



# CITY OF OSAWATOMIE



439 Main Street  
P.O. Box 37  
Osawatomie, Kansas 66064

913.755.2146 (p)  
913.755.4146 (f)  
ozcity@osawatomieks.org  
www.osawatomieks.org

---

*L. Mark Govea, Mayor*

## REQUEST FOR SPECIAL MEETING

We, the undersigned Council members being of the Governing Body of the City of Osawatomie, Kansas, respectfully request that a special meeting of the Council of the City of Osawatomie, Kansas, be held at **MEMORIAL HALL 411 11<sup>TH</sup> STREET** in said City at **6:30 PM** on **WEDNESDAY, SEPTEMBER 5<sup>TH</sup>, 2018** FOR THE FOLLOWING PURPOSE:

**CDBG CLOSEOUT HEARING ON PHASE II OF MAIN STREET  
SOLID WASTE SERVICE PROPOSALS  
MAIN STREET SIDEWALKS - KANSAS HEAVY CONSTRUCTION CONTRACT**

Respectfully Submitted:

\_\_\_\_\_  
*/s/ Daniel Macek*

\_\_\_\_\_  
*/s/ Kenneth Diehm*

\_\_\_\_\_  
*/s/ Karen LaDuex*

# CITY OF OSAWATOMIE



---

## STAFF AGENDA MEMORANDUM

**DATE OF MEETING:** September 5, 2018

**AGENDA ITEM:** Sidewalk Contract for Phase II of Main Street Improvements Project

**PRESENTER:** Blake Madden, Director of Public Works and Utilities

**ISSUE SUMMARY:** The Kansas Department of Commerce's Community Development Block Grant (CDBG) program conducted its final monitoring of the Main Street Improvements Project - Phase II on August 22. The City was found to be in compliance with the state and federal program. The public hearing held tonight officially closes out the project and allows the City to proceed with construction of sidewalks along Main Street and 12th Street.

I requested and received the attached quote from Kansas Heavy Construction, LLC (KHC), the contractor for the street pavement portion of the project. City staff recommends and requests that the City Council authorize the City to enter into a contract with KHC for the construction of the sidewalks in the amount of \$210,493.75 for the following reasons:

- Issuing an official request for bids would only delay the construction of the sidewalks (CDBG would not allow an advertisement for bids until the street project was officially closed out, which occurred tonight).
- With familiarity of the project site and being the low bidder on the street pavement portion of the project, KHC would likely be low bidder should the project be advertised for bid.
- With concrete forms already on site, KHC would likely have a lower mobilization cost than another contractor.
- If the contract were awarded to another contractor, problems would likely arise due to the "blending" of the two projects.

It is the staff's belief that the lack of sidewalks presents a threat to the public's health, welfare, and safety which, in turn, exempts the sidewalk construction from competitive bidding.

**FUNDING SOURCE:** Funding for the sidewalks would be from CIP monies in the street fund.

**COUNCIL ACTION NEEDED:** Discuss and determine whether to authorize the City to enter into a contract with KHC for sidewalk construction along Main Street and 12th Street.

**STAFF RECOMMENDATION TO COUNCIL:** Authorize the City to enter into a contract with KHC for sidewalk construction along Main Street and 12th Street in the amount of \$210,493.75.

STATE OF KANSAS



DEPARTMENT OF COMMERCE  
INNOVATION GROWTH PROGRAM  
1000 S.W. JACKSON ST., SUITE 100  
TOPEKA, KS 66612

PHONE: (785) 296-5293  
FAX: (785) 296-3490 TTY: 711  
KansasCommerce.gov

GOVERNOR JEFF COLYER, M.D.  
ROBERT NORTH, INTERIM SECRETARY

August 28, 2018

The Honorable Mark Govea  
Mayor, City of Osawatomic  
439 Main, PO Box 37  
Osawatomic, KS 66064

RE: City of Osawatomic  
CDBG #17-PF-025

Dear Mayor Govea:

On August 22, 2018, I met with Tammy Seamands, City Clerk, and Garrett Nordstrom, Grant Administrator, to monitor the above referenced street and drainage project. This monitoring should be viewed as a cooperative effort between the Community Development Block Grant (CDBG) staff and the City to identify potential obstructions to successful program implementation. The field staff makes observations by reviewing project files and performing site visits.

