

OSAWATOMIE CITY COUNCIL
AGENDA
April 12, 2018
6:30 p.m., Memorial Hall

1. Call to order
2. Roll Call
3. Pledge of Allegiance
4. Invocation
5. Consent Agenda

Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.

 - A. April 12 Agenda
 - B. Council Minutes for March 22, 2018
 - C. Pay Application #1 – Legacy Contractors – City Hall Renovation – \$64,139.00
 - D. Pay Application #1 – Kansas Heavy Const. – Phase II Main Street – \$327,995.46
 - E. Pay Applications #4 – MTS – Auditorium Façade – \$49,700.00
 - F. Pay Applications #5 – MTS – Auditorium Façade – \$33,300.00
 - G. Pay Application – JEO – Electric Generation Project Engineering – \$4,677.50
6. Comments from the Public

Citizen participation will be limited to 5 minutes. Stand & be recognized by the Mayor.
7. Presentations & Proclamations
 - A. Child Abuse Prevention Month Proclamation
 - B. Oath of Office – Police Corporal’s Ed Beaudry and John Mann
 - C. Oath of Office – K-9 Unit Christopher White and Thor
8. Public Hearings
9. Unfinished Business
 - A. Ordinance – Codification
10. New Business
 - A. Resolution – Contingency Contract for Property Sale
 - B. Appointment – Library Board
 - C. Capacity Sales Agreement
 - D. Bids for New Electric Shop Building
 - E. Proposal for Parker from 8th to Park
 - F. East Lake Road Chip Seal
 - G. Draft of Sales Tax Ballot Question
11. Council Report
12. Mayor’s Report
13. City Manager & Staff Reports
14. Executive Session
15. Other Discussion/Motions
16. Adjourn

NEXT REGULAR MEETING – April 26, 2018

Osawatomie, Kansas. **March 22, 2018.** The Council Meeting was held in Memorial Hall. Mayor Govea called the meeting to order at 6:30 p.m. Council members present were Dickinson, Diehm, Hampson, LaDuex, Macek, Maichel, Walmann and Wright. City Staff present at the meeting were: City Attorney Dick Wetzler, City Clerk Tammy Seamands, City Manager Don Cawby, Public Works Director Blake Madden, Chief of Police Dave Ellis and Chief Water/ Power Plant Operator Stewart Kasper. Members of the public were Grady Atwater, Hitomi Warren with the Osawatomie Chamber of Commerce and David Arteberry with George K. Baum.

INVOCATION. Grady Atwater, First Presbyterian Church

CONSENT AGENDA. Approval of March 22nd Agenda, February 8th & February 22nd Minutes, 2018-01 & 2018-02 Register Reports, Pay Application #6 – IES Commercial Inc. – 9th Street Substation - \$40995.09, Pay Application #1 – Baldridge Engineering – 9th Street Substation - \$2,025.00, Pay Application – JEO Consulting Group – Electric Generation Project - \$4,350.00 and Pay Application #1 – Edgcomb Flooring – City Hall Renovation - \$8,500.00 **Motion** made by LaDuex, seconded by Dickinson to Approve the Consent Agenda as presented. Yeas: All.

COMMENTS FROM THE PUBLIC.

Grady Atwater spoke about the Presbyterian Church being very active in the community. Everything from being the center for the ministerial association that provides assistance for people in need, sponsoring clubs and having cookouts or being involved in community events.

PRESENTATIONS. None.

PUBLIC HEARINGS. None.

UNFINISHED BUSINESS.

LEASE-PURCHASE AGREEMENT – FIRE TRUCK AND ENTERPRISE SOFTWARE. David Arteberry with George K. Baum provided information to the council after closing the bids on March 2nd. There were six (6) bids submitted, with the two (2) lowest being very close in rates. **Motion** made by Walmann, seconded by Hampson to Authorize the Proposed Ordinance to Execute a Lease Purchase Agreement for the Acquisition of a Fully-Equipped Fire Truck and Upgraded Software for City Systems. Yeas: All.

ORDINANCE – KWIKOM FRANCHISE AGREEMENT. City Manager Cawby explained that we needed to adopt the franchise fee to allow them to use our right-of-way. **Motion** made by LaDuex, seconded by Dickinson to Approve the Proposed Ordinance to Authorize the Franchise Agreement with JMZ dba KwiKom. Yeas: All.

ORDINANCE – WATER CONSERVATION. Stewart Kasper, Chief Water/Power Plant Operator, discussed the proposed draft of the water conservation plan. The last plan that was

adopted was in 1995. **Motion** made by LaDuex, seconded by Dickinson to Adopt the Proposed Ordinance to Implement a Water Conservation Program for the City of Osawatomie. Yeas: All.

RESOLUTION – WATER CONSERVATION PLAN. **Motion** made by Dickinson, seconded by Walmann to Approve the Water Conservation Plan Resolution. Yeas: All.

NEW BUSINESS.

KMEA DIRECTOR APPOINTMENTS. KMEA requires two (2) directors and one (1) alternate for their board. Currently Director #1 is Don Cawby, Director #2 is Stewart Kasper and the Alternate is Mark Govea. **Motion** made by Hampson, seconded by LaDuex to Approve to Continue the Positions as they are. Yeas: All.

VACUUM TRAILER. Blake Madden, Director of Public Works and Utilities, explained that the CIP allows for a vacuum excavation trailer. We received two (2) quotes from Ditch Witch and Vermeer dealers. Madden recommends the Vermeer as it has greater air flow and water pump pressure. **Motion** made by LaDuex, seconded by Walmann to Approve the Purchase of the Vac-Tron CV 573SGT for \$40,000 from Vermeer. Yeas: All.

RESOLUTION – SUPPORT FOR US HIGHWAY 169 CORRIDOR COALITION. Cawby explained that we were asked to support a resolution for the us highway 169 corridor coalition. **Motion** made by Hampson, seconded by Diehm to Approve the Resolution to Support the US Highway 169 Corridor Coalition. Yeas: All.

RESOLUTION – SUPPORT FOR OSAWATOMIE STATE HOSPITAL. Cawby explained the resolution of support for the Osawatomie State Hospital. **Motion** made by LaDuex, seconded by Hampson to Approve the Support for Osawatomie State Hospital Resolution. Yeas: All.

APPOINTMENT OF OFFICIAL MPR REPRESENTATIVE. **Motion** made by LaDuex, seconded by Hampson to Appoint Tammy Seamands, City Clerk, as the Official MPR Representative. Yeas: All.

COUNCIL REPORTS.

Lawrence Dickinson ~ KwiKom was on the water tower today. Main street looks like it is coming along.

Kenny Diehm ~ Reminder that the picnic tables in the park are broken. He asked if we could look at changing some of our fireworks regulations.

Tamara Maichel ~ Possibly having speakers at the meeting, so that it is easier to hear at the meetings. Mentioned that County Commissioner, Ron Stiles, son passed away.

Karen LaDuex ~ Asked if we prohibit fireworks being shot off during our fireworks display.



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INVOICE

2018-03-01

| | | | | |
|--------------------------------------|---|---|-----------------|--------------------------|
| SUBMITTED TO Don Cawby | | PHONE 755-2146 | FAX 755-4146 | DATE 3/28/2018 |
| STREET Osawatome City Hall | | JOB NAME City Hall Remodel Project 2017 - Phase 1 | | |
| CITY, ST, ZIP 439 Main | | JOB LOCATION Osawatome City Hall | | JOB PHONE |
| ENGINEER | DATE OF PLANS per plan and discussions | 439 Main Paola, KS 66071 | | JOB FAX |

Phase 1 work completed - demolition, window replacement, new restroom, kitchen, ceilings and grid, countertops, plumbing, framing, drywall, finishing, trim, restroom accessories.

Total of Phase 1 work per original bid \$ 57,611

Changes requested by City - Phase 1

| | |
|---|-----------------|
| - Add sliding glass windows and countertops @ billing | \$ 1,030 |
| - Add framed window @ office | \$ 341 |
| - Add steel handrail @ back steps/remove existing | \$ 270 |
| - Add renovation of south end | \$ 4,364 |
| - Add countertop at office | \$ 35 |
| - Add Roton hinges to exterior aluminum doors | \$ 188 |
| - Add - dumpster used by Owner and other contractors | \$ 300 |
| Total changes requested by City - Phase 1 | \$ 6,528 |

Total request Draw #1 - Phase 1 work and changes \$ 64,139

Thank you for your business,

Legacy Contractors, LLC

Rob George

Contractor's Application

Progress Estimate

| For (contract): | | 2017 Main Street Improvements | | | | | | | | | | Application Number:1 | | 3/30/2018 | |
|---------------------|-------------------------------------|-------------------------------|--------------|--------------|------------------------------|-------------|---------------------------------------|--|---------|---------------------------|---|----------------------|--|-----------|--|
| Application Period: | | 3-5-18 - 3-30-18 | | | | | | | | | | Application Date: | | | |
| A | | B | | | C | | | D | | | E | | | F | |
| Bid Item No. | Item Description | Bid Quantity | Unit Price | Bid Value | Estimated Quantity Installed | Value | Materials Presently Stored (not in C) | Total Completed and Stored to Date (D + E) | % (F) B | Balance to Finish (B - F) | | | | | |
| 1. | Contractor Construction Staking | 1 | \$ 9,500.00 | \$9,500.00 | 0.75 | \$7,125.00 | | \$7,125.00 | 75.0% | \$2,375.00 | | | | | |
| 2. | Removal of Existing Structures | 1 | \$ 30,000.00 | \$30,000.00 | 1 | \$30,000.00 | | \$30,000.00 | 100.0% | | | | | | |
| 3. | Clearing and Grubbing | 1 | \$ 35,000.00 | \$35,000.00 | 1 | \$35,000.00 | | \$35,000.00 | 100.0% | | | | | | |
| 4. | Traffic Control | 1 | \$ 25,600.00 | \$25,600.00 | 0.5 | \$12,800.00 | | \$12,800.00 | 50.0% | \$12,800.00 | | | | | |
| 5. | Inlet Sediment Barrier | 9 | \$ 20.00 | \$180.00 | | | | | | \$180.00 | | | | | |
| 6. | Gutterbuddy | 121 | \$ 5.00 | \$605.00 | | | | | | \$605.00 | | | | | |
| 7. | Sediment Trap | 164 | \$ 5.00 | \$820.00 | | | | | | \$820.00 | | | | | |
| 8. | Slope Barrier | 500 | \$ 2.00 | \$1,000.00 | | | | | | \$1,000.00 | | | | | |
| 9. | Temp Gravel Const. Entrance | 1 | \$ 2,600.00 | \$2,600.00 | | | | | | \$2,600.00 | | | | | |
| 10. | Concrete Washout | 1 | \$ 1,000.00 | \$1,000.00 | | | | | | \$1,000.00 | | | | | |
| 11. | Temporary Seeding | 1 | \$ 6,600.00 | \$6,600.00 | | | | | | \$6,600.00 | | | | | |
| 12. | Curb Inlet Sediment Barrier Temp | 9 | \$ 75.00 | \$675.00 | | | | | | \$675.00 | | | | | |
| 13. | Curb Inlet Sed. Barrier Long Term | 1 | \$ 5.50 | \$693.00 | | | | | | \$693.00 | | | | | |
| 14. | Seed, Fertilizer, Mulch | 1 | \$ 8,500.00 | \$8,500.00 | | | | | | \$8,500.00 | | | | | |
| 15. | Unclassified Excavation | 4,982 | \$ 20.00 | \$99,640.00 | 4484 | \$89,680.00 | | \$89,680.00 | 90.0% | \$9,960.00 | | | | | |
| 16. | Pavement Removal | 13,852 | \$ 7.00 | \$96,964.00 | 12352 | \$86,464.00 | | \$86,464.00 | 89.2% | \$10,500.00 | | | | | |
| 17. | Compaction of Earthwork | 612 | \$ 10.00 | \$6,120.00 | 400 | \$4,000.00 | | \$4,000.00 | 65.4% | \$2,120.00 | | | | | |
| 18. | Adjustment of Manholes | 1 | \$ 750.00 | \$750.00 | | | | | | \$750.00 | | | | | |
| 19. | Adjustment of Water Meters | 4 | \$ 750.00 | \$3,000.00 | | | | | | \$3,000.00 | | | | | |
| 20. | Adjustment of Valve Boxes | 3 | \$ 250.00 | \$750.00 | | | | | | \$750.00 | | | | | |
| 21. | Conc. Pvmnt 6" Uniform AE Drives | 1,435 | \$ 58.00 | \$83,230.00 | | | | | | \$83,230.00 | | | | | |
| 22. | Conc. Pvmnt 8" Uniform Intersection | 1878 | \$ 64.00 | \$120,192.00 | | | | | | \$120,192.00 | | | | | |
| 23. | Conc. Pvmnt 8" Reinforced AE | 35 | \$ 85.00 | \$2,975.00 | | | | | | \$2,975.00 | | | | | |
| 24. | Aggregate Base AB-3 | 5616 | \$ 8.40 | \$47,174.40 | | | | | | \$47,174.40 | | | | | |
| 25. | Curb and Gutter | 6866 | \$ 19.00 | \$130,454.00 | | | | | | \$130,454.00 | | | | | |
| 26. | SW Ramp | 252 | \$ 190.00 | \$47,880.00 | | | | | | \$47,880.00 | | | | | |
| 27. | CI 10"x2.5' | 2 | \$ 4,200.00 | \$8,400.00 | | | | | | \$8,400.00 | | | | | |
| 28. | CI 10"x3' | 6 | \$ 5,000.00 | \$30,000.00 | 3 | \$15,000.00 | | \$15,000.00 | 50.0% | \$15,000.00 | | | | | |
| 29. | CI 5'x4' | 1 | \$ 5,000.00 | \$5,000.00 | 1 | \$5,000.00 | | \$5,000.00 | 100.0% | | | | | | |
| 30. | CI 5'x5' | 1 | \$ 4,725.00 | \$4,725.00 | 1 | \$4,725.00 | | \$4,725.00 | 100.0% | | | | | | |
| 31. | JB 4' Dia | 1 | \$ 3,750.00 | \$3,750.00 | 1 | \$3,750.00 | | \$3,750.00 | 100.0% | | | | | | |
| 32. | JB 5' Dia | 1 | \$ 4,250.00 | \$4,250.00 | | | | | | \$4,250.00 | | | | | |
| 33. | 12" PVC Storm | 81 | \$ 42.00 | \$3,402.00 | | | | | | \$3,402.00 | | | | | |
| 34. | 15" HDPE/RCP | 153 | \$ 40.00 | \$6,120.00 | | | | | | \$6,120.00 | | | | | |
| 35. | 15" RCP | 120 | \$ 44.00 | \$5,280.00 | | | | | | \$5,280.00 | | | | | |
| 36. | 18" RCP | 262 | \$ 52.00 | \$13,624.00 | 116 | \$6,032.00 | | \$6,032.00 | 44.3% | \$7,592.00 | | | | | |
| 37. | 18" HDPE/RCP | 225 | \$ 48.00 | \$10,800.00 | 195 | \$9,360.00 | | \$9,360.00 | 86.7% | \$1,440.00 | | | | | |
| 38. | 24" RCP | 115 | \$ 65.00 | \$7,475.00 | 115 | \$7,475.00 | | \$7,475.00 | 100.0% | | | | | | |

