

AMENDED AGENDA
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 35
Council Chambers, City Hall

December 17, 2019
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

- A. ROLL CALL: Council Member Berg, Roe, Stevens, Streeby and Mayor Pro Tem Dalbey.
- B. CONSENT AGENDA:
1. Minutes from Regular Meeting No. 33 on December 3, 2019 and Special Meeting No. 34 on December 11, 2019 as presented.
 2. Approve re-appointments of Cara Galloway and Dennis Willhoit to the Historic Preservation Commission, terms to expire 1/1/2023.
 3. Resolution No. 267-2019, setting January 7, 2020 as the date of a public hearing on the disposition of City owned property located at 811 East Mary to Gary and Kamala Fisher.
 4. Resolution No. 269-2019, authorizing the Mayor/Interim City Administrator, Director of Finance and Accountant to sign checks and make wire transfers for the City of Ottumwa.
 5. Resolution No. 270-2019, authorizing the Mayor/Interim City Administrator, Director of Finance/City Treasurer and Accountant to make investment purchases and sales in accordance with the City Investment Policy.

C. APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

1. Fire Department – Sullivan Brothers Life Saving Award
2. Judge Daily – Marc Roe and Bob Meyers for Council Seats – effective January 2, 2020
3. Holiday Nights and Lights discussion
4. Fire Extinguisher Inspections – continued discussion
5. Transit Meeting Special Work Session – January 14, 2020
6. GOPIP – Merger – December 18, 2019

All items on this agenda are subject to discussion and/or action.

E. IDENTIFICATION OF CITIZENS DESIRING TO COMMENT ON AGENDA ITEMS:

(When called upon by the Mayor, step to the microphone; state their name, address and agenda item to be addressed. The Mayor will invite you to address the Council when that topic is being discussed. Remarks will be limited to **three minutes or less**. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments are to be directly germane to the agenda item being discussed; if not directly germane as determined by the Mayor will be ruled out of order.)

F. DEPARTMENTAL RECOMMENDATIONS/REPORTS:

1. Bid report and contract award for asbestos removal and demolition of 137 South Van Buren.

RECOMMENDATION: Accept bid and award contract for asbestos removal and demolition and disposal of the structures located at 137 South Van Buren to Environmental Edge of Ottumwa, Iowa in the amount of \$14,220.

2. Bid report and contract award for asbestos removal of 422 South Ferry Street.

RECOMMENDATION: Accept bid and award contract for asbestos removal to Environmental Edge of Ottumwa, Iowa, in the amount of \$8,700 at 422 South Ferry Street.

3. Bid report and contract award for demolition of 422 South Ferry Street

RECOMMENDATION: Accept bid and award contract for demolition and disposal of the structures located at 422 South Ferry Street to Tim Skinner Trucking & Excavation of Ottumwa, Iowa, in the amount of \$4,900.

4. Development proposal for online poling solution to replace POLCO.

RECOMMENDATION: Approve the Development Proposal with Neapolitan Labs to build an online poling solution for the City of Ottumwa website for a one-time development fee of \$3,500.

5. Rebuild of one of the Richmond Lift Station Pumps.

RECOMMENDATION: Approve the repair of a Flygt Model 3152 pump from Electric Pump in Des Moines, Iowa for the quoted price of \$7,656.92.

- **6. Approve the Jefferson Street Bridge Lighting Improvements.

RECOMMENDATION: Approve the Jefferson Street Bridge Lighting Improvements as described within the Hometown Rewards Program through Alliant Energy.

G. PUBLIC HEARING:

H. RESOLUTIONS:

1. Resolution No. 265-2019, approving the annual budget of the Ottumwa Water Works Board of Trustees for calendar year 2020.

RECOMMENDATION: Pass and adopt Resolution No. 265-2019.

2. Resolution No. 266-2019, assessing 2019 weed mowing charges against certain lots in the City of Ottumwa, Iowa for a total, including administrative fees, of \$57,835.

RECOMMENDATION: Pass and adopt Resolution No. 266-2019.

3. Resolution No. 268-2019, approving a Right-of-Way Agreement between the City of Ottumwa and Uniti Fiber, LLC, which currently owns the network for McLeodUSA Telecommunications Services, Inc. a Windstream Company.

RECOMMENDATION: Pass and adopt Resolution No. 268-2019.

4. Resolution No. 271-2019, authorizing the Mayor to sign the Airport Capital Improvement Plan (ACIP) data sheets and related documents and staff to submit to the Iowa DOT for the fiscal years 2021-2025.

RECOMMENDATION: Pass and adopt Resolution No. 271-2019.

5. Resolution No. 272-2019, approving Change Order No. 1 and approving the final pay request in the amount of \$38,048.39 to DC Concrete and Construction and accepting the work as final and complete for the 2019 Catch Basin Replacement Program.

RECOMMENDATION: Pass and adopt Resolution No. 272-2019.

6. Resolution No. 274-2019, approving Change Orders No. 2 and No. 3 and approving the final pay request in the amount of \$65,209 to Jones Contracting and accepting the work as final and complete for the Jefferson Street Reconstruction Project.

RECOMMENDATION: Pass and adopt Resolution No. 274-2019.

7. Resolution No. 275-2019, authorize the Mayor Pro Tem to execute Iowa DOT Agreement No. 5-19-STBG-SWAP-031 for a Surface Transportation Block Grant Program Federal-Aid Swap Project.

RECOMMENDATION: Pass and adopt Resolution No. 275-2019.

8. Resolution No. 277-2019, authorizing the Mayor Pro Tem to execute six Permanent Easement and Temporary Construction Easement Agreements for Construction and Maintenance of Public Improvements for the East Alta Vista Reconstruction Project.

RECOMMENDATION: Pass and adopt Resolution No. 277-2019.

