

RESOLUTION NO. 18-011

A RESOLUTION OF THE EAST LOOP COMMUNITY IMPROVEMENT DISTRICT APPROVING E. MEIER CONTRACTING AS CONTRACTOR FOR PARKING LOT IMPROVEMENTS; APPROVING AND AUTHORIZING THE ISSUANCE OF A PROJECT EXEMPTION CERTIFICATE WITH RESPECT TO SUCH PARKING LOT IMPROVEMENTS; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "**CID Act**"), the City of St. Louis, Missouri (the "**City**") adopted Ordinance No. 70322 on June 30, 2016, which became effective on August 14, 2016, (the "**Ordinance**"), establishing the East Loop Community Improvement District (the "**District**") as a not-for-profit corporation of the State of Missouri; and

WHEREAS, the District is authorized and empowered under the CID Act to make and enter into contracts and other instruments, with public and private entities, necessary and convenient to exercise its powers and carry out its duties pursuant to the CID Act; and

WHEREAS, the District sought proposals for parking lot improvements from qualified contractors; and

WHEREAS, the District has determined the proposal for parking lot improvements from E. Meier Contracting is the lowest and best proposal; and

WHEREAS, the District hereby finds and determines that it is necessary and desirable that the District approve and authorize the execution of the proposal for parking lot improvements from E. Meier Contracting in the amount of \$80,680, in substantially the form of **Exhibit A**, attached hereto and incorporated herein by reference; and

WHEREAS, the District has submitted a Missouri Sales or Use Tax Exemption Application and upon receipt of the exemption letter, the District hereby finds and determines that it is necessary and desirable that the District approve and authorize the issuance of a Project Exemption Certificate, substantially in the form of **Exhibit B**, attached hereto and incorporated herein by reference, to E. Meier Contracting for the exclusive use of purchasing materials related to the parking lot improvements as provided in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EAST LOOP COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

Section 1. Approval of the Proposal. The Board of Directors of the District hereby approves the proposal for parking lot improvements from E. Meier Contracting in the amount of \$80,680 (the "**Proposal**") and in substantially the form of **Exhibit A**, attached hereto and incorporated herein by reference, and the District is hereby authorized to execute and deliver the Proposal, with such changes therein as shall be approved by the officers of the District executing the Proposal, such officers' signatures thereon being conclusive evidence of their approval and the District's approval thereof.

Section 2. Execution of the Proposal. The Chair, Vice Chair or Treasurer of the District is hereby authorized and directed to execute and deliver the Proposal for and on behalf of and as the act and deed of the District and the Secretary or Assistant Secretary of the District is hereby authorized and directed to attest to the Proposal, if necessary.

Section 3. Issuance of Project Exemption Certificate. The Executive Director of the District is hereby authorized and directed to provide a Project Exemption Certificate to E. Meier Contracting, in substantially the form of **Exhibit C**, attached hereto and incorporated herein by reference, upon receipt of the District's exemption letter from the Missouri Department of Revenue.

Section 4. Execution of Resolution. The Chair or Vice Chair of the District is hereby authorized and directed to execute and deliver the Resolution for and on behalf of and as the act and deed of the District and the Secretary or Assistant Secretary of the District is hereby authorized and directed to attest to the Resolution

Section 5. Further Authority. All actions heretofore taken by the authorized representatives, officials, agents and employees of the District in connection with the transaction contemplated by this Resolution are hereby ratified and confirmed, and the District shall, and the representatives, officials, agents and employees of the District are hereby authorized and directed to, take such further action, and execute and deliver such other documents and instruments as may be necessary or desirable to carry out and comply with and perform the duties of the District with respect to the Resolution.

Section 6. Severability. The sections, paragraphs, sentences, clauses and phrases of this Resolution shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution are valid, unless the court finds the valid portions of this Resolution are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the District has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 7. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 8. Effective Date. This Resolution shall take effect and be in full force upon its passage by the District.

(The remainder of this page is intentionally left blank.)

Passed this 20th day of September, 2018.

I, the undersigned, Chair of the East Loop Community Improvement District, hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the District at a meeting held, after proper notice, on September 20, 2018.



EAST LOOP COMMUNITY IMPROVEMENT DISTRICT

Joe Edwards
Chair, Board of Directors

WITNESS my hand and official seal this 20th day of September, 2018.

ATTEST:

Joseph [Signature]
Secretary, Board of Directors

EXHIBIT A

PROPOSAL

(Attached hereto.)



E. MEIER CONTRACTING
CONCRETE & ASPHALT

Commercial • Residential
(636) 300-0908 Fax (636) 300-0907

St. Louis Design Alliance
Attn: Dave Mastin

August 27, 2018

Re: 5863 Delmar

E. Meier Contracting, Inc. will furnish all labor, equipment, materials, and insurance necessary to complete this work in a satisfactory manner.

- 1) Over approx. 790 sq. yds., excavate broken pavement to a depth of 3” and install full depth asphalt for repair.
- 2) Over approx. 160 sq. yds., wedge asphalt for grade change.
- 3) Remove and replace approx. 99 l.f. of concrete curb.
- 4) Remove approx. 160 l.f. of concrete curb and haul off site.
- 5) Remove tile and haul off site.
- 6) Wedge all asphalt as needed prior to paving.
- 7) Over approx. 4,220 sq. yds., construct a 2” thick asphalt surface course for an overlay. Apply a tack coat prior to paving.

