

Grand Ledge City Council Resolution #21 of 2024

A Resolution to Repeal Resolution #72 of 2023, Restricted to the Bid from Custom Built, Inc., for the Riverfront Park Deck Expansion.

A resolution adopted by the Grand Ledge City Council, at a regular meeting held on Monday, 26 February 2024, in the Council Chambers, City Hall, 310 Greenwood St., Grand Ledge MI 48837, in compliance with the Open Meetings Act, as amended.

Whereas, the City of Grand Ledge, Michigan (“City”) is a municipal corporation organized under the provisions of the Home Rule City Act, Public Act 279 of 1909, as amended, and is governed by the provisions of the Grand Ledge City Charter adopted 07 August 2018, as amended (“Charter”); and

Whereas, Charter §13.1A provides:

“The power to make and to authorize the making of contracts on behalf of the City is vested in the City Council and shall be exercised in accordance with the provisions of law”; and

Whereas, Charter §13.5 provides:

“[E]ach contract for the construction of public improvements shall be let after opportunity for competitive bidding. The City Council may reject any or all bids, if deemed advisable. If no bids are received or such bids as were received were not satisfactory to the City Council, the City Council may either endeavor to obtain new competitive bids or authorize the City Manager or other proper official of the City to negotiate for a contract in the open market”; and

Whereas, bids were sought and received by the City for the Grand Renovations and the City approved a bid from Custom Built, Inc., for Riverfront Park Deck Expansion; and

Whereas, Custom Built, Inc., has failed to execute the contract; and

Whereas, staff recommends repealing Resolution #72 of 2023, Restricted to the Bid from Custom Built, Inc., for the Riverfront Park Deck Expansion;

Now, Therefore, It Is Resolved:

1. The City repeals Resolution #65 of 2023, restricted to the bid from Custom Built, Inc., for the Riverfront Park Deck Expansion.
2. The City directs the City Manager and Finance Director / Treasurer to appropriate the funds necessary to implement said repeal.
3. The City Manager, or their duly authorized agent or representative, is authorized and directed to implement said repeal on behalf of the City; to do any other act(s) or thing(s) which shall be necessary to implement said repeal on behalf of the City; to preserve and protect the rights, duties and obligations of the City thereunder; and to do any act or thing required by statute, Charter, ordinance, rule, regulation or other provision of law in order to implement said repeal.

Motion by Gillespie

Second by Logel

Ayes: Gillespie, Jancek, Lantz, Logel, Mulder

Nays: None

Absent: MacDowell, Willems

Approved:

Keith O. Mulder, Mayor

I, Gregory L. Newman, Grand Ledge City Clerk, certify this is Resolution #21 of 2024, adopted by the Grand Ledge City Council at a regular meeting held on Monday, 26 February 2024; in the Council Chambers, City Hall, 310 Greenwood St., Grand Ledge MI 48837, in compliance with the Open Meetings Act, as amended.

Gregory L. Newman, City Clerk

TO: Mayor and City Council

FROM: Amee King, Assistant City Manager

RE: Grand Renovations for Downtown Grand Ledge Contract with Custom Built, Inc.

DATE: February 22, 2024

City Council awarded a contract to Custom Built, Inc. on December 11, 2023, with Resolution #72 of 2023. After multiple meetings with representatives of Custom Built, they failed to execute the contract. Staff recommends the City Council rescind Resolution #72, restricted to item 2, approving the bid award for Grand Renovations to Downtown Grand Ledge Riverfront Park deck expansion to custom Built Design and Remodeling. Staff is currently soliciting bids from alternative contractors.

Grand Ledge City Council Resolution #72 of 2023

A Resolution to Approve Bid Awards for Grand Renovations to Downtown Grand Ledge light poles to Seaway Painting, LLC; Riverfront Park deck expansion to Custom Built Design and Remodeling; and streetscape landscaping to Precision Landscaping.

A resolution adopted by the Grand Ledge City Council, at a regular meeting held on Monday, 11 December 2023, in the Council Chambers, City Hall, 310 Greenwood St., Grand Ledge MI 48837, in compliance with the Open Meetings Act, as amended.