9. Resolution No. 278-2019, approving the service agreement between the City of Ottumwa and iWorQ for Health and Planning software for a purchase price of \$25,000.

RECOMMENDATION: Pass and adopt Resolution No. 278-2019.

I. ORDINANCES:

J. PUBLIC FORUM:

The Mayor will request comments from the public on topics of city business or operations other than those listed on this agenda. Comments shall not be personalized and limited to three minutes or less. Comments not directly applicable to operations, inappropriate, or an improper utilization of meeting time, as determined by the Mayor, will be ruled out of order. When called upon by the Mayor, step to the microphone; give your name, address and topic on which to address the Council. The Council is not likely to take any action on your comments due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department, city administrator or legal counsel for response, if relevant.

K. PETITIONS AND COMMUNICATIONS

ADJOURN

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**Added Item F-6, Approve the Jefferson Street Bridge Lighting Improvements, to the Agenda.



[CITY OF]
O T T U M W A

FAX COVER SHEET

City of Ottumwa

DATE: 12/16/19 TIME: 9:00 AM NO. OF PAGES 4
(Including Cover Sheet)

TO: News Media CO: _____

FAX NO: _____

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Amended Agenda for the Regular City Council Meeting #35 to be held on
12/17/19.

*** FAX MULTI TX REPORT ***

JOB NO. 1114
DEPT. ID 4717
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TRANSACTION OK 916606271885
ERROR 96847834
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Tom FM



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JOB NO. 1114
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ST. TIME 12/16 08:55
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OTTUMWA

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(Including Cover Sheet)

TO: News Media CO: _____

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FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

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MEMO: Tentative Agenda for the Regular City Council Meeting #35 to be held on 12/17/19

OTTUMWA CITY COUNCIL MINUTES Item No. B.-1.

REGULAR MEETING NO. 33
Council Chambers, City Hall

December 3, 2019
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

Present were Council Member Stevens, Berg, Roe and Mayor Pro Tem Dalbey.
Council Member Streeby was absent.

Roe moved, seconded by Berg to approve the following consent agenda items: Mins. from Reg. Mtg. No. 32 on Nov. 19, 2019 as presented; Approve re-appointment of John Ohlinger to the Zoning Brd. of Adjustment, term to expire 12/12/2024; Approve the appointment of Jeremy Lipe to the position of Housing Code Enforcement in the Health Dept. effective 12/2/19; Approve the appointment of Kala Mulder to the position of City Finance Dir. effective 12/9/19; Approve the appointment of Josh Miller to the position of Beach Maint. Worker at the Beach effective 1/6/20; Civil Service Commission Eligibility List for Nov. 26, 2019 – Police Dept. Communication Specialist; Res. No. 262-2019, accepting the work as final and complete and approving the final pay request for the WPCF – VLR Gate Installation Project; Res. No. 264-2019, award the contract for Janitorial Services for City Hall to Professional Janitorial Services of Ottumwa, IA in the amount of \$2000 per month and authorize the Mayor Pro Tem to sign; Beer and/or liquor applications for: Uncle Buck's Bar & Grill, 518 Church St.; all applications pending final inspections. All ayes.

Dalbey moved, seconded by Stevens to approve the agenda as presented with removal of Item H-1, Res. No. 256-2019, approving the contract for the City wide fire extinguishers services with Summit Companies of Ottumwa, IA and Item H-3, Res. No. 260-2019, setting the license fees for dogs effective Jan. 1, 2020. All ayes.

Breanna Hinmon, introduced her K-5 TAG Lego League Team who presented the "Un Trouble Bubble" as their City Shapers presentation. Students present: Lydia Krueger, Addy Thompson, Spencer Dalbey, Ramon Hernandez, Daniel Sierra, Joey Naumann, McKenna Ryan, Finley Zuithoff, Raina Plate.

Andy Wartenberg, CVB Dir. presented update to council requesting a funding increase for FY2020. Proposed increase of 2.5% for a total contribution percentage of 37.5% (up from current contribution of 35%).

Interim City Admin. Lazio stated we will look closely during budget preparation for FY20 and won't know property taxes until the end of this month which must be factored into our equation.

We are fortunate to have numerous volunteers who put in many hours for downtown events and Holiday Nights and Lights. We are currently working through an issue with Nights and Lights and our first responsibility is the safety of our citizens visiting our parks. I hope to have direction soon on how best to resolve the issue.

We will have a special work session in January 2020 to discuss transit.

Mayor Pro Tem Dalbey inquired if there was anyone from the audience who wished to address an item on the agenda. There were none.

Roe moved, seconded by Berg to accept bid and award contract for asbestos removal and demolition and disposal of the structures located at 902 S. Hancock to Dan Laursen of Ottumwa, IA in the amount of \$3,450. Dir. of Hlth. Insp. & Planning Flanagan reported six bids were received. All ayes.

Berg moved, seconded by Stevens to accept bid and award contract for demolition and disposal of the structures located at 1006 Tuttle to Daniel Fane, of Eldon, IA, in the amount of \$5,900. Dir of Hlth. Insp. & Planning Flanagan reported six bids were received. All ayes.

Roe moved, seconded by Berg to accept bid and award contract for demolition and disposal of the structures located at 210 S. Van Buren to Daniel Fane of Eldon, IA, in the amount of \$5,999. Dir. of Hlth. Insp. & Planning Flanagan reported five bids were received. All ayes.

This was the time, place and date set for a public hearing on the sale of City owned property located at 502 Lee in the City of Ottumwa, Wapello County, IA. Dir. of Hlth. Insp. & Planning Flanagan reported Ms. Carr owns property next to this vacant lot and plans to use it as green space. No objections were received. Stevens moved, seconded by Roe to close the public hearing. All ayes.

