

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
July 27, 2017**

Call to Order

1. **Roll Call** ____ Roberts ____ Longanecker ____ Crooks ____ Brown ____ Crist ____ Conus
2. **Welcome**
3. **Pledge of Allegiance**

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)*

4. Agenda Approval
5. Approve Minutes from July 13, 2017
6. Approve Resolution No. 07-27-17A Approving Agreement between Johnson County, Kansas, and the City of Edgerton, Kansas, for the Public Improvement of Nelson Street at BNSF Railroad Tracks/Quiet Zone

Regular Agenda

7. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
8. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Business Requiring Action

9. **CONSIDER ORDINANCE NO. 1058 AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS (ELHC XXI, LLC PROJECT) SERIES 2017, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$38,000,000, FOR THE PURPOSE OF FINANCING A WAREHOUSE AND DISTRIBUTION FACILITY; AUTHORIZING THE CITY TO ENTER INTO A TRUST INDENTURE WITH UMB BANK, N.A., AS TRUSTEE; AUTHORIZING THE CITY TO ENTER INTO A BASE LEASE AND LEASE AGREEMENT WITH ELHC XXI, LLC; AND AUTHORIZING AND APPROVING THE EXECUTION OF ADDITIONAL DOCUMENTS AND THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.**

Motion: _____ Second: _____ Vote: _____

10. **CONSIDER THE AWARD OF CONSTRUCTION OF 2017 OVERLAY PROGRAM AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT**

Motion: _____ Second: _____ Vote: _____

11. Report by the City Administrator

12. Report by the Mayor

13. Future Meeting/Event Reminders:

- August 5th 8:00 PM – Downtown Summer Movie Night (Finding Dory)
- August 8th 7:00 PM – Planning Commission
- August 10th 7:00 PM – City Council Meeting
- August 16th Noon – Senior Lunch
- August 24th 7:00 PM – City Council Meeting

14. Adjourn Motion: _____ Second: _____ Vote: _____

**City of Edgerton, Kansas
Minutes of City Council Regular Session
July 13, 2017**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on July 13, 2017. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. ROLL CALL

| | |
|------------------|------------|
| Darius Crist | present |
| Jody Brown | present |
| Ron Conus | present |
| Clay Longanecker | present |
| Cindy Crooks | absent |

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- Assistant City Administrator Scott Peterson
- Public Works Superintendent Trey Whitaker
- Finance Director Karen Kindle
- Utility Superintendent Mike Mabrey
- Park & Recreation Coordinator Tegan Meadors
- Park & Recreation Employee Bob McVey
- Johnson County Sheriff Department
- Fire District #1

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4. Agenda Approval was considered.
5. Minutes from June 22, 2017 City Council Meeting were considered.
6. Resolution No. 07-13-17A Appointing Scott Peterson, As Floodplain Administrator for the City of Edgerton was considered.
7. Resolution No. 07-13-17B Appointing Scott Peterson, As Zoning Administrator for the City of Edgerton was considered.
8. Application FP2017-04, Final Plat, Logistics Park Kansas City Phase VI and Accept any Dedications was considered

Motion by Longanecker, seconded by Brown, to approve the consent agenda.

Motion was approved, 4-0.

9. PUBLIC COMMENTS

There were no public comments.

10. DECLARATION

None

***Public Works Superintendent Trey Whitaker was present to introduce Cameron McLain the newest Public Works Maintenance Technician 1 Employee.**

BUSINESS REQUIRING ACTION

PURCHASE OF A UTILITY TASK VEHICLE

11. PURCHASE OF A UTILITY TASK VEHICLE WAS CONSIDERED.

Tegan Meadors, Park & Recreation Coordinator, was here to present information about the purchase of a Utility Task Vehicle. The Utility Task Vehicle (UTV) will be used for both Park maintenance operations and Recreation services such as routine park tasks and other projects such as spraying of chemicals and snow plowing. The UTV can also be used during community events by recreation staff members. Other departments such as utilities and public works would also have access to this vehicle during special projects. City staff believes that regular operations will be enhanced and will allow for staff to carry out certain tasks that are currently being contracted out.

The City of Edgerton has five parks with two or more acres each; and Martin Creek Park has over thirty five acres of land to be maintained.

Motion by Longanecker, seconded by Crist, to approve the purchase of a Utility Task Vehicle.

Vote on motion: Aye: Crist, Longanecker, and Brown

Nay: Conus

Motion was approved, 3-1.

REJECTION OF NELSON WATERLINE PROJECT

12. REJECTION OF SUBMITTED BIDS FOR CONSTRUCTION OF NELSON STREET WATERLINE PROJECT WAS CONSIDERED.

In September of 2016, the City of Edgerton was awarded a Community Development Block Grant (CDBG) from Johnson County for the construction of a waterline replacement on Nelson Street. On May 25, 2017, council granted Edgerton staff concurrence to bid the project. A public bid process receiving only three bids was held. All three bids came in much higher than the Engineer's Estimate, the lowest bid came in almost \$80,000 over the Engineer's Estimate. It is the recommendation of the staff that all bids be rejected for the Nelson Street Waterline Project. The CDBG funds can be deferred to 2018. Staff would recommend rebidding the project in the winter of 2017-2018 in the hopes of receiving more competitive bids.

Motion by Longanecker, seconded by Crist, to reject the bids for the construction of Nelson Street waterline Project.

Motion was approved, 4-0.

13. REPORT BY THE CITY ADMINISTRATOR

There will be an update in two weeks for the 2018 budget.

Beth Linn announced the loss of Ed Shanley that occurred since our last meeting. Ed Shanley was the school crossing guard employed by the City of Edgerton.

14. REPORT BY THE MAYOR

The Mayor made an announcement about the armed robbery at Dee's Mini Mart in Edgerton. The Sheriff's Department has posted pictures today, if anyone has information please contact the Johnson County Sheriff's Department.

FUTURE MEETING/EVENT REMINDERS

15. FUTURE MEETING/ EVENT REMINDERS

- ✓ July 15th 8:00 pm – Downtown Summer Movie Night (The Secret Life of Pets)
- ✓ July 19th Noon – Senior Lunch
- ✓ July 27th 7:00 pm – City Council Meeting
- ✓ August 5th 8:00 pm – Downtown Summer Movie Night (Finding Dory)
- ✓ August 10th 7:00 pm – City Council Meeting
- ✓ August 16th Noon – Senior Lunch
- ✓ August 24th 7:00 pm – City Council Meeting

Mayor Roberts recessed the meeting for a 10 minute break. The meeting recessed at 7:44pm.

The meeting reconvened at 8:00 pm.

EXECUTIVE SESSION

Motion by Crist, seconded by Longanecker, to recess into executive session for ten minutes for the purpose of K.S.A. 75-4319 (b)(1) for personnel matters, annual evaluation of nonelected personnel to include the City Attorney.

Motion was approved, 4-0.

Meeting recessed at 8:02 pm.

Motion by Brown, seconded by Longanecker, to reconvene regular meeting, no action taken.

Motion was approved, 4-0.

Regular Meeting reconvened at 8:15 pm.

