mr. Mark Kessler – Bldg. Manager - General Services Administration (GSA) – 600 East Monroe Street, Springfield, IL. 62701 – email – mark.kessler@gsa.gov

Phone: 217-588-9701

## AFFIRMATIVE ACTION STATEMENT

### THE CITY OF BERKELEY, MISSOURI is an EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

We acknowledge that we will hire and develop qualified people, solely on merit and qualifications, without regard to race, color, creed, religion, sex, national origin, ancestry, handicaps or age.

While acknowledging an obligation to the community to reaffirm its Fair Employment Policy, we also reaffirm our support for the various Presidential Executive Orders and regulations of the Equal Employment Opportunity Commission. In addition, we support the applicable provisions contained in the Civil Rights Acts, the Equal Pay Law, the Age Discrimination and Employment Act and the Missouri Act against Discrimination. The regulations, acts, orders and laws provide that discrimination based on race, color, creed, religion, sex, national origin, ancestry, handicaps or age is prohibited.

Our policy can be implemented only through the efforts of everyone within the company. A simple statement is not enough without full support. It is hoped that through an Equal Opportunity Plan, a fair and equitable program might be practiced. Through such a plan, applicants and employees should feel they could become an active part of the company without fearing reprisals due to extraneous factors not related to merit or qualifications.

Signed by Lorraine Fry  
Position Office Manager  
Email: lfry@telcomm.com  
Telephone: 436-240-1200  
Date: 7-4-20



## AFFIRMATIVE ACTION STATEMENT

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Signed by

Lorraine Fry

Position

Office Manager

Email:

lfry@telcomm.com

Telephone:

436-240-1200

Date:

2-4-20

## AFFIRMATIVE ACTION/PRIME VENDOR QUESTIONNAIRE

Many of you will probably be compiling similar information for your yearly E.E.O. Reports. If this is the case, and you would prefer to wait and complete this form at that time, please feel free to do so. If you want to be placed on the prime vendor list prior to that time we can do so with a copy of your

TRT L  
4556 St. Peters Pkwy.,  
Suite 3  
St. Peters, MO, 63304

### Affirmative Action Plan

1. Name and address of your organization: \_\_\_\_\_
2. Name and position of person completing this report Tom Griffiths
3. We do not wish to be on your prime vendor list and is returning this form incomplete:  
Yes X No \_\_\_\_\_
4. Do you consider your organization to be an Equal Employment Opportunity Employer?  
Yes X No \_\_\_\_\_
5. Are you part of or a division of a larger parent organization? NO If Yes, please give parent organization name and home office address:  
\_\_\_\_\_  
\_\_\_\_\_
6. How many employees were on the payroll last pay period? Full Time X #9  
Part Time \_\_\_\_\_
7. How many women were on the payroll? Full Time X one Part Time \_\_\_\_\_
8. How many minorities were on the payroll?  
Full Time Male Minority employees: one  
Full Time-Female Minority employees: \_\_\_\_\_  
Part Time Male Minority employees: \_\_\_\_\_  
Part Time Female Minority employees: \_\_\_\_\_
9. Does your organization include in its employment advertising a phrase similar to: "We are an Equal Employment Opportunity Employer" or if your organization has not advertised recently, will similar phrase be included if advertising is undertaken in the future Yes X No \_\_\_\_\_
10. Does your organization or you parent organization have an Affirmative Action Plan?  
Yes X No \_\_\_\_\_ If Yes, please supply a copy of the current plan.
11. Does your organization have a designated department or person to function in the Equal Opportunity Position? Yes X No \_\_\_\_\_ If Yes, please supply the name, title, phone number and address for future correspondence. Tom Griffiths, Secretary  
636-240-1200

The City of Berkeley thank you for your cooperation in filling out this form.

## WORK AUTHORIZATION AFFIDAVIT

Comes now Matt Hemann (Name) as Project Manager (Title) first being duly sworn, on my oath, affirm TK & L Contractors, Inc. (Company Name) is enrolled and will continue to participate in a Federal Work Authorization Program in respect to employees that will work in connection with the contracted services related to Fuel Canopy Bid #899 (Project Description) for the duration of the contract, if awarded, in accordance with RSMo Charter 285.530(2). I also affirm that TK & L Contractors, Inc. (Company Name) does not and will not knowingly employ a person who is an unauthorized alien in connection with the contract services related to the subject project for the duration of the contract, if awarded.