Berg moved, seconded by Roe that Res. No. 255-2019, accepting the offer and approving the sale of Lot 69 in A. E. Hammond's Second Addition to the City of Ottumwa, Wapello County, IA, commonly known as 502 Lee to Theresa L. Carr for the sum of \$250, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing on the proposed renovation and purchase of 203 E. Main / 116 S. Market in the City of Ottumwa, Wapello County, IA, to J. Kelly Reed and Lois M. Reed doing business as Kelly Reed Real Estate LLC. City Attorney Keith reported the city acquired this property through the Iowa Code Chp. 657A process as abandoned property under IA law. The City received three bids. Development shall be completed within three years of the real estate transaction closing date. No objections were received. Roe moved, seconded by Berg to close the public hearing. All ayes.

Roe moved, seconded by Stevens that Res. No. 261-2019, approving a Development Agt. with J. Kelly Reed and Lois M. Reed doing business as Kelly Reed Real Estate LLC for the renovation of 203 E. Main / 116 S. Market and authorizing the sale of 203 E. Main / 116 S. Market in the City of Ottumwa, Wapello County, IA to Kelly Reed Real Estate LLC for the sum of \$27,000, be passed and adopted. All ayes.

Berg moved, seconded by Stevens that Res. No. 259-2019, support and financial commitment for the Main Street Ottumwa Program, be passed and adopted. It is an Iowa Main Street requirement that the City of Ottumwa Council approve a resolution of support and financial assistance for Ottumwa Main Street in order to continue with the program. All ayes.

Roe moved, seconded by Berg that Res. No. 263-2019, accepting the work as final and complete, approving change orders and approving release of retainage to R.G. Construction of Ottumwa, IA, for the 2018 Upper Story Housing Pilot Project for the 300 block of E. Main, CDBG#18-OT-001, be passed and adopted. This project to create upper-story housing units in bldgs. 303, 305, 315 and 320 E. Main St. is substantially complete and the contractor has submitted their pay request for retainage in the amount of \$43,603.87. Area 15 RPC Senior Planner Bradley Grefe, the grant administrator, presented a review of the project. This resolution approves all the change orders, accepts the project as complete and releases the retainage. All ayes.

Roe moved, seconded by Berg to pass the first consideration Ord. No. 3167-2019, amending the Zoning Ord. No. 3088-2015 of the City of Ottumwa, IA and as set forth in Chp. 38 in the Municipal Code – City of Ottumwa, IA, by amending Sections 38-77, 38-115, 38-872 and 38-904. Planner Simonson reported the four recommended language changes to permit tearooms and banquet halls in the City. No objections were received. All ayes.

Berg moved, seconded by Roe to waive the second and third consideration, pass and adopt Ord. No. 3167-2019. All ayes.

Mayor Pro Tem Dalbey inquired if anyone from the audience wished to address an item not on the agenda. There were none.

Interim City Admin. Lazio stated we will swear in new council members at the next regularly scheduled council meeting on 12/17 with a short public reception after for exiting member Streeby.

PW Dir. Seals reported additional information on the city wide fire extinguisher services contract that was pulled from legislative action. This will be presented at the next regularly scheduled meeting on 12/17/19 with additional clarification.

There being no further business, Stevens moved, seconded by Roe that the meeting adjourn. All ayes.

Adjournment was at 6:32 P.M.

CITY OF OTTUMWA, IOWA

ATTEST:

Matt Dalbey, Mayor Pro Tem

Christina Reinhard, City Clerk

OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 34
Council Chambers, City Hall

December 11, 2019
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

Present were Council Member Berg, Stevens and Mayor Pro Tem Dalbey.
Council Member Streeby and Roe were absent.

Berg moved, seconded by Stevens to approve the agenda as presented. All ayes.

Berg moved, seconded by Stevens that Res. No. 260-2019, setting the license fees for dogs effective January 1, 2020, be passed and adopted. City Attorney Keith reported the \$5 increase in dog license fees will assist in the funding of Heartland Humane Society's operations and will be paid quarterly. It is hopeful that residents will continue to license their dogs knowing that the increased fee will benefit Heartland directly. It should be noted that the criminal charge for failure to license a dog is \$75 plus court costs and surcharge for a total fine of \$161.25. Shelle Harvey and Don Darland, Heartland Humane Society Board Members, both stated they are behind this action 100% and are ready to move forward. They also stated that Heartland Humane will sell dog licenses this year. All ayes.

Mayor Pro Tem Dalbey inquired if anyone from the audience wished to address an item not on the agenda. There were none.

There being no further business, Berg moved, seconded by Dalbey that the meeting adjourn. All ayes.

Adjournment was at 5:39 P.M.

CITY OF OTTUMWA, IOWA

ATTEST:

Matt Dalbey, Mayor Pro Tem

Christina Reinhard, City Clerk



December 17, 2019

TO: Ottumwa City Council Members

FROM: Matt Dalbey, Mayor Pro Tem

SUBJECT: APPOINTMENT TO CITY BOARDS AND/OR COMMISSIONS

Recommend re-appointments to the Historic Preservation Commission, terms to expire 01/01/2023.

Cara Galloway
1219 N. Fellows

Dennis Willhoit
P.O. Box 1205

FILED

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec 17, 2019

Health & Inspections
Department

Jody Gates

Prepared By

Kevin C Flanagan
Department Head *12-9-19*

Tom Lopez

City Administrator Approval

AGENDA TITLE: Resolution No. 267 - 2019, a Resolution setting January 7, 2020 as the date of a public hearing on the disposition of city owned property located at 811 E. Mary to Gary and Kamala Fisher

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution No. 267 - 2019.

DISCUSSION: The buyers offered the City \$250.00 for a vacant lot located at 811 E. Mary. The buyers want to purchase the lot to use as extra yard for the rental property they own at 805 E. Mary. January 7, 2020 is the date set for a public hearing to consider the offer.