This final monitoring covered the following areas: Program Progress, National Objective, Financial Management, Labor Standards, Equal Opportunity, Citizen Participation, and Quarterly Status Reports.

The following observations have been made:

Program Progress: The project is complete after 16 months which is excellent progress.

National Objective: Based upon the 2010 census, the City project activity meets the national objective of 69.11% Low-to-Moderate Income (LMI) persons benefiting. The total beneficiaries are 4,160 with 2,875 of those LMI.

Financial Management: As of the monitoring date, the City has requested \$398,000 and expended \$400,000 in CDBG funds. The City had pledged \$1,172,939.99 in local funds and expended \$1,133,700. Our review of your block grant records indicates that the City's record keeping is accurate and complies with established state grant accounting requirements.

Labor Standards: This project utilized Davis-Bacon Wage Decision #KS170009, dated August 8, 2017. Payrolls from Kansas Heavy Construction were reviewed. Two employee interviews acquired and reviewed for Kansas Heavy Construction at the initial monitoring. The administrator should have obtained additional interviews due to the abundance of laborers.

Equal Opportunity

Fair Housing: All was reviewed at initial monitoring.

Beneficiaries: The project beneficiary demographic data, as it appeared on the City's CDBG application, has been verified and approved.

Certifications: The Section 3 notice was posted and sent to Kansas Works. The file included the Section 3 plan and Tables C & D. The Subrecipients vs. Contractor Classification Checklist was on file for the contractor.

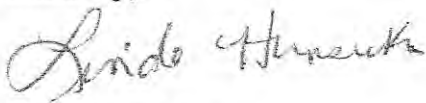
Quarterly Status Reports: All Quarterly Status Reports were accurate and submitted on time.

Citizen Participation: The required pre-application public hearing was held prior to grant application. A second public hearing that provides the detailed proposed activity and detailed actual activity to review grant performance must be held prior to closeout.

Conclusion: The City is in compliance with the state and federal program. The cooperation of the City and the administrator during this monitoring is greatly appreciated. The city should proceed with closeout expected on September 5, 2018.

Please feel free to contact Dustin Gale, Project Manager, at [dustin.gale@ks.gov](mailto:dustin.gale@ks.gov) or 785-296-4100 if you have any questions, or concerns regarding the project.

Sincerely,



Linda Hunsicker  
Field Representative

LH:lh

cc: Tammy Seamands, City Clerk  
Garrett Nordstrom, GAS



# Kansas Heavy Construction, LLC

19425 State Avenue  
Tonganoxie, Kansas 66086  
(913) 845 – 2121  
Fax: 845 – 2813

September 4, 2018  
Mr. Blake Madden  
City of Osawatomie, KS  
RE: Concrete sidewalk unit pricing

Mr. Madden:

Please see sidewalk pricing below for the completion of sidewalk per updated plans received from BG Consultants on June 7<sup>th</sup>, 2018. Pricing below is based on quantities listed in the plans.

Line Item	Description	Quantity	Unit	Unit Price	Total Price
1	Contractor Construction Staking	1	LS	\$ 1,275.00	\$ 1,275.00
2	Mobilization	1	LS	\$ 750.00	\$ 750.00
3	Traffic Control	1	LS	\$ -	\$ -
4	Sidewalk Construction (4")(AE)	3451	SY	\$ 56.25	\$ 194,118.75
5	Concrete Steps	20	LF	\$ 425.00	\$ 8,500.00
6	Handrail	30	LF	\$ 195.00	\$ 5,850.00
				<b>Grand Total</b>	<b>\$ 210,493.75</b>

This pricing includes all grading, compaction, and backfill for the sidewalk along Main Street between 7<sup>th</sup> and 12<sup>th</sup>. This price does not include any seeding or sodding. If pricing is approved and work can begin in the next 15-30 days, traffic control will not be of additional cost. If the work cannot be started within that timeframe, additional cost will be added to cover traffic control. Please feel free to call or email if you have any questions or concerns.