| 2017 Main Street Improvements | | | | | | | | | | |
|--------------------------------------|----------------------------------|--------------|-------------|-----------------------|------------------------------|---------------------|---------------------------------------|--|--------------|---------------------------|
| For (contract): | | | | | Application Number: 1 | | | | | |
| Application Period: 3-5-18 - 3-30-18 | | | | | Application Date: 3/30/2018 | | | | | |
| A | | | | | | | | | | |
| Bid Item No. | Item Description | Bid Quantity | Unit Price | Bid Value | Estimated Quantity Installed | Value | Materials Presently Stored (not in C) | Total Completed and Stored to Date (D + E) | % (F) B | Balance to Finish (B - F) |
| 39. | 15" ES | 1 | \$ 960.00 | \$960.00 | | | | | | \$960.00 |
| 40. | 18" ES | 1 | \$ 750.00 | \$750.00 | | | | | | \$750.00 |
| 41. | Flow Fill Low Strength | 17 | \$ 145.00 | \$2,465.00 | | | | | | -\$1,015.00 |
| 42. | Aggregate Ditch Lining D50=6" | 12 | \$ 90.00 | \$1,080.00 | 24 | \$3,480.00 | | \$3,480.00 | 141.2% | \$1,080.00 |
| 43. | 4" White Multi-component | 112 | \$ 6.60 | \$739.20 | | | | | | \$739.20 |
| 44. | 4" Yellow Multi Component | 5448 | \$ 1.38 | \$7,518.24 | | | | | | \$7,518.24 |
| 45. | 24" White Intersection Grade PTP | 478 | \$ 18.70 | \$8,938.60 | | | | | | \$8,938.60 |
| 46. | Alt 1 8" NRDJ Concrete Pvmnt | 9859 | \$ 57.50 | \$566,892.50 | | | | | | \$566,892.50 |
| 47. | Alt 1 Agg Base AB-3 | 9752 | \$ 8.40 | \$81,916.80 | | | | | | \$81,916.80 |
| 48. | Alt 1 Mobilization | 1 | \$ 9,350.00 | \$9,350.00 | | | | | | \$9,350.00 |
| 49. | | | | | | | | | | |
| 50. | | | | | | | | | | |
| Totals | | | | \$1,545,338.74 | | \$364,439.40 | | \$364,439.40 | 23.6% | \$1,180,899.34 |



AIA Document G702™ - 1992

Application and Certificate for Payment

TO OWNER: City of Osawatomi
439 Main St.
PO Box 37
Osawatomi, KS 66064

FROM CONTRACTOR: MTS Contracting, Inc.
1019 Swift Ave.
North Kansas City, MO 64116

PROJECT: Auditorium Brick & Stone Repair
439 Main St.
Osawatomi, KS 66064
VIA ARCHITECT:

APPLICATION NO: 4
PERIOD TO: 3/26/2018

CONTRACT FOR: Auditorium Brick & Stone Repair
CONTRACT DATE: 6/8/2017
PROJECT NOS: /
INVOICE NO: 17-1405D

Distribution to: OWNER ARCHITECT CONTRACTOR FIELD OTHER

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. AIA Document G703™, Continuation Sheet, is attached.

| | |
|---|---------------|
| 1. ORIGINAL CONTRACT SUM | \$ 177,500.00 |
| 2. NET CHANGE BY CHANGE ORDERS | \$ 27,000.00 |
| 3. CONTRACT SUM TO DATE (Line 1 ± 2) | \$ 204,500.00 |
| 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) | \$ 127,125.00 |
| 5. RETAINAGE: | |
| a. 0% of Completed Work (Columns D + E on G703) | \$ 0.00 |
| b. 0% of Stored Material (Column F on G703) | \$ 0.00 |
| Total Retainage (Lines 5a + 5b, or Total in Column I of G703) | \$ 0.00 |
| 6. TOTAL EARNED LESS RETAINAGE | \$ 127,125.00 |
| (Line 4 minus Line 5 Total) | |
| 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT | \$ 77,425.00 |
| (Line 6 from prior Certificate) | |
| 8. CURRENT PAYMENT DUE | \$ 49,700.00 |
| 9. BALANCE TO FINISH, INCLUDING RETAINAGE | \$ 77,375.00 |
| (Line 3 minus Line 6) | |

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: MTS Contracting, Inc.

By: Mts Date: 3/26/18

State of: MO

County of: Clay
Subscribed and sworn to before me this

Notary Public: Stephanie L Burke 26th day of March, 2018
My commission expires: May 27, 2019
Plate County Clay
Commission #15244494

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: _____
By: _____ Date: _____
This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

| CHANGE ORDER SUMMARY | ADDITIONS | DEDUCTIONS |
|--|---------------------|----------------|
| Total changes approved in previous months by Owner | \$ 27,000.00 | \$ 0.00 |
| Total approved this month | \$ 0.00 | \$ 0.00 |
| TOTAL | \$ 27,000.00 | \$ 0.00 |
| NET CHANGES by Change Order | \$ 27,000.00 | |

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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Document G703™ - 1992

Continuation Sheet

AIA Document G702™, 1992, Application and Certificate for Payment, or G732™, 2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.
 In tabulations below, amounts are in US dollars.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4
 APPLICATION DATE: 3/26/2018
 PERIOD TO: 3/26/2018
 ARCHITECT'S PROJECT NO:

| A ITEM NO. | B DESCRIPTION OF WORK | C SCHEDULED VALUE | D WORK COMPLETED | | E THIS PERIOD | F MATERIALS PRESENTLY STORED <i>(Not in D or E)</i> | G TOTAL COMPLETED AND STORED TO DATE <i>(D+E+F)</i> | H BALANCE TO FINISH <i>(C-G)</i> | I RETAINAGE <i>(If variable rate)</i> |
|---------------|-----------------------------|----------------------|---|--|------------------|---|---|--|---|
| | | | FROM PREVIOUS APPLICATION <i>(D + E)</i> | | | | | | |
| 1 | Equipment | 19,000.00 | 8,000.00 | | 6,000.00 | 0.00 | 14,000.00 | 5,000.00 | 0.00 |
| 2 | Material non brick or stone | 16,500.00 | 8,500.00 | | 8,000.00 | 0.00 | 16,500.00 | 0.00 | 0.00 |
| 3 | Brick demo labor | 27,280.00 | 27,280.00 | | 0.00 | 0.00 | 27,280.00 | 0.00 | 0.00 |
| 4 | Relay brick labor | 25,645.00 | 25,645.00 | | 0.00 | 0.00 | 25,645.00 | 0.00 | 0.00 |
| 5 | Misc. repairs labor | 13,440.00 | 0.00 | | 5,200.00 | 0.00 | 5,200.00 | 8,240.00 | 0.00 |
| 6 | Relay stone labor | 56,080.00 | 0.00 | | 10,000.00 | 0.00 | 10,000.00 | 46,080.00 | 0.00 |
| 7 | Dumpster | 2,000.00 | 1,500.00 | | 0.00 | 0.00 | 1,500.00 | 500.00 | 0.00 |
| 8 | Metal | 17,555.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 17,555.00 | 0.00 |
| 9 | Brick | 6,500.00 | 6,500.00 | | 0.00 | 0.00 | 6,500.00 | 0.00 | 0.00 |
| 10 | Cast stone | 20,500.00 | 0.00 | | 20,500.00 | 0.00 | 20,500.00 | 0.00 | 0.00 |
| | GRAND TOTAL | 204,500.00 | 77,425.00 | | 49,700.00 | 0.00 | 127,125.00 | 77,375.00 | 0.00 |

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AIA Document G702™ - 1992

Application and Certificate for Payment

TO OWNER:
 City of Osawatimie
 439 Main St.
 PO Box 37
 Osawatimie, KS 66064
FROM CONTRACTOR:
 MTS Contracting, Inc.
 1019 Swift Ave.
 North Kansas City, MO 64116

PROJECT:
 Auditorium Brick & Stone Repair
 439 Main St.
 Osawatimie, KS 66064
 VIA ARCHITECT:

APPLICATION NO: 5
PERIOD TO: 4/10/2018
CONTRACT FOR: Auditorium Brick & Stone Repair
CONTRACT DATE: 6/8/2017
PROJECT NOS: /
INVOICE NO: 17-1405E

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR
 FIELD
 OTHER

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
 AIA Document G703™, Continuation Sheet, is attached.