Source of Funds:

Budgeted Item: Budget Amendment Needed:

RESOLUTION No. 267 – 2019

A RESOLUTION SETTING JANUARY 7, 2020 AS THE DATE OF A PUBLIC HEARING ON THE DISPOSITION OF CITY OWNED PROPERTY LOCATED AT 811 E. MARY TO GARY AND KAMALA FISHER .

WHEREAS, the City of Ottumwa, is the present title holder to the property legally described as Lot 12 Block 15 in Clinton Place Addition to the Ottumwa, Wapello County, Iowa, also known as 811 E. Mary; and

WHEREAS, the above described property is a vacant lot; and

WHEREAS, the buyers offered \$250.00 for the lot because they own property next to the vacant lot; and

WHEREAS, the lot will be transferred by quit claim deed with the cost of publishing the public hearing notice and recording costs paid by the buyers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA:

That the 7th day of January 2020 at 5:30 PM in the City Council Chambers located at 105 East Third Street in the City of Ottumwa, Iowa, be and the same is hereby fixed as the time, date and place for a public hearing on the notice of intent to dispose of real property legally described above to Gary and Kamala Fisher for the sum of \$250.00 and the City Clerk is authorized and directed to publish notice of said public hearing as provided by law.

PASSED AND ADOPTED this 17th day of December 2019.

City of Ottumwa, Iowa

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk



CITY OF
OTTUMWA

Petition No.: 5063-2019

Petitioner Information:

Name: Gary & Kamala Fisher

Address: 317 North Hancock

Phone Number: (641) 799-9448

Petition contains the required number of signatures.

Summary of Petition:

Purchase 811 East Mary Street for \$250 to use as an extra yard for rental property. Deposit \$50 received in Clerk's office on sales receipt 83963 on 11/25/19.

1. Engineering Department Approve Deny LBS

Comments:

Date 11-26-19 Dept. Initials Required

2. Plan/Zoning/Dev. Department Approve Deny

Comments:

[Signature]
Date 12-9-19 Dept. Initials Required

3. Health Department Approve Deny

Comments:

OK To Sell ONCE Demolition Is Complete

[Signature]
Date 12-5-19 Dept. Initials Required

** If denied by your department automatically return to the City Clerk's Office.

** If approved by your department submit to the next department for review.

*** Once the form is completed return to the City Clerk's Office

FILED

2019 DEC 11 PM 1:57

CITY OF OTTUMWA, IA

City of Ottumwa
Staff Summary

Council Meeting of: December 17, 2019

Item No. _____

Kristi McDowell

Prepared By

K. Mulder

Department Head

Finance Department

Department

Tom X. Lazio

Interim City Administrator

Agenda Title: Resolution No. 269-2019 Authorizing The Mayor/Interim City Administrator, Director of Finance and Accountant To Sign Checks and Make Wire Transfers.



Purpose: Approve the resolution authorizing the Mayor/Interim City Administrator, Director of Finance and Accountant to sign checks and make wire transfers.

Recommendation: Pass and adopt Resolution 269-2019.

Discussion: This resolution updates the individuals who are authorized to sign checks and make wire transfers.

Individuals authorized by this resolution are Tom X. Lazio, Kala Mulder and Kristi McDowell.

RESOLUTION NO. 269-2019
AUTHORIZING THE MAYOR/INTERIM CITY ADMINISTRATOR, DIRECTOR OF
FINANCE AND ACCOUNTANT TO SIGN CHECKS AND MAKE WIRE
TRANSFERS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Ottumwa, Iowa, the
following individuals shall be authorized to signatories for the City of Ottumwa, Iowa.

Name	Title
Tom X. Lazio	Mayor/Interim City Administrator
Kala Mulder	Director of Finance
Kristi McDowell	Accountant

Passed and adopted this 17th day of December 2019.

CITY OF OTTUMWA, IOWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christine Reinhard, City Clerk

FILED

2019 DEC 10 AM 7:52

CITY OF OTTUMWA
STAFF SUMMARY

Council Meeting of: December 17, 2019

ITEM NO. _____

Finance
Department

Kristi McDowell
Prepared By
K. Mulder

Department Head

Tom X. Lazio

Interim City Administrator

AGENDA TITLE: Resolution No. 270-2019 Authorizing the Mayor/Interim City Administrator, Director of Finance/City Treasurer and Accountant to Make Investment Purchases and Sales in Accordance with the City Investment Policy.

PURPOSE: Approve the resolution authorizing the Mayor/ Interim City Administrator, Director of Finance/City Treasurer and Accountant to make investment purchases and sales in accordance with the city investment policy.

RECOMMENDATION: Pass and Adopt Resolution No. 270-2019.

DISCUSSION: This resolution updates the individuals who are authorized to make investment purchases and sales in accordance with the City's investment policy. Individuals authorized by this resolution are: Tom X. Lazio, Kala Mulder, and Kristi McDowell.

RESOLUTION NO. 270-2019

AUTHORIZING THE MAYOR/INTERIM CITY ADMINISTRATOR, DIRECTOR OF FINANCE, AND ACCOUNTANT TO MAKE INVESTMENT PURCHASES AND SALES IN ACCORDANCE WITH THE CITY INVESTMENT POLICY

BE IT RESOLVED BY THE CITY COUNCIL OF THE City of Ottumwa, Iowa, the following individuals shall be authorized to buy, sell, assign, and transfer securities and to execute any and all instruments necessary, proper and desirable for the purpose, in conformity with the Investment Policy of the City of Ottumwa, Iowa.

Name	Title
Tom X. Lazio	Mayor/Interim City Administrator
Kala Mulder	Director of Finance
Kristi McDowell	Accountant

Passed and adopted this 17th day of December 2019.

