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Amended Agenda
Added: Item #7-Change Order to
New Lawrence Road
Improvements Contract

Call to Order – Pledge of Allegiance Followed by Silent Meditation

PROCLAMATIONS:

- 1. National Farmer’s Market Week August 4-10 2019 (pg. 2)

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

- 2. Minutes from July 9, 2019 Regular Meeting and July 16, 2019 Special Meeting **Action:** Motion (pg. 3)

Second Consideration Ordinance:

- 3. Second Consideration Ordinance No. 8107 Development Regulations **Action:** Roll Call (pg. 9)

NEW BUSINESS:

Citizen Participation: (i.e. Items not listed on the agenda or receipt of petitions- **Please state your name and address**)

General Items

- 4. Consider Cereal Malt Beverage License for Towne Pub; 1001 Ottawa Street **Action:** Motion (pg. 14)

Bids, Contracts and Agreements:

- 5. Consider Bids for 2019 Thornton Street Improvements Project **Action:** Motion (pg. 15)
- 6. Consider Bids for 2019 Sidewalk Improvements Project **Action:** Motion (pg. 26)
- 7. Change Order No. 1 To Contract 2018-43 New Lawrence Road Improvements **Action:** Motion (pg. 29)

Consent Agenda:

Claims for July 6, 2019 through July 19, 2019, in the amount of \$833,064.97; Net amount for Payroll #15 effective July 19, 2019, in the amount of \$377,674.28; (Includes Police & Fire Pension in the amount of \$11,572.36). **Action:** Motion

Other:

Adjourn **Action:** Motion

City of Leavenworth, Kansas



Proclamation

- WHEREAS,** *the Leavenworth Farmers Market, offers consumers farm-fresh, affordable, convenient, and healthful products such as fruits, vegetables, cheeses, herbs, flowers, baked goods, meat; and*
- WHEREAS,** *farmers markets serve as integral links among urban, suburban, and rural communities, affording farmers and consumers the opportunity to interact; and*
- WHEREAS,** *the popularity of farmers markets continues to rise as more and more consumers discover the joys of shopping for unique ingredients sold directly from the farm in their freshest possible state; and*
- WHEREAS,** *farmers markets play a key role in developing local and regional food systems that support the sustainability of family farms, revitalize communities, and provide opportunities for farmers and consumers to interact; and*
- WHEREAS,** *Leavenworth Farmers Market offers electronic benefits transfer technology for use by Supplemental Nutrition Assistance Program recipients in redeeming their benefits, offers opportunities for senior citizens participating in the Senior Farmers Market Nutrition Program to redeem their checks, and provides unsold produce to community free food programs; and*
- WHEREAS,** *The United States Department of Agriculture strongly supports and promotes the development, operation, and expansion of farmers markets and other direct-to-consumer marketing activities for agricultural producers providing them with marketing opportunities.*

NOW, THEREFORE, *I, Jermaine Wilson, Mayor of the City of Leavenworth, Kansas, do hereby recognize farmers markets and the contributions farmers make to daily life in America, giving notice to our citizens that the week of August 4-10, 2019 as*

Leavenworth Farmers Market Week

in the City of Leavenworth, and hereby encourage the citizens to celebrate the benefits of farmers markets and the bountiful production of our Nation's farmers with appropriate observances and activities.

IN WITNESS WHEREOF, *I set my hand and have affixed the Great Seal of the City of Leavenworth, Kansas this twenty-third of July in the year of two-thousand and nineteen.*

Jermaine Wilson, Mayor

ATTEST:

Carla K. Williamson, CMC, City Clerk



CITY OF LEAVENWORTH
100 N. 5th Street
Leavenworth, Kansas 66048

City Commission Regular Meeting
Commission Chambers
Tuesday, July 9, 2019 7:00 p.m.

CALL TO ORDER - The Governing Body met in regular session and the following commission members were present: Mayor Jermaine Wilson, Mayor Pro-Tem Myron J. (Mike) Griswold, Commissioners Nancy Bauder, Larry Dedeke and Mark Preisinger.

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Fire Chief Gary Birch, Public Works Director Mike McDonald, Superintendent of Services Curtis Marks, Finance Director Ruby Maline, Parks and Recreation Director Steve Grant, Planning and Community Development Director Julie Hurley, Deputy Finance Director Brandon Mills, Public Information Officer Melissa Bower, Deputy City Clerk Cary L. Collins, City Attorney David E. Waters and City Clerk Carla K. Williamson.

Mayor Jermaine Wilson opened the meeting with the pledge of allegiance followed by silent meditation.

PRESENTATIONS:

Proclamation-Parks and Recreation Month – Parks & Recreation Director Steve Grant was present to accept the proclamation.

OLD BUSINESS:

Consideration of Previous Meeting Minutes:

Commissioner Dedeke moved to approve the minutes from the June 25, 2019 regular meeting as presented. Commissioner Griswold seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Second Consideration Ordinance:

Second Consideration Ordinance No. 8106 Amending Chapter 122 Vehicles for Hire– City Clerk Carla Williamson stated there have been no changes to the ordinance since it was first introduced on June 25, 2019. Ordinance No. 8106 was presented for second consideration and a roll call vote.

Mayor Wilson called the roll and Ordinance No. 8106 was unanimously approved 5-0.

NEW BUSINESS:

Citizen Participation:

Krystal Elliott - 303 Arch Street:

- Addressed the City Commission to follow up on city regulation to allow bee apiaries in residential areas

- City Manager Paul Kramer stated that a memorandum was sent out to the City Commission for review and feedback. There was a consensus by the Commission to place the item on a future Study Session.

Harold Carl Pederson - 1001 10th Avenue:

- Doesn't know where his property lines are
- Received letter from the City to clear the area
- Very costly to have cleared
- Has physical limitations
- Tree was damaged in a storm and difficult to cut the tree up
- Will take time to clean up tree
- Letter from the city giving 30 days to clean up - will not be able to get it done in that time doing the work himself without funding to hire someone
- Has thought about making the area a city garden for churches to use
- Received 2 different letters; one for tree and one for vegetation
- Does have poison and will use it if push comes to shove

Mayor asked the City Manager to get information to the Commission from staff on the situation.

General Items:

Review Property at 795 Spruce Street – City Attorney David Waters updated the Commission regarding the property.

- Was put on the demolition list by the City Commission in a previous meeting
- Representative of the Church appeared before the Commission to discuss; no extension was given
- No permits have been pulled although work has been done by the Church without permits
- An injunction was filed in District Court by a member of the Church
- The hearing was today (July 16, 2019) on the filing
- There was a discussion on “standing” meaning if the individual filing had property standing to bring the request and the lack of council for the church
- Judge King gave a continuance to August 21, 2019 to allow church/property to obtain legal counsel
- The Judge did not issue a restraining order or injunction; the City's demolition order technically still stands
- The Judges expectation is that this would still be a live matter when this comes back to court by the city not having demolished or that the matter has been settled in some way
- The City does have a couple options and there is no need for the Commission to make a decision tonight
 - Continue with the demolition
 - Do nothing keep on list and hold off on enforcement/demolition until after hearing
 - Staff could offer another remediation agreement with a reasonable deadline
 - If offer is not accepted that would be presented to the Judge or if it is accepted present that to the Judge

City Manager Kramer added that if the remediation agreement route is decided that we would also take into account and require the property owner to get permits, obtain and pay for permit for work already done and to be reimbursed for costs already incurred by the City for the demolition process.

Commissioner Preisinger asked how much the City has incurred to this point.

Ms. Hurley stated about \$1900 of invoiced fees so far. There has been other work that the city has not been invoiced for but expenses have been incurred.

Commissioner Preisinger also stated that Pastor Knighten was offered a remediation agreement and he stated that his work would stand for itself and did not sign the remediation agreement. Ms. Julie said that was correct.

Commissioner Preisinger asked if there was power or water. Ms. Hurley said there was not power or water and the property is uninhabitable.

Commissioner Preisinger asked if the taxes were current. Ms. Hurley stated she believes they are current.

Jed Knighten Pastor of the Church addressed the Commission:

- In reference to the statement that he refused to sign the agreement, that was not his intent, he never knew he had to sign the remediation agreement
- Worked out of town and did not see the letter
- He gave the letter to the church secretary
- Dropped the ball by not reading the agreement

Commissioner Preisinger stated that he recalled someone from code did meet with Pastor Knighten personally about the remediation agreement if memory serves correctly. Ms. Hurley said that is what they have in their notes.

Pastor Knighten said he met with Lee but she had no letter with her. He had to go out of town and did not make it to the meeting. At no time would he have refused to sign the remediation agreement.

- Did know that he was supposed to be working on the building and that he was to be working on the outside
- He is from Texas and where he comes from you do not need permits for anything that is not structural; if he had known he needed a permit he would have gotten a permit

Commissioner Griswold asked what he would do between now and August 21.