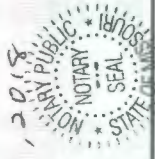
1. ORIGINAL CONTRACT SUM \$ 177,500.00
 2. NET CHANGE BY CHANGE ORDERS \$ 27,000.00
 3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 204,500.00
 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 160,425.00
 5. RETAINAGE:
 - a. $\frac{0}{100}$ % of Completed Work (Column D + E on G703) \$ 0.00
 - b. $\frac{0}{100}$ % of Stored Material (Column F on G703) \$ 0.00
- Total Retainage (Lines 5a + 5b, or Total in Column I of G703) \$ 0.00
6. TOTAL EARNED LESS RETAINAGE \$ 160,425.00
 (Line 4 minus Line 5 Total)
 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 127,125.00
 (Line 6 from prior Certificate)
 8. CURRENT PAYMENT DUE \$ 33,300.00
 9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 44,075.00
 (Line 3 minus Line 6)

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: MTS Contracting, Inc.
 By: *[Signature]*
 State of: MO
 County of: Clay
 Subscribed and sworn to before me this

Date: 4/10/18

10th day of April, 2018



Notary Public: Stephanie L. Burke
 My commission expires: May 27, 2019

STEPHANIE L. BURKE
 My Commission Expires
 May 27, 2019
 Platte County
 Commission #15434494

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$
 (Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:
 By: _____
 Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

| CHANGE ORDER SUMMARY | ADDITIONS | DEDUCTIONS |
|--|---------------------|----------------|
| Total changes approved in previous months by Owner | \$ 27,000.00 | \$ 0.00 |
| Total approved this month | \$ 0.00 | \$ 0.00 |
| TOTAL | \$ 27,000.00 | \$ 0.00 |
| NET CHANGES by Change Order | \$ 27,000.00 | \$ 0.00 |

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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AIA Document G703™ - 1992

Continuation Sheet

AIA Document G702™-1992, Application and Certificate for Payment, or G732™-2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.
 In tabulations below, amounts are in US dollars.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 5
 APPLICATION DATE: 4/10/2018
 PERIOD TO: 4/10/2018
 ARCHITECT'S PROJECT NO: 4/10/2018

| A ITEM NO. | B DESCRIPTION OF WORK | C SCHEDULED VALUE | D WORK COMPLETED | | E THIS PERIOD | F MATERIALS PRESENTLY STORED (Not in D or E) | G TOTAL COMPLETED AND STORED TO DATE (D+E+F) | H BALANCE TO FINISH (C-G) | I RETAINAGE (If variable rate) |
|---------------|-----------------------------|----------------------|-----------------------------------|-----------|------------------|---|---|------------------------------|-----------------------------------|
| | | | FROM PREVIOUS APPLICATION (D + E) | % (G ÷ C) | | | | | |
| 1 | Equipment | 19,000.00 | 14,000.00 | 4,000.00 | 0.00 | 18,000.00 | 95 | 1,000.00 | 0.00 |
| 2 | Material non brick or stone | 16,500.00 | 16,500.00 | 0.00 | 0.00 | 16,500.00 | 100 | 0.00 | 0.00 |
| 3 | Brick demo labor | 27,280.00 | 27,280.00 | 0.00 | 0.00 | 27,280.00 | 100 | 0.00 | 0.00 |
| 4 | Relay brick labor | 25,645.00 | 25,645.00 | 0.00 | 0.00 | 25,645.00 | 100 | 0.00 | 0.00 |
| 5 | Misc. repairs labor | 13,440.00 | 5,200.00 | 3,800.00 | 0.00 | 9,000.00 | 67 | 4,440.00 | 0.00 |
| 6 | Relay stone labor | 56,080.00 | 10,000.00 | 25,000.00 | 0.00 | 35,000.00 | 62 | 21,080.00 | 0.00 |
| 7 | Dumpster | 2,000.00 | 1,500.00 | 500.00 | 0.00 | 2,000.00 | 100 | 0.00 | 0.00 |
| 8 | Metal | 17,555.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 | 17,555.00 | 0.00 |
| 9 | Brick | 6,500.00 | 6,500.00 | 0.00 | 0.00 | 6,500.00 | 100 | 0.00 | 0.00 |
| 10 | Cast stone | 20,500.00 | 20,500.00 | 0.00 | 0.00 | 20,500.00 | 100 | 0.00 | 0.00 |
| GRAND TOTAL | | 204,500.00 | 127,125.00 | 33,300.00 | 0.00 | 160,425.00 | 78 | 44,075.00 | 0.00 |

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Invoice

March 23, 2018
 Project No: R141554.03
 Invoice No: 101800
 Invoice Amount: 4,677.50

City of Osawatomie
 439 Main Street
 PO Box 37
 Osawatomie, KS 66064

Project Manager Matt Kalin
 Project R141554.03 Osawatomie 12 MW Generation Capacity Improvements
Professional Services through March 16, 2018

| | Contract Amount | Percent Complete | Billed-to-Date | Previous Billing | Current Billing |
|--------------------------------------|---------------------|------------------|---------------------|---------------------|-------------------|
| Lump Sum Phase(s) | | | | | |
| Preliminary Design | \$138,250.00 | 100 % | \$138,250.00 | \$138,250.00 | 0.00 |
| Final Design | \$47,040.00 | 100 % | \$47,040.00 | \$47,040.00 | 0.00 |
| Bidding & Negotiation | \$16,100.00 | 100 % | \$16,100.00 | \$16,100.00 | 0.00 |
| Construction Services | \$65,340.00 | 100 % | \$65,340.00 | \$65,340.00 | 0.00 |
| Post Construction | \$6,400.00 | 0 % | 0.00 | 0.00 | 0.00 |
| Hourly to a Maximum Phase(s) | | | | | |
| Add'l Construction Services | \$23,190.00 | | \$20,860.50 | \$19,248.00 | \$1,612.50 |
| Add'l RPR Services | \$4,810.00 | | \$1,575.00 | 0.00 | \$1,575.00 |
| RPR Services | \$43,680.00 | | \$43,680.00 | \$42,190.00 | \$1,490.00 |
| Total | \$344,810.00 | | \$332,845.50 | \$328,168.00 | \$4,677.50 |
| Total Amount Due Upon Receipt | | | | | \$4,677.50 |

Outstanding Invoices

| Number | Date | Balance |
|--------------|-----------|-----------------|
| 101334 | 2/16/2018 | 4,350.00 |
| Total | | 4,350.00 |

CITY OF OSAWATOMIE



PROCLAMATION ISSUED BY THE MAYOR AND CITY COUNCIL

WHEREAS, **children are key to the state's future success, prosperity and quality of life** and, while children are our most valuable resource, they are also our most vulnerable, and

WHEREAS, children have a right to be safe and to be provided an opportunity to thrive, learn and grow, and

WHEREAS, child abuse and neglect can be prevented by supporting and strengthening **Kansas' families, thus preventing the far-reaching effects of maltreatment**, providing the opportunity for children to develop healthy, trusting family bonds; and consequently, building the foundations of communities, and

WHEREAS, we must come together as partners so that the voices of our children are heard by all and we are as a community extending a helping hand to children and families in need, and

WHEREAS, by providing safe, stable and nurturing relationships for our children, **free of violence, abuse and neglect, we can ensure that Kansas' children will grow to their full potential** as the next generation of leaders, helping to secure the future of this state and nation, and

NOW, THEREFORE, I, L. Mark Govea, Mayor of the City of Osawatomie, do hereby proclaim

April, 2018
Child Abuse Prevention Month

in the City of Osawatomie.

Proclaimed this 12th day of April, 2018.

L. Mark Govea, Mayor
City of Osawatomie

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: April 12, 2017

AGENDA ITEM: Codification

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: For almost 3 years, we have been working on getting our ordinances re-codified. Traditionally this meant that a City takes all of its ordinances passed since the code was last passed and add in those ordinances to a new, updated code. However, with the advent of the internet the codification process has become less complicated. With CityCode, we will be able to pass an ordinance on Thursday, and by the time it is published in the paper on the following Wednesday, the online code will be updated to include the new ordinance. This allows staff, from the police officer to the municipal judge, to have a current, up-to-date copy of the code. It eliminates confusion on the part of the public and also makes sure that all new ordinances don't accidentally overwrite a recently passed ordinance that has yet to be codified.

In this codification any changes to the current code were made because of one of the following reasons:

1. An ordinance has been passed since 2010 and need to be incorporated into the code.
2. A portion of the code was dropped in the 2008 codification, most likely inadvertently, and has been added back in where necessary (e.g., littering).
3. Sections were deleted that are no longer applicable or have been super-ceded by the state, (e.g. gun laws).
4. Updating administrative portions of the code to represent how things actually occur in City operations (e.g. Planning Commission, blanket bonding).
5. Clarifying confusing language or sections.

We made every effort to not include any new policy or provisions which didn't previously exist in a previous codification or ordinance.

COUNCIL ACTION NEEDED: Review and discuss. Consider the proposed ordinance to adopt the codification.

STAFF RECOMMENDATION TO COUNCIL: Approve a motion to adopt the proposed ordinance which codifies the ordinances of the City of Osawatomie.

(Published in the *Miami County Republic* on April 18, 2018)

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF OSAWATOMIE, KANSAS, PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, EXCEPTING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

SECTION 1. Adoption of the Code of the City of Osawatome, Kansas. The codification of ordinances of the City of Osawatome, Kansas, prepared by Citycode Financial LLC, Wichita, Kansas, as set out in the following chapters, Chapters I to XVI and Appendices A and B, all inclusive, and entitled the “Code of the City of Osawatome, Kansas,” is hereby authorized, adopted and ordained as the “Code of the City of Osawatome, Kansas.” The Code is authorized by ordinance and was made in conformity with K.S.A. 12-3014 and 12-3015 and amendments thereto. Said code shall be duly certified by the City Clerk. One copy of the code shall be filed in the office of the City Clerk and shall be designated as and shall constitute the official ordinance book. Three additional copies shall be filed in the office of the city clerk and shall be designated for use by the public.

SECTION 2. Repeal of general ordinances. All ordinances and parts of ordinances of a general nature passed prior to April 12, 2018, are hereby repealed as of the date of publication of said code except as hereinafter provided.

SECTION 3. Same; excepting certain ordinances from repeal.

In construing this ordinance, the following ordinances shall not be considered or held to be ordinances of a general nature:

- (a) Ordinances pertaining to the acquisition of property or interests in property by gift, purchase, devise, bequest, appropriation or condemnation;
- (b) Ordinances opening, dedicating, widening, vacating or narrowing streets, avenues, alleys and boulevards;
- (c) Ordinances establishing and changing grades of streets, avenues, alleys and boulevards;
- (d) Ordinances naming or changing the names of streets, avenues and boulevards;
- (e) Ordinances authorizing or directing public improvements to be made;
- (f) Ordinances creating districts for public improvements of whatsoever kind or nature;

- (g) Ordinances levying general taxes;
- (h) Ordinances levying special assessments or taxes;
- (i) Ordinances granting any rights, privileges, easements or franchises therein mentioned to any person, firm or corporation;
- (j) Ordinances authorizing the issuance of bonds and other instruments of indebtedness by the city;
- (k) Ordinances authorizing contracts;
- (l) Ordinances establishing the limits of the city or pertaining to annexation or exclusion of territory;
- (m) Ordinances relating to compensation of officials, officers and employees of the city;
- (n) All charter ordinances;
- (o) Any appropriation ordinance or ordinances relating to a specific transfer of funds;
- (p) Any zoning ordinance or ordinances changing the zoning classification of any property within the city or amending the city's zoning map;
- (q) Ordinances of a temporary nature;
- (r) Any ordinance which is special, although permanent in effect;
- (s) Any ordinance, the purpose of which has not been accomplished.

Provided, that the above enumeration of exceptions shall not be held or deemed to be exclusive, it being the purpose and intention to exempt from repeal any and all ordinances not of a general nature and general ordinances specifically excepted by this section. Ordinances which are not of a general nature shall be numbered consecutively, approved by the governing body, published, and filed with the city clerk, but such ordinances shall not be prepared for insertion in this code, nor be deemed a part hereof.

SECTION 4. Arrangement of and notations throughout the code. The arrangement and classification of the several chapters, articles, and sections of the code adopted by section 1 of this ordinance and the headnotes and footnotes at the ends of the sections, are made for the purpose of convenience and orderly arrangement, and do not constitute a part of the ordinances, and therefore, no implication or presumption of legislative intent or construction is to be drawn therefrom.

SECTION 5. Accrued rights and liabilities. The repeal of ordinances as provided in section 2 hereof, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the provisions of said ordinances or parts thereof. Said ordinances above repealed are hereby continued in force and effect after the

passage, approval and publication of this ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefor.

SECTION 6. Severability. If for any reason any chapter, article, section, subsection, sentence, portion or part of the "Code of the City of Osawatomie, Kansas," or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this code.

SECTION 7. Effective date. This ordinance shall be published in the official city newspaper and shall take effect and be in force from and after the publication of the "Code of the City of Osawatomie, Kansas" as provided in K.S.A. 12-3015.

ADOPTED AND APPROVED by the governing body of the City of Osawatomie, Kansas on April 12, 2018.