CITY OF OTTUMWA, IOWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christine Reinhard, City Clerk

OTTUMWA ^{Item No. D.-3.}

CITY OF BRIDGES...RIVER OF OPPORTUNITY

Shea Greiner, Executive Director

December 6, 2019

Ottumwa Chamber of Commerce

217 E Main Street

Ottumwa, IA 52501

Dear Shea,

As a follow up to our conversations and personal visits, I want to give you the City's decision about the electrical hookups for Nights-N-Lights located in the Greater Ottumwa Park. We as a City are appreciative of all the good work the Chamber does for our community. I especially want to recognize the dedicated and hard work of your many volunteers.

The City takes its responsibility of protecting the citizen and following State and National standards very seriously. We cannot look the other way when our staff have made us aware of serious danger and potentially hazardous situations. Therefore after a thorough review of the situation involving the electrical connections in the Park, we have no choice but to require your project to meet the National Electrical Code (NEC) standards and use GFCI connections. This is not an easy decision to make but is the right decision in light of the risk to personnel working on the project and citizens in the community.

We will work with you and your volunteers to make the necessary changes for the rest of this year. We need to meet early in 2020 and plan what to do for next year.

Thank you for your understanding and for complying with this decision.

Sincerely,



Tom X. Lazio, Acting City Administrator

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec 17, 2019

Health & Inspections
Department

Jody Gates
Prepared By
Kevin C Flanagan
Department Head

Tom Lajoie
City Administrator Approval

AGENDA TITLE: Bid review and contract award for asbestos removal and demolition of
137 S. Van Buren

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Accept the bid and award contract to Environmental Edge for the
best bid sum of \$14,220.

DISCUSSION: Bids were accepted for this project until 2:00 P.M. December 10, 2019.
Four bids were received and the best bidder was Environmental Edge for
the sum of \$14,220. A bid tab is attached.

137 S. Van Buren

Bidder	Asbestos	Demolition	Total Bid
Environmental Edge	\$9,520.00	\$4,700.00	\$14,220.00
Weston McKee	\$9,404.00	\$6,500.00	\$15,904.00
Dan Laursen	\$11,900.00	\$7,900.00	\$19,800.00
Tim Skinner	\$0.00	\$4,900.00	\$4,900.00

Environmental Edge is the best bid

DS Initial Form Here
Environmental Edge



CITY OF
OTTUMWA

REQUEST FOR BID FOR DEMOLITION AND ASBESTOS REMOVAL
AND DISPOSAL

BID FORM

Address	Demolition Bid	Asbestos Bid	Total Line Bid
137 S. Van Buren	4700. ⁰⁰	9,570. ⁰⁰	\$14,270

DS Initial here if you are willing to have individual portions of your bid considered for award.


It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal, which in its opinion, is in the best interest of the City.

A Bid Security must be included in the sealed bid envelope along with this bid sheet. The bid security must equal ten percent (10%) of the total bid price and must be in the form of cash or a cashier's check or as a certified check drawn on a bank in Iowa or chartered in the United States, or a certified share draft drawn on a credit union chartered under the laws of the United States.

amount of the project for an amount equal to 100% of the bid price may be substituted for the performance bond.

The Bid Form and Work Required document automatically become part of the final contract should this proposal be accepted.

If my proposal is accepted, I, the undersigned, agree to enter into a contract (see attached sample) for said work.


Signature

Dustan Smith - Environmental Edge
Printed Name

2801 Roemer Ave
Address

641-226-4483
Telephone Number

Ottumwa, IA. 52501
City, State, Zip

12-10-2019
Date

Dustan.P@msn.com
E-mail Address

FILED
DEC 12 AM 10:51

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of : Dec 17, 2019

Health & Inspections
Department

Jody Gates
Prepared By
Kevin C Flanagan
Department Head

Tom Szio
City Administrator Approval

AGENDA TITLE: Bid review and contract award for asbestos removal at 422 S. Ferry

 ****Public hearing required if this box is checked.**** ***The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.***

RECOMMENDATION: Accept the bid and award contract for asbestos removal to Environmental Edge for the best bid sum of \$8,700.

DISCUSSION: Bids were accepted for this project until 2:00 P.M. December 10, 2019. Five bids were received. The best bidder for asbestos removal was Environmental Edge for the sum of \$8,700. A bid tab is attached.

422 S Ferry

Bidder	Asbestos	Demolition	Total Bid
Environmental Edge	\$8,700.00	\$6,400.00	\$15,100.00
Weston McKee	\$8,900.00	\$7,000.00	\$15,900.00
Dan Laursen	\$9,900.00	\$7,200.00	\$17,100.00
Abatement Specialties	\$13,800.00	\$0.00	\$13,800.00
Tim Skinner	\$0.00	\$4,900.00	\$4,900.00

Best asbestos bidder is Environmental Edge and best demolition bidder is Tim skinner

DS Initial Form Here
Environmental Edge



[CITY OF]
O T T U M W A

REQUEST FOR BID FOR DEMOLITION AND ASBESTOS REMOVAL
AND DISPOSAL

BID FORM


Address	Demolition Bid	Asbestos Bid	Total Line Bid
422 S. Ferry	\$ 6,400. ⁰⁰	\$ 8,700. ⁰⁰	\$ 15,100. ⁰⁰

DS Initial here if you are willing to have individual portions of your bid considered for award.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal, which in its opinion, is in the best interest of the City.

A Bid Security must be included in the sealed bid envelope along with this bid sheet. The bid security must equal ten percent (10%) of the total bid price and must be in the form of cash or a cashier's check or as a certified check drawn on a bank in Iowa or chartered in the United States, or a certified share draft drawn on a credit union chartered under the laws of the United States.

The Successful Bidder shall then provide a performance bond with corporate surety to one hundred percent (100%) of the bid price on all projects. A cashier's check, a certified share draft, as described above, or cash may be used. An irrevocable letter of credit stating the

 Initial Form Here

amount of the project for an amount equal to 100% of the bid price may be substituted for the performance bond.