Pastor Knighten replied:

- Some siding could not be repaired
- Has already replaced windows and a door
- Has a stop order until permits have been obtained
- Willing to get permits whatever they cost and will do his very best to compensate the City for money spent
- The work in the remediation will be completed in the next 10 days.

Ms. Hurley stated that if the City is satisfied, our legal counsel could go before the court and let them know the matter is closed.

Mr. Kramer stated that we believe that someone is inhabiting the structure and there is not a functioning sewer. We would need access to the structure to do a dye test to see if there is functioning sewer and would recommend that be added as a condition in the remediation agreement.

Mr. Knighten said no one is living in the structure. He is in and out of the building and he has some personal property in there.

Commissioner Preisinger moved to suspend the demolition of 795 Spruce until Aug 13, 2019 until a remediation agreement has been signed and that all items and costs have been taken care of, permits pulled and a repayment plan is in place and reviewed by the Commission. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Budget and Capital Improvements Program (CIP) Presentation – City Manager Paul Kramer provided an overview of the Budget and CIP via a PowerPoint presentation. The City Commission will hold a Work Session on July 11-12, 2019 to discuss.

- Balanced budget no millage increase
- Redistribution of resources to focus on roads
- Includes the addition of Rental Property Coordinator and Civil Engineering positions
- Implementation of the salary increases from the classification and compensation study
- Continued subsidization of the Community Center operations
- Increase in employee health, welfare and retirement expenses
- 3% increase in assessed valuation
- 3% increase in total sales tax revenue
- Proposed refuse rate increase of \$1.35 per month
- Proposed sewer rate increase on average or \$1.10 per month

First Consideration Ordinances:

First Consideration Ordinance Amending Development Regulations-Signs – Planning and Community Development Director Julie Hurley presented for first consideration an ordinance amending Appendix E of the Code of Ordinances, Development Regulations Sec. 8.04 Permits. The specific change is to Sec. 8.04-23 regarding political signs. The amendment would add the following: “Signs may not be erected more than 45 days prior to an election, and must be removed within three days after the election.”

Commissioner Bauder brought up the issue of signs in the right-of-way and confusion on what is and is not in the right-of-way.

There was a consensus by the Commission to place on first consideration.

CONSENT AGENDA:

Commissioner Bauder moved to approve claims for June 22, 2019 through July 5, 2019, in the amount of \$1,606,936.60; Net amount for Payroll #14 effective July 5, 2019, in the amount of \$392,007.64; (No Police & Fire Pension). Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Adjourn:

Commissioner Dedeke moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved.

Time Meeting Adjourned 8:13 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC



CITY OF LEAVENWORTH
100 N. 5th Street
Leavenworth, Kansas 66048
www.lvks.org

City Commission Special Meeting
Commission Chambers
Tuesday, July 16, 2019 8:08 p.m.

CALL TO ORDER - The Governing Body met for a special meeting and the following commission members were present: Mayor Jermaine Wilson, Mayor Pro-Tem Myron J. (Mike) Griswold, Commissioners Nancy Bauder, Larry Dedeke and Mark Preisinger

Others present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Deputy Public Works Director Mike Hooper, Finance Director Ruby Maline, Public Information Officer Melissa Bower and City Clerk Carla K. Williamson.

Open Special Meeting:

Commissioner Preisinger moved to open a special meeting. Commission Bauder second the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Consider Bids for 10th Avenue Pavement Rehabilitation Project – Public Works Director Mike McDonald presented for consideration the bids for the 10th Avenue Rehabilitation Project. Staff recommends the approval of the bid from McAnany Construction in the amount of \$478,229.49. Bids were opened on July 10, 2019 and the bids were as follows:

- McAnany Construction \$478,229.49
- J. M. Fahey Construction \$485,758.15

Commissioner Bauder moved to accept the bid from McAnany Construction in the amount not to exceed \$478,229.49 for the 10th Avenue Rehabilitation Program. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 5-0.

Adjourn:

Commissioner Bauder moved to close the special meeting. Commissioner Dedeke seconded the motion and the motion was unanimously approved.

Time meeting adjourned 8:19 p.m.

Minutes taken by City Clerk Carla K. Williamson, CMC

**POLICY REPORT
SECOND CONSIDERATION ORDINANCE 8107
AMENDING SEC 8.04 OF APPENDIX E, DEVELOPMENT REGULATIONS
OF THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH**

JULY 23, 2019



Carla K. Williamson, CMC
City Clerk



Paul Kramer
City Manager

BACKGROUND:

At the July 19, 2019 City Commission meeting the City Commission reviewed and placed on first consideration:

AN ORDINANCE AMENDING SEC 8.04, PERMITS OF APPENDIX E OF THE CODE OF ORDINANCES, DEVELOPMENT REGULATIONS, OF THE CITY OF LEAVENWORTH, KANSAS BY AMENDING AND PROVIDING ADDITIONAL AND SUBSTITUTE PROVISIONS.

There have been no changes since first consideration.

Ordinance No. 8107 is now presented for second consideration and requires a roll call vote.

ATTACHMENTS:

- Ordinance No. 8107

(Summary Publish in the Leavenworth Times on July 26, 2019)

ORDINANCE NO. 8107

AN ORDINANCE AMENDING SEC 8.04, PERMITS OF APPENDIX E OF THE CODE OF ORDINANCES, DEVELOPMENT REGULATIONS, OF THE CITY OF LEAVENWORTH, KANSAS BY AMENDING AND PROVIDING ADDITIONAL AND SUBSTITUTE PROVISIONS.

Whereas, an ordinance of the City of Leavenworth, Kansas, Amending Sec. 8.04 of Appendix E; Development Regulations of the Code of Ordinances; repealing any and all other ordinances and parts of ordinances in conflict therewith.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. That the following amendments to Sec. 8.04, of the Appendix E, Development Regulations of the Code of Ordinance of the City of Leavenworth, Kansas is hereby deleted in its entirety and amended to read as follows:

8.04. - Permits.

A. Permits required.

1. Except as otherwise provided in this chapter, it shall be unlawful for any person to erect, construct, enlarge, move, modify, alter, or convert any sign in the city, or cause the same to be done, without first obtaining a sign permit for such sign as required by this chapter. Issuance of a permit is contingent upon the sign being in compliance with all applicable laws and regulations of the city.
2. Every sign permit issued by the director shall become null and void if installation is not commenced within 120 days from the date of approval of such permit. If work authorized by such permit is suspended or abandoned for 120 days from the date of permit approval, a new permit shall be required for such work, even if no changes have been made to the original sign plan.
3. *Required information.* Application shall be made upon forms furnished by the planning and community development department and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the city.

B. Fee increase for failure to obtain permit. If the director discovers or is informed of a sign constructed or being constructed that requires a permit that has been constructed, installed, or erected without a permit according to this sign code, s/he shall collect three times the permit fee specified for the type of sign in question.

C. Signs excluded from permit. The following signs are not required to have a permit; however, these signs shall otherwise comply with this section and all other applicable provisions of the sign code.

1. Directional signs.
2. Holiday decorations.
3. Home security and neighborhood watch signs.
4. Identification signs.
5. Official signs.
6. Name plate signs. Where multiple tenants share the same rear door, the sign may display the name and address of each tenant. These signs shall not exceed four square feet.
7. Window signs, as further described in section 8.10 F. of this chapter.
8. Contractor signs: One free standing, non-illuminated contractor's sign, not to exceed eight square feet of sign surface, shall be permitted for each contractor if the property is zoned residential, or not to exceed 32 square feet if the property is zoned other than residential. The sign shall not be installed before commencing work on the project or the issuance of a building permit for the project and the sign shall be removed upon completion of the project.
9. Public interest signs that do not exceed the size limitations.
10. Address signs.
11. Commercial real estate signs not exceeding 32 square feet in area per sign face with two faces permitted. Signs shall not exceed eight feet in height. Signs are limited to one sign per street frontage, with a maximum of two signs for each project. Signs must be located at least ten feet from the edge of the curb or behind any existing public sidewalks and may not be illuminated or have an electronic changeable face.
12. Residential real estate signs not exceeding three square feet in area. Signs are limited to one on-premises sign per street frontage, and two off-premises signs permitted only with permission of property owner. Signs must be located at least ten feet from the edge of the curb or behind any existing public sidewalks and may not be illuminated or have an electronic changeable face.
13. Garage sale signs may only be placed at the site of the sale. All garage sale signs shall be removed immediately upon completion of the sale. Garage sale signs include sample and yard sale signs. Garage sale signs shall not exceed four square feet per sign, with two faces per sign permitted. A garage sale permit shall be obtained as required by city code of ordinances.
14. Signs carried by a person.
15. Costumed people promoting a business or event.
16. Flags, pennants, emblems, memorial tablets, cornerstone etches, monuments and insignia of any governmental body, public or private school, church, synagogue or other place used primarily for worship, community centers, or other public, semi-public, or civic organizations or other similar noncommercial entity, when not displayed in connection with a commercial promotion or as an advertising device; provided that not more than three flags, pennants or insignia shall be displayed on any building, structure or premises, unless

specifically herein provided. Any other provisions as applicable regarding display of the American flag as contained in Title 4, U.S. Code.