Motion by Brown, seconded by Longanecker, to recess back into executive session for fifteen minutes for the same purpose of K.S.A. 75-4319 (b)(1) for personnel matters, annual evaluation of nonelected personnel, to include the City Attorney.

Motion was approved, 4-0

Meeting recessed at 8:20 pm.

Beth Linn, City Administrator, was called into executive session at 8:33 pm.

Motion by Brown, seconded by Crist, to reconvene regular meeting, no action taken.

Motion was approved, 4-0.

Regular Meeting reconvened at 8:38 pm.

Motion by Crist, seconded by Brown, to give City Administrator, Beth Linn a five percent raise.

Motion was approved, 4-0.

City Attorney, Lee Hendricks spoke to Mayor and City Council about the use of Facebook. Mr. Hendricks cautioned the Mayor and Council about posting on Facebook. He stated at times the citizens may read your comments and think perhaps your comment was a board decision. The City of Edgerton does provide a venue for citizens to speak and address the Council at every City Council Meeting, which is held on the second and fourth Thursdays of every month.

19. ADJOURN MOTION: 1st Brown 2nd Longanecker Vote 4-0

The meeting adjourned at 8:48 pm.

Janeice L. Rawles
City Clerk

Approved by the Governing Body on

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider Resolution No. 07-27-17A Approving Agreement between Johnson County, Kansas, and the City of Edgerton, Kansas, for the Public Improvement of Nelson Street at BNSF Railroad Tracks/Quiet Zone

Department: Public Works

Background/Description of Item: Each year, the cities in Johnson County are invited to submit projects to be considered for the five-year city/county street improvement program through the County Assistance Road System (CARS) program. The CARS program provides funds to the cities of Johnson County to construct and maintain their major arterials.

On May 12, 2016, Edgerton City Council approved Resolution No. 05-11-16C approving the five-year City/County Street Improvement Program 2017-2021, for 2017 the City of Edgerton submitted the Nelson Street Road Improvement Project (adjacent to the Quiet Zone).

The CARS 2017 project will remove the existing asphalt roadway and replace it with concrete, remove and replace the existing curb and gutter, reconfigure the pedestrian sidewalk system including extending sidewalk on the east side for the Railway crossing.

This project was approved by Johnson County and city staff has worked diligently to finalize all the necessary documentation for submittal to the County. Staff anticipates the project be out for public bid by July 27 with bid opening on August 17. Those bids would be presented to City Council for consideration of award on August 24.

Please find enclosed with the packet draft Resolution No. 07-27-17A approving the Agreement with Johnson County for the Nelson Street Road Improvements generally from East 5th Street to East 6th Street.

City Attorney has reviewed and approved Resolution No. 07-27-17A

Enclosure: Draft Resolution No. 07-27-17A including Agreement with Johnson County for Public Improvement of E Nelson St at BNSF Railroad Track/Quiet Zone
2017 Cars Project Details and Maps

Related Ordinance(s) or Statute(s): N/A

Recommendation: Approve Resolution No. 07-27-17A Approving Agreement between Johnson County, Kansas, and the City of Edgerton, Kansas, for the Public Improvement of Nelson Street at BNSF Railroad Tracks/Quiet Zone

Funding Source: Capital Improvement Fund

Prepared by: Beth Linn, City Administrator
Date: July 24, 2017

RESOLUTION NO. 07-27-17A

Agreement between Johnson County, Kansas, and the City of Edgerton, Kansas, for the Public Improvement of Nelson Street at BNSF Railroad Tracks/Quiet Zone (3200001143)

THIS AGREEMENT, made and entered into this _____ day of _____, 2017
by and between the Board of County Commissioners of Johnson County, Kansas ("Board") and the
City of Edgerton, Kansas, ("City").

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in
making certain public improvements to Nelson Street at BNSF Railroad Tracks/Quiet Zone (the
"Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to
cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this
Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169,
and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an
eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to
execute any and all Agreements for County participation in any CARS Program project which has
been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for
which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of the City did approve and authorize its Mayor to execute
this Agreement by official vote on the _____ day of _____, 2017.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.
2. **Estimated Cost and Funding of Project**
 - a. The estimated cost of the Project ("Project Costs"), a portion of which is reimbursable under this Agreement, is Two Hundred Forty Four Thousand Five Hundred Dollars (\$244,500).
 - b. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.
 - c. The Project Costs shall be allocated between the parties as follows:
 - i. The Board shall be obligated to provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed Ninety Eight Thousand Dollars (\$98,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the City may be reimbursed through any source other than the general residents or taxpayers of the City. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:
 1. Land acquisition, right-of-way acquisition, or utility relocation;
 2. Legal fees and expenses, design engineering services, Project administration, or financing costs;

3. Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;
4. Project overruns;
5. Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and;
6. Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Public Works Director"). Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- ii. The City shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. **Financing**

- a. The Board shall provide financial assistance, as provided in Paragraph 2.c. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs and expenses of the Project through the issuance of bonds or any other legally authorized method.
- b. The City shall pay its portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing body of the City.

4. **Administration of Project.** The Project shall be administered by the City, acting by and through its designated representative who shall be the City public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:

- a. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the Project Costs.
- b. Submit a copy of the plans and specifications for the Project to the Johnson County Public Works Director for review, prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Public Works Director or his designee shall review the copy of the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
- c. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City. In the solicitation of bids, the appropriate combination of best bids shall be determined by the City.
- d. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
- e. Submit to the Public Works Director a statement of actual costs and expenses in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the

month in which costs and expenses have been paid. The Public Works Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and, upon concurrence with the Finance Director of Johnson County, Kansas, ("Finance Director") cause payment to be made to the City of the Board's portion of the Project Costs within thirty (30) days after receipt of such payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board make payment prior to construction or at times other than set forth in this subsection, the Public Works Director and the Finance Director may authorize such payment.

- f. Except when doing so would violate a state or federal rule or regulation, cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Public Works Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all Project Costs incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.c. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City that to the extent permitted by law and subject to the provisions of the Kansas Tort Claims Act including but not limited to maximum liability and immunity provisions, the City agrees to indemnify and hold the County, its officials, and agents harmless from any cost, expense, or liability not expressly agreed to by the County which result from the negligent acts or omissions of the City or its employees or which result from the City's compliance with the Policy and Procedures.

This agreement to indemnify shall not run in favor of or benefit any liability insurer or third party.

In addition, the City of Edgerton shall, and hereby agrees to, insert as a special provision of its contract with the general contractor ("Project Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Project Contractor shall defend, indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City of Edgerton harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the negligence or other actionable fault of the Project Contractor, his or her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Project Contractor and required by the terms of his/her agreement with the City.