The Bid Form and Work Required Document automatically become part of the final contract should this proposal be accepted.

If my proposal is accepted, I, the undersigned, agree to enter into a contract (see attached sample) for said work.



Signature

Dustin Smith - Environmental Edge

Printed Name

7801 Roemer Ave

Address

6041-226-4483

Telephone Number

Ottumwa, IA 52501

City, State, Zip

12-10-2019

Date

Dustin@a-msn.com

E-mail Address

PROOF OF PUBLICATION

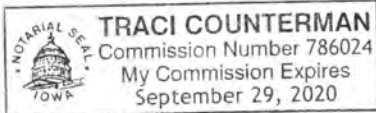
STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

422 S FERRY

CITY OF OTTUMWA

_____ hereto attached was published in said newspaper for 1 consecutive weeks to-wit: 11/14/19 Subscribed and sworn to before me, and in my presence, by the said 14th day of NOVEMBER, 2019



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$16.93

COPY OF ADVERTISEMENT

NOTICE OF LETTING The City of Ottumwa, IA will accept sealed bids until 2:00 P. M. on December 10, 2019 for the asbestos removal and demolition of the following structures located within the City of Ottumwa, IA: Location Address: 422 S. Ferry Street NOTE: All removal and disposal of asbestos containing materials must comply with all existing Iowa Department of Natural Resources and U. S. Environmental Protection Agency guidelines and regulations. Proposals must be addressed to: City Clerk, 105 East Third Street, Ottumwa, Iowa 52501 and plainly marked: Location: 422 S. Ferry Street - Bid Due: 12-10-2019. The request for proposal and contract conditions may be obtained from the Health & Inspections Department, Room 204, City Hall, 105 East Third Street, Ottumwa, IA 52501 or at www.cityofottumwa.com. Bid security deposit required. (See bid form). A 100% performance bond or irrevocable letter of credit stating the total cost of the project bid is required from the successful bidder on all removal projects. For additional information concerning this project, contact Jody Gates, at 641-683-0615.

422 S. Ferry
Asbestos/Demo

FILED

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec 17, 2019

Jody Gates

Prepared By

Kevin C Flanagan *KCF*

Department Head

Health & Inspections

Department

Tim Skinner

City Administrator Approval

AGENDA TITLE: Bid review and contract award for demolition of 422 S. Ferry

****Public hearing required if this box is checked.****

*****The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.*****

RECOMMENDATION: Accept the bid and award contract for demolition to Tim Skinner for the best bid sum of \$4,900.

DISCUSSION: Bids were accepted for this project until 2:00 P.M. December 10, 2019. Five bids were received. The best bidder for demolition was Tim Skinner for the sum of \$4,900. A bid tab is attached.

Source of Funds: 151-3-342-6499

Budgeted Item:



Budget Amendment Needed:

422 S Ferry

Bidder	Asbestos	Demolition	Total Bid
Environmental Edge	\$8,700.00	\$6,400.00	\$15,100.00
Weston McKee	\$8,900.00	\$7,000.00	\$15,900.00
Dan Laursen	\$9,900.00	\$7,200.00	\$17,100.00
Abatement Specialties	\$13,800.00	\$0.00	\$13,800.00
Tim Skinner	\$0.00	\$4,900.00	\$4,900.00

Best asbestos bidder is Environmental Edge and best demolition bidder is Tim skinner

TS Initial Form Here
Tim Skinner



[CITY OF]

OTTUMWA

REQUEST FOR BID FOR DEMOLITION AND ASBESTOS REMOVAL
AND DISPOSAL

BID FORM

Address	Demolition Bid	Asbestos Bid	Total Line Bid
422 S. Ferry	4900 ⁰⁰		4900 ⁰⁰

TS Initial here if you are willing to have individual portions of your bid considered for award.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any formality in connection therewith, or to accept any proposal, which in its opinion, is in the best interest of the City.

A Bid Security must be included in the sealed bid envelope along with this bid sheet. The bid security must equal ten percent (10%) of the total bid price and must be in the form of cash or a cashier's check or as a certified check drawn on a bank in Iowa or chartered in the United States, or a certified share draft drawn on a credit union chartered under the laws of the United States.

The Successful Bidder shall then provide a performance bond with corporate surety to one hundred percent (100%) of the bid price on all projects. A cashier's check, a certified share draft, as described above, or cash may be used. An irrevocable letter of credit stating the

amount of the project for an amount equal to 100% of the bid price may be substituted for the performance bond.

The Bid Form and Work Required document automatically become part of the final contract should this proposal be accepted.

If my proposal is accepted, I, the undersigned, agree to enter into a contract (see attached sample) for said work.


Signature

TIM SKINNER
Printed Name

16285 15th St
Address

641-777-6053
Telephone Number

OF TUMMth St 57509
City, State, Zip

12-10-19
Date

E-mail Address

PROOF OF PUBLICATION

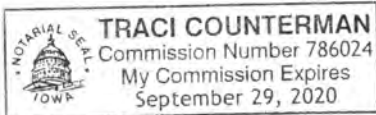
STATE OF IOWA
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

422 S FERRY

CITY OF OTTUMWA

_____ hereto attached was published in said newspaper for 1 consecutive weeks to-wit: 11/14/19 Subscribed and sworn to before me, and in my presence, by the said 14th day of NOVEMBER, 2019



Notary Public

In and for Wapello County

Printer's fee \$16.93

COPY OF ADVERTISEMENT

NOTICE OF LETTING The City of Ottumwa, IA will accept sealed bids until 2:00 P. M. on December 10, 2019 for the asbestos removal and demolition of the following structures located within the City of Ottumwa, IA: Location Address: 422 S. Ferry Street NOTE: All removal and disposal of asbestos containing materials must comply with all existing Iowa Department of Natural Resources and U. S. Environmental Protection Agency guidelines and regulations. Proposals must be addressed to: City Clerk, 105 East Third Street, Ottumwa, Iowa 52501 and plainly marked: Location: 422 S. Ferry Street - Bid Due: 12-10-2019. The request for proposal and contract conditions may be obtained from the Health & Inspections Department, Room 204, City Hall, 105 East Third Street, Ottumwa, IA 52501 or at www.cityofottumwa.com. Bid security deposit required. (See bid form). A 100% performance bond or irrevocable letter of credit stating the total cost of the project bid is required from the successful bidder on all removal projects. For additional information concerning this project, contact Jody Gates, at 641-683-0615.