17. Integral decorative or architectural features of buildings, so long as these features do not contain letters, trademarks, moving parts or lights.
18. Decorative landscape markers, which may include logos or trademarks.
19. Signs attached to a currently licensed, operational and legally parked or legally moving vehicle.
20. Temporary signs containing non-commercial messages at churches, synagogues and other similar places of worship, community centers, public and private schools and buildings or structures owned or leased and used by other public, semi-public, or civic organizations.
21. Special event signs shall be exempt from a permit as follows: Signs of a temporary nature for campaigns, drives, seasonal events of civic or philanthropic organizations not to exceed 32 square feet. These signs must be placed on private property and must be removed within three days after the event.
22. A new sign permit shall not be required unless (a) the existing sign base, pole, or face is nonconforming to these regulations or, (b) the existing sign base or pole is going to be relocated, changed, or enlarged.
23. Political signs may be placed on private property only after permission has been granted by the owner of the property or his or her authorized agent. No political signs are permitted on public right-of-way or on public property. In commercial or industrial areas, signs shall not exceed 32 square feet in area per face. In residential areas, signs shall not exceed three square feet per face. Signs shall not be placed where they interfere with intersection sight distances, and may not be affixed to any utility poles, trees, street lights, bridges, benches or similar public structures. Signs may not be erected more than 45 days prior to an election, and must be removed within three days after the election.
24. Contractor signs as further defined in section 8.07 D.
25. Decorative light pole banners, which may not include any business or advertising information.

Section 2. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Governing Body hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. That nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section

2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. EFFECTIVE DATE. This Ordinance shall take effect and be in force upon publication in the official city newspaper.

PASSED and APPROVED by the Governing Body on this 23rd day of July 2019.

Jermaine Wilson, Mayor

{SEAL}

ATTEST:

Carla K. Williamson, CMC
City Clerk

**POLICY REPORT
2019 CEREAL MALT BEVERAGE LICENSE**

July 23, 2019

Prepared by:



Mariah Lietzen
Receivable/License Coordinator

Reviewed by:



Carla K. Williamson, CMC
City Clerk

Reviewed by:



Paul Kramer
City Manager

ISSUE:

Consider approval of a 2019 On Premise Cereal Malt Beverage License requested by R & D Anderson, LLC. The business name is Towne Pub and they are located at 1001 Ottawa Street.

BACKGROUND:

The application has been approved by the Police Department and the Fire Department who also serves as the city health inspector. The request is due to the existing business having new ownership.

ACTION:

Motion to approve the 2019 on premise Cereal Malt Beverage License for R & D Anderson, LLC, 1001 Ottawa Street Leavenworth, Kansas.

POLICY REPORT PWD NO. 19-36
CONSIDER APPROVAL OF LOW BID FOR
THE THORNTON STREET IMPROVEMENTS PROJECT

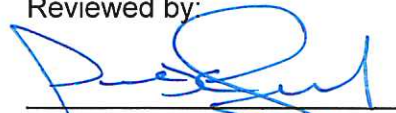
City Project 2015-795
July 23, 2019

Prepared by:



Michael G. McDonald, P.E.,
 Director of Public Works

Reviewed by:



Paul Kramer,
 City Manager

ISSUE:

Consider the bids received for the Thornton Street Improvements Project.

BACKGROUND:

In 2016, Affinis Corporation completed a Concept Design Study for Thornton Street from 10th Avenue to 2nd Avenue incorporating the results of a TEAP (Traffic Engineering Assistance Program) Study done in 2015. Upon review of the Concept Design Study, the Commission identified Thornton Street as a priority project with the desire to start construction in 2019. On June 5, 2018, the City Commission approved a design contract with Affinis Corporation for the design of the project from 10th Avenue to 5th Street.

The project will construct a 28' wide road that will include the following:

- o New curb and gutter
- o New storm drain inlets to include 2 eco-friendly storm inlets and piping
- o New crossroad storm boxes
- o New sidewalks and ADA ramps on both sides of the roadway
- o New traffic signal at 2nd Avenue & Thornton
- o New roadway of 10" asphalt with 6" of AB-3 base and geogrid

Additional work will include the replacement and/or repair of all sanitary sewer mains and service lines within the project area. The alternate bid item is for lining the repaired sanitary sewer mains.

On April 25, 2019, staff held a public meeting for all property owners in the project area. The Land Company has been acquiring easements on behalf of the City since the meeting.

Construction drawings were adjusted based on public comments and the project was advertised in the Leavenworth Times, sent to area plan rooms and Drexel Technologies. A mandatory pre-bid meeting was held on June 26, 2019 and bids were opened on July 10, 2019.

The results of the bid opening are shown below in the bid tabulation.

Company	City	Base Bid	Alternate Bid	Bid Total
Kissick Construction	Kansas City, Mo	\$4,697,697.00	\$193,365.00	\$4,891,062.00
Linaweaver Construction	Lansing, KS	\$4,785,133.40	\$141,405.00	\$4,926,538.40
Lexeco, Inc.	Leavenworth, KS	\$4,928,214.80	\$127,778.70	\$5,055,993.50
Kansas Heavy Construction	Tonganoxie, KS	\$4,968,375.80	\$195,504.00	\$5,163,879.80
Engineer's Base Bid Estimate		\$5,257,140.00	\$158,905.00	\$5,416,045.00

Kissick Construction of Kansas City, MO was the low bidder and met all bidding requirements. The City has not worked with Kissick on any project in the past. References were submitted and checked by staff with all results positive.

Work is expected to begin by mid to late September of this year and be completed in two (2) construction seasons. Construction will start in the area from 5th Avenue to 5th Street, although work may be approved to occur in other areas if no conflicts are created. Utilities will be working in the same area to complete the remaining relocations and equipment upgrades.

Inspection work will be by a combination of contract inspection services and City staff.

RECOMMENDATION:

Staff recommends that the City Commission approve the low bid and alternate bid submitted by Kissick Construction for the Thornton Street Improvements Project, in the amount of \$4,891,062.00.

POLICY:

The City Commission generally awards bids to the lowest bidder that are properly submitted and within the Engineer's Estimate.

ATTACHMENTS:

Bid Tabs



CITY OF LEAVENWORTH
 Project No. 2015-795
 Thornton Street Improvements Bid Tab Review
 July 10, 2019