*In Affirmation thereof, the facts stated above are true and correct (The undersigned understands that Oise statements made in this filing are subject to the penalties provided under Section 570.040, RSMo).*

Matt Hemann  
Signature (Individual with Authority)

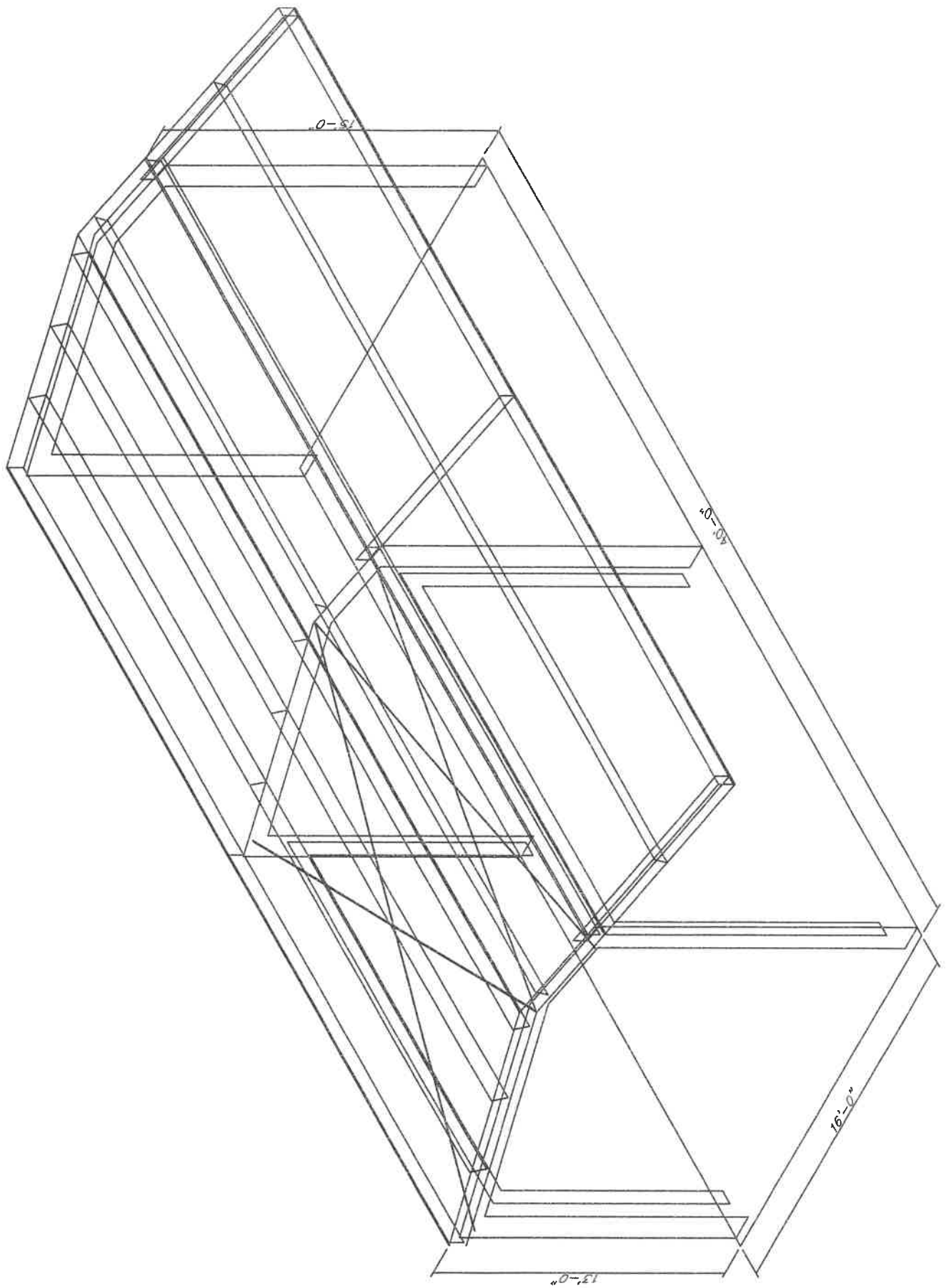