Whereas, the City of Grand Ledge, Michigan (“City”) is a municipal corporation organized under the provisions of the Home Rule City Act, Public Act 279 of 1909, as amended, and is governed by the provisions of the Grand Ledge City Charter adopted 07 August 2018, as amended (“Charter”); and

Whereas, Charter §13.1A provides:

“The power to make and to authorize the making of contracts on behalf of the City is vested in the City Council and shall be exercised in accordance with the provisions of law”; and

Whereas, bids were sought and received by the City, and reviewed by staff, for the Grand Renovations to Downtown Grand Ledge Light Poles, Riverfront Park Deck Expansion, and Streetscape Landscaping; and

Whereas, staff and the Downtown Development Authority recommend awarding the bids for Grand Renovations to Downtown Grand Ledge light poles to Seaway Painting, LLC; Riverfront Park deck expansion to Custom Built Design and Remodeling; and streetscape landscaping to Precision Landscaping;

Now, Therefore, It Is Resolved:

1. The City approves the bid award for Grand Renovations to Downtown Grand Ledge light poles to Seaway Painting, LLC., as attached.
2. The City approves the bid award for Grand Renovations to Downtown Grand Ledge Riverfront Park deck expansion to Custom Built Design and Remodeling, as attached.
3. The City approves the bid award for Grand Renovations to Downtown Grand Ledge streetscape landscaping to Precision Landscaping, as attached.
4. The City directs the City Manager and Finance Director / Treasurer to appropriate the funds necessary to implement said bid awards.
5. The City Manager, or their duly authorized agent or representative, is authorized and directed to implement said bid awards on behalf of the City; to do any other act(s) or thing(s) which shall be necessary to implement said bid awards on behalf of the City; to preserve and protect the rights, duties and obligations of the City thereunder; and to do any act or thing required by statute, Charter, ordinance, rule, regulation or other provision of law in order to implement said bid awards.

Motion by MacDowell

Second by Gillespie

Ayes: Gillespie, Lantz, Logel, MacDowell, Mulder, Willems

Nays: None

Absent: Jancek

Approved:

Keith O. Mulder



Keith O. Mulder, Mayor

I, Gregory L. Newman, Grand Ledge City Clerk, certify this is Resolution #72 of 2023, adopted by the Grand Ledge City Council at a regular meeting held on Monday, 11 December 2023; in the Council Chambers, City Hall, 310 Greenwood St., Grand Ledge MI 48837, in compliance with the Open Meetings Act, as amended.

Gregory L. Newman



Gregory L. Newman, City Clerk

BID FORM

PROJECT IDENTIFICATION: **Grand Renovations for Downtown Grand Ledge
Riverfront Park Deck Expansion
Contract No. 2023-02C**

THIS BID IS SUBMITTED TO: **City of Grand Ledge
310 E. Greenwood Street
Grand Ledge, MI 48837**

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an agreement with OWNER in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Bid Price and within the Bid Times indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

2. BIDDER accepts all of the terms and conditions of the Advertisement for Bids and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 90 days after the day of Bid opening. BIDDER will sign and deliver the required number of counterparts of the Agreement with the Bond and other documents required by the Bidding Requirements within fifteen days after the date of OWNER'S Notice of Award.

3. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

(a) BIDDER has examined and carefully studied the Bidding Documents and the following Addenda receipt of all which is hereby acknowledged: (List Addenda by Addendum Number and Date)

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(b) BIDDER has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the Work.

(c) BIDDER is familiar with and is satisfied to all federal, state and local Laws and Regulations that may affect cost, progress, performance and furnishing of the Work.

(d) BIDDER has carefully studied all reports of explorations and tests of subsurface conditions at, or contiguous to, the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at, or contiguous to, the site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in Paragraph 4.02 (A) of the General Conditions. BIDDER accepts the determination set forth in Paragraph 4.02 (A) of the General Conditions. BIDDER accepts the determination set forth in Paragraph SC-4.02 of the Supplementary Conditions of the extent of the

“technical data” contained in such reports and drawings upon which BIDDER is entitled to rely as provided in Paragraph 4.02 of the General Conditions. BIDDER acknowledges that such reports and drawings are not Contract Documents and may not be complete for BIDDER’s purposes. BIDDER acknowledges that OWNER and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Bidding Documents with respect to Underground Facilities at, or contiguous to, the site. BIDDER has obtained and carefully studied (or assumes responsibility for having done so) all such additional or supplementary examinations, investigations, exploration, tests, studies and data concerning conditions (surface, subsurface and Underground Facilities) at, or contiguous to, the site or otherwise which may affect cost progress, performance or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by BIDDER and safety precautions and programs incident thereto. BIDDER does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the determination of this Bid for performance and furnishing of the Work in accordance with the times, price and other terms and conditions of the Contract Documents.