5. Acquisition of Real Property for the Project

- a. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- b. The City shall be responsible for the acquisition of any real property, together with improvements thereon, located within the City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. **Duration and Termination of Agreement**

- a. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.b. herein below. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The City shall provide a copy of the Project Administrator's certification to both the Public Works Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- b. It is understood and agreed that the Public Works Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project by the City. In the event that the Public Works Director determines that satisfactory progress is not being made on the Project due to the City's breach of this Agreement by not meeting the agreed upon project deadlines or otherwise not complying with the terms of this Agreement, the Public Works Director is authorized to notify the City that it shall have thirty (30) days from receipt of such notification to take steps to cure the breach (the "Cure Period"). It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Public Works Director, that satisfactory progress is not being made on the Project and that the City has not taken sufficient steps to cure the breach during the Cure Period. Should the Board exercise its option as provided herein, it shall send written notice of the same to the City and the Board shall have no further liability or obligation under this Agreement.

7. **Placing Agreement in Force.** The attorney for the City shall cause sufficient copies of this Agreement to be executed to provide each party with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

**Board of County Commissioners of
Johnson County, Kansas**

City of Edgerton, Kansas

Ed Eilert, Chairman

Donald Roberts
Mayor

Attest:

Attest:

Linda W. Barnes
Clerk of the Board

Janeice Rawles
City Clerk

Approved as to form:

Approved as to form:

Robert A. Ford
Assistant County Counselor

Lee W. Hendricks
City Attorney

CARS Form A
2017--2021 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project. Make copies of this form as needed.

Complete & Return **by April 14, 2016**

Submitting City: City of Edgerton Number 1 Priority (Y/N) Y

Project Location: Nelson Street at BNSF Railroad Tracks/Quiet Zone

Joint Project With: N/A Administrating City: City of Edgerton

Contact Name & Title: Trey Whitaker, Public Works Superintendent County Commission District(s) #: 6

Estimated Project Schedule: Start Date (mm/yy): 06/17 Completion Date (mm/yy): 10/17

Current Average Daily Traffic (ADT): 2275 Accident History (Prior 3 Years): _____

Project Type: ☐ Capacity ☒ Major Maintenance ☐ Bridge Replacement
☐ Bridge Rehabilitation ☐ Route Enhancement ☐ System Management

Current Level of Service (LOS) [System Management Projects Only]: N/A

Sufficiency Rating (Bridge Projects): N/A Pavement Condition: Good ☐ Fair ☐ Poor ☒

Detailed Description of Existing Facility:

E Nelson St is currently asphalt pavement, as well as being a truck route for the quarry to the east, many of the trucks hauling materials from quarry use this route to access Highway 56. This section of roadway has multiple areas of failing pavement and shovels or sinking curb/gutter. Additionally the sidewalk needs to be brought into ADA compliance, address the lack of connectivity and repair and/or replace the deteriorated sections.

Detailed Description of Project Scope:

This project would remove the existing asphalt pavement and replace the intersection and both quiet zones with concrete pavement. The concrete pavement will better handle the high volume of haul truck traffic that travels this route. Additionally this project would address deteriorated curb and gutter, concrete flumes, sidewalk and ADA ramps/compliance.

Project Cost Information *

| | |
|-----------------------------------|---------------|
| 1. Design Cost: | \$ 48,900.00 |
| 2. Right-of-way acquisition cost: | |
| 3. Utility relocation Cost: | |
| 4. Construction cost: | \$ 195,600.00 |
| 5. Construction engineering cost: | \$ 0.00 |
| Total project cost: | \$ 244,500.00 |

Calculation of CARS Eligible costs:

| | | |
|----------------------------------|-----|---------------|
| A. Sum item # 4 & 5 above | (+) | \$ 195,600.00 |
| B. Federal Aid Participation | (-) | \$ 0.00 |
| C. State Aid Participation | (-) | \$ 0.00 |
| D. Other Non-local Participation | (-) | |
| Subtotal (CARS eligible costs) | | \$ 195,600.00 |
| CARS Funding request | | \$ 97,800.00 |

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

| | | | |
|------------|------------|----------|--|
| City Name: | <u>N/A</u> | Funding: | |
| City Name: | <u>N/A</u> | Funding: | |

*Program policies require that a licensed professional engineer prepare and seal construction cost estimates for upcoming fiscal year projects (i.e., 2017 Program Projects). A copy of the sealed estimates **must** be furnished for all 2017 CARS Program requests.

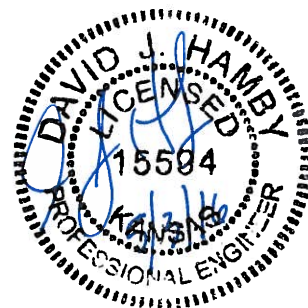
Nelson Street Improvements (at Railroad Crossing) Preliminary Engineering Report

These improvements will reconstruct the pavement on Nelson Street in Edgerton, a major Johnson County vehicle and truck route. Westbound loaded rock trucks leaving the Mid-States Materials rock quarry, located approximately a quarter mile east of the railroad, have applied industrial intensity wheel loads and wheel load repetitions on Nelson Street. The recently installed quiet zone improvements in the vicinity of the railroad and 5th Street have concentrated these industrial intensity wheel loads and load repetitions to an 11 foot wide pavement section. The combination of concentrated large industrial wheel loads and repetitions has caused the existing Nelson Street pavement to fail within the project limits.

The economy of Edgerton and southeast Johnson County will be negatively affected if this part of Nelson Street is unusable. To remedy this situation the City of Edgerton proposes to reconstruct 115 feet of Nelson Street east of the railroad, Nelson Street between the railroad and 5th Street and the intersection of Nelson and 5th Street with 8 inches of non-reinforced dowel jointed KCMMB Portland cement concrete pavement with curb and gutter. Concrete flumes will be constructed west of the railroad to remove stormwater from the pavement. A sidewalk will be constructed on the south side of Nelson Street west of the railroad. Accessible ramps, complying the US Department of Justice Americans with Disabilities Act Guidelines, will be constructed in each of the intersection quadrants at the 5th and Nelson intersection.

Railroad construction permits will be secured prior to construction. Temporary erosion control will be provided in compliance with the NPDES Notice of Intent to comply with the Kansas Construction General Permit that will be filed with the KDHE.

The estimated construction cost is \$195,600 with an estimated project cost of \$244,500.