422 S. Ferry
Asbestos/Demo

FILED
2019 DEC -9 AM 11:29
CITY OF OTTUMWA

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec 17, 2019

Katy King


Prepared By

Tom X. Lazio

Department Head

Administration

Department



City Administrator Approval

AGENDA TITLE: Approve the Development Proposal with Neapolitan Labs to Build an Online Poling Solution for the City of Ottumwa website.

RECOMMENDATION: Approve the Development Proposal.

DISCUSSION: Neapolitan Labs will be installing a new feature on the City Website in 2020 to provide an online poling solution to collect feedback from residents directly via it's website at cityofottumwa.com. This feature will be replacing the online citizen survey Polco.

Source of Funds:

Budgeted Item: Budget Amendment Needed: No

DEVELOPMENT PROPOSAL

City of Ottumwa

Overview: Neapolitan Labs will build an online polling solution for the City of Ottumwa, to collect feedback from residents directly via its website at cityofottumwa.com.

Technology: The password-protected *Utilities Panel* will be used for poll management, with access provided for Katy and other defined website administrators.

Administration Process

Poll Setup: City staff will be able to create up to five poll questions at a time on the website; start and end dates can be defined for questions to give residents a specific window to respond. Introductory text can be added to each set of questions, if desired, to provide residents with additional information.

- Each question can be open-ended or multiple choice, with up to 10 choices defined. Users can be asked to make a single choice, select up to a specific amount of choices, or rank choices. Open-ended responses can be limited to a specified number of characters.
- Questions can be marked as required or optional.
- An overall "Comments" box can be included at the end of the question list to allow for additional feedback. Comments can be limited to a specified number of characters.

Poll Results: City staff will be able to review poll results while questions are active on the site and after the response period has ended. Results for multiple choice questions will be summarized with percentages assigned to each response. Open-ended responses can be viewed individually or in a list. By default, poll results will be hidden from the public while the questions are active.

Manual Results Review: A list of all response names, emails, and submission dates will be available via the *Utilities Panel*. City staff will be able to delete responses which appear to be tied to fake names and/or email addresses.

Result Exports: Results from each set of poll questions can be downloaded in Excel format for further review, reporting, and internal sharing.

Results Summary: Once a poll has completed, City staff can create a summary to publicly share results. This summary can include a message from the City Administrator, a department head, Council member or other local officials to add context to the results.

- Results to multiple-choice questions can be displayed visually, sorted by responses. Number of responses for each option can be shown or hidden.



*sample of visual yes/no poll responses
total counts for each response can be optionally shown*

- For open-ended questions, selected resident responses can be chosen to highlight as part of the summary page. Alternatively, officials could summarize key findings from these open-ended questions as part of their message on this page.

Once the summary is completed, a notification can be sent to respondents who opted in for a follow-up at the end of the polling period.

Respondent Process

Homepage Call to Action: When one or more poll questions are active on the City of Ottumwa website, a call-to-action will be present on the homepage of the website encouraging residents to give their input.

Response Process: In addition to required and optional questions defined via the *Utilities Panel*, respondents will be required to enter their first name and email address. Additional optional or required fields may be defined by City staff prior to implementation.

Respondents will have the option to opt-in to notifications when future questions are available on the website, and to be notified when a results summary is available.

Multiple Responses: For each set of questions, only one response per email is allowed. To encourage participation, users will not be required to create passwords or setup accounts.

Timeline, Training, and Costs

Kickoff Meeting: Following proposal acceptance, Neapolitan Labs will participate in an in-person meeting with City officials to review the administration and response processes and solidify requirements before development begins.

Timeline: Expected time for development is 3-4 weeks following the kickoff meeting. Allowing time for revisions, training, and launch, public rollout is expected within 5-6 weeks of proposal acceptance. Rollout is anticipated in early February 2020.

Training: Once development is completed, the polling solution will be shared with City officials and an in-person training session will be scheduled for Katy (and/or other website administrators) to review the process for adding questions, reviewing responses, and posting results summaries.

Cost: A one-time development fee of **\$3,500** is required for the development of this polling solution for the City of Ottumwa website. Technical support, training, and routine updates for the polling solution is included as part of the yearly website renewal package, which has been paid for FY2020 and will remain at the \$1,000 annual rate in FY2021 and FY2022.

Polco Replacement: Neapolitan Labs believes its polling solution is the perfect alternative for the current Polco solution. Administration will be built directly into the familiar *Utilities Panel* and poll questions integrated directly with the current website. Fewer requirements (e.g. no account creation) will make responding easier. The polling will be mobile-friendly, so users can give feedback on the go.

Acceptance

With signature, the Client ("City of Ottumwa") agrees to the cost and payment terms, and the developer will adhere to the stated project solutions and turnaround times.