CITY OF OSAWATOMIE, KANSAS

[Seal]

By _____

L. Mark Govea, Mayor

ATTEST:

By _____

Tammy Seamands, City Clerk

CERTIFICATE OF THE CITY CLERK

State of Kansas)
)
Miami County)

I, Tammy Seamands, City Clerk of the City of Osawatomie, Miami County, Kansas do hereby certify that said city is a city of the second class of the mayor-council-manager form of government under the statutes of Kansas; that this codification of the general ordinances of said city and the publication thereof in book form were ordered and authorized by the governing body by ordinance and in accordance therewith is entitled the "Code of the City of Osawatomie, Kansas," that said codification was adopted as the "Code of the City of Osawatomie, Kansas," by the governing body by Ordinance No. passed on April 12, 2018, as authorized by K.S.A. 12-3015; that said ordinance and said codification of general ordinances as contained in this volume will take effect upon publication of 4 or more copies in book form; that the publication of 4 copies of this code in book form and said adoptive ordinance constitute due passage of this code and all general ordinances contained therein; that the codification and said adoptive ordinance as contained herein are true and correct copies; and that said publication imports absolute verity and is to be received in evidence in all courts and places without further proof as provided by K.S.A. 12-3015.

I further certify that the "Code of the City of Osawatomie, Kansas," and the matter therein contained will take effect and be in force from and after April 18, 2018 (date of publication of the codification ordinance in the newspaper).

TAMMY SEAMANDS, City Clerk

DATE: _____, 2018.

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: April 12, 2018

AGENDA ITEM: **Contingent Property Sale**

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: For the last 2 years, a developer has submitted a proposal for the use of the 10 acres property for a senior housing tax credit project. The application is to the Kansas Housing Resources Corporation in January and then announcements are made in May.

This year's applicant, Dean Development, was notified that KHRC was not inclined to approve a project on the 10 acres site. However, they did say that Osawatomie had a good track record with this type of project and they suggested they identify another site. After looking at a couple of other opportunities but finding unwilling sellers or extremely high prices, Dean Development's realtor reached out to me about the Northland property. In order to meet utility requirements, I suggested the property directly north of the OSH homes on Osawatomie Road because utilities are there, but access to them will have to be negotiated (OSH, RWD #1).

After looking at the property, they would like to get the property under a contingent contract for \$90,000 so that they can amend their KHRC tax credit submission. While that is being considered, the City would begin to talk with KDADS and Miami Co. RWD #1 about service to the property. The complete contingencies are listed in the attached resolution.

COUNCIL ACTION NEEDED: Review and discuss. Consider the proposed resolution.

STAFF RECOMMENDATION TO COUNCIL: Authorize a Motion to Approve the Resolution to Enter Into a Contingent Contract Sale of Approximately 10 Acres in the Northland to Dean Development for a sum of \$90,000 to Construct a Senior Apartments Tax Credit Project.

RESOLUTION NO. ____

A RESOLUTION OF THE CITY OF OSAWATOMIE, KANSAS AUTHORIZING THE CITY TO ENTER INTO A CONTRACT SALE OF APPROXIMATELY TEN ACRES IN THE NORTHALND AREA, SUBJECT TO CERTAIN CONTINGENCIES.

WHEREAS, the Governing Body wishes to promote growth and development on the property known as the Northland area; and

WHEREAS, Dean Development is seeking property in the City of Osawatomie to build a Senior Apartment project, similar to the Woodland Hills project they built in the west part of the City over 10 years ago; and

WHEREAS, The City has offered approximately 10 acres, more or less, in the City of Osawatomie's Northland, located in Section 1, Township 18, Range 22.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS:

SECTION ONE: The Governing Body authorizes the City to enter into a contingent sales contract with Dean Development for the sale of the following property:

Approximately 10.5 acres, more or less, generally located in the western 700 feet of the south half of the northwest quarter of the northwest quarter of Section 1, Range 22 East, Township 18S, all located south of the tree line and draw located at approximately the northern edge of the described area, subject to such adjustments as may become necessary after a legal survey is conducted on the property.

SECTION TWO: The Governing Body authorizes sale of the described property to Dean Development for a sum of ninety thousand dollars (\$90,000), with the following contingencies which must be resolved prior to the final sale of the property:

- (a) that Dean Development receive approval of the tax credit project from the Kansas Housing Resources Corporation; and
- (b) that the property is rezoned by the City as a compatible residential zoning for the project and area; and
- (c) that reasonably affordable utility services are available for extension to the project's property; and
- (d) an agreement on final property boundaries and a complete legal description.

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption.

PASSED AND APPROVED by the Governing Body of the City of Osawatomie, Kansas
this 12th day of April, 2018, a majority being in favor thereof.

APPROVED AND SIGNED by the Mayor.

L. Mark Govea, Mayor

(SEAL)

ATTEST:

Tammy Seamands, City Clerk

DRAFT



Exhibit A

1710200000001000

OSAWATOMIE RD

1,320

554.6

1710100001005020

481.3

STAFF DR

ACCESS RD

1710100001006000 1710100001006000

701.1

1710100001005020

243.8

699

3.125

1710100001005020

Public Service Application

City of Osawatomi, KS

(one application per committee)

Name: Judy Reinecker Maiden Name: Holt
Address: 103 Shady Ln. * SSN: [REDACTED]
Mailing Address (if different): _____ * DOB: [REDACTED]
City, State, Zip: Osawatomi, Ks. 66064 Home Phone: [REDACTED]
Cell: [REDACTED] Work: _____ E-Mail: [REDACTED]
Place of Employment: retired Position: _____
Product or services rendered by employer: _____
Brief description of job duties/responsibilities: _____

Spouse's place of employment: deceased Position: _____
Product or Service rendered by spouse's employer: _____

Committee, Board, Commission, Task Force or other position to which you wish to be appointed:
Osawatomi Public Library Board (2nd term)
Why do you wish to serve in this position? I wish to continue to serve on the board and to support the library.

Have you served on any other board, committee, commission or in an elected position with the City? If yes, please state your experience as a member: no

Do you or your spouse have any monetary interest, direct or indirect, in any pending or incomplete transaction or contract to which the City is, or is to be, a party? If yes, please explain: no

* It is the policy of the City of Osawatomi to conduct criminal background checks on all potential applicants for the PUBLIC SAFETY COMMITTEE. Appointment to the Committee is contingent on the results of such checks. In order to conduct the check, a birthdate and social security number are required. By signing below, I understand that the above information I have voluntarily provided is to be used solely for the purpose of the background check.

I do hereby affirm that I am currently a registered voter in the city of Osawatomi. I reside in Ward No. _____.

[REDACTED SIGNATURE]

03-27-2018
Date

PLEASE RETURN TO CITY CLERK

439 Main Street

PO Box 37, Osawatomi, KS 66064

ozcity@osawatomi.ks.org

| | | |
|---------------------------|------------------------------|-------------------------------|
| Received: <u>03/27/18</u> | Council Approval Date: _____ | Letter of Approval: _____ |
| Scanned: _____ | Term Expiration Date: _____ | Letter of Non-Approval: _____ |

5/15/2014

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: April 12, 2018

AGENDA ITEM: Excess Capacity Sales

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: We were approached by KMEA with the opportunity to sell 4 MW of capacity beginning June 1, 2019 to May 31, 2020. The agreement would pay the City \$8,000 per month for the first four months (summer) and then \$2,000 per month for the remaining eight months. The capacity would generate a total of \$48,000 over the period, or on average \$1,000 per MW per month. The City would still have at least another 6 MW to sell, hopefully locking it up for a longer term. We anticipate those agreements will not be within the pool and would cost the city some money with SWPP to approve the transmission.

We would need to approve the agreement at this meeting because we have a deadline of April 17 for approval of the proposal.

COUNCIL ACTION NEEDED: Review and discuss.

STAFF RECOMMENDATION TO COUNCIL: Approve a Motion to Authorize the Mayor to Sign the Capacity Transaction Confirmation Letter with KMEA to sell 4 MW of Capacity as Proposed.

CAPACITY TRANSACTION
CONFIRMATION LETTER

This confirmation letter (“Confirmation”) shall confirm the Transaction agreed to on April _____, 2018 (the “Execution Date”) between the City of Osawatomie, Kansas (“City”) and the Kansas Municipal Energy Agency (“KMEA”) regarding the sale and purchase of the Product under the terms and conditions as follows:

Buyer: KMEA

Seller: City of Osawatomie, Kansas

Product

Description: System Capacity. Contract Quantity is intended to be exclusively available to Buyer, equal in priority with other Firm Capacity sales from the Facility.

System

Capacity: City of Osawatomie Capacity Resources

Contract

Quantity: 4 MW

Governing

Agreement: Energy Management Project No. 1 between KMEA and the City dated December 8, 2005, and such terms are incorporated herein and are expressly applicable to KMEA and the City. Any inconsistency between this Confirmation and the Governing Agreement shall be resolved in favor of this Confirmation. Terms used but not defined herein shall have the meanings ascribed to them in the Governing Agreement.

Delivery

Period: June 1 2019 to May 31, 2020

Delivery

Hours: All hours

Delivery

Point: SPP Settlement Location “KMEA_EMP1_KCPL”, as established by Southwest Power Pool, Inc. or its successor.

Contract

Price: For each month during the Delivery Period, Buyer shall pay Seller the Monthly Capacity Payment Amount.

The Monthly Capacity Payment Amount shall be calculated as the applicable Capacity Price multiplied by the Contract Quantity, as set forth in the table below:

| Period | Capacity Price (\$/kw/mo) | Contract Quantity (MW) | Capacity Payment (\$/mo) |
|-----------------------|---------------------------|------------------------|--------------------------|
| June 2019 – Sept 2019 | 2.00 | 4 | 8,000 |
| Oct 2019 – May 2020 | 0.50 | 4 | 2,000 |

Statements:

KMEA shall provide a credit on the City’s power supply statements reflecting the effects of the Contract Price on City’s monthly charges as set forth above.

City Representations and Warranties:

The City represents and warrants that it has sufficient contractual rights to the Contract Quantity and associated Energy and Ancillary Services to satisfy its obligations herein. The City has duly authorized the execution of this Confirmation.

(Signature page follows)

**KANSAS MUNICIPAL ENERGY
AGENCY**

Name: Paul Mahlberg

Title: General Manager

CITY OF OSAWATOMIE, KANSAS

Name: _____

Title: Mayor

(SEAL)

ATTEST:

Name: _____

Title: City Clerk

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: April 12, 2018

AGENDA ITEM: **New Electric Distribution Division Building**

PRESENTER: Blake Madden, Director of Public Works and Utilities

ISSUE SUMMARY: Construction of a new shop building to house the Electric Distribution Division was included in the funding of the Electric Generation Upgrades Project. The City received four proposals in response to a Request for Proposals issued by the City on March 20, 2018. In a subsequent addendum, the City stated a preference for a standing-seam roof (SSR), however, it was not deemed as a requirement. The following table summarizes the costs included in each proposal:

| Proposer | Roof Construction | |
|---------------------------------|-------------------|--------------|
| | Non-SSR Roof | SSR Roof |
| CS Cunningham Construction, LLC | N/A | \$248,857.12 |
| Legacy Contractors, LLC | N/A | \$337,207.00 |
| Loyd Builders | N/A | \$305,405.00 |
| Page Enterprise | \$224,700.00 | \$239,500.00 |

COUNCIL ACTION NEEDED: Review, discuss, and determine whether to accept a proposal and authorize the City to enter into an agreement with selected proposer.

STAFF RECOMMENDATION TO COUNCIL: None.

City of Osawatomie, Kansas



Request for Proposals

Design and Construct
Pre-Engineered Steel Building
Division of Electric Distribution
Department of Public Works and Utilities

REQUEST FOR PROPOSAL

DESIGN & CONSTRUCT PRE-ENGINEERED BUILDING

**DEPARTMENT OF PUBLIC WORKS AND UTILITIES
820 LINCOLN AVENUE, OSAWATOMIE, KANSAS**

March 20, 2018

PROPOSAL DUE DATE: 2:00 p.m., April 10, 2018
City Clerk's Office
Osawatome City Hall
439 Main Street
Osawatome, KS 66064

INTRODUCTION:

The City of Osawatome, Kansas is seeking a contractor that has the capability to design and construct an approximately Seven Thousand, Five Hundred (7,500) square-foot [125 feet (+/- 5 feet) by 60 feet] Pre-Engineered Steel Building with a nominal eve height of 15 feet. The building will have six drive-thru bays with the interior construction completed by the owner.

The building will be built behind (on the north side) of the current building located at 820 Lincoln Avenue. The building dimensions may be slightly changed to accommodate manufacturer's standards, with prior written approval from the City.

The Contractor shall be responsible for complete construction including contractor licensing, engineering, drawings for permit approval, concrete slab on grade, and building erection. The owner will be responsible for performing all site preparation, electrical, mechanical, HVAC, and plumbing work. The contractor shall coordinate with the City to ensure successful completion of this work.

The building must conform to Occupancy Category III design criteria per IBC 2006.