BASE BID													
Item	Description	Unit	Quantity	Engineer's Estimate		Kissick Construction		Linaweaver Construction		Lexeco, Inc.		Kansas Heavy Construction	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization	L.S.	1	\$150,000.00	\$150,000.00	\$100,000.00	\$100,000.00	\$360,000.00	\$360,000.00	\$490,000.00	\$490,000.00	\$150,000.00	\$150,000.00
2	Traffic Control	L.S.	1	\$50,000.00	\$50,000.00	\$40,000.00	\$40,000.00	\$36,000.00	\$36,000.00	\$32,500.00	\$32,500.00	\$35,000.00	\$35,000.00
3	Removal of Existing Structures	L.S.	1	\$250,000.00	\$250,000.00	\$248,459.00	\$248,459.00	\$150,000.00	\$150,000.00	\$235,000.00	\$235,000.00	\$260,000.00	\$260,000.00
4	Cleaning & Grubbing	L.S.	1	\$50,000.00	\$50,000.00	\$35,000.00	\$35,000.00	\$28,000.00	\$28,000.00	\$17,250.00	\$17,250.00	\$13,500.00	\$13,500.00
5	Linear Grading	L.F.	4,569	\$40.00	\$182,760.00	\$67.00	\$306,123.00	\$60.00	\$274,140.00	\$89.00	\$406,841.00	\$57.00	\$260,433.00
6	Temporary Surfacing Material (AB-3) (EST)	TON	2,120	\$30.27	\$64,170.00	\$30.00	\$63,600.00	\$18.00	\$33,920.00	\$50.00	\$106,000.00	\$28.00	\$59,360.00
7	2" Asphaltic Concrete Surface Course KDOT Superpave Performance	TON	2,042	\$80.00	\$163,360.00	\$90.00	\$183,780.00	\$79.00	\$161,318.00	\$74.85	\$152,843.70	\$85.00	\$173,570.00
8	8" Asphaltic Concrete Base Course KDOT Superpave Performance	TON	8,920	\$80.00	\$713,600.00	\$77.00	\$686,840.00	\$74.00	\$660,080.00	\$71.39	\$636,798.80	\$90.00	\$802,800.00
9	6" Granular Subbase, AB-3 Compacted	S.Y.	21,129	\$8.00	\$169,032.00	\$12.00	\$253,548.00	\$6.75	\$142,620.75	\$13.00	\$274,677.00	\$8.00	\$169,032.00
10	Subgrade Stabilization (Triax TS 160) (EST)	S.Y.	21,129	\$6.00	\$126,774.00	\$4.00	\$84,516.00	\$5.00	\$105,645.00	\$3.30	\$69,725.70	\$4.80	\$101,419.20
11	6x4' Curb Inlet	EA	18	\$6,000.00	\$108,000.00	\$4,939.00	\$88,902.00	\$5,500.00	\$99,000.00	\$4,992.00	\$89,856.00	\$5,500.00	\$99,000.00
12	6x6' Curb Inlet	EA	4	\$6,500.00	\$26,000.00	\$5,485.00	\$21,940.00	\$7,100.00	\$28,400.00	\$5,632.00	\$22,528.00	\$6,700.00	\$26,800.00
13	6x6' Curb Inlet	EA	1	\$7,000.00	\$7,000.00	\$5,485.00	\$5,485.00	\$7,100.00	\$7,100.00	\$5,533.00	\$5,533.00	\$7,200.00	\$7,200.00
14	8x4' Curb Inlet	EA	1	\$7,500.00	\$7,500.00	\$5,709.00	\$5,709.00	\$7,300.00	\$7,300.00	\$5,755.00	\$5,755.00	\$7,300.00	\$7,300.00
15	4x4' Junction Box	EA	2	\$4,500.00	\$9,000.00	\$4,448.00	\$8,896.00	\$5,000.00	\$10,000.00	\$4,400.00	\$8,800.00	\$5,200.00	\$10,400.00
16	6x4' Junction Box	EA	1	\$6,500.00	\$6,500.00	\$4,541.00	\$4,541.00	\$5,600.00	\$5,600.00	\$4,500.00	\$4,500.00	\$5,600.00	\$5,600.00
17	4x4' Area Inlet	EA	1	\$5,500.00	\$5,500.00	\$4,460.00	\$4,460.00	\$3,800.00	\$3,800.00	\$4,418.00	\$4,418.00	\$3,900.00	\$3,900.00
18	Concrete Collar	EA	1	\$1,000.00	\$1,000.00	\$945.00	\$945.00	\$500.00	\$500.00	\$950.00	\$950.00	\$850.00	\$850.00
19	18" RCP Class III Storm Sewer	L.F.	930	\$100.00	\$93,000.00	\$60.00	\$55,800.00	\$85.00	\$79,050.00	\$95.00	\$88,350.00	\$94.00	\$87,420.00
20	18" HP Storm Sewer	L.F.	46	\$100.00	\$4,600.00	\$43.00	\$1,978.00	\$65.00	\$2,990.00	\$45.00	\$2,070.00	\$65.00	\$2,990.00
21	24" RCP Class III Storm Sewer	L.F.	723	\$110.00	\$79,530.00	\$62.00	\$44,826.00	\$105.00	\$76,915.00	\$54.00	\$39,042.00	\$95.00	\$68,685.00
22	30" RCP Class III Storm Sewer	L.F.	445	\$120.00	\$53,400.00	\$89.00	\$39,805.00	\$145.00	\$64,525.00	\$78.00	\$34,710.00	\$124.00	\$55,180.00
23	36" RCP Class III Storm Sewer	L.F.	298	\$120.00	\$34,700.00	\$108.00	\$32,184.00	\$165.00	\$49,170.00	\$97.00	\$29,006.00	\$154.00	\$45,892.00
24	42" RCP Class III Storm Sewer	L.F.	172	\$200.00	\$34,400.00	\$112.00	\$19,294.00	\$165.00	\$28,380.00	\$102.00	\$17,544.00	\$180.00	\$30,960.00
25	6x6' RCB	L.F.	76	\$800.00	\$60,800.00	\$514.00	\$39,064.00	\$500.00	\$38,000.00	\$480.00	\$36,480.00	\$745.00	\$56,620.00
26	Double 6x6' RCB	L.F.	279	\$1,200.00	\$334,800.00	\$880.00	\$245,520.00	\$900.00	\$251,100.00	\$843.00	\$235,197.00	\$1,080.00	\$301,320.00
27	Double 6x6' RCB	L.F.	109	\$1,400.00	\$152,600.00	\$1,041.00	\$113,469.00	\$1,120.00	\$122,080.00	\$1,002.00	\$109,218.00	\$1,150.00	\$125,350.00
28	KCMMB 5K Concrete (Cast-in-place Structural)	C.Y.	239	\$1,000.00	\$239,000.00	\$475.00	\$113,525.00	\$980.00	\$234,220.00	\$475.00	\$113,525.00	\$995.00	\$237,805.00
29	Riprap (1 ton) (EST)	S.Y.	452	\$80.00	\$36,160.00	\$80.00	\$36,160.00	\$75.00	\$33,900.00	\$85.00	\$38,420.00	\$67.50	\$30,510.00
30	Underdrain Pipe (EST)	L.F.	1,236	\$30.00	\$37,080.00	\$20.00	\$24,720.00	\$30.00	\$37,080.00	\$20.00	\$24,720.00	\$20.80	\$25,708.80
31	Stormwater Treatment Unit (CDS 3035-6-C)(6' Diameter)(Structure 317)	EA	1	\$45,000.00	\$45,000.00	\$46,578.00	\$46,578.00	\$45,000.00	\$45,000.00	\$48,000.00	\$48,000.00	\$30,000.00	\$30,000.00
32	Stormwater Treatment Unit (CDS 3035-6-C)(6' Diameter)(Structure 306A)	EA	1	\$45,000.00	\$45,000.00	\$46,638.00	\$46,638.00	\$45,000.00	\$45,000.00	\$48,000.00	\$48,000.00	\$30,000.00	\$30,000.00
33	Concrete Blockout	EA	12	\$1,200.00	\$14,400.00	\$302.00	\$3,624.00	\$300.00	\$3,600.00	\$300.00	\$3,600.00	\$1,230.00	\$14,760.00
34	Sanitary Sewer Services (6" PVC)	L.F.	639	\$80.00	\$51,120.00	\$60.00	\$38,340.00	\$150.00	\$95,850.00	\$60.00	\$38,340.00	\$118.00	\$75,402.00
35	Sanitary Sewer (8" PVC)	L.F.	751	\$120.00	\$90,120.00	\$75.00	\$56,325.00	\$140.00	\$105,140.00	\$75.00	\$56,325.00	\$180.00	\$135,180.00
36	Sanitary Sewer (10" PVC)	L.F.	30	\$200.00	\$6,000.00	\$408.00	\$12,240.00	\$250.00	\$7,500.00	\$410.00	\$12,300.00	\$185.00	\$5,550.00
37	Sanitary Sewer (10" DIP)	L.F.	20	\$200.00	\$4,000.00	\$319.00	\$6,380.00	\$300.00	\$6,000.00	\$380.00	\$7,600.00	\$190.00	\$3,800.00
38	Sanitary Sewer Encasement (Main)	L.F.	140	\$150.00	\$21,000.00	\$100.00	\$14,000.00	\$150.00	\$21,000.00	\$100.00	\$14,000.00	\$125.00	\$17,500.00
38A	Sanitary Sewer Encasement (Service) (EST)	L.F.	151	\$150.00	\$22,650.00	\$90.00	\$13,590.00	\$75.00	\$11,325.00	\$90.00	\$13,590.00	\$98.00	\$14,798.00
39	Sanitary Sewer Manhole (4')	EA	12	\$5,000.00	\$60,000.00	\$4,547.00	\$54,564.00	\$10,500.00	\$126,000.00	\$4,500.00	\$54,000.00	\$10,080.00	\$120,960.00
40	Sanitary Sewer Manhole (5') (Drop)	EA	4	\$6,000.00	\$24,000.00	\$6,247.00	\$24,988.00	\$12,000.00	\$48,000.00	\$6,400.00	\$25,600.00	\$12,300.00	\$49,200.00
41	Pavement Marking (4", Yellow, MC)(EST)	L.F.	9,024	\$2.00	\$18,048.00	\$1.00	\$9,024.00	\$0.80	\$7,219.20	\$0.70	\$6,316.80	\$0.70	\$6,316.80
42	Pavement Marking (4", White, MC)(EST)	L.F.	480	\$2.00	\$960.00	\$1.00	\$480.00	\$0.80	\$384.00	\$0.70	\$336.00	\$1.10	\$528.00
43	Pavement Marking (12" Yellow, MC) (EST)	L.F.	88	\$8.00	\$704.00	\$10.00	\$880.00	\$9.00	\$792.00	\$8.00	\$704.00	\$4.50	\$396.00
44	Pavement Marking (12" White, PTP) (EST)	L.F.	47	\$6.00	\$282.00	\$10.00	\$470.00	\$9.00	\$423.00	\$8.00	\$376.00	\$13.00	\$611.00
45	Pavement Marking (24" White, PTP) (EST)	L.F.	381	\$15.00	\$5,715.00	\$18.00	\$6,858.00	\$18.00	\$6,858.00	\$16.00	\$6,096.00	\$29.00	\$11,049.00
46	Pavement Marking Symbol - (White Turn Arrow, PTP) (EST)	EA	8	\$250.00	\$2,000.00	\$310.00	\$2,480.00	\$250.00	\$2,000.00	\$225.00	\$1,800.00	\$500.00	\$4,000.00
47	Permanent Traffic Control Signs	SF	349	\$70.00	\$24,430.00	\$45.00	\$15,705.00	\$44.00	\$15,356.00	\$40.00	\$13,960.00	\$28.00	\$9,722.00
48	Traffic Signal	L.S.	1	\$300,000.00	\$300,000.00	\$246,825.00	\$246,825.00	\$210,000.00	\$210,000.00	\$208,750.00	\$208,750.00	\$228,750.00	\$228,750.00
49	Curb & Gutter (All Types)	L.F.	10,595	\$25.00	\$264,875.00	\$27.00	\$286,065.00	\$15.25	\$161,573.75	\$17.15	\$181,704.25	\$20.00	\$211,900.00
50	6" Concrete Sidewalk	S.F.	40,057	\$8.00	\$320,456.00	\$9.00	\$360,513.00	\$5.65	\$224,333.45	\$4.75	\$190,270.75	\$5.00	\$200,285.00
51	Sidewalk Ramps	EA	33	\$2,500.00	\$82,500.00	\$1,863.00	\$61,479.00	\$2,300.00	\$75,900.00	\$2,478.25	\$81,716.25	\$1,850.00	\$61,050.00
52	Sidewalk Ramps (Commercial)	EA	16	\$1,800.00	\$28,800.00	\$3,000.00	\$48,000.00	\$735.00	\$11,760.00	\$489.20	\$7,827.20	\$900.00	\$14,400.00
53	KCMMB 4K Concrete (SRW)	C.Y.	31	\$800.00	\$24,800.00	\$416.00	\$12,896.00	\$875.00	\$27,125.00	\$608.75	\$18,871.25	\$785.00	\$24,335.00
54	KCMMB 4K Concrete (Steps) (EST.)	C.Y.	5	\$750.00	\$3,750.00	\$2,111.00	\$10,555.00	\$750.00	\$3,750.00	\$950.00	\$4,750.00	\$1,450.00	\$7,250.00
55	Handrail	L.F.	257	\$280.00	\$71,960.00	\$145.00	\$37,265.00	\$100.00	\$25,700.00	\$148.00	\$38,036.00	\$140.00	\$35,980.00
56	Chain Link Fence (42')	L.F.	49	\$15.00	\$735.00	\$30.00	\$1,470.00	\$30.00	\$1,470.00	\$25.00	\$1,225.00	\$30.00	\$1,470.00
57	Chain Link Fence (48')	L.F.	10	\$20.00	\$200.00	\$48.00	\$480.00	\$40.00	\$400.00	\$40.00	\$400.00	\$45.00	\$450.00
58	Wood Fence (48')	L.F.	45	\$25.00	\$1,125.00	\$31.00	\$1,395.00	\$60.00	\$2,700.00	\$25.00	\$1,125.00	\$30.00	\$1,350.00
59	Picket Fence (48')	L.F.	47	\$25.00	\$1,175.00	\$49.00	\$2,303.00	\$60.00	\$2,820.00	\$40.00	\$1,600.00	\$45.00	\$2,115.00
60	Concrete Driveway (6')	S.Y.	1,469	\$75.00	\$110,175.00	\$86.00	\$126,330.00	\$54.00	\$79,326.00	\$123.64	\$181,621.76	\$63.00	\$92,547.00
61	Concrete Driveway/Alley (8')	S.Y.	501	\$85.00	\$42,585.00	\$17.00	\$8,517.00	\$72.00	\$36,072.00	\$132.55	\$66,407.55	\$65.00	\$32,565.00
62	Asphalt Driveway/Alley (Base Course)	TON	32	\$110.00	\$3,520.00	\$415.00	\$13,280.00	\$79.00	\$2,528.00	\$572.00	\$18,304.00	\$180.00	\$5,760.00
63	Granular Subbase, Compacted AB-3 Driveway (6')	S.Y.	13	\$25.00	\$325.00	\$88.00	\$1,118.00	\$20.00	\$400.00	\$42.00	\$546.00	\$35.00	\$455.00
64	Soil (Fescue)	S.Y.	21,222	\$7.00	\$148,554.00	\$5.00	\$106,110.00	\$6.50	\$137,943.00	\$5.74	\$121,814.28	\$6.50	\$137,943.00
65	Street Planter Inlet	EA	1	\$7,000.00	\$7,000.00	\$4,400.00	\$4,400.00	\$4,800.00	\$4,800.00	\$4,800.00	\$4,800.00	\$6,500.00	\$6,500.00
66	Hydroseeding/Hydraulic Mulching	S.Y.	31,833	\$2.00	\$63,666.00	\$1.00	\$31,833.00	\$1.25	\$39,791.25	\$0.67	\$21,328.11	\$1.00	\$31,833.00
67	Erosion Control - Gravel Filter Bags (EST.)	EA	30	\$145.00	\$4,350.00	\$39.00	\$1,170.00	\$85.00	\$2,550.00	\$150.00	\$4,500.00	\$95.00	\$2,850.00
68	Erosion Control - Straw Wattle (EST.)	L.F.	10,600	\$2.50	\$26,500.00	\$1.00	\$10,600.00	\$1.80	\$19,080.00	\$4.80	\$50,880.00	\$2.40	\$25,440.00
69	Erosion Control - Rock Ditch Check (EST.)	EA	20	\$3.50	\$70.00	\$33.00	\$660.00	\$20.00	\$400.00	\$92.00	\$1,840.00	\$25.00	\$500.00
70	Erosion Control - Silt Fence (EST.)	L.F.	10,600	\$2.50	\$26,500.00	\$2.00	\$21,200.00	\$1.30	\$13,780.00	\$3.50	\$37,100.00	\$1.90	\$20,140.00
71	Erosion Control - Temporary Inlet Protection (EST.)	EA	30	\$100.00	\$3,000.00	\$39.00	\$1,170.00	\$85.00	\$2,550.00	\$150.00	\$4,500.00	\$95.00	\$2,850.00
72	Contractor Construction Staking	LS	1	\$25,000.00	\$25,000.00	\$19,406.00	\$19,406.00	\$20,000.00	\$20,000.00	\$18,500.00	\$18,500.00	\$40,000.00	\$40,000.00
TOTAL - BASE BID					\$5,257,140.00								