Matt Gripka  
Kansas Heavy Construction.

**Main Street Improvements - Phase 2**

Main Street from 7th to 12th, 12th from Main to Parker

Budget - Concrete Reconstruction

<i>5-Sep-18</i>	<b>BG Estimate Jan-17</b>	<b>with Low Bid Oct-17</b>	<b>Revised Jan-18</b>	<b>Spent To Date</b>
<b>EXPENSES</b>				
<b>Contractor</b>				
<u>CDBG</u>				
Subtotal - CDBG	\$ 1,758,400	\$ 1,545,300	\$ 1,545,300	\$ 1,676,837
<u>Sidewalks</u>				
Sidewalks	\$ 90,500	\$ 90,500	\$ 90,500	\$ 210,494
<b>Subtotal Contractor</b>	<b>\$ 1,848,900</b>	<b>\$ 1,635,800</b>	<b>\$ 1,635,800</b>	<b>\$ 1,887,330</b>
<b>Other Costs</b>				
Contingency	\$ 231,389	\$ 259,489	\$ 248,389	\$ -
Miscellaneous	-	-	-	6,683.85
Subtotal - Construction Cost	\$ 2,080,289	\$ 1,895,289	\$ 1,884,189	\$ 1,894,014
<u>CDBG</u>				
Design Engineering	\$ 143,900	\$ 143,900	\$ 144,050	\$ 133,835
Construction Observation	107,900	40,000	40,000	-
Grant Administration	25,000	25,000	25,000	21,045
Subtotal - CDBG Other	\$ 276,800	\$ 208,900	\$ 209,050	\$ 154,880
<u>Sidewalk</u>				
Design Engineering - Sidewalk	\$ 28,200	\$ 28,200	\$ 28,200	\$ 28,200
Construction Observation	21,100	7,000	7,000	-
Subtotal - Storm/Sidewalk	\$ 49,300	\$ 35,200	\$ 35,200	\$ 28,200
Street Lighting - By City	-	122,000	133,100	104,240
Geology	5,000	5,000	5,000	3,446
Temporary Financing	30,000	30,000	30,000	15,139
<b>Subtotal Other Costs</b>	<b>\$ 592,489</b>	<b>\$ 660,589</b>	<b>\$ 660,739</b>	<b>\$ 312,589</b>
<b>TOTAL EXPENSES</b>	<b>\$ 2,441,389</b>	<b>\$ 2,296,389</b>	<b>\$ 2,296,539</b>	<b>\$ 2,199,919</b>
<b>FINANCING</b>				
Grant Funds	\$ 400,000	\$ 400,000	\$ 400,000	\$ 398,000
County Sales Tax*	500,000	500,000	500,000	-
Funds Already Borrowed	241,389	130,000	130,000	130,000
Funds From Other Projects		116,389	116,389	134,219
<i>New Permanent Notes</i>	<u>1,300,000</u>	<u>1,150,000</u>	<u>1,150,000</u>	<u>1,657,450</u>
<b>TOTAL FINANCING</b>	<b>\$ 2,441,389</b>	<b>\$ 2,296,389</b>	<b>\$ 2,296,389</b>	<b>\$ 2,319,669</b>
<b>Over/(Under) Needed</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (150)</b>	<b>\$ 119,750</b>

\* Borrowed with Temp Notes, Not available until Dec 2018

## **Waste Management Contract – Draft Proposal from City**

### **Term**

5 years, with 3 renewable one-year periods

### **Residential Services**

Waste and Recycling. No carts supplied, but may be rented. Street and Alley pickup

Same Collection Schedule. Require publishing an Annual Schedule.

Monthly Bulky Item Pickup - 8'x8' 50 lb. limit

Annual Tire Pickup – 6 per household

### **Commercial Services**

Waste. Dumpsters provided with rate.

If small commercial, treat like residential (no tires, or annual)

### **General Services**

Single Axle Trucks Only

6 Holidays

No tipping or solicitation of tips

Designated City Contacts

City Website and Email

Notify Customers of non-pickup

Reporting of metrics

Yard Waste – see rates

### **Consideration & Billing**

WM bills and receives payment directly.