Tom X. Lazio
City of Ottumwa

Date

Brian McMillin
Neapolitan Labs LLC

Date

FILED

CITY OF OTTUMWA

2019 DEC 12 PM 2:06

Staff Summary

**** ACTION ITEM ****

CITY OF OTTUMWA

Council Meeting of: December 17, 2019

Ron Jacobsen

Prepared By

Public Works - WPCF

Department

Larry Seals *LBS*

Department Head

Tom Lajoie

City Administrator Approval

AGENDA TITLE: Approve the rebuild of one of the Richmond Lift Station Pumps.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION:

Approve the repair of a Flygt Model 3152 pump from Electric Pump in Des Moines, IA for the quoted price of \$7,656.92

DISCUSSION:

This pump is located at the Richmond Pump Station which is a lift station used to pump wastewater to the WPCF.

The Flygt Model 3152 has been in service 20 years and the seals have failed as well as the impeller showed excessive wear from pumping grit and sand. All the parts for this rebuild are in stock and the repair can be done in one week. The price of a new one is \$18,450. There would be a 90 day warranty on this rebuild and 1 year on parts.

WPCF budgeted \$60,000 in account 610-8-815-6399 and we have a repair of \$42,837.45 for an Elm street lift station pump which council approved and leaves \$17,163 left in this line item and the repairs would come out of that account.



QUOTATION

4280 E 14th Street
Des Moines IA 50313-2604 USA

Telephone (515) 265-2222 / FAX (515) 265-8079
Toll Free 1-800-383-PUMP

www.electrump.com

QUOTE NUMBER: 0135087
QUOTE DATE: 11/26/2019
EXPIRE DATE: 12/26/2019

SALESPERSON: CHAD SPARKS
CUSTOMER NO: 6830641
QUOTED BY: djh

FLYGT 3152.091-1582 5

QUOTED TO:
OTTUMWA WATER POLL CONTROL
2222 SOUTH EMMA
OTTUMWA, IA 52501

JOB LOCATION:
OTTUMWA WATER POLL CONTROL
2222 SOUTH EMMA
OTTUMWA, IA 52501

CONFIRM TO:

*** QUOTE ORDER - DO NOT PAY ***

CUSTOMER P.O.	SHIP VIA	F.O.B.	TERMS			
	OURTRK	ORIGIN	Net 30 Days			
ITEM NUMBER	UNIT	ORDERED	SHIPPED	BACK ORDER	PRICE	AMOUNT
			FLYGT 3152.091-1582, NS 0810034, 434IMP, 3PH, 460/230V, 20HP, 1750RPM			
			UPPER SEAL FAILURE TRIPPING THE FLS. THE IMPELLER IS VERY WORN AND NEEDS TO BE REPLACED			
0000006018921	EACH	1.00	0.00	0.00	2,913.00	2,913.00
			KIT, REPAIR BASIC+3152.091, 181			
0000003811600	EACH	1.00	0.00	0.00	2,945.00	2,945.00
			IMPELLER UNIT CODE 434 3152 C 1			
0000003148805	EACH	1.00	0.00	0.00	634.00	634.00
			RING, WEAR STATIONARY BRASS			
/MISC	EACH	1.00	0.00	0.00	64.92	64.92
			MISC. SHOP SUPPLIES			
/ENVI	EACH	1.00	0.00	0.00	60.00	60.00
			OIL AND ENVIRONMENTAL CHARGE			
/PSMD	HOUR	8.00	0.00	0.00	130.00	1,040.00
			PUMP LABOR SEWAGE/SUBMERSIBLE			

ALL PARTS ARE CURRENTLY IN STOCK AND ARE SUBJECT TO PRIOR SALE.
THANK YOU, DONNA HAMMEN
donna@electricpump.com

All return goods must have written approval from Electric Pump, Inc. before returning. Credit will not be issued without written approval and if applicable there will be a Restock Fee.

Net Order:	7,656.92
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Order Total	7,656.92

ABOVE PRICING EFFECTIVE FOR 30 DAYS



QUOTATION

4280 E 14th Street
Des Moines IA 50313-2604 USA

Telephone: (515) 265-2222 / FAX (515) 265-8079
Toll Free 1-800-383-PLUMP

www.electricpump.com

QUOTE NUMBER: 0135160
QUOTE DATE: 12/2/2019
EXPIRE DATE: 12/30/2019

SALESPERSON: CHAD SPARKS
CUSTOMER NO: 6830641
QUOTED BY: JRF
JOYCE

QUOTED TO:
OTTUMWA WATER POLL CONTROL
2222 SOUTH EMMA
OTTUMWA, IA 52501

JOB LOCATION:
OTTUMWA WATER POLL CONTROL
2222 SOUTH EMMA
OTTUMWA, IA 52501

CONFIRM TO:
JAY MERRILL

*** QUOTE ORDER - DO NOT PAY***

CUSTOMER P.O.	SHIP VIA	F.O.B.	TERMS
JAY	BESTWAY	ORIGIN	Net 30 Days

ITEM NUMBER	UNIT	ORDERED	SHIPPED	BACK ORDER	PRICE	AMOUNT
-------------	------	---------	---------	------------	-------	--------

WE ARE PLEASED TO OFFER THE FOLLOWING QUOTATION FOR
REPLACEMENT OF YOUR FLYGT3152.091-1582 SN: 0810034 PUMP
WITH CURRENT MODEL:

0031530950465	EACH	1.00	0.00	0.00	18,450.00	18,450.00
---------------	------	------	------	------	-----------	-----------

NT435-6 20/460/3 50' FM FLS FV

CUSTOMER'S EXISTING SUCTION ELBOW CAN BE USED.

ESTIMATED LEAD TIME IS 3 TO 4 WEEKS ARO.
THE PRICING ON THIS QUOTE DOES NOT INCLUDE
FREIGHT.

Electric Pump is committed to supplying you, our
customer, the highest quality products & service.

joycef@electricpump.com

THANK YOU, JOYCE FROHWEIN

All return goods must have written approval from Electric Pump, Inc.
before returning. Credit will not be issued without written approval and
if applicable there will be a Restock Fee.

Net Order:	18,450.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