(e) BIDDER is aware of the general nature of Work to be performed by Owner and others at the site that relates to Work for which this Bid is submitted as indicated in the Contract Documents.

(f) BIDDER has correlated the information known to BIDDER, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests, studies and data with the Contract Documents.

(g) BIDDER has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that BIDDER has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to BIDDER, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this Bid is submitted.

(h) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other BIDDER or over OWNER.

4. BIDDER will provide all labor, materials, and equipment in order to complete the Work in accordance with the Contract Documents for the following price(s):

A. RIVERFRONT PARK DECK EXPANSION:

Item	Description	Quantity	Unit	Unit Price	Amount
A1.	Mobilization, Max. \$25,000.00	1	LSUM	\$ 2,200.00	\$ 2,200.00
A2.	Traffic Control (Riverfront Park Deck Expansion)	1	LSUM	\$ 0	\$ 0
A3.	Clearing, Modified	1	LSUM	\$ 4,150.00	\$ 4,150.00
A4.	Deck Expansion - Complete	1	LSUM	\$ 303,650.00	\$ 303,650.00
A5.	Erosion Control, Silt Fence	200	Ft	\$ 10.00	\$ 2,000.00
A6.	Project Cleanup	1	LSUM	\$ 3,000.00	\$ 3,000.00
SUBTOTAL RIVERFRONT PARK DECK EXPANSION:					\$ 315,000.00

B. ADD ALTERNATE No. 1 - RIVERFRONT PARK DECK AMENITIES

Item	Description	Quantity	Unit	Unit Price	Amount
B1.	Picnic Table	3	Ea	\$ *see notes	\$
B2.	Bench	4	Ea	\$ *see notes	\$
B3.	Solar Powered Charging Station	2	Ea	\$ *see notes	\$
B4.	Planter Box w/ Planting Soil	4	Ea	\$ *see notes	\$
SUBTOTAL RIVERFRONT PARK DECK AMENITIES:					\$

* More detailed information required in order to bid Riverfront Park Deck amenities

TOTAL BID AMOUNT (A + B): \$

Three Hundred Fifteen Thousand Dollars & 00/100
(AMOUNT WRITTEN)

5. BIDDER agrees that the Work will be substantially completed and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

BIDDER accepts the provisions of the Agreement as to liquidated damages and other damages in the event of failure to complete the Work within the times specified in the Agreement.

6. The following documents are attached to and made a condition of this Bid:

(a) Required Bid Security in the form of _____.

7. Communications concerning this Bid shall be addressed to the address of BIDDER indicated below.

8. References – Contractor shall provide three recent references for work performed simiiar in nature to the proposed work. Contractors bidding this project shall have a minimum of 5 years of experience with similar projects in urban environments. Bidder may submit on separate form.

Municipality	P.O.C.	Phone#	Type and Amount of Work
<i>We built the existing Riverfront Park Deck Est. 2006</i>			

9. Terms used in this Bid which are defined in the General Conditions or Instructions will have the meanings indicated in the General Conditions or Instructions.

SUBMITTED on: 9/14/23

State Contractor License No. 210 218 2717

If BIDDER is:

An Individual

By: _____ (SEAL)
(Individual's Name)

doing business as _____

Business Address: _____

Phone No: _____

A Partnership

By: _____ (SEAL)
(First Name)

_____ (General Partner)

Business Address: _____

Phone No: _____

A Corporation

By: Custom Built Inc. (SEAL)
(Corporation Name)

Michigan
(State of Incorporation)

By: Michael Flory
(name of person authorized to sign)

President
(Title)

(Corporate Seal)

Attest: _____
(Secretary)

Business Address: 2037 W. Grand River Ave
Str. C Okemos MI 48864

Phone No: (517) 881 9871

Date of Qualification to do business is Oct 2006

A Joint Venture

By: _____ (SEAL)
(Name)

(Address)

By: _____
(Name)

(Address)

Name, phone number, address, and email for receipt of official communications.

Michael Flory (517) 881 9871 michael@callcustombuilt.com

(Each joint venture must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture should be in the manner indicated above.)