FIRM PROFILE



Kissick Construction is a full service heavy/civil prime contractor that self performs utility infrastructure work along with related earthwork and associated structural concrete. They manage all aspects of the project including coordination of field design and quality control. Respective highlights include:



- \$115,000,000 Average Annual Revenues
- Managed Projects up to \$100,000,000 in Construction Value
- Approved Bonding Capacity of \$130,000,000
- 40 Hour HAZWOPER Qualified Team of Professionals
- Extensive and Modern Equipment Fleet
- Over 84% Average Total Revenue is Repeat Business
- Principal Involvement in Every Project

Kissick Construction is a consummate team player. They work around any and all obstacles that may occur in order to keep the project schedule and budget on track. Their attitude is one of cooperation. This approach allows Kissick Construction to be selective in their volume of work and has assured them a high level of client satisfaction over the years.



Underground Utilities

- Storm Sewer
- Sanitary Sewer
- Industrial Waste Sewers
- Water and Fire Lines
- Waste Water Treatment Plants
- Underground Process Piping

KISSICK CONSTRUCTION Kissick Construction's diverse project background and heavy civil experience provides them with the capabilities in the following areas:

- Full service utility contractor – installation of collection piping, storm, sanitary, water and process piping – and have installed piping from 4” to 132” diameter, including single projects with over 50,000 lineal feet.
- Full service earthwork and grading contractor -- having moved in excess of 2 million cubic yards on a single project.
- Full service, structural concrete contractor –having placed over 75,000 cubic yards of concrete on a single job.
- Full service, engineered shoring and piling contractor constructing intricate designs to support crucial utilities, retain significant earth and dam structures, and provide foundations for significant heavy civil applications including cofferdam construction on the Kansas River.