Franchise Fee option for City.

3% annual increase, after first 2 years locked.

City Option to take over billing in 2020.

### **Insurance**

\$1.0 million liability policies and accident and death policies; worker's comp

Required notification of insurance cancellation.

Performance Bond of 100% of first year value or \$500,000 in-lieu of estimate.

### **Miscellaneous**

City option to opt out of assignment of contract if within the first 24 months of the contract.



## WM CHARGES FOR SERVICE

**RESIDENTIAL ACCEPTABLE WASTE:**

**RATE**

Single family dwellings, duplexes, and apartments	\$17.25 (monthly)/ billed quarterly in advance
Curbside Recycling (weekly)	Included in Residential Rate
One Large Item Pick-Up (monthly)	Included in Residential Rate

**OTHER SERVICES:**

Container Rental (per resident request)	
65 gallon	\$2.50 (monthly)/billed quarterly in advance
95 gallon	\$2.50 (monthly)/billed quarterly in advance
Citywide Cleanup	Included in Residential Rate
Tire Pickup	\$250.00 + landfill disposal costs
Yard Waste (When Called by City)	See Below

**COMMERCIAL & INDUSTRIAL:**

<i>Monthly Rates in \$</i>	<b>Collection times per week</b>					
<b>Container Size*</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
Less than ½ yard	17.80	19.71	26.37	37.64	45.72	N/A
½ yard	20.98	36.10	52.36	73.71	87.70	N/A
1 yard	39.15	49.31	77.17	104.44	120.71	148.73
2 yard	61.68	70.98	99.64	112.50	140.22	166.30
4 yard	102.85	112.56	161.90	222.57	278.71	334.11
6 yard	155.03	167.92	254.14	334.11	415.90	500.28
8 yard	213.18	233.30	334.16	444.97	555.68	667.21
* "yard" and "yd." = cubic yard						

**YARD WASTE SERVICES**

- Johnson County Topsoil - \$155.00 hauling charge + \$0 disposal fee
- Reno - \$155.00 hauling charge + \$75 disposal fee
- Lawn Corps - \$165.00 hauling charge + \$120 disposal fee

## **WCA Contract – Draft Proposal from City**

### **Term**

7 years, with 3 renewable one-year periods

### **Residential Services**

Waste and Recycling. 95-gallon carts supplied, one of each. Curbside Only Pickup Collection Schedule 3 days/week. Require publishing an Annual Schedule.

Monthly Bulky Item Pickup - 8’x8’ 50 lb. limit

Annual Tire Pickup – 6 per household

### **Commercial Services**

Waste. Dumpsters provided with rate.

If small commercial, treat like residential (no tires, or annual)

### **General Services**

Dual Axle Allowed

3 Holidays

No tipping or solicitation of tips

Designated City Contacts

City Website and Email

Notify Customers of non-pickup

Reporting of metrics

Yard Waste – see rates

### **Consideration & Billing**

City bills and collects payments. Payments passed on to WCA.

City Administrative Fee built into rate

Franchise Fee option for City

3% annual increase, after first 2 years locked

WCA annual \$7,500 donation for enhancements to the Library, Parks & Public Facilities

### **Insurance**

\$1.0 million liability policies and accident and death policies; worker’s comp

Required notification of insurance cancellation.

Performance Bond of 100% of first year value or \$500,000 in-lieu of estimate.

### **Miscellaneous**

City option to opt out of assignment of contract if within the first 24 months of the contract.

## WCA CHARGES FOR SERVICE

**RESIDENTIAL ACCEPTABLE WASTE:**

**RATE**

Single family dwellings, duplexes, and apartments	\$17.98 (monthly) + City \$0.65 Admin Fee
Curbside Recycling (weekly)	Included in Residential Rate
One Large Item Pick-Up (monthly)	Included in Residential Rate

**OTHER SERVICES:**

Citywide Cleanup	\$250.00/ton
Tire Pickup	\$250.00/ton
Yard Waste (When Called by City)	First six free per year, \$200.00/per pickup