Opinion of Probable Costs (November 2, 2015)
 BG Proj. Number: 15-1021L

Nelson Street Improvements
 Edgerton, Kansas

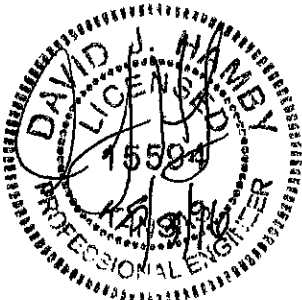
| Item # | Description | Quantity | Unit | Unit Price | Total Price |
|---|--|----------|------|-------------|--------------|
| 5th Street Intersection Improvements | | | | | |
| 1. | Contractor Construction Staking | 1 | LS | \$ 750.00 | \$ 750.00 |
| 2. | Mobilization | 1 | LS | \$ 5,200.00 | \$ 5,200.00 |
| 3. | Clearing and Grubbing | 1 | LS | \$ 1,500.00 | \$ 1,500.00 |
| 4. | Permanent Signing | 1 | LS | \$ 750.00 | \$ 750.00 |
| 5. | Temporary Erosion Control | 1 | LS | \$ 750.00 | \$ 750.00 |
| 6. | Traffic Control | 1 | LS | \$ 1,500.00 | \$ 1,500.00 |
| 7. | Seeding, Fertilizing and Mulching | 1 | LS | \$ 500.00 | \$ 500.00 |
| 2. | Rock Excavation (Pavement Removal) | 110 | CY | \$ 20.00 | \$ 2,200.00 |
| 3. | Concrete Pavement (8" NRDJ)(KCMMB) | 230 | SY | \$ 50.00 | \$ 11,500.00 |
| 4. | Aggregate Base (AB-3)(6") | 510 | SY | \$ 10.00 | \$ 5,100.00 |
| 5. | Curb and Gutter, Combined (AE) | 180 | LF | \$ 25.00 | \$ 4,500.00 |
| 6. | Concrete Pavement (8" Uniform)(AE)(Aprons) | 240 | SY | \$ 50.00 | \$ 12,000.00 |
| 7. | Sidewalk Construction (4")(AE) | 40 | SY | \$ 30.00 | \$ 1,200.00 |
| 8. | Sidewalk Ramp (AE) | 40 | SY | \$ 140.00 | \$ 5,600.00 |
| Construction Subtotal = | | | | | \$ 53,050.00 |
| +20% Construction Contingency = | | | | | \$ 10,610.00 |
| Construction Total = | | | | | \$ 63,660.00 |
| +25% Engineering, Inspection, Admin. = | | | | | \$ 15,915.00 |
| Project Total = | | | | | \$ 79,575.00 |

Nelson Street Improvements (West of RR)

| | | | | | |
|--|------------------------------------|-----|-------|-------------|--------------|
| 1. | Contractor Construction Staking | 1 | LS | \$ 1,000.00 | \$ 1,000.00 |
| 2. | Mobilization | 1 | LS | \$ 6,000.00 | \$ 6,000.00 |
| 3. | Clearing and Grubbing | 1 | LS | \$ 2,000.00 | \$ 2,000.00 |
| 4. | Permanent Signing | 1 | LS | \$ 500.00 | \$ 500.00 |
| 5. | Temporary Erosion Control | 1 | LS | \$ 850.00 | \$ 850.00 |
| 6. | Traffic Control | 1 | LS | \$ 2,000.00 | \$ 2,000.00 |
| 7. | Seeding, Fertilizing and Mulching | 1 | LS | \$ 750.00 | \$ 750.00 |
| 8. | Rock Excavation (Pavement Removal) | 90 | CY | \$ 20.00 | \$ 1,800.00 |
| 9. | Common Excavation (Sidewalk) | 10 | CY | \$ 5.00 | \$ 50.00 |
| 10. | Concrete Pavement (8" NRDJ)(KCMMB) | 350 | SY | \$ 50.00 | \$ 17,500.00 |
| 11. | Aggregate Base (AB-3)(6") | 400 | SY | \$ 10.00 | \$ 4,000.00 |
| 12. | Curb and Gutter, Combined (AE) | 230 | LF | \$ 25.00 | \$ 5,750.00 |
| 13. | Sidewalk Construction (4")(AE) | 60 | SY | \$ 30.00 | \$ 1,800.00 |
| 14. | Sidewalk Ramp (AE) | 10 | SY | \$ 140.00 | \$ 1,400.00 |
| 15. | Concrete Flumes | 2 | EA | \$ 1,100.00 | \$ 2,200.00 |
| 16. | Railway Flagger | 3 | Daily | \$ 5,000.00 | \$ 15,000.00 |
| Construction Subtotal = | | | | | \$ 62,600.00 |
| +20% Construction Contingency = | | | | | \$ 12,520.00 |
| Construction Total = | | | | | \$ 75,120.00 |
| +25% Engineering, Inspection, Admin. = | | | | | \$ 18,780.00 |
| Project Total = | | | | | \$ 93,900.00 |

Nelson Street Improvements (East of RR)




| | | | | | |
|--|------------------------------------|-----|-------|-------------|--------------|
| 1. | Contractor Construction Staking | 1 | LS | \$ 750.00 | \$ 750.00 |
| 2. | Mobilization | 1 | LS | \$ 4,500.00 | \$ 4,500.00 |
| 3. | Clearing and Grubbing | 1 | LS | \$ 1,500.00 | \$ 1,500.00 |
| 4. | Permanent Signing | 1 | LS | \$ 850.00 | \$ 850.00 |
| 5. | Temporary Erosion Control | 1 | LS | \$ 750.00 | \$ 750.00 |
| 6. | Traffic Control | 1 | LS | \$ 1,500.00 | \$ 1,500.00 |
| 7. | Seeding, Fertilizing and Mulching | 1 | LS | \$ 500.00 | \$ 500.00 |
| 8. | Rock Excavation (Pavement Removal) | 80 | CY | \$ 20.00 | \$ 1,600.00 |
| 9. | Concrete Pavement (8" NRDJ)(KCMMB) | 340 | SY | \$ 50.00 | \$ 17,000.00 |
| 10. | Aggregate Base (AB-3)(6") | 340 | SY | \$ 10.00 | \$ 3,400.00 |
| 11. | Railway Flagger | 3 | Daily | \$ 5,000.00 | \$ 15,000.00 |
| Construction Subtotal = | | | | | \$ 47,350.00 |
| +20% Construction Contingency = | | | | | \$ 9,470.00 |
| Construction Total = | | | | | \$ 56,820.00 |
| +25% Engineering, Inspection, Admin. = | | | | | \$ 14,205.00 |
| Project Total = | | | | | \$ 71,025.00 |



5th Street

Nelson St.



-  Intersection Improvements
-  Nelson Improvements (West of RR)
-  Nelson Improvements (East of RR)

CITY OF EDGERTON, KANSAS

COUNCIL AGENDA ITEM

Council Meeting Date: July 27, 2017

Agenda Item: Ordinance Authorizing Bonds and Bond Documents

Subject: Industrial Revenue Bonds and Property Tax Abatement for ELHC XXI Project

Summary:

The City received an application for property tax abatement from ELHC XXI, LLC for a project located in the Logistics Park, consisting of an approximately 200,000 sq. ft. warehouse and distribution facility, to be located at 19400 Essex Road, Edgerton, Kansas (the "Project").

The City has previously adopted Resolution No. 07-08-10A on July 8, 2010, Resolution No. 04-25-13A on April 25, 2013, and Resolution No. 04-09-15A on April 9, 2015 (collectively, the "Resolution of Intent") expressing the intent of the City to issue its industrial revenue bonds in multiple series, the aggregate amount of all series not to exceed \$1,000,000,000, to finance the costs of acquiring, constructing, reconstructing, improving and equipping various projects within The Logistics Park-KC for the benefit of Edgerton Land Holding Company, LLC, or its assigns (the "Developer"). The City adopted Resolution No. 04-27-17C on April 27, 2017 (the "Assignment Resolution") consenting to the assignment of \$38,000,000 of the Developer's interest in the Resolution of Intent to ELHC XXI, LLC for the Project. Prior to adopting the Assignment Resolution, the City held a public hearing on the Project and considered the cost-benefit report.