Critical environments are Kissick Construction's specialty. They have extensive experience meeting clients schedule requirements, often in challenging environments. With detailed attention placed on the Owner's schedule and budget, Kissick' thorough attention to their clients priorities enables them to consistently deliver successful results.

Unique in the industry, the principals of the company are intimately involved in the projects at Kissick Construction. Combined with their participation, the projects are staffed with seasoned professionals. Kissick is proud to have a very low turnover rate and the senior leadership has demonstrated successful project completion allowing them to secure repeat business and satisfied clients.

Kissick Construction has an extensive client list and proudly displays significant repeat customers with relationships dating back to the formation of the company.

Their high rate of repeat business is a testament to their ability to perform on schedule and within budget for their clients. Please reference the attached list of projects similar in size, scope and complexity.

Safety Plan Summary

Safety is a core value of Kissick Construction. Fostering an active safety culture amongst all of our team through employee education, communication and empowerment is an active part of Kissick Construction's everyday activities. We invest in each of our employees with safety training in the classroom, on site and utilizing outside sources. All of our employees are OSHA 10 Hour trained and continue their training throughout their employment.

We also hold the subcontractors that we partner with to adhere to the same standard of safety to which we hold our team members.

In an established neighborhood it is a given that there will be other utilities within the footprint of our work area. Midwest Professional Utility Locating will be the primary locate service. However, we will at times throughout the project, enlist the services of another locating service as an added measure of safety.

Kissick Construction is constantly training its employees in numerous areas pertinent to our types of construction work. These include but are not limited to the following:

OSHA 10 Hour	Trench competent person training
OSHA 30 Hour	Confined space training
HAZWOPER 24 Hour	CPR certification
HAZWOPER 40 Hour	First Aid training
Fall Protecting training	Fork lift operation training
Scaffold erection training	welder certifications
HazCom training (GHS Training)	Manlift certification
BNRR railroad safety training	mobile crane operation certification
UPRR railroad safety training	Certified crane certification
RWP On-Track safety training	Rigging training
Excavation and trench safety training	Signals and rigging training
Millwright 16 Hour training	Flaggers and traffic control training
	Oxygen Bottle—5,10 & 15 Minute

Our OSHA reportable accident rates are as follows:

2019	0.51
2018	0.58
2017	0.72

Qualifications and Experience

Kissick Construction Company, Inc. is a full service heavy-civil contractor that self-performs site work, underground utilities, engineered shoring, and associated utility demolition work. We have the resources and capabilities of over 350 employees to provide you with experienced crews ensuring your timetable with a commitment to quality and safety. We have extensive experience working inside established neighborhoods coordinating traffic control and access to property and homes.

Our experience includes the installation and tie-ins for a multitude of sanitary and storm sewer projects. Working in established neighborhoods, our team of professionals has earned praise for our ability to work with home owners for traffic coordination and pedestrian traffic while adhering to time schedules. As a self-performing contractor, our team of professionals has a comfort level related to the excavations and utility tie-ins. They trust each other and our safety record is proof of our ability with projects similar in scope and complexity.

Name of Project	Const Cost/ Completion	Client Reference
Jayhawk Blvd. Phase 3 Lawrence, KS	\$2,423,150.00 2015	Mr. Gary Mohr, 785-331-7402 University of Kansas



Jayhawk Boulevard is iconic to the University of Kansas' campus. Located in the heart of KU, the beloved boulevard received phase 3 of its total makeover in the summer of 2015. Included in this makeover was over 3600 SY of concrete pavement and 3300 SY of sidewalk. This project was challenging because it had an intensely aggressive schedule, starting on May 18th and being substantially complete by August 7th before the students came back from summer break.

The University desired to preserve the historical integrity of the boulevard and required that the new sidewalk's joint pattern had to match the original sidewalk's joint pattern. Strict QC was put into place by the engineer and University to ensure that the complicated jointing was followed on all sidewalk placed. An aggressive schedule backed with heavy liquidated damages, a complicated jointing pattern and working in the heart of a college campus made Jayhawk Blvd. Phase 3 a worthy challenge.

West Bottoms CID Utility Relocation Kansas City, Missouri	\$3,217,430.00 August 2013	Mr. Andy Shively, 816.513.0304 KCMO Water Services
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West Bottoms Central Industrial District storm, sanitary and water relocation and improvements were completed on a very aggressive project schedule. The project was constructed in an urban environment involving 100+ year old utilities that were demolished and relocated. It involved thorough traffic control, 20 feet deep excavations, public involvement, and coordination with private utilities. We organized on a daily basis with various departments in KCMO along with the business association to complete the project on schedule and on budget. The project included by-

pass pumping systems utilizing both primary and back up by-pass pumping systems for water/waste diversion.

Turkey Creek Cherokee Interceptor Kansas City, Kansas	\$2,648,450.00 November 2013	Mr. John Menkus, 913.573.5435 Unified Government of WYCO
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The Turkey Creek Interceptor project consisted of 2395 LF of storm sewer replacement (78" RCP to 24" RCP in an urban environment.) The project involved tunneling underneath the BNSF railroad as well as crossing Southwest Boulevard with a 78" RCP and 12" sanitary sewer while maintaining two lanes of traffic. The project extended through five city blocks where constant communication and assistance with the stakeholders was imperative. Kissick employed a Spanish speaking consultant to assist with public involvement on the project. The project

included by-pass pumping systems utilizing both primary and back up by-pass pumping systems for water/waste diversion.

Vernon St. & 24th Ave. Improvements North Kansas City, MO	\$2,109,004.00	H.J. "Bear" Kistler 816-830-8834 North Kansas City, MO
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Kissick Construction provided the reconstruction and upgrade of Vernon Street for the City of North Kansas City, including:

Removal of existing bridge and roadway, construction of a new bridge over Corps of Engineers stream way, new storm sewers, concrete curb and gutter, sidewalks, commercial and residential concrete driveways, full depth asphalt pavement, asphalt mill and overlay, traffic signals, pavement marking and signage, and riprap placement.

Memorial Drive Phases 1-3 University of Kansas Lawrence, KS	\$5,726,665.00 Completion: 2018	The University of Kansas Gary Mohr 785-331-7402
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Memorial Drive is iconic to the University of Kansas' campus. Located in the heart of KU, the beloved and historic road received 3-phase total makeover in the summers of 2016, 2017 and 2018. The makeover included slope stabilization and replacement of crumbling and dangerous asphalt with new concrete pavement. The project also added new concrete sidewalks for pedestrian safety and accessibility, replaced dilapidated and dangerous asphalt parking areas with more durable concrete parking areas, replaced collapsing stone walls with new reinforced cast-in-place and precast concrete retaining walls and new

storm sewers and new waterlines. Like all projects at the University of Kansas, the schedule was extremely aggressive. Each phase had to start the day after commencement. Substantial completion for each phase was defined as having the roads and parking areas back open for business before the students returned to campus in August. Kissick Construction self-performed 87% of this project, only subcontracting the electrical and landscaping. All grading, flatwork, paving, walls, and utilities were done by Kissick forces, which allowed us to control the schedule.

Irving Hill Rd. Reconstruction Phase 2 University of Kansas Lawrence, KS	\$857,898.00 Completion: On-going Aug. 2019	The University of Kansas Gary Mohr 785-331-7402
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Irving Hill Road Reconstruction Phase 2 started on May 14th, 2019. This is an ongoing project and will be finished in August of 2019. This was a total makeover of an existing street. We removed all of the existing pavement, replaced existing sanitary and storm sewer, replaced existing sidewalk and added more sidewalk for increased pedestrian accessibility. Like all projects at the University of Kansas, the schedule was extremely aggressive. Each phase had to start the day after commencement. Substantial completion for each phase was defined as having the roads and parking areas back open for business before the students returned to campus in August. All grading, flatwork, paving, walls, and utilities were done by Kissick forces, which allowed us to control the schedule.

Whitehead Creek Storm Interceptor St. Joseph, Missouri	\$11,016,310.00 December 2013	Mr. Bruce Woody, 816.271.4653 City of St. Joseph
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The Whitehead Creek Interceptor project is in an older part of St. Joe that had aging utilities and extensive coordination with existing private utilities. Located in a well trafficked area, our traffic control plan was thorough with business and neighborhood public involvement throughout the project. The project involved the installation of an interceptor which involved 2300 LF of tunnels, deep excavations exceeding 20 feet, and pavement restoration.

The project included by-pass pumping systems utilizing both primary and back up by-pass pumping systems for water/waste diversion.

POLICY REPORT PWD NO. 19-37

APPROVE LOW BID FROM SANDS CONSTRUCTION
FOR THE 2019 SIDEWALK IMPROVEMENTS PROJECT

Project 2018-898

July 23, 2019

Prepared by:



Michael G. McDonald, P.E.,
Director of Public Works

Reviewed by:



Paul Kramer,
City Manager

ISSUE:

Approve the low bid submitted by Sands Construction for the 2019 Sidewalk Improvements Project.