**COMMERCIAL & INDUSTRIAL:**

<i>Monthly Rates in \$</i>	<b>Collection times per week</b>					
<b>Container Size*</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
96-Gallon Container	17.98	N/A	N/A	N/A	N/A	N/A
2 yard	69.06	138.13	207.19	287.31	372.95	447.54
3 yard	91.16	182.33	273.49	364.66	455.82	546.99
4 yard	121.55	243.11	364.66	486.21	607.77	729.32
6 yard	164.10	314.93	472.40	629.87	787.33	944.80
8 yard	209.96	419.97	629.87	751.42	994.53	1259.73
* "yard" and "yd." = cubic yard						

**COMPARISON OF COMMERCIAL RATES**

	Container Size*	Collection times per week						Cost Per Yard					
		1	2	3	4	5	6	1	2	3	4	5	6
<b>WCA</b>	<b>2</b>	69.06	138.13	207.19	287.31	372.95	447.54	34.53	34.53	34.53	35.91	37.30	37.30
	<b>4</b>	121.55	243.11	364.66	486.21	607.77	729.32	30.39	30.39	30.39	30.39	30.39	30.39
	<b>6</b>	164.10	314.93	472.40	629.87	787.33	944.80	27.35	26.24	26.24	26.24	26.24	26.24
	<b>8</b>	209.96	419.97	629.87	751.42	994.53	1,259.73	26.25	26.25	26.24	23.48	24.86	26.24
<b>WM</b>	<b>2</b>	61.68	70.98	99.64	112.50	140.22	166.30	30.84	17.75	16.61	14.06	14.02	13.86
	<b>4</b>	102.85	112.56	161.90	222.57	278.71	334.11	25.71	14.07	13.49	13.91	13.94	13.92
	<b>6</b>	155.03	167.92	254.14	334.11	415.90	500.28	25.84	13.99	14.12	13.92	13.86	13.90
	<b>8</b>	213.18	233.30	334.16	444.97	555.68	667.21	26.65	14.58	13.92	13.91	13.89	13.90
<b>WCA over/(under) WM</b>	<b>2</b>	7.38	67.15	107.55	174.81	232.73	281.24	3.69	16.79	17.93	21.85	23.27	23.44
	<b>4</b>	18.70	130.55	202.76	263.64	329.06	395.21	4.68	16.32	16.90	16.48	16.45	16.47
	<b>6</b>	9.07	147.01	218.26	295.76	371.43	444.52	1.51	12.25	12.13	12.32	12.38	12.35
	<b>8</b>	(3.22)	186.67	295.71	306.45	438.85	592.52	(0.40)	11.67	12.32	9.58	10.97	12.34

\* in yards

**Solid Waste Collection Best Proposals Comparisons  
Residential**

	<b>WM</b>	<b>WM Notes</b>	<b>WCA</b>	<b>WCA Notes</b>
<b>Residential Base Bid:</b>	\$17.25		\$17.98	+\$0.65 City Admin Costs
<b>Carts</b>				
95 Gallon Cart	add \$3		2 included (waste/recycling)	City must be uniform, can't have mixed sizes
65 Gallon Cart	add \$2.50			
<b>Collection Style</b>				
Truck	Curb/Alley		Curbside	
Pickup Schedule	Single Axle		Dual Axle-Automated	
Trash (town)	1 day		3 days	
Recycling	Separate Day		Same Day	
<b>Bulk Pickup</b>				
Monthly	1 item/mo price included		1 item/mo price included	
Annual Cleanup	Included		\$250/ton unlimited items	
Waste Tires	\$250+disposal costs	once a year	\$250/ton	once a year
Forestry Site	pay per dump		6 dumps included	\$200 each additional
<b>Billing</b>	By WM	City billing saves \$.12	By City, (City would add \$0.65)	Add \$1.25 for WCA billing
<b>Recycling</b>				
Mixed Pickup	Yes		Yes	Proposals Identical
Glass	n/a		n/a	
<b>Contract</b>				
Term	5 yrs		7 yrs	5 yrs - add \$0.72
Renewals	one-year terms		3 one-year terms	
Rate Increase (begins year 3)	3%		3%	
<b>Call Center</b>	National		Regional	