Ordinance:

The Ordinance authorizes the City to issue up to \$38,000,000 of industrial revenue bonds for the Project. This bond issue is commonly referred to as a "buy your own bonds bond issue." ELHC XXI will be both the lessee on the project and the owner of the bonds. When the bonds are issued, ELHC XXI will lease the project site to the City as is required by state law in order to issue industrial revenue bonds. The City will then sublease the project back to ELHC XXI. ELHC XXI will be obligated to repurchase the project at the conclusion of the tax abatement.

The bonds will be limited obligations of the City. This means that the City has to make payments on the bonds to ELHC XXI as the owner of the bonds only to the extent the City receives payments from ELHC XXI pursuant to the lease. If lease payments from ELHC XXI are insufficient to cover scheduled debt service on the bonds, the City is not obligated to make up any shortfall from any other funds of the City. The bonds are not a general obligation of the City and do not count against the City's debt limit.

The Ordinance authorizes the City to enter into the following documents:

- (a) Trust Indenture which contains the terms governing the Bonds and contains the form of the Bonds;
- (b) Base Lease Agreement whereby the City leases the project site from ELHC XXI;
- (c) Lease Agreement whereby the City will lease the project to ELHC XXI for the term of the tax abatement;
- (d) Bond Purchase Agreement whereby ELHC XXI agrees to acquire the Bonds;
- (e) Performance Agreement whereby ELHC XXI agrees to make certain payments-in-lieu of tax payments; and
- (f) Origination Fee Agreement whereby ELHC XXI agrees to pay the origination fee to the City over time.

ORDINANCE NO. 1058

AN ORDINANCE AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS (ELHC XXI, LLC PROJECT) SERIES 2017, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$38,000,000, FOR THE PURPOSE OF FINANCING A WAREHOUSE AND DISTRIBUTION FACILITY; AUTHORIZING THE CITY TO ENTER INTO A TRUST INDENTURE WITH UMB BANK, N.A., AS TRUSTEE; AUTHORIZING THE CITY TO ENTER INTO A BASE LEASE AND LEASE AGREEMENT WITH ELHC XXI, LLC; AND AUTHORIZING AND APPROVING THE EXECUTION OF ADDITIONAL DOCUMENTS AND THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

WHEREAS, the City of Edgerton, Kansas (the “City”), is authorized pursuant to the provisions of K.S.A. 12-1740 to 12-1749d, inclusive, as amended (the “Act”), to acquire, purchase, construct, install and equip certain commercial and industrial facilities, and to issue industrial revenue bonds for the purpose of paying the cost of such facilities, and to lease such facilities to private persons, firms or corporations; and

WHEREAS, the governing body of the City has heretofore and does now find and determine that it is desirable in order to promote, stimulate and develop the general economic welfare and prosperity of the City and the State of Kansas that the City issue its Industrial Revenue Bonds (ELHC XXI, LLC Project) Series 2017, in an aggregate maximum principal amount not to exceed \$38,000,000 (the “Bonds”), for the purpose of acquiring, constructing and equipping a commercial project, consisting of an approximately 200,000 sq. ft. warehouse and distribution facility, to be located at 19400 Essex Road, Edgerton, Kansas, including land, buildings, structures, improvements, fixtures, machinery and equipment (the “Project”), and that the City lease the Project to ELHC XXI, LLC, a Kansas limited liability company (the “Company”); and

WHEREAS, the governing body of the City further finds and determines that it is necessary and desirable in connection with the issuance of the Bonds that the City enter into certain agreements, and that the City take certain other actions and approve the execution of certain other documents as herein provided;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EDGERTON, KANSAS, AS FOLLOWS:

Section 1. Authorization for the Acquisition, Purchase, Construction, Installation and Equipping of the Project. The City is hereby authorized to provide for the acquisition, purchase, construction, installation, rehabilitation and equipping of the Project, all in the manner and as more particularly described in the Indenture and the Lease Agreement hereinafter authorized.

Section 2. Authorization of and Security for the Bonds. The City is hereby authorized to issue and sell the Bonds for the purpose of providing funds to pay the cost of acquiring, purchasing, constructing, installing and equipping the Project. The Bonds shall be issued and secured pursuant to the herein authorized Indenture and shall bear such date, shall mature at such time, shall be in such denominations, shall bear interest at such rates, shall be in such form, shall be subject to redemption and other terms and conditions, and shall be issued in such manner, subject to such provisions, covenants and agreements, as are set forth in the hereafter defined Indenture. The Bonds shall be payable solely out of the rents, revenues and receipts derived by the City from the Project, and the Project and the net earnings derived by the City from

the Project shall be pledged and assigned to the hereafter defined Trustee as security for payment of the Bonds as provided in the Indenture.

Section 3. Authorization of Documents. The City is hereby authorized to enter into the following documents, in substantially the forms presented to and reviewed by the Council of the City (copies of which documents, upon execution thereof, shall be filed in the office of the City Clerk), with such changes therein as shall be approved by the officers of the City executing such documents, such officers' signatures thereon being conclusive evidence of their approval thereof:

(a) Trust Indenture dated the date set forth therein (the "Indenture"), between the City and UMB Bank, N.A., as trustee (the "Trustee"), pursuant to which the Bonds shall be issued and the City shall pledge the Project and assign the rents, revenues and receipts received pursuant to the hereafter defined Lease to the Trustee for the benefit of and security of the holder of the Bonds upon the terms and conditions as set forth in said form of Indenture;

(b) Base Lease Agreement dated the date set forth therein (the "Base Lease"), between the Company and the City, under which the City will lease the project site from the Company;

(c) Lease Agreement dated the date set forth therein (the "Lease Agreement"), between the City and the Company, under which the City will agree to use the proceeds derived from the sale of the Bonds for the purpose of acquiring, purchasing, constructing, installing and equipping the Project and to sublease the Project to the Company, and the Company will agree to make payments in amounts sufficient to provide for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same become due;

(d) Bond Purchase Agreement dated the date set forth therein (the "Bond Purchase Agreement"), among the City, the Company, as lessee, and the Company, as purchaser;

(e) Performance Agreement dated the date set forth therein (the "Performance Agreement"), between the City and the Company; and

(f) Origination Fee Agreement dated the date set forth therein (the "Origination Fee Agreement"), between the City and the Company.

Section 4. Execution of Bond and Documents. The Mayor of the City is hereby authorized and directed to execute the Bonds and to deliver the Bonds to the Trustee for authentication for and on behalf of and as the act and deed of the City in the manner provided in the Indenture. The Mayor of the City is hereby authorized and directed to execute the Indenture, the Base Lease, the Lease Agreement, the Bond Purchase Agreement, the Performance Agreement, the Origination Fee Agreement and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk of the City is hereby authorized and directed to attest to and affix the seal of the City to the Bonds, the Indenture, the Base Lease, the Lease Agreement, the Bond Purchase Agreement, the Performance Agreement, the Origination Fee Agreement and such other documents, certificates and instruments as may be necessary.

Section 5. Further Authority. The City shall, and the officers, employees and agents of the City are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds, the Indenture, the Base Lease, the Lease Agreement, the Performance Agreement, the Bond Purchase Agreement and the Origination Fee Agreement.