BACKGROUND:

This project is part of the on-going sidewalk repair and replacement work funded by the City's portion of the countywide sales tax. The projects were selected through the efforts of the Sidewalk Committee and reviewed by the City Commission in early 2019.

The plans were prepared by BG Consultants. A notice of the project was sent to area Plan Rooms, Drexeltech.com and advertised in *The Leavenworth Times*. The pre-bid meeting was held on July 10, 2019. Bids were opened on July 17, 2019. The results of the bidding are shown below in the bid tabulation. Sands Construction was the low bidder and met all bidding requirements.

Company	City	Total Bid
Sands Construction	Leavenworth, KS	\$289,938.95
Phoenix Concrete	Olathe, KS	\$316,707.71
Baker Construction	Leavenworth, KS	\$334,980.00
Kansas Heavy Construction	Tonganoxie, KS	\$441,000.00
Engineer's Estimate:		\$323,390.00

The 2019 project consists of new sidewalks at the following locations:

1. Eisenhower Road – Hughes Road to Co-op property, north side (new)
2. 10th Street – Spruce Street to Olive Street, west side (new fill-in)
3. 10th Street – Olive Street to Cherokee Street, west side (repairs)
4. Congress Street – 2nd Avenue to 5th Avenue, south side (new, repairs, replacement)

This work is expected to begin in mid-August of 2019. A late start date would be no later than September 16, 2019. The project has 60 calendar days for completion. The project will be inspected by City forces.

Sands has not worked for the City on any of our prior projects. They are a Leavenworth-based company and have completed numerous projects throughout the City. References were submitted and checked by staff with all results positive.

POLICY:

The City Commission generally awards bids to the lowest bidder that are properly submitted and within the Engineer's Estimate.

RECOMMENDATION:

Staff recommends that the City Commission approve the low bid submitted by Sands Construction for the 2019 Sidewalk Improvements Project base bid in the amount of \$289,938.95.

ATTACHMENTS

Bid Tabs



CITY OF LEAVENWORTH
Project No. 2018-898 2019 Sidewalk Improvements Bid Tab Review
Bid Opening date: July 17, 2019
Bid Opening time: 3:00pm

All bids are subject to review and approval by City Staff and/or the City Commission

BASE BID

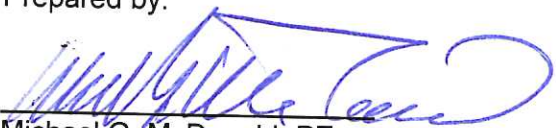
Item	Description	Unit	Quantity	Engineer's Estimate		Sands Construction		Phoenix Concrete LLC		Baker Construction		Kansas Heavy Construction	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Contractor Construction Staking	LS	1	\$7,500.00	\$7,500.00	\$3,900.00	\$3,900.00	\$1,400.00	\$1,400.00	\$5,000.00	\$5,000.00	\$4,500.00	\$4,500.00
2	Mobilization	LS	1	\$50,600.00	\$50,600.00	\$27,200.00	\$27,200.00	\$18,925.00	\$18,925.00	\$7,500.00	\$7,500.00	\$36,696.00	\$36,696.00
3	Clearing & Grubbing	LS	1	\$8,000.00	\$8,000.00	\$6,800.00	\$6,800.00	\$4,275.00	\$4,275.00	\$10,000.00	\$10,000.00	\$30,000.00	\$30,000.00
4	Traffic Control (Site 1)	LS	1	\$1,500.00	\$1,500.00	\$1,990.00	\$1,990.00	\$1,650.00	\$1,650.00	\$5,000.00	\$5,000.00	\$5,700.00	\$5,700.00
5	Traffic Control (Site 2)	LS	1	\$1,500.00	\$1,500.00	\$1,480.00	\$1,480.00	\$4,500.00	\$4,500.00	\$1,500.00	\$1,500.00	\$4,000.00	\$4,000.00
6	Traffic Control (Site 3)	LS	1	\$1,500.00	\$1,500.00	\$1,220.00	\$1,220.00	\$1,650.00	\$1,650.00	\$1,000.00	\$1,000.00	\$2,650.00	\$2,650.00
7	Stormwater Pollution Prevention	LS	1	\$6,000.00	\$6,000.00	\$5,100.00	\$5,100.00	\$1,475.00	\$1,475.00	\$5,000.00	\$5,000.00	\$9,800.00	\$9,800.00
8	Erosion Control Blanket	SY	120	\$2.50	\$300.00	\$10.00	\$1,200.00	\$2.55	\$306.00	\$10.00	\$1,200.00	\$17.00	\$2,040.00
9	Hydroseeding	LS	1	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$5,445.00	\$5,445.00
10	Remove Curb and Gutter	LF	764	\$10.00	\$7,640.00	\$6.22	\$4,752.08	\$14.97	\$11,437.08	\$15.00	\$11,460.00	\$13.50	\$10,314.00
11	Remove Sidewalk	SF	4,120	\$2.00	\$8,240.00	\$2.43	\$10,011.60	\$1.07	\$4,408.40	\$2.00	\$8,240.00	\$2.50	\$10,300.00
12	Remove Pavement (Concrete or Asphalt)	SF	3,280	\$4.00	\$13,120.00	\$2.52	\$8,265.60	\$2.14	\$7,019.20	\$3.00	\$9,840.00	\$5.00	\$16,400.00
13	Curb & Gutter (Combined)(AE)	LF	764	\$30.00	\$22,920.00	\$26.18	\$20,001.52	\$34.69	\$26,503.16	\$35.00	\$26,740.00	\$35.00	\$26,740.00
14	Concrete Sidewalk (4")(AE)	SF	21,290	\$5.00	\$106,450.00	\$4.93	\$104,959.70	\$6.08	\$129,443.20	\$5.50	\$117,095.00	\$4.50	\$95,805.00
15	Concrete Sidewalk (6")(AE)(w/Cutoff Wall)	SF	470	\$10.00	\$4,700.00	\$16.21	\$7,618.70	\$13.93	\$6,547.10	\$6.00	\$2,820.00	\$15.00	\$7,050.00
16	Concrete Sidewalk (6")(AE)(w/Integral Wall)	SF	200	\$10.00	\$2,000.00	\$21.76	\$4,352.00	\$19.95	\$3,990.00	\$6.50	\$1,300.00	\$65.00	\$13,000.00
17	Concrete Pavement (High-Early)(6")(Plain)(AE)	SF	815	\$8.00	\$6,520.00	\$6.01	\$4,898.15	\$7.32	\$5,965.80	\$7.00	\$5,705.00	\$12.00	\$9,780.00
18	Concrete Pavement (High-Early)(8")(Rein)(AE)	SF	1,200	\$9.00	\$10,800.00	\$9.58	\$11,496.00	\$8.78	\$10,536.00	\$9.00	\$10,800.00	\$14.00	\$16,800.00
19	Concrete Pavement (High-Early)(10")(Rein)(AE)	SF	1,360	\$10.00	\$13,600.00	\$11.76	\$15,993.60	\$11.37	\$15,463.20	\$10.50	\$14,280.00	\$18.00	\$24,480.00
20	Sidewalk Ramp (Type A)(AE)(5')	EA	34	\$1,000.00	\$34,000.00	\$990.00	\$33,660.00	\$1,335.16	\$45,395.44	\$2,000.00	\$68,000.00	\$2,500.00	\$85,000.00
21	Sidewalk Ramp (Type A)(AE)(8')	EA	7	\$1,500.00	\$10,500.00	\$1,720.00	\$12,040.00	\$1,902.59	\$13,318.13	\$2,500.00	\$17,500.00	\$3,500.00	\$24,500.00
	TOTAL - BASE BID				\$323,390.00		\$289,938.95		\$316,707.71		\$334,980.00		\$441,000.00

**POLICY REPORT PWD NO. 19-38
CONSIDER APPROVAL OF CHANGE ORDER NO. 1 TO THE
CONSTRUCTION CONTRACT
OF LEXECO RELATED TO
NEW LAWRENCE ROAD IMPROVEMENTS PROJECT**

City Project 2017-869

July 23, 2019

Prepared by:


Michael G. McDonald, PE
Director of Public Works

Reviewed by:


For Paul Kramer,
City Manager

ISSUE:

Consider approval of Change Order No. 1 to the contract for construction of the New Lawrence Road Improvements Project with LEXECO.

BACKGROUND:

In June 2018, the City Commission approved the low bid of LEXECO for the project with construction starting in August 2018. As construction progressed, staff became aware of the following issues;

1. The drainage field designed to be located on adjoining property could not be constructed as the property owners would not give the City a drainage easement. This required the removal of two existing storm boxes and associated pipe, installing a new larger curb inlet, a junction box, additional piping, and the tear-out and replacement of geo-grid, base rock and asphalt.
2. The curbing to be replaced along New Lawrence Road east from the 20th St. intersection was wider than what showed on the plans and was not priced accordingly in the bid.