The selection of the contractor to provide these services will be made following this process.

- a. **Pre-Proposal Conference and Site Tour.** An on-site, pre-proposal conference will be held at 10:00 a.m. on Tuesday, April 3, 2018. Interested parties should come to the west side of the Public Works shop building located at 820 Lincoln Avenue, Osawatome, Kansas. A site tour of the proposed building area will be provided and staff will be available for questions at this time.
- b. **Request for Proposal (RFP).** Responses must be submitted to the City Clerk's Office by 2:00 p.m., April 10, 2018.

The day and time is firm, unless amended in writing from the office of the City Clerk. No exception will be accepted. The Evaluation Committee will conduct a review of all responses in accordance with the

evaluation criteria set-forth herein. Based upon these results, the Evaluation Committee will make a recommendation for consideration by the City Council.

The City of Osawatomie reserves the right to accept or reject any and all Proposals in whole or in part, to waive informalities in the process, to obtain new Proposals, or to postpone the opening should circumstances require. Each Proposal shall be valid to the City of Osawatomie for a period of ninety (90) days after the opening.

INSTRUCTIONS:

Interested firms are to submit a proposal to the City of Osawatomie as required by this RFP. It is the intent of City of Osawatomie to award the contract to the firm that clearly demonstrates the ability to provide these services to high professional standards.

Three (3) copies of your proposal must be submitted to the City Clerk by 2:00 p.m., April 10, 2018.

All proposals must be submitted to:

Tammy Seamands, City Clerk
City of Osawatomie, KS
439 Main Street, PO Box 37
Osawatomie, KS 66064

All proposals must be clearly marked on the outside: "ELECTRIC DISTRIBUTION BUILDING". All proposals received after the designated time and date of the proposal opening will not be considered.

Proponents are encouraged to review carefully all provisions and attachments of this document prior to submission. Each proposal constitutes an offer, which shall remain valid for ninety (90) days and may not be withdrawn except as provided herein.

To minimize the cost to the proponent in responding to this solicitation, you are encouraged to be brief and succinct, avoiding extravagant covers, bindings and photographs. The City will not be responsible for any cost incurred by proponents in responding to this solicitation.

The City of Osawatomie reserves the right to reject any and all proposals, to evaluate proposals, and to accept portions of any proposal, and accept any proposal, which in its opinion, may be in the best interest of the City. The City reserves the right to waive any and all formalities.

It is in the City's interest for proposers to understand the requirements of this RFP as fully as possible. Therefore, we have arranged a pre-proposal conference for this procurement.

Technical Questions: Technical questions relating to the RFP may be directed in writing via email to: Blake Madden, Director of Public Works and Utilities, bmadden@osawatomieks.org. **Questions must be submitted no later than 5:00 p.m., Friday, April 6, 2018.**

Questions will be forwarded to the appropriate staff members for responses. All responses will be submitted by addenda to all interested proponents. **Please do not call or contact any other department**

or the governing body concerning this RFP. Any such contact may void your ability to bid on this project.

Errors in Proposals: Proponents or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals. Failure to do so will be at the Proposer's own risk.

Contract Period: The term of a contract awarded as a result of this RFP shall be to the completion of the building which shall be ready for occupancy by July 20, 2018.

Compliance with Laws: The Proposer shall obtain and maintain all applicable City contractor's licenses, permits, a minimum of \$1,000,000 in liability insurance, worker's compensation insurance, and shall provide a performance bond for the project as required by city financial policies for all capital projects over \$40,000. There will be no cost for the building permits as the project is proposed by the issuing authority. The Proposer will comply with any and all other standards or regulations required by federal or state statutes or any ordinances and rules during the performance of any contract between the Proposer and the City. Any such requirement specifically set forth in any contract document between the Proposer and the City shall be supplementary to this section and not in substitution thereof.

Withdrawal of Proposal: Any proposal may be withdrawn by written request received by the City before the time fixed for receipt of proposals. Withdrawal of your proposal will not prejudice the right of the proponent to submit a new proposal, providing the latter is timely received as provided herein.

Confidentiality of Documents: Upon receipt of a proposal by the City, the proposal shall become the property of the City without compensation to the proponent, for disposition or usage by the City at its discretion. The details of the proposal documents will remain confidential to the extent possible until final award.

Compensation: The City has attempted to provide as much information about the scope of services as possible to enable firms to structure a most productive and cost effective offer. The subsequent contract between City of Osawatomie and the winning proposal will define compensation payments based upon the amount negotiated and agreements as to terms between City of Osawatomie and the successful proposer. The winning proposal will result in a contract between the contractor and the City. There will be only one contract with the winning bidder and that winning bidder will be responsible for paying any sub-contractors and purchasing materials as outlined in the submitted proposal.

Local Preference Policy: The City of Osawatomie has adopted a purchasing policy which allows businesses located within the city limits of Osawatomie who choose to respond to any request for bids shall be afforded a 0.5-percent difference from the low proposer. In the event a business located in Osawatomie is within 0.5-percent of the low bid, City staff are hereby permitted to purchase from the local vendor, provided all things are otherwise equal. Local businesses that are above the lowest bid between 0.5-percent and 5-percent shall be afforded the opportunity to adjust their bid to within 0.5-percent after bids are open and known in order to earn the business, provided everything else is equal.

Rejecting Proposals: The City reserves the right to reject any or all proposals and is not bound to accept any proposal if that proposal is contrary to the best interest of City of Osawatomie. Similarly, the City is not bound to accept the lowest dollar proposal if the offer is not considered in the City's best interest.

Conflict of Interest: All respondents must provide a statement of disclosure, which will allow the City to evaluate possible conflicts of interest. No person involved in making procurement decisions may have personal investments in any business entity which will create a substantial conflict between their private interests and their public duties.

Appeals by Proposers: Appeals from any actual or prospective proposer who feels aggrieved in connection with the solicitation or award of a contract may appeal to the City Manager. An appeal shall be submitted in writing within 5 working days after the aggrieved person knows or should have known of the facts. The City Manager shall promptly issue a written decision regarding any appeal, if it is not settled by a mutual agreement. The decision shall state the reasons for the action taken and inform the actual or prospective proposer of the right to appeal to the City Council. The City Council shall be the final appeal at the city level.

Affirmation: All proposals must clearly state and affirm by signature that the proposer has read the RFP document, fully understands the requirements, has familiarized itself as to the conditions of the site, and will comply with these requirements, if awarded this work.

Notification: The City will evaluate all the proposals and quickly select the winning proposer for approval by the City Council at a subsequent City Council meeting. All proposers will be notified of the selected proposer by email within 10 days of the proposal deadline.

PROJECT SCOPE:

The project will include the design and construction of the following:

1. An approximate 7,500 square-foot [125 feet (+/- 5 feet) by 60 feet] pre-engineered steel, clear span building, with I-beam construction and an eave height of 15 feet.
2. 125 feet (+/- 5 feet) by 60 feet, minimum 6-inch thick concrete slab sloped to drain to floor drains. Maximum joint spacing is 12 feet with #5 by 30-inch deformed tie bars across all joints. Column piers and anchor bolts as required.
3. 12- cast iron floor drains (coordinate with City for plumbing)
4. A PBR roof with 3:12 pitch, with bypass girts.
5. PBR roof panels that meet IBC code requirements and 26 gauge colored sidewall panels.
6. 6- drive-thru bays with minimum width of 14 feet.
7. 2- 3070 walk in doors, steel insulated w/ lockset and keys
8. 2- 3030 thermal, horizontal slider windows
9. 2- 3'x3' framed openings at each end of building for ventilation by others
10. 12- 14-foot high by 12-foot wide 25 gauge steel insulated overhead doors.
11. Gutters and downspouts
12. 4-inch insulation, complete building, white reinforced with nylon
13. Building will conform to Occupancy Category III design criteria per IBC 2006.
14. KS stamped engineered drawings of building.
15. KS stamped foundation plan.

16. The foundation of the building will be placed atop limestone screenings compacted to 95-percent maximum dry density. For foundation, footing and slab design, the bearing capacity shall be assumed to be 2,500psf.

Bid Alternates

1. Remove and replace siding and roof on existing Public Works shop building.
2. Remove and replace existing insulation with 4-inch insulation, white reinforced with nylon, on existing Public Works shop building.
3. Remove and replace two doors with 3070 walk-in doors, steel insulated with lockset and keys on existing Public Works shop building.

Other Information

The building will be built behind (on the north side) of the current Public Works shop building located at 820 Lincoln Avenue. The building dimensions may be slightly changed to accommodate manufacturer's standards. No changes will be made without prior written approval from the City.

The Contractor shall be responsible for all aspects of the proposed project, including, but not limited to: obtaining required licensing, engineering, drawings for permit approval, concrete slab on grade, sub-contractors if needed, and building purchase and erection. The owner will perform all site preparation, electrical, mechanical, HVAC, and plumbing work.

Be advised that during the term of this work, the selected contractor shall have and maintain adequate insurance coverage as stated herein. Furthermore, the selected contractor shall comply with all state and federal laws, including the requirement that the contractor provide worker's compensation benefits to its employees. The evidence of insurance or the ability to obtain insurance shall be furnished to the City Clerk as outlined in this proposal.

The successful proponent will be responsible for adhering to all applicable safety codes on this project and will provide all necessary safety measures to protect City employees, patrons, and the general public during the commission of this project.

PROPOSAL REQUIREMENTS:

Proposal responses shall include the following:

1. QUALIFICATIONS AND EXPERIENCE

- Describe the qualifications of your firm; include resumes, licenses, certifications, and applicable experience. (Statements of Qualifications of your firm will be evaluated.)
- Describe the ownership and current principals of your firm.
- Describe experience with similar projects for local governments specifically, within the past five (5) years; and in the State of Kansas.
- Provide names and experience of the project leaders.
- Technical capabilities and ability to interface with City staff.

2. FINANCIAL RESPONSIBILITY

- Provide at least two (2) financial references.
- Please provide an explanation if your firm, or any predecessor firm, has ever filed for bankruptcy.
- Please provide an explanation if your firm has ever made or filed an errors and omissions claim.

3. REFERENCES

Provide the following information of organizations/governments similar to City of Osawatomie, that you have performed similar services within the past five years, in the central United States.

- Customer name and contact name, address, telephone number and email.
- Scope of project.
- Cost of project
- End result and subsequent disposition.

4. COST PROPOSAL /FEE

The City of Osawatomie requires a total cost or fee for this project. A lump sum cost proposal to supply all equipment, materials, supplies, labor to complete the project, unless specifically noted to not be part of the project.

The City requests a price breakdown with each proposal to generally follow those enumerated items in the project scope, plus any additional charges or items by the contractor. However, the bid must be a lump sum cost. In addition, bid alternates should be provided for each of the three (3) requested alternates.

5. CONTRACT PERIOD ACKNOWLEDGEMENT

All proposers must provide written acknowledgement that the term of a contract awarded as a result of the RFP shall be to the completion of the building by July 20, 2018.

6. PROOF OF INSURANCE COVERAGE

All proposers must demonstrate current coverage or the ability to obtain coverage as described below. Evidence of insurance shall be furnished to the City Clerk prior to start of work.

The firm to conduct these services must carry liability coverage and other insurance, including, but not less than, the following:

- Workers Compensation at statutory limits and Employer's Liability with a limit of \$500,000.
- Comprehensive General Liability insurance policy, in limits no less than \$1,000,000 combined single limit per occurrence for aggregate or property damage, including coverage for owner's or non-owned property or automobile damage, errors and omissions, premises-operation, product, and contractual liability coverage part designating the assumption of liability under performance of the contract.
- The successful proposer shall secure and present a certificate of insurance to City Clerk of Osawatomie, reflecting these coverages and naming City of Osawatomie as an additional insured and all policies shall reflect a 90-day notice of cancellation.

7. PERFORMANCE BOND

All proposers must provide in its proposal proof of the ability to obtain a performance bond for the amount that of work bid for this project. Upon selection, the successful proposer shall secure and present such bond information to the City Clerk of Osawatomie, reflecting the bond amount specific to this project. The City of Osawatomie financial policies require a performance bond to be purchased for the entire amount of the project for all projects over \$40,000.