For this work, the cost will be.....	<u>\$70,480.00</u>
Stripe new pavement, add.....	<u>\$1,100.00</u>
Install 91 concrete wheel stops, add	<u>\$9,100.00</u>

PROPOSAL DOES NOT INCLUDE: phasing, bonds, fees, testing of any kind, permits, any kind of traffic control, any type of bollard, engineering or surveying, utility trench patching, utility relocation, restoration of disturbed landscaping, seed or sod, sawcutting.

Proposal is valid until September 30, 2018 and may be subject to material price increase after that date.

OUR BID DOES NOT INCLUDE FIRM MATERIAL PRICING

Chuck Pudiwitr
Project Manager
Cell 636-262-0217

Accepted By: _____
Title: _____

E. Meier Contracting will not be responsible for ponding if slope is less than 2%.

860 Westwood Industrial Court • Weldon Spring, MO 63304

Concrete Flatwork & Asphalt Patching • New Construction • Repair • Maintenance

EXHIBIT B

PROJECT EXEMPTION CERTIFICATE

(Attached hereto.)



Missouri Department of Revenue
Project Exemption Certificate

This form is to be completed and given to your contractor.

Exempt Entity and Project Information	Name of Exempt Entity Issuing the Certificate		Missouri Tax Exemption Number		
	East Loop Community Improvement District		2 5 4 0 7 1 9 18		
	Address		City	State	ZIP Code
	Attn: Rachele L'Ecuyer 6150 Delmar Suite 210		St. Louis	MO	63112
	E-mail Address				
	rachele@thedelmarloop.com				
	Project Number	Project Begin Date (MM/DD/YYYY)	Estimated Project End Date (MM/DD/YYYY)		
	Parking 001	___/___/___	___/___/___		
Description of Project Improvements to public parking lot pursuant to the authority of the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act").					
Project Location			Certificate Expiration Date (MM/DD/YYYY)		
5863 Delmar Boulevard, St. Louis, Missouri 63112			___/___/___		
Provide a signed copy of this certificate, along with a copy of the exempt entity's Missouri Sales and Use Tax Exemption Letter to each contractor or subcontractor who will be purchasing tangible personal property for use in this project. It is the responsibility of the exempt entity to ensure the validity of the information on the certificate. The exempt entity must issue a new certificate if any of the information changes.					
Signature of Authorized Exempt Entity		Printed Name of Authorized Exempt Entity	Date (MM/DD/YYYY)		
		East Loop Community Improvement District	___/___/___		

Contractor	The Missouri exempt entity named above hereby authorizes the purchase, without sales tax, of tangible personal property to be incorporated or consumed in the construction project identified herein and no other, pursuant to Section 144.062, RSMo . Under penalties of perjury, I declare that the above information and any attached supplement is true, complete, and correct.			
	Name of Purchasing Contractor		Signature of Contractor	Date (MM/DD/YYYY)
	E. Meier Contracting			___/___/___
Address		City	State	ZIP Code
860 Westwood Industrial Court		Weldon Spring	MO	63304

Subcontractor	Contractors - Present this to your supplier in order to purchase the necessary materials tax exempt. Complete the Subcontractor portion if extending the certificate to your subcontractor. The contractor must sign the form in the space provided below.				
	Name of Purchasing Subcontractor				
	Address		City	State	ZIP Code
Signature of Contractor		Contractor's Printed Name	Date (MM/DD/YYYY)		
			___/___/___		

Form 5060 (Revised 08-2015)

Taxation Division
 P.O Box 358
 Jefferson City, MO 65105-0358

Phone: (573) 751-2836
 Fax: (573) 522-1271
 E-mail: salestaxexemptions@dor.mo.gov

Visit <http://dor.mo.gov/business/sales/sales-use-exemptions.php> for additional information.



State of Missouri

Limited Exemption from Missouri State Sales and Use Tax on Purchases and Sales (Civic)

Issued To:

MISSOURI ID: 25407198

EAST LOOP COMMUNITY IMPROVEMENT
DISTRICT
6150 DELMAR BLVD STE 210
SAINT LOUIS, MO 63112-1204

Effective Date: 09/04/2018

Your application for sales and use tax exempt status has been approved under Section 144.030.2(21), RSMo. This letter is issued as documentation of your organization's exempt status. Your organization must adhere to all requirements of your exempt status.

This is a continuing exemption subject to legislative changes and review by the Director of Revenue. Outlined below are specific requirements regarding this exemption. This summary is not intended as a complete restatement of the law. You should review the law to ensure your understanding and compliance.

- This exemption is not assignable or transferable. It is an exemption from sales and use taxes only and is not an exemption from real or personal property tax.
- Purchases by your organization are not subject to sales or use tax if conducted within your organization's exempt civic or charitable functions and activities. When purchasing with this exemption, furnish all sellers or vendors a copy of this letter.
- Individuals making personal purchases may not use this exemption.
- Agents or contractors may not claim or benefit from your organization's exempt status. Contractors paying for construction materials to fulfill a contract with your organization must pay sales and use tax on all such materials. Only purchases of construction materials that are directly billed to your organization may be purchased exempt from sales and use tax.
- Sales by your organization are not subject to sales or use tax if conducted within your organization's exempt civic or charitable functions and activities.
- Sales not directly related to your exempt function that are made only to raise funds for your organization are not exempt unless such sales are occasional or isolated.
- If your organization engages in a competitive commercial business that serves the general public, even if the profits are used for purposes of your exempt function, you must obtain a Missouri Retail Sales Tax License and collect and remit state and local sales taxes.
- Any alteration to this exemption letter renders it invalid.

If you have any questions regarding the use of this letter, contact the Taxation Division, Post Office Box 358, Jefferson City, MO 65105-0358, salestaxexemptions@dor.mo.gov, or call 573-751-2836.

Notice Number: 2002658669