The attached LEXECO cost sheets dated 9/11/18 and 10/01/18 relate to the work in item # 1 above. (\$17,175.00 & \$17,950.37)

The cost sheet submitted by Freedom Concrete relates to item # 2 above. (\$1,393.00)

Change Order Number 1 (Summary)

#1 Removal of inlets and additional inlets, piping, geo-grid, base rock, and asphalt	\$17,175.00
	\$17,950.37
#2 Additional concrete for new curb	\$ 1,393.00

Total for Change Order No.1	\$36,518.37

RECOMMENDATION:

Staff recommends that the City Commission approve Change Order No.1 with LEXECO for the construction of the New Lawrence Road Improvements Project in an amount not to exceed \$36,518.37.

ATTACHMENTS:

LEXECO Change Order Request No. 1
LEXECO Change Order Request No. 2
Freedom Concrete Change Order Request No. 1
City Change Order No. 1 Form

**CITY OF LEAVENWORTH
CHANGES IN PLANS AND CONSTRUCTION
CHANGE ORDER NO. 1**

Project Name: New Lawrence Rd. Improvements
Project Location: 20th & New Lawrence Rd.
Purchase Number: 20180104-00
Contract Date: June 26, 2018
Date Prepared: October 1, 2018

The following changes to the original contract amount were required to cover cost incurred by the Contractor or to reflect savings realized by the Contractor as a result of a change in the actual constructed quantities from the estimated quantities shown on the Bid Proposal.

Start Date: August 14, 2018
Performance Period: _____
Net Adjustments: _____
Completion Date: _____
Page Number: 1

REQUIRED CHANGES IN PRESENT CONTRACT

Contract or Previous Quantity	Contract or Previous Unit Price	Contract or Previous Amount	Unit	Item Description	New or Adjusted Quantity	New or Adjusted Unit Price	New or Adjusted Amount
	\$	\$		Change Order Request # 1		\$	\$17,950.37
	\$	\$		Change Order Request # 2		\$	\$17,175.00
	\$	\$		Change Order Request # 3		\$	\$ 1,393.00
	\$	\$				\$	\$
	\$	\$				\$	\$


Previous Total: _____

Adjusted Total: \$ _____
Net Change: \$ 36,518.00

Statement of Contract

Original Contract Amount	\$398,563.73
Net Amount of Previous Additions and Deductions	\$ 0
Net Contract Amount Prior to This Request	\$398,563.73
Amount of This Request	\$ 36,518.00
New Contract Amount	\$435,081.73
Percent Change in Contract Amount	9 %

CONTRACTOR:

Company: LEXECO
City, State: Leavenworth, KS
Signed by: Matt D. Kaaz 
Date: 10-03-18

PROJECT OBSERVER:

Company: CITY OF LEAVENWORTH
Recommended by: Mike Hooper
Date: October 1, 2018

ACCEPTED BY CITY OF LEAVENWORTH, KANSAS:

Mayor: _____
City Clerk: _____
Date: _____



Leavenworth Excavating & Equipment Co., Inc.

Date: 09/11/2018

Gentlemen:

We are pleased to quote the following prices for the below referenced project. Prices are valid for 30 days from the date above.

Project No:

Bid Date:

Project Name: Price for New Storm Sewer on West Side

Bid Item Code	Description	Quantity	Unit	Unit Price	Ext Price
1	REMOVAL OF OLD BOXES AND STORM PIPE	1.000	LS	\$1,375.00	\$1,375.00
2	INSTALL 2 NEW BOXES AND 15" PIPE CROSSING ROAD	1.000	LS	\$12,000.00	\$12,000.00
3	ASPHALT/ BASRE ROCK ON WEST SIDE	1.000	LS	\$2,500.00	\$2,500.00
4	REMOVE CONCRETE PAVEMENT	1.000	LS	\$1,300.00	\$1,300.00
Grand Total:					\$17,175.00

Notes: Price incldues Removing 2 boxes on West Side of Project and approxiemently 25 LF of RCP.

Installing a 6'x4' Curb inlet with new top where A3 sits now. This will not have base, it will have dog house for the 3 pipes coming into this box, we will pour the base with the invert. This is the easiest way to do this box since we have old pipes tying into it.

We wil install a 4X4 inlet and new lid across from A3. We will install approximately 25 LF of new 15" RCP across the road.

The price also includes an additional 30 SY of Geo-Grid, Base rock, and asphalt.

CITY OF LEAVENWORTH
ENGINEERING DEPARTMENT

DATE: 9/13/18

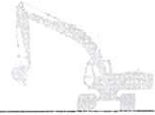
REVIEWED BY: ms

APPROVED APPROVED REJECTED
AS NOTED

[Signature] pm



P (913) 727-1234 F (913) 727-1270 / 5037 S. 4th Street / Leavenworth, KS 66048
LEXECO.com



Leavenworth Excavating & Equipment Co., Inc.

Date: 10/01/2018

Gentlemen:

We are pleased to quote the following prices for the below referenced project. Prices are valid for 30 days from the date above.

Project No:

Bid Date:

Project Name: New Lawrence Road Improvements

Bid Item Code	Description	Quantity	Unit	Unit Price	Ext Price
2	15" HDPE	209.000	LF	\$ 50.00	\$10,450.00
3	18" DIA NYLOPLAST DRAIN BASIN	1.000	EA	\$2,300.00	\$2,300.00
4	MATERIAL THAT CANNOT BE RETURNED (15" DAIN BASIN W	1.000	LS	\$2,550.00	\$2,550.00
5	FORCE ACCOUNT FOR STRUCTURE B4	1.000	LS	\$2,650.37	\$2,650.37
Grand Total:					\$17,950.37

Price is for work on Storm Line B, accoridng to plans dated 7/24/18.



P (913) 727-1234 F (913) 727-1270 / 5037 S. 4th Street / Leavenworth, KS 66048
LEXECO.com





E-MAILED

9/27/18

1:20

◆◆◆ **CHANGE ORDER REQUEST**

JOB NUMBER 18290
RE: NEW LAWRENCE ROAD
LEAVENWORTH, KS

FREEDOM CONCRETE LLC

P.O. BOX 731
DESOTO, KS 66018
913-583-1150

◆◆◆
TOTAL DUE \$1,393.00

Invoice Number
Invoice Date **SEPTEMBER 27, 2018**
Tax Exempt **YES**

◆◆◆
SOLD TO

Name **LEXECO INC**
ATTN: **MATT KAAZ**
Address **5037 S 4TH ST**
City, State **LEAVENWORTH, KS**
Zip Code **66048**
Phone
Fax

UNIT	QTY	DESCRIPTION	PRICE EACH	TOTAL
CY	9	EXTRA CONCRETE USED	\$109.00	\$981.00
HR	0.5	POUR CREW	\$825.00	\$412.00
		COST ONLY - NO MARKUP		
		1' x 420' x 7" EXTRA WIDTH AT CONCRETE PAVEMENT		

Please make checks payable to:

FREEDOM CONCRETE LLC

THANK YOU

SUBTOTAL \$1,393.00

Previous Invoices

Retainage

PLEASE PAY THIS AMOUNT \$1,393.00

Purchase Order

Fiscal Year 2018

Page 1 of 1



THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.
 Purchase Order # **20180104-00**

BILL TO

420
 Engineering Department
 City Hall
 100 N 5th Street
 LEAVENWORTH KS 66048

Delivery must be made within doors of specified destination.

BILL TO

LEXECO
 5037 S 4TH ST
 LEAVENWORTH KS 66048

SHIP TO

Engineering Department
 City Hall
 100 N 5th Street
 LEAVENWORTH KS 66048

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference	
				20180120			
Date Ordered	Vendor Number	Date Required	Freight Method/Terms			Department/Location	
06/29/2018	380					Engineering	
Item#	Description/Part No.			Qty	UOM	Unit Price	Extended Price
1	The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading Sales Tax Exemption KS2EC23FC2 Expires 10/01/2020 2017-869 Low Bid for New Lawrence Road Improvements.			1.0	EACH	\$398,563.730	\$398,563.73
$ \begin{array}{r} 398,563.73 \text{ ORIG. PR} \\ + 36,518.00 \text{ CO'S} \\ \hline 435,081.73 \text{ CONTRACT} \\ - 19,658.25 \text{ UNDERVAL} \\ \hline 415,423.48 \text{ COMPLETED CONTRACT} \\ \hline \boxed{\$415,423.85} \end{array} $							

By 
 Purchasing Agent

VENDOR COPY

Total Ext. Price	\$398,563.73
PO Total	\$398,563.73