8. CONTACT INFORMATION

All proposals must include the following contact and authorization information:

- Company Name
- Mailing Address
- Street Address
- Office and Cell Phone
- Fax Number
- Email Address
- Authorized Signee and Title
- Printed Name and Title
- Signature of Authorized Signee and Date Affirming the Proposal

END OF REQUEST FOR PROPOSAL

RFP ADDENDUM #1
Date of Addendum: April 9, 2018

NOTICE TO ALL POTENTIAL RESPONDENTS

The Request for Proposals (RFP) is modified as set forth in this Addendum. The original RFP Documents and any previously issued addenda remain in full force and effect, except as modified by this Addendum, which is hereby made part of the RFP. Respondent shall take this Addendum into consideration when preparing and submitting its Proposal.

PROPOSAL SUBMITTAL DEADLINE

The Proposal submittal deadline remains the same and is not changed by this Addendum.

1.0 – RFP

N/A

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2.0 – QUESTIONS AND ANSWERS

The following questions and answers are provided as a matter of information to clarify issues raised about the RFP. To the extent that changes to the RFP are required based on the questions received, the RFP has been modified as noted above in the RFP section of this Addendum.

| Item | Questions and Answers |
|------|---|
| 2.1 | <p><u>Question:</u> Is this project tax exempt?</p> <p><u>Answer:</u> Materials will not be tax exempt, labor will be.</p> <p><u>Question:</u> Will the City have a Builder's Risk insurance policy in place or do we have to provide?</p> <p><u>Answer:</u> The City will provide the Builder's Risk policy.</p> <p><u>Question:</u> Item #6 on project scope requires drive thru bay width of 14' while item #10 asks for 12' wide doors. Does #6 refer to the door width or clear space between building columns?</p> <p><u>Answer:</u> The distance from the center of one bay to the center of the adjacent bay shall be a minimum distance of 14 feet.</p> <p><u>Question:</u> Are we to provide any windows in man doors or garage doors?</p> <p><u>Answer:</u> Neither will have windows.</p> |

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| <p><u>Question:</u> Do you want openers for garage doors? Or chain pulley openers? If openers are requested, do you want push button controllers for trucks?</p> <p><u>Answer:</u> Yes, the overhead doors will need openers and remotes.</p> <p><u>Question:</u> I'm not sure what you want with Item #3 cast iron floor drains if the City crew is doing the plumbing. Are you wanting a sloped trench drain system? Or large boxes with CI grating?</p> <p><u>Answer:</u> The floor drains will be trench drains covered with grating. The proposer may include details and costs of such system but it will not be required in the proposal selection process.</p> <p><u>Question:</u> If possible, I would suggest a SSR or standing seam roof panel instead of the screw-down roof panel. Would cost a bit more, but extremely fewer penetrations. Also, do you need a 3:12 pitch, SSR can go down to a 1:12 pitch or even less. Lower pitch would be less expensive.</p> <p><u>Answer:</u> It is the desire of the City to have an SSR roof with a 3:12 pitch.</p> <p><u>Question:</u> Will HVAC, Electricians, and plumber provide their own flashings for any of their roof or wall penetrations? ie, plumbing vents, exhaust fans or intakes thru the roof, etc.</p> <p><u>Answer:</u> Yes.</p> <p><u>Question:</u> Are we responsible for any designs for interior work by others?</p> <p><u>Answer:</u> No.</p> <p><u>Question:</u> Is there any exterior concrete work to be done by us? Like stoops, drives, aprons, walks, condenser pads, etc.</p> <p><u>Answer:</u> All exterior concrete work will be performed by the City.</p> <p><u>Question:</u> Will you require us to get independent testing of concrete? Or independent special inspector for PEMB?</p> <p><u>Answer:</u> No.</p> <p><u>Question:</u> Item #16 says the foundation will be placed atop a building pad of screenings, do you mean the slab will be atop the screenings and the foundation dug into the screenings? Or actually form foundations on the pad and bring in fill for the slab?</p> <p><u>Answer:</u> Screenings will be placed up to the bottom of slab elevation. All foundations will be excavated.</p> <p><u>Question:</u> If foundation is to be dug into screenings pad, do we leave offal on site or are we responsible for hauling offal off-site?</p> |
|--|

| | |
|---|--|
| | <p><u>Answer:</u> All offal may be left on site.</p> <p><u>Question:</u> When will the pad be ready for concrete sub?</p> <p><u>Answer:</u> The pad will be ready by May 21, 2018.</p> <p><u>Question:</u> What will be the turnaround time for shop drawing approval by the City? Lead time on pre-engineered buildings is pushing 8 weeks these days. Building is to be completed by July 20, 2018 – Correct?</p> <p><u>Answer:</u> Shop drawings will be approved on or before April 20, 2018. It is the desire of the City to have the Contractor’s portion of the building completed by July 20. If a Contractor is unable to complete the work by this date, please explain why and provide an anticipated timeline.</p> <p><u>Question:</u> Liquidated damages?</p> <p><u>Answer:</u> Liquidated damages will be agreed upon in the contract negotiations.</p> <p><u>Question:</u> Any vision panels in OH doors or walk in doors?</p> <p><u>Answer:</u> Neither will have windows.</p> <p><u>Question:</u> Hardware - Keyways to match existing building? If yes, manufacturer.</p> <p><u>Answer:</u> All keyways shall be identical. There is not a preference on the manufacturer.</p> |
| 3.0 – INFORMATION | |
| The following item(s) are provided as a matter of information only to all respondents and do not modify or become part of the Contract Documents. | |
| Item | Description |
| 3.1 | N/A |

END OF ADDENDUM



CS CUNNINGHAM CONSTRUCTION, LLC

April 10, 2018

Tammy Seamands
City Clerk, Osawatomie, KS
439 Main Street, PO Box 37
Osawatomie, KS 66064

RE: ELECTRIC DISTRIBUTION BUILDING

Tammy Seamands,

Please find our proposal for the construction of the structure for the Electric Distribution Building for the City of Osawatomie.

We propose to provide the following scope of work per the RFP for: **\$248,857.12**

Alternate 1-3: Add \$62,175.00

Alternate 4: Add \$16,800.00

Alternate 5: Add \$8,500.00

Alternate 6: Add \$9,460.00

Per the RFP, we've included the following scopes:

- Concrete Foundations and Flatwork (Building Related)
- Pre-Engineered Metal Building Fabrication and Erection
- Metal Roof and Wall Panels
- Gutters and Downspouts
- 4" Roof and Wall Insulation
- (2) 3070 Insulated HM Doors with Standard Lever Hardware and Locks
- (12) 14x12 Insulated OH Doors without Operators
- Design and Engineering for the Building and Foundations
- We suggest a trench drain with a powder coated grate, for ease of maintenance

Below is a list of Qualifications and Exclusions from our Bid

- Builders Risk Insurance is not Included
- Building Permit and Plan Review Fees are not included per the RFP
- Civil, Architectural, ADA, Egress and MEP Design and Construction Services our not included in our proposal

841 S. Poplar Ottawa, KS 66067
(785)242-7101 cscunninghamllc@gmail.com or cscunninghamconst@gmail.com



CS CUNNINGHAM CONSTRUCTION, LLC

- Taxes
- Foundation Spoils will be left on site
- Our roof, wall, and trim material will be fabricated from 26 GA material and in a standard color

Along with this letter please find our proposed budget, scope matrix, and list of references.

Thank you for your consideration, if you have any questions please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Cunningham'.

Chris Cunningham

841 S. Poplar Ottawa, KS 66067
(785)242-7101 cscunninghamllc@gmail.com or cscunninghamconst@gmail.com



CS CUNNINGHAM CONSTRUCTION, LLC

Project Experience

Coleman Equipment - Lee's Summit

17,000 square foot Dealership

Project Valuation - \$350,000.00

Penny's Concrete Gardner Concrete Plant

New wet and dry batch plants

100,000 square feet of paving

Project Valuation - \$1,365,000.00

Highland Apartments

New Multi-Family

Project Valuation - \$1,630,000.00

Power and Light North

New Multi-Family with Precast Garage

Project Valuation - \$1,450,000.00

Travel Centers, North Dakota

Project Valuation - \$950,000.00 each

Prairie Trails Elementary School – Ankeny, IA

85,000 square foot school

Project Valuation - \$1,100,000.00

McCook Event Center – McCook, NE

New College Basketball Arena

Project Valuation - \$1,225,000.00

Wichita Readiness Center – Wichita, KS

123,000 square foot facility

Project Valuation - \$1,710,000.00

Osawatomie Public Works Substation

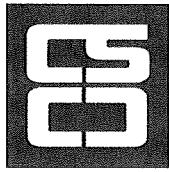
Project Valuation - \$150,000.00

Personal Experience

Superintendent for JE Dunn

841 S. Poplar Ottawa, KS 66067

(785)242-7101 cscunninghamllc@gmail.com or cscunninghamconst@gmail.com



CS CUNNINGHAM CONSTRUCTION, LLC

- Power and Light 30 million
- Kirkwood on the Plaza 18 million
- Multiple School Renovations

Foreman and Superintendent for John Rohrer Contracting

- Nebraska Furniture Mart 2 million
- Cabelas 1.8 million
- Johnson County Convention Center 3 million
- General Motors multiple projects
- Ford Motors multiple projects
- Denver International Airport annual contracts excess of 5 million

References

John Rohrer Contracting

John Rohrer
(913) 915-5218

John Rohrer Contracting

Jim Pierce
(913) 915-5152

Former General Superintendent at JE Dunn; Now at McGown Gordon

Jay Lucas
(816) 510-8557

Coleman Equipment

Bruce Coleman
bruce@colemanequip.com

Penny's Concrete

David Keller
913-208-7554

Ed Moore Construction

Ed Moore, Jr. (913) 208-0980
Ed Moore, III (913) 208-5672

Neighbors Construction

Kent Bush (913) 827-2609

Centric Projects

Aaron Davis
(816) 547-8722

841 S. Poplar Ottawa, KS 66067

(785)242-7101 cscunninghamllc@gmail.com or cscunninghamconst@gmail.com



CS CUNNINGHAM CONSTRUCTION, LLC

McCook Community College

Ryan Purdy

purdyr@mpcc.edu

(308) 535-3720

Osawatomie Public Works

Blake Madden

(913) 956-8051

Sunflower Consulting

Harold Wingert

(785) 418-1625

Michael Strick

(913) 927-1956

Prairie Fire Development

Rudy Manes

(913) 208-3425

841 S. Poplar Ottawa, KS 66067

(785)242-7101 cscunninghamllc@gmail.com or cscunninghamconst@gmail.com



Jake Hocker

Toll Free: (800) 369-3882

Direct Line: (316) 733-5380

Fax: (316) 733-8973

Email: jhocker@toplinebuildings.com

P.O. Box 726 * Andover, KS 67002

CUSTOMER INFORMATION

| | |
|--|----------------------------|
| Name: Chris Cunningham | Date: April 9, 2018 |
| Company: | Email: |
| Address: | Phone: 913-207-2539 |
| City: Osawatomie State: Ks Zip: 66064 | Alt. Phone: |
| County: | Fax: |

BUILDING SPECIFICATIONS

| | | |
|------------------------------|--|------------------------------------|
| Building Shape: Gable | Roof Pitch: 3:12 | Building Code: IBC06 |
| Width: 60 | Frame Spacing: 31'3" | Snow Load: 20 |
| Length: 125 | Framed Openings: (12) 12x14 (2) 3x3 | Wind Load: 90 |
| L. Eave Height: 16 | Roof Color: Color | Collateral Load: 1 |
| R. Eave Height: 16 | Wind Bracing: Cable | Building Cost: \$ 83,412.25 |

ACCESSORIES

| | |
|---|----------|
| <i>Topline Steel Building's Standard Features and Warranties (Outlined Below)</i> | INCLUDED |
| <i>(2) Sets of Engineer-Stamped Building & Anchor Bolt Plans</i> | INCLUDED |
| <i>Shipping & Handling</i> | INCLUDED |
| <i>(2) 3070 Walkdoor with Panic Hardware and Closers</i> | INCLUDED |
| <i>(2) 3030 Ins Windows with Sub-Frames</i> | INCLUDED |
| <i>24 Gauge Color Standing Seam Roof</i> | INCLUDED |
| <i>4" Roof and Wall Insulation</i> | INCLUDED |
| <i>Gutters and Downs</i> | INCLUDED |
| <i>Category III Code Substantial Occupancy Per Spec</i> | INCLUDED |
| <i>Kansas Sales Tax</i> | INCLUDED |

THIS QUOTE IS VALID FOR 15 DAYS

Notes: This price include Kansas Sales Tax.
excludes overhead doors

| | |
|-----------------------------|--------------|
| Total Building Cost: | \$ 83,412.25 |
| Deposit (Min. 30%): | \$ 23,412.25 |
| Balance (C.O.D.): | \$ 60,000.00 |

OPTIONS

| | |
|---|--------------|
| <i>Sheeting, Trim and Screws for Identical Building (includes 24 Gauge Standing Seam Roof)</i> | |
| <i>4" Roof 4" Wall Insulation with (2) 3070 Walkdoors with Panic and Closers (TAX INCLUDED)</i> | \$ 43,425.60 |
| ACCESSORIES & OPTIONS PRICING TOTALS (ADD TO BUILDING COST) | \$ 43,425.60 |

THIS QUOTE IS VALID FOR 15 DAYS

Our Standard Building Features & Warranties

- AZ55 Galvalume Plus Roof Coating - 25 year rust through warranty!
- 25 Year Warranty on Sidewall Panel Paint - Siliconized Polyester Baked on Enamel - No chipping, cracking, peeling or blistering.
- 26 Gauge PBR Panels - Roof and Walls. 47% Heavier than 29 gauge. Extended Purlin Bearing Rib Overlap provides greater strength and leak protection than the standard R-Panels.
- Complete Trim Package - Base Trim, Eave Trim, Jamb Trim, Jamb Covers, Rake Trim etc. Included at no additional cost.
- Fasteners - Long-Life- Life Time Fastener Warranty. Any supplied with an assembled neoprene washer.