Section 6. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication in summary form in the official City newspaper.

PASSED by the Council of the City of Edgerton, Kansas, this 27th day of July, 2017.

Donald Roberts, Mayor

[SEAL]

ATTEST:

Janeice Rawles, City Clerk

Approved as to form:

Scott W. Anderson, Bond Counsel

ELHC XXI

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider the Award of Construction of 2017 Overlay Program and Authorize the Mayor to Execute the Contract

Department: Public Works

Background/Description of Item: The 2017 Annual Street Maintenance Program was developed to include a Base Bid, Bid Alternate #1 and Bid Alternate #2 to provide City Council flexibility in awarding the project based on the bids received. A description of the streets included in the project is below. Also enclosed is a map illustrating these streets.

- Base Bid (orange): E McCarty Street, W Hulett Street, E Hulett Street, E Martin Street, E McDonald Street
- Bid Alt. #1 (maroon): E Rankin Street, E Meriwood Street, E 3rd Street and E 4th Street
- Bid Alt. #2 (green): E 5th Street and E 6th Street.

City staff will be working to complete the necessary preparation work for the project. This work should be wrapped up prior to the start of project, or just out ahead of the contractor if necessary.

BID PROCESS

On May 25th, 2017 Council granted concurrence to bid the 2017 Street Maintenance Program (Overlay). The project manual and accompanying documents were posted on Drexel Technologies Plan Room on June 22, 2017, and a public bid opening for the 2017 Street Program was held on Monday July 17, 2017. The City received six bids. A copy of the project bid tabulations has been prepared by City Engineer and enclosed with this packet.

BUDGET

The approved 2017 Capital Improvement program includes a total of \$150,000 for 2017 Annual Street Maintenance Project as shown in the enclosed project sheet. That includes \$70,341 in Special Highway funds and \$79,659 in LPKC Maintenance Fee funds.

Based on the budgeted allocation, staff would recommend award of the Base Bid to the lowest, best bidder of O'Donnell-Way Construction with construction cost of \$125,169.60. Engineer's estimate for the Base Bid was \$142,265.20. Staff anticipates \$15,000 in cost for prep work for a total project cost of \$136,369.60.

BID ALTERNATES

As mentioned previously, the 2017 Overlay Project included two bid alternates to provide City Council flexibility at time of award of construction to consider including additional roadways based on bids received. Below is a summary of the bid tabulations for the two lowest bidders for each scenario available for City Council's consideration. Staff has included estimates for prep work as well as these costs are allocated from the CIP fund as well. The lowest bid for each scenario is shown in bold.

If City Council desires to award either bid alternate or both, staff would recommend City Council consider programming additional funds from the LPKC Maintenance Fee as there are unallocated funds as shown as available in the enclosed summary for both 2016 that remain unused (\$72,377.70) and 2017 (\$373,742.21). Using the highest possible project costs based on bids received, an additional \$95,557.22 in funding would be necessary.

| | Little Joe's Asphalt | O'Donnell-Way Construction |
|--|-----------------------------|-----------------------------------|
| BASE BID | \$ 131,322.46 | \$ 125,169.60 |
| Prep Work | \$ 15,000.00 | \$ 15,000.00 |
| TOTAL PROJECT COST | \$ 146,322.46 | \$ 140,169.60 |
| | | |
| BASE BID AND BID ALTERNATE #1 | \$ 177,186.80 | \$ 179,005.98 |
| Prep Work | \$ 22,500.00 | \$ 22,500.00 |
| TOTAL PROJECT COST | \$ 199,686.80 | \$ 201,505.98 |
| | | |
| BASE BID AND BID ALTERNATE #2 | \$ 169,692.88 | \$ 171,808.98 |
| Prep Work | \$ 22,500.00 | \$ 22,500.00 |
| TOTAL PROJECT COST | \$ 192,192.88 | \$ 194,308.98 |
| | | |
| BASE BID, BID ALTERNATES #1 AND 2 | \$ 215,557.22 | \$ 225,645.36 |
| Prep Work | \$ 30,000.00 | \$ 30,000.00 |
| TOTAL PROJECT COST | \$ 245,557.22 | \$ 255,645.36 |

If awarded, staff anticipates a Notice to Proceed in early September. Once a Notice to Proceed is issued, the contract requires substantial completion by October 31, 2017.

City Attorney has reviewed and approved the Project Manual and Contract Documents. City Attorney will review and approve to form the Performance and Maintenance Bonds once submitted by the Contractor.

Enclosure: Bid Tabulation Spreadsheet
2017 Street Overlay Project Map
2017 Annual Street Maintenance CIP Project Sheet
Overview of LPKC Maintenance Fee for 2018 Budget

Related Ordinance(s) or Statute(s): N/A

Recommendation: Approve Award of Construction of 2017 Overlay Program to O'Donnell-Way Construction, in an amount not to exceed \$125,169.60 and Authorize the Mayor to Execute the Contract

Funding Source: Capital Improvement Fund

Prepared by: Trey Whitaker, Public Works Superintendent
Date: July 24, 2017

BID TABULATIONS
2017 Edgerton Street Improvements – Asphalt Overlays
City of Edgerton, KS
Bid Letting July 17, 2017
17-1021L