Matt Hemann  
Printed Name

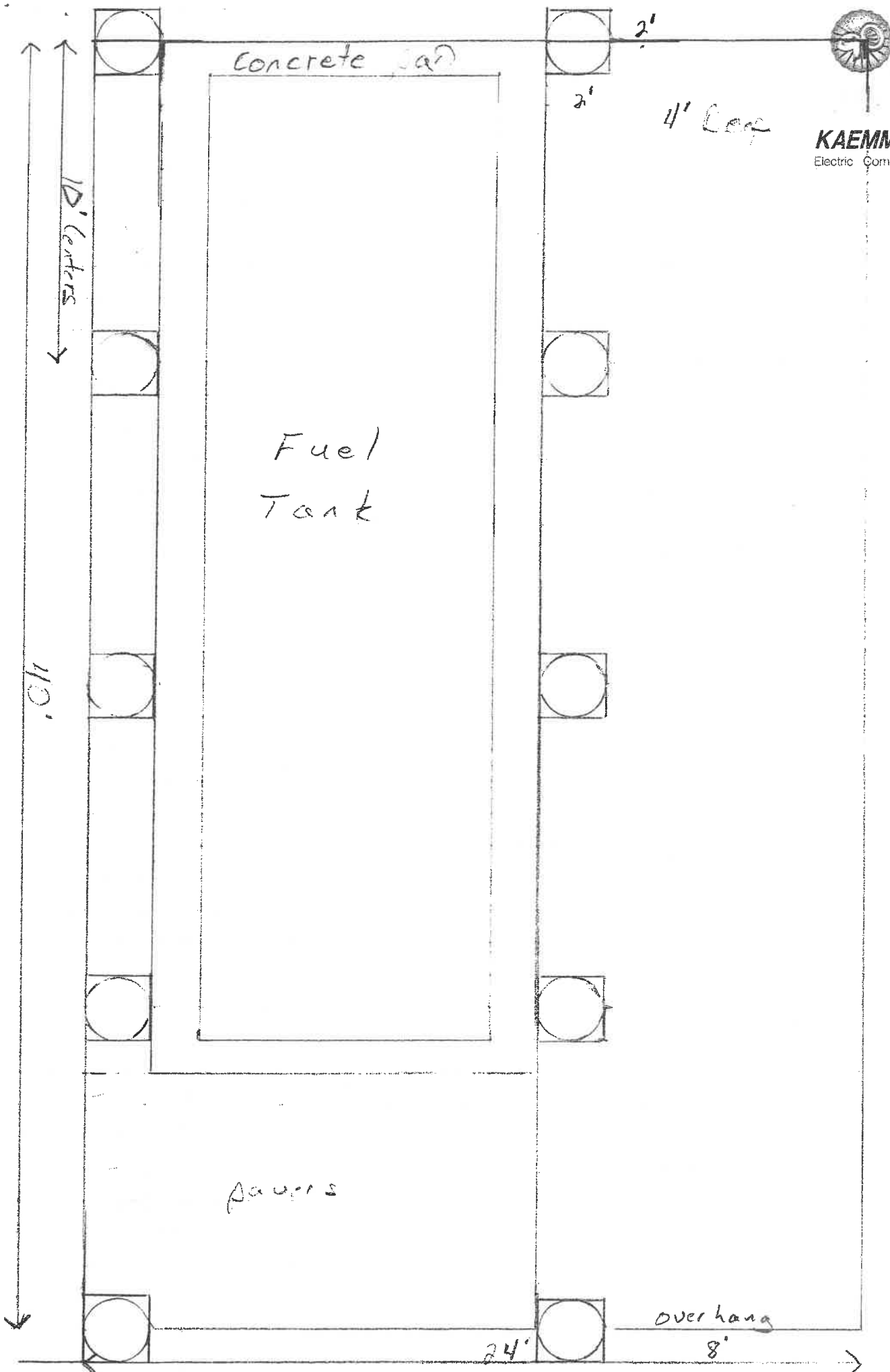
4 Feb 20  
Date

4 Feb 20  
Date

I am commissioned as a Notary Public within the County of Lincoln  
State of Mo. and my commission expires on Feb 4th 2020.







**KAEMMERLEN**

Electric Communications Service