Topline Steel Buildings is a trademark name authorized for use by Steel Building Sales, LLC



helping you build your legacy · commercial contractor · design/builder · construction manager

**Proposal for Electrical Distribution Building
City of Osawatomie, Kansas**

Due April 10, 2018

Proposal Requirements:

1. Qualifications and Experience

- Rob George – Managing Member of Legacy Contractors, LLC since starting in 2003. Bachelor of Science Degree in Construction Science from Kansas State University 1991. Over 40 years of construction experience and 27 of those years in commercial construction. Block test licensed as a commercial general contractor, Class A license in Johnson and Miami Counties in Kansas, numerous City licenses in eastern Kansas.
- Rob George owns and is managing member of Legacy Contractors, LLC
- We are currently working for the City of Osawatomie remodeling City Hall. We are also working with the Osawatomie Library for an upcoming project. We have remodeled the Louisburg City Hall, the Paola City Hall, Paola Free Library, Paola Fire Station, Paola Community Center, Lacygne City Hall, and built a park pavilion for the Lacygne Park Board.
- Rob George is and will be the lead contact and project leader
- Many years of experience in the field, working knowledge of foundation and metal building work, patience and communication skills.

2. Financial Responsibility.

- First Option Bank, Paola. Blake Heid – 294-3811. First Option Bank, Osawatomie. Mark Fuchs – 755-8165
- Legacy Contractors, LLC has never filed for bankruptcy
- Legacy Contractors, LLC has never filed and errors or omissions claim

3. References

- Osawatomie City Hall renovation. Ted Bartlett and Don Cawby, 755-2146, tbartlett@osawatomiaks.org. A phased renovation of City Hall, original contract amount \$69,467. Project is beginning Phase 2 and we believe all is well.
- Louisburg City Hall renovation/addition. Nathan Law, City Administrator, 837-5371, nlaw@louisburgkansas.gov. A design/build renovation/addition of a 1942 building into the new city hall value of \$1.6 million. Completed ahead of schedule and at budget.
- Paola City Hall renovation. Jay Weiland, City Manager, 259-3600, jwieland@cityofpaola.com. A design/build renovation of an early 1910's,

2 story building that had housed the City Hall, Police and Fire station, value of just over \$1 million. Completed ahead of schedule and below budget.

- Paola Free Library renovation/addition. Jay Weiland, City Manager, 259-3600, jweiland@cityofpaola.com. A design/build renovation and addition of an early 1920's, 2 story library value of over \$1.3 million. Completed on schedule and under budget.
- Paola Fire Station renovation and addition. Jay Weiland, City Manager, 259-3600, jweiland@cityofpaola.com. A design/build renovation of an early 1940's, 2 story school building into the new city fire station value of just under \$2 million. Completed ahead of schedule and under budget.
- Paola Community Center renovation/elevator addition. Jay Weiland, City Manager, 259-3600, jweiland@cityofpaola.com. A design/build renovation of an early 1920's, 4 story building value of 863,000. Completed on schedule and on budget.

4. Cost Proposal/Fee

- Legacy Contractors, LLC proposes to provide the engineered designed foundation and floor slab, pre-engineered steel building with design, framed openings and insulation and SSR roof, overhead doors/openers with remotes, 2- man-doors, 2-windows, 2 sets of parallel trench drains with piping to 5' outside of building, sales tax, P/P bonds, supervision and coordination of other trades as requested and noted in RFP for the amount of **\$337,207**. If bid is accepted, we will forward a schedule of values for your review and for billing purposes.
- Alternate #1&2 Remove and replace siding and roof and insulation on existing Public Works shop building for **\$62,728**. With the condition of the existing insulation or lack thereof in places, it is not prudent to separate the two tasks. The roof will be a PBR screw-down style similar to what is in place. It would take additional framing & engineering for the SSR roofing to be installed.
- Alternate #3 Remove and replace 2 walk doors on existing PW shop building for **\$3,313**

5. Contact Period Acknowledgement

- We acknowledge that Owner wants completion of building by July 20, 2018. We can accomplish this as long as Owner awards the contract immediately, doesn't delay review of shop drawings, completes their work in a timely manner, the Owner's subcontractors comply with the schedule, the weather cooperates, and there are no more surprises from Washington DC that affect the economy or life as we know it. The timeline is extremely tight, but not impossible as long as **everything** goes as planned.

7. Performance Bond

- Elliott Insurance in Louisburg handles our bonds. Megan Long at 837-5129, megan@elliottinsurancegroup.com is our bond agent. If a bond is necessary, they will need a copy of the contract and final dollar value that is to be bonded.

8. Contact Information

- Legacy Contractors, LLC
- 907 N. Pearl, Ste 4, Paola KS 66071
- 913-294-9898 office 913-731-2394 cell
- 913-294-3111 fax
- legacycontractors@hughes.net – email
- Rob George, Managing Member

Printed Name

Title

Signature

Date



April 10, 2018

Tammy Seamands, City Clerk
City of Osawatome, Kansas
439 Main Street, PO Box 37
Osawatome, Kansas 66064

Re: Osawatome Electric Building

Dear Ms. Seamands,

We are pleased to offer the following proposal for the Osawatome Electric Building, based on the RFP Packet dated March 20, 2018. Our pricing for this project is:

\$ 305,450

Three Hundred and Five Thousand and Four Hundred Fifty Dollars

and includes the scope of work outlined below:

Concrete Foundations and Floors:

- Footings and grade beams: Footings and grade beams with reinforcing, approximately 4'-0" deep for perimeter footings, grade beams and pilasters, anchor bolts
- Slab on grade: Setup, place and finish approximately 7,500 SF of reinforced (w4.0) 6" SOG with 4" rock sub-base; maximum joint spacing 12 ft with #5 30 in deformed tie bars across all joints; floor sloped to drain to 12 each cast iron floor drains

Clarifications:

1. *We exclude foundation and slab insulation and vapor barrier*
2. *Concrete slabs and foundations were priced based on our assumptions of probable structural design. If the structural engineer determines a different foundation / slab design, additional costs may be incurred*
3. *Furnish and installation of 12 cast iron floor drains by others; coordination only included*

**LOYD
BUILDERS**



Metal Building System:

- Furnish and erect a Ceco Building Systems pre-engineered building 7,507 SF (57'-9" X 130'-0") pre-engineered building, clear span building; 2 bays @ 20 ft width and 3 bays @ 30 ft spacing; eave height 16 ft
- Roof: 3:12 pitch 24 ga PBR standing seam roof with Galvalume finish; 4" purlin glide insulation
- Walls: 26 ga PBR screw down wall panels with Signature 200 finish, with 4" VRR insulation
- Wrapped door jambs at overhead doors
- Gutters and downspouts
- Designed to IBC 2006
- Collateral load is 3 PSF

Doors

- (2) Pre-assembled 3070 doors with cylindrical panic hardware and closures
- (2) 3030 sliding windows
- (12) 14' 0" high x 12' 0" wide Clopay model 3200 steel-insulation steel Overhead Doors with 90 MPH wind code specifications; full weather-strip; Lift Master operators with 3 button control station and photo eye safety system; and (12) remote controls for vehicles; power to operators by others
- (2) 3' 0" x 3' 0" framed openings at each end of the building for louvers by others

General Proposal Exclusions / Clarifications not mentioned above:

1. We include Performance Bond
2. KS stamped pre-engineered building and foundation design
3. We exclude material sales tax; tax on labor is included
4. We have excluded special inspection testing and fees
5. We have excluded surveying; we assume control points will be established
6. We include general liability and builder's risk insurance only
7. We exclude all temporary utility charges, and assume that water and power will be provided by owner and available for our use.
8. We have excluded any electrical, HVAC, plumbing, fire alarm, phone, cable, data, security, lighting protection / grounding system



9. We have excluded removal and replacement of miscellaneous items such as speaker, antenna, signage, etc on existing building
10. We have excluded site concrete; bollards, painting; interior finishes; etc
11. We have excluded winter weather protection charges
12. We exclude the remediation of any hazardous materials, if any
13. We are happy to provide any additional services (ie.: site concrete, MEP, etc) at a negotiated cost

Alternate Pricing (tax included on both material and labor for existing building). We are providing a combined alternate for new roof, wall panels and insulation complete.

- Remove and replace siding and roof on existing Public Works building (Existing building 60 ft X 100 ft with 16 ft eave height) and remove and replace wall insulation with 4 in insulation, white reinforced with nylon:
Add \$69,450
Sixty Nine Thousand and Four Hundred Fifty Dollars
- Remove and replace two doors with 3070 walk-in doors, steel insulated with lockset and keyed to match existing:
Add \$ \$2,500
Two Thousand Five Hundred Dollars
- Voluntary Alternate 1: Deduct (\$11,000) for screw down galvalume roof on new building in lieu of SSR
- Voluntary Alternate 2: Deduct (\$6,100) for a 1:12 SSR roof pitch new building in lieu of 3:12
- Voluntary Alternate 3: Deduct (\$10,500) for screw down galvalume roof on new building with 1:12 roof pitch in lieu of SSR

Cost Breakdown:

| Work Item | Cost Breakdown |
|----------------------------|-------------------|
| Concrete: | \$ 90,559 |
| Pre-Engineered Building: | \$ 156,735 |
| Overhead Doors: | \$ 58,156 |
| Base Project Total: | \$ 305,450 |



COST PROPOSAL / FEE: SECTION 4

Every effort has been made to provide a "complete project". However, items not specifically not listed may not be included. We appreciate the opportunity to work with you and would happy to answer any questions you may have.

Sincerely,
Loyd Builders, Inc.



Bridget Mallin
Project Manager



CONTRACT PERIOD ACKNOWLEDGEMENT: SECTION 5



All proposers must provide written acknowledgement that the term of the contract awarded as a result of the RFP shall be to the completion of the building by July 20, 2018.

During our site walk through with Blake Madden we expressed concerns regarding the schedule. Due to the recent steel tariffs imposed on foreign suppliers, the pre-engineered building market has become unpredictable. More owners are moving forward with projects resulting in saturated pre-engineered building manufacturers' backlog causing longer lead times for design and fabrication.

We have included a preliminary project schedule on the following page. One week has been allotted for the City's selection process with Notice to Proceed on April 17, 2018. Our preliminary completion date is August 21, 2018.

In an effort to ensure a prompt turnaround from our building manufacturer we have made efforts to keep the building design as "standard" as possible.