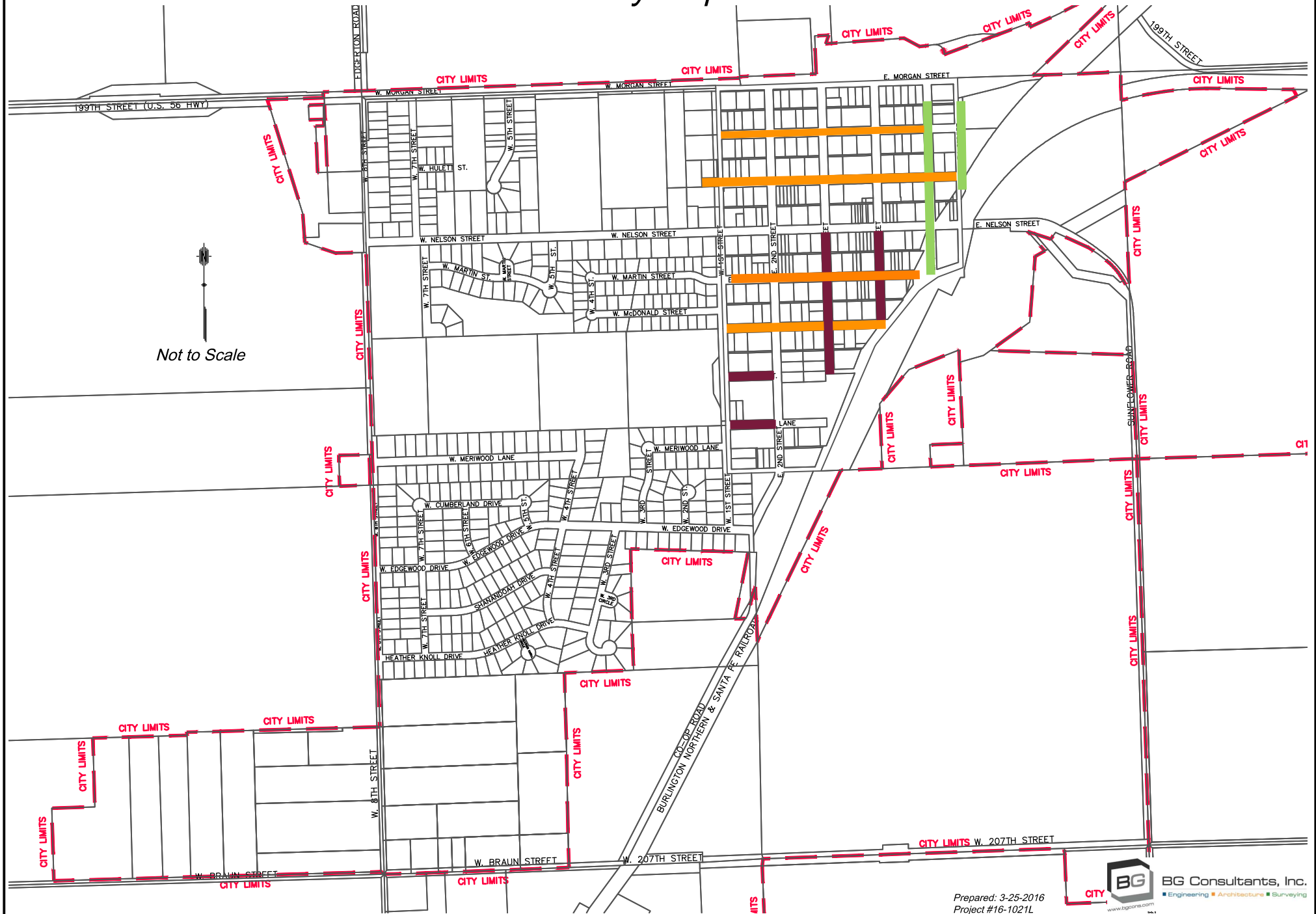
| | | | | Engineer's Estimate | | Little Joe's Asphalt | | O'Connell-Way Construction | | Bettis Asphalt & Construction | |
|------------------------------------|----------------------------|----------|------|----------------------|---------------|----------------------|---------------|----------------------------|---------------|-------------------------------|---------------|
| Item # | Description | Quantity | Unit | Unit Price | | Unit Price | | Unit Price | | Unit Price | |
| Base Bid | | | | | | | | | | | |
| 1. | Hot Mix Asphalt (In Place) | 1,724 | Tons | \$ 77.30 | \$ 133,265.20 | \$ 72.82 | \$ 125,541.68 | \$ 70.40 | \$ 121,369.60 | \$ 73.25 | \$ 126,283.00 |
| 2. | Mobilization | 1 | L.S. | \$ 5,000.00 | \$ 5,000.00 | \$ 3,702.00 | \$ 3,702.00 | \$ 2,200.00 | \$ 2,200.00 | \$ 12,582.00 | \$ 12,582.00 |
| 3. | Traffic Control | 1 | L.S. | \$ 4,000.00 | \$ 4,000.00 | \$ 2,078.78 | \$ 2,078.78 | \$ 1,600.00 | \$ 1,600.00 | \$ 6,568.00 | \$ 6,568.00 |
| Base Bid Total = | | | | \$ 142,265.20 | | \$ 131,322.46 | | \$ 125,169.60 | | \$ 145,433.00 | |
| Bid Alternate No. 1 | | | | | | | | | | | |
| 1. | Hot Mix Asphalt (In Place) | 738 | Tons | \$ 77.30 | \$ 57,047.40 | \$ 61.60 | \$ 45,460.80 | \$ 70.51 | \$ 52,036.38 | \$ 66.05 | \$ 48,744.90 |
| 2. | Mobilization | 1 | L.S. | \$ 4,000.00 | \$ 4,000.00 | \$ 257.16 | \$ 257.16 | \$ 1,000.00 | \$ 1,000.00 | \$ 832.00 | \$ 832.00 |
| 3. | Traffic Control | 1 | L.S. | \$ 2,500.00 | \$ 2,500.00 | \$ 146.38 | \$ 146.38 | \$ 800.00 | \$ 800.00 | \$ 1.00 | \$ 1.00 |
| Bid Alternate No. 1 Total = | | | | \$ 63,547.40 | | \$ 45,864.34 | | \$ 53,836.38 | | \$ 49,577.90 | |
| Bid Alternate No. 2 | | | | | | | | | | | |
| 1. | Hot Mix Asphalt (In Place) | 622 | Tons | \$ 77.30 | \$ 48,080.60 | \$ 61.04 | \$ 37,966.88 | \$ 72.09 | \$ 44,839.98 | \$ 66.05 | \$ 41,083.10 |
| 2. | Mobilization | 1 | L.S. | \$ 1,000.00 | \$ 1,000.00 | \$ 257.16 | \$ 257.16 | \$ 1,000.00 | \$ 1,000.00 | \$ 832.00 | \$ 832.00 |
| 3. | Traffic Control | 1 | L.S. | \$ 1,500.00 | \$ 1,500.00 | \$ 146.38 | \$ 146.38 | \$ 800.00 | \$ 800.00 | \$ 1.00 | \$ 1.00 |
| Bid Alternate No. 2 Total = | | | | \$ 50,580.60 | | \$ 38,370.42 | | \$ 46,639.98 | | \$ 41,916.10 | |
| Grand Total = | | | | \$ 256,393.20 | | \$ 215,557.22 | | \$ 225,645.96 | | \$ 236,927.00 | |

BID TABULATIONS
2017 Edgerton Street Improvements – Asphalt Overlays
City of Edgerton, KS
Bid Letting July 17, 2017
17-1021L