**LOYD
BUILDERS**

Page Enterprise

21368 Earnest Rd

Parker, Kansas 66072

913-898-4722

PROPOSAL

March 16, 2018

City of Osawatomie
Department of Public Works and Utilities
820 Lincoln Ave
Osawatomie, KS 66064

We hereby propose to furnish the materials and perform the labor necessary for the completion of: **60'x120'x16' eave steel building per specifications provided in RFP dated February 16, 2018.**

Included:

Building

- 60'x120'x16' eave pre-engineered steel building
- Code-IBC12,EXP B
- Load-20# LL/115 MPH Wind
- 4x30' bay spacing
- 26 gauge color pbr roof
- 26 gauge color pbr wall covering
- Insulation-4" roof and walls
- Trim Package-Full w/ gutters and downs
- (12) 12'x14' openings only 2 each side in 3 bays-reference attached drawing.
- (2) 3070 Solid swing, lever, key alike
- (4) 3'x3' openings (for vents by others)

Foundation/Slab

- 8"x3' frost footing around perimeter
- Piers as required by civil design engineer (provided by PE)
- 6" slab on grade smooth finish
- 6 mill vapor barrier
- 4" ³/₄ clean gravel/drain course (135 tons)
- #4 bar on 24" centers, control joints 15' centers
- Reference alternate trench/grate drain system (see attached drawing)

Not Included:

- Site Preparation
- Electrical
- Mechanical
- HVAC
- Plumbing-cast floor drain
- Interior Construction
- Rock excavation
- Repair of unforeseen/unidentified obstacles
- Permits
- Builders Risk Insurance

Base Bid Cost: \$224,700.00

Addendum #1 - Standing Seam roof add :

14,800.00

Bid Alternates (chosen alternates are in addition to base bid cost):

\$239,500.00

Alternate #1- Remove and replace siding and roof on existing Public Works Shop building.

\$37,900

Alternate #2- Remove and replace existing insulation with 4" insulation, white reinforced with nylon, on existing Public Works shop building.

\$9,800

Alternate #3-Remove and replace two doors with 3070 walk-in doors, Steel insulated with lockset and keys on existing Public Works shop building.

\$2,200

Alternate #3a-Upgrade above doors to heavy doors, frames, hinges, closures and panic hardware.

Increase: \$1,750

Alternate #3b-Upgrade (2) 3-0 walk doors in base bid to heavy traffic doors, frames, hinges, closures and panic hardware.

Increase: \$2,250

Alternate #4- Install 3-0 5-0 fixed vinyl window and framing and trim.

\$900 ea.

Alternate #5- Install 60' trench/grate drain per attached detail.

\$1,750

All material is guaranteed to be as specified, and the above work to be performed in accordance with the specifications submitted for above work and completed in a substantial workmanlike manner in the estimated sum of \$224,700.00 with payment terms of 30% on award of contract and balance due upon monthly percentage of completion, bills due within 30 days. Bills not paid in 15 days will have 2% per month late fee applied.

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner is to carry fire, tornado and other necessary insurance upon above work.

Respectfully submitted: Page Enterprise LLC

Per: _____
Mike Page

Note - This proposal may be withdrawn by us if not accepted within 10 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date: _____

Signature _____

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: April 12, 2018

AGENDA ITEM: **DPWU Proposal for Street Improvements for Parker Avenue between 8th Street and the East Entrance to John Brown Memorial Park**

PRESENTER: Blake Madden, Director of Public Works and Utilities

ISSUE SUMMARY: Parker Avenue is receiving an increase in traffic as a result of the Main Street Improvements Project. This increase is causing severe pavement deterioration on Parker Avenue between 8th Street and the east entrance into John Brown Memorial Park.

This year's CIP allocates \$55,000 to unassigned street replacement / chip and seal. The Public Works Department requests that this money be applied to improving this stretch of roadway. The department proposes removal of the existing chip and seal pavement and excavation of earth 13 inches below the pavement surface. The excavation will be filled with rock (KDOT AB-3 gradation) up to the current pavement surface elevation. Traffic will be detoured on Lincoln Avenue and the alley along the east side of the park. Once the Main Street project is completed, the City will remove the top 7 inches of rock and contract for the placement of a 7-inch thick asphalt pavement or self-perform placement of a 6-inch thick concrete pavement. The remaining 6 inches of rock will serve as the base of the pavement. The total cost for rock and pavement, including a 10-percent contingency, is \$56,000. The 7 inches of rock that would be removed would be salvaged and reused resulting in a true project cost of \$48,000.

The existing curb and gutter along Parker Avenue between 9th Street and the park entrance would remain in place. If additional funding can be identified, curb and gutter could be installed between 8th and 9th streets. The estimated cost for this new curb and gutter with contingency is \$21,000.

Project cost options:

Replace pavement only, \$48,000

Replace pavement and add curb and gutter between 8th and 9th streets, \$69,000

COUNCIL ACTION NEEDED: Determine whether to authorize the Public Works Department to proceed with the proposed project, and if so, whether to include curb and gutter between 8th and 9th streets.

STAFF RECOMMENDATION TO COUNCIL: Authorize the Public Works Department to proceed with the project.

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: April 12, 2018

AGENDA ITEM: East Lake Road

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: For 2016 and 2017 we underspent our unassigned chip seal set-aside for those budgets. During the CIP process we talked about chip-sealing the east lake road as a project for 2018, to go along with lake improvements and to control dust issues.

Blake talked to the County about an estimate for the project. Attached are those estimates. In total, they estimate it would cost \$54,000 to chip seal the east lake road. This is about \$10,000 higher than the bid for the west lake road, but materials and oil costs have increased since 2015. The actual cost of the West Lake road was \$36,500.

COUNCIL ACTION NEEDED: Review and discuss. If we are going to complete this before Lights on the Lake, a decision will need to be made right away.

STAFF RECOMMENDATION TO COUNCIL: Authorize the City Manager to have the County begin preparations to chip-seal the East Lake Road.

Road Rock Cost Analysis Worksheet

| Roadway Width (feet) | Road Length (feet) | MATERIAL Depth Inches | MATERIAL Material Cost (per ton) | Miles |
|-------------------------|-----------------------|-----------------------------|--|-------|
| 20 | 4500 | 6 | \$16.85 | 0 |

| Sq. Yards | Tons of Mat. | Cost of Mat. |
|-----------|--------------|--------------|
| 10000 | 2,400 | \$40,440 |

Enter Data

Wet ABS + Haul rate

**Total Cost
(Per Mile)**

\$40,440

| | | | | | | | | | | | | |
|-------------------------|----|-----------------------|-------|---|-------|-------------------------------------|---------|--|------|--|----------|-------|
| Roadway Width (feet) | 20 | Road Length (feet) | 4,500 | COVER Apply. Rate (pounds per sq. yd.) | 20.00 | COVER Material Cost (per ton) | \$10.00 | SEAL OIL Apply. Rate (per sq. yd.) | 0.35 | SEAL OIL Material Cost (per gal) | \$2.1700 | Miles |
|-------------------------|----|-----------------------|-------|---|-------|-------------------------------------|---------|--|------|--|----------|-------|

Enter Data

| | | | | | | | | | |
|-----------|-------|---------------|-----|---------------|------------|-------------|-------|-------------|------------|
| Sq. Yards | 10000 | Tons of Cover | 100 | Cost of Cover | \$1,000.00 | Gal. Of Oil | 3,500 | Cost of Oil | \$7,595.00 |
|-----------|-------|---------------|-----|---------------|------------|-------------|-------|-------------|------------|

1st C/S Application

\$8,595.00

| | | | | | | | | | | | | |
|----------------------|----|--------------------|-------|--|-------|-------------------------------|---------|------------------------------------|------|----------------------------------|----------|-------|
| Roadway Width (feet) | 20 | Road Length (feet) | 4,500 | COVER Apply. Rate (pounds per sq. yd.) | 20.00 | COVER Material Cost (per ton) | \$10.00 | SEAL OIL Apply. Rate (per sq. yd.) | 0.27 | SEAL OIL Material Cost (per gal) | \$1.4900 | Miles |
|----------------------|----|--------------------|-------|--|-------|-------------------------------|---------|------------------------------------|------|----------------------------------|----------|-------|

Enter Data

| | | | | | | | | | |
|-----------|-------|---------------|-----|---------------|------------|-------------|-------|-------------|------------|
| Sq. Yards | 10000 | Tons of Cover | 100 | Cost of Cover | \$1,000.00 | Gal. Of Oil | 2,700 | Cost of Oil | \$4,023.00 |
|-----------|-------|---------------|-----|---------------|------------|-------------|-------|-------------|------------|

2nd C/S Application \$5,023.00

Total Est. Cost of East Lake Road
\$54,058 - Estimate Only

CITY OF OSAWATOMIE



STAFF AGENDA MEMORANDUM

DATE OF MEETING: April 12, 2018

AGENDA ITEM: Sales Tax Ballot Question

PRESENTER: Don Cawby, City Manager

ISSUE SUMMARY: In March, the council directed me to move forward with a ballot question to pass a quarter-cent (0.25) sales tax which would be used for public safety equipment and public safety and municipal court software. Should the ballot initiative not pass, the City would be required to increase the budget by approximately 4.0 mills to pay off the debt on the lease-purchase for the fire truck. Attached is a copy of the financing breakdown approved at the March meeting.

Staff suggests the following language for the ballot:

Shall the following be adopted?

Shall the city of Osawatomie, Kansas levy a retailers' sales tax in the amount of one quarter of one percent (.25%), to take effect on January 1, 2019, and to be levied for eight years until December 31, 2026, on retail sales consummated within the city of Osawatomie, with revenues of such tax to be used to help finance the purchase and installation of equipment for the City's fire and police operations, and the purchase and installation of any new, replacement or updated computer software for the City's fire, police and municipal court operations, and any such related computer hardware for the operation thereof, and to pay obligations of the City issued to finance purchases for these same purposes, all in accordance with the provisions of K.S.A. 12-187 et seq., and amendments thereto?

This question would assume only an 8-year tax and not the maximum 10-year term. It also clarifies that it can be used to pay obligations of a financed purchase. Otherwise, I believe it addresses the intent of the Council.

COUNCIL ACTION NEEDED: Review and discuss. Provide direction to staff.

STAFF RECOMMENDATION TO COUNCIL: No decision needs to be made tonight. It appears that the City would need to pass the language in a formal format to submit to the County Clerk to be added on the primary ballot in early August.

FINANCING SCENARIO FOR LEASE-PURCHASES

with GKB Estimates

Enterprise Software

Issuance

| | Total | City Hall/PW | Police | Court | Costs |
|------------------------|--------------|---------------------|---------------|--------------|--------------|
| Principal | \$ 233,196 | \$ 106,344 | \$ 89,246 | \$ 33,967 | \$ 6,139 |
| Years | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 |
| Est. Rate | 3.10% | 3.10% | 3.10% | 3.10% | 3.10% |
| Excess Proceeds | | | | | |
| | 23,152 | 23,152 | | | |
| Payment | | | | | |
| Annual | \$65,038.37 | 30,129.51 | 25,285.29 | 9,623.57 | |
| Avg. Principal | 58,299.00 | 27,007.45 | 22,665.19 | 8,626.36 | |
| Avg. Interest | 6,739.37 | 3,122.06 | 2,620.10 | 997.21 | |
| Bill Fee/Court Cost | | \$ 1.50 | | \$ 1.50 | |
| Bills/Cases | | 21,600 | | 800 | |
| New Fee Revenue | \$ 33,600.00 | \$ 32,400.00 | | \$ 1,200.00 | |
| New Sales Tax | 33,708.86 | - | 25,285.29 | 8,423.57 | - |
| Total | \$ 67,308.86 | \$ 32,400.00 | \$ 25,285.29 | \$ 9,623.57 | \$ - |
| Above/Below | \$ 2,270.49 | \$ 2,270.49 | \$ - | \$ - | |

Fire Truck

| | <u>Issuance Costs</u> | | <u>Payment</u> | |
|-----------|-----------------------|-------------|----------------|-------------|
| Principal | \$ 270,000.00 | \$ 7,107.76 | Annual | \$39,965.08 |
| Years | 8.5 | | Avg. Principal | 34,638.47 |
| Rate | 3.10% | | Avg. Interest | 5,326.61 |

Sales Tax Proposal

| | |
|--------------|--|
| 0.25% | For Public Safety/Court Equipment & Technology |
| Current Rate | 9.00% |
| New Rate | 9.25% |

| | | |
|-------------------|---------------|----------------------------|
| Tax Base | \$ 30,000,000 | <u>Property Tax Option</u> |
| New Tax Generated | \$ 75,000 | 3.75 Mill Levy Increase |

| <u>Annual Fund Uses</u> | 2019-2023 | 2024-2026 | 2027-2028 |
|--------------------------|--------------|--------------|--------------|
| Truck | \$ 39,965.08 | \$ 39,965.08 | \$ - |
| Software | 34,908.86 | - | - |
| More \$ for PD Cars | - | 20,000.00 | - |
| Capital Equipment | 126.06 | 15,034.92 | 35,000.00 |
| Reduce GF Transfer (opt) | - | - | 40,000.00 |
| Total | \$ 75,000.00 | \$ 75,000.00 | \$ 75,000.00 |