Page 2 / 2

| | | | | Metro Asphalt | | Hamm | | McAnany Construction | |
|------------------------------------|----------------------------|-----------------|-------------|----------------------|---------------|----------------------|---------------|----------------------|---------------|
| <u>Item #</u> | <u>Description</u> | <u>Quantity</u> | <u>Unit</u> | <u>Unit Price</u> | | <u>Unit Price</u> | | <u>Unit Price</u> | |
| Base Bid | | | | | | | | | |
| 1. | Hot Mix Asphalt (In Place) | 1,724 | Tons | \$ 74.55 | \$ 128,524.20 | \$ 76.83 | \$ 132,454.92 | \$ 95.00 | \$ 163,780.00 |
| 2. | Mobilization | 1 | L.S. | \$ 6,000.00 | \$ 6,000.00 | \$ 4,350.00 | \$ 4,350.00 | \$ 10,000.00 | \$ 10,000.00 |
| 3. | Traffic Control | 1 | L.S. | \$ 1,500.00 | \$ 1,500.00 | \$ 2,400.00 | \$ 2,400.00 | \$ 7,000.00 | \$ 7,000.00 |
| Base Bid Total = | | | | \$ 136,024.20 | | \$ 139,204.92 | | \$ 180,780.00 | |
| Bid Alternate No. 1 | | | | | | | | | |
| 1. | Hot Mix Asphalt (In Place) | 738 | Tons | \$ 74.55 | \$ 55,017.90 | \$ 75.89 | \$ 56,006.82 | \$ 95.00 | \$ 70,110.00 |
| 2. | Mobilization | 1 | L.S. | \$ 800.00 | \$ 800.00 | \$ 1,800.00 | \$ 1,800.00 | \$ 3,000.00 | \$ 3,000.00 |
| 3. | Traffic Control | 1 | L.S. | \$ 500.00 | \$ 500.00 | \$ 1,800.00 | \$ 1,800.00 | \$ 825.00 | \$ 825.00 |
| Bid Alternate No. 1 Total = | | | | \$ 56,317.90 | | \$ 59,606.82 | | \$ 73,935.00 | |
| Bid Alternate No. 2 | | | | | | | | | |
| 1. | Hot Mix Asphalt (In Place) | 622 | Tons | \$ 74.55 | \$ 46,370.10 | \$ 75.42 | \$ 46,911.24 | \$ 95.00 | \$ 59,090.00 |
| 2. | Mobilization | 1 | L.S. | \$ 800.00 | \$ 800.00 | \$ 1,200.00 | \$ 1,200.00 | \$ 3,000.00 | \$ 3,000.00 |
| 3. | Traffic Control | 1 | L.S. | \$ 500.00 | \$ 500.00 | \$ 1,200.00 | \$ 1,200.00 | \$ 2,225.00 | \$ 2,225.00 |
| Bid Alternate No. 2 Total = | | | | \$ 47,670.10 | | \$ 49,311.24 | | \$ 64,315.00 | |
| Grand Total = | | | | \$ 240,012.20 | | \$ 248,122.98 | | \$ 319,030.00 | |

City of Edgerton Kansas City Map



**City of Edgerton
Capital Improvement Plan**

Project Number: 8030
Dept: Public Works
Citizen Survey: 1 - Streets

Funding Status: Funded
Project Status: Construction

Project Name: Annual Street Maintenance & Prepwork Project

Project Description:

Operations Impact:

Estimated Cost: \$ 607,304

Outside Funding Available?

No

Notes:

| Project Cost | 2016 & Prior | 2017 Budget | 2018 Request | 2019 Request | 2020 Request | 2021 Request | 2022 Request |
|-----------------------------|-----------------------------|------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Design | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Construction | 125,864 | 150,000 | 150,000 | 45,360 | 45,360 | 45,360 | 45,360 |
| Construction Administration | - | - | - | - | - | - | - |
| Utility Relocation | - | - | - | - | - | - | - |
| Land Acquisition | - | - | - | - | - | - | - |
| Other | - | - | - | - | - | - | - |
| Total Cost | \$ 125,864 | \$ 150,000 | \$ 150,000 | \$ 45,360 | \$ 45,360 | \$ 45,360 | \$ 45,360 |

Project Financing

| | | | | | | | |
|------------------------------|-------------------|-------------------|-------------------|------------------|------------------|------------------|------------------|
| General Fund | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Special Highway Fund | 125,864 | 70,341 | 46,319 | 45,360 | 45,360 | 45,360 | 45,360 |
| Special Park & Rec Fund | - | - | - | - | - | - | - |
| PIF | - | - | - | - | - | - | - |
| CARS | - | - | - | - | - | - | - |
| KDOT | - | - | - | - | - | - | - |
| Other Cities | - | - | - | - | - | - | - |
| Grants | - | - | - | - | - | - | - |
| GO Bonds | - | - | - | - | - | - | - |
| Street Excise Tax | - | - | - | - | - | - | - |
| Park Impact Fee | - | - | - | - | - | - | - |
| PIF Maintenance Fee | - | 79,659 | 103,681 | - | - | - | - |
| System Dev Fee - Water | - | - | - | - | - | - | - |
| System Dev Fee - Sewer | - | - | - | - | - | - | - |
| Revolving Loan Fund | - | - | - | - | - | - | - |
| Total Funding Sources | \$ 125,864 | \$ 150,000 | \$ 150,000 | \$ 45,360 | \$ 45,360 | \$ 45,360 | \$ 45,360 |

Project Location:

City of Edgerton
Overview of LPKC Maintenance Fee - 2018 Budget
as of 7/27/2017

| | 2016 | 2017 est | 2018 est | 2019 est | 2020 est | 2021 est | 2022 est |
|--|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Beginning Balance | \$ 126,177.39 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Sources: | | | | | | | |
| Annual Fee in June | \$ 253,803.69 | \$ 781,452.09 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 |
| Total Sources | \$ 379,981.08 | \$ 781,452.09 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 |
| Uses: | | | | | | | |
| Transfer to Equipment Reserve Fund-General (1) | \$ 250,000.00 | \$ 170,750.00 | \$ 170,750.00 | \$ - | \$ - | \$ - | \$ - |
| Funding for Asst. City Administrator (2) | \$ 57,603.38 | \$ 7,301.88 | \$ 88,181.00 | \$ 92,323.39 | \$ 97,719.99 | \$ 101,194.74 | \$ 106,105.07 |
| Annual Street Maintenance Funding (3) | \$ - | \$ 79,658.00 | \$ 103,411.00 | \$ - | \$ - | \$ - | \$ - |
| Park Improvements Project Funding (4) | \$ - | \$ 150,000.00 | \$ 150,000.00 | \$ - | \$ - | \$ - | \$ - |
| Debt Service on Community Center Bonds (5) | \$ - | \$ - | \$ 300,000.00 | \$ 300,000.00 | \$ 300,000.00 | \$ 300,000.00 | \$ 300,000.00 |
| CIP Projects (6) | \$ 72,377.70 | \$ 373,742.21 | \$ 168,526.24 | \$ 588,544.85 | \$ 583,148.25 | \$ 579,673.50 | \$ 574,763.17 |
| Total Uses | \$ 379,981.08 | \$ 781,452.09 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 | \$ 980,868.24 |
| Sources Over (Under) Uses | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Ending Balance | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

Notes:

(1) Per direction from Council on 5/19/2016, use up to \$250,000 of the fee in 2016, 2017 & 2018 to fund the general equipment reserve.

(2) In 2016, used a maximum of \$0.02 of the \$0.09 to fund a CIP Project Manager position. Now changed to Asst. City Admin. 25% General Fund, 75% CIP Admin. In 2017 forward, Assist City Administrator shows actual cost at the 75% allocation.

(3) Per direction from Council at the CIP Worksession on 4/20/2017, the Annual Street Maintenance program will receive additional funding over the amount of the Gas Tax up to \$150,000 in 2017 and 2018.

(4) Per direction from Council at the CIP Worksession on 4/20/2017, in 2017 and 2018 \$150,000 of the \$0.09 fee should be directed to park improvements to be determined after adoption of the Parks Master Plan.

(5) Per direction from Council at the CIP Worksession 4/20/2017, the estimated debt service payment on the Community Center should be taken from the \$0.09 fee.

(6) The remainder of the maintenance fee would fund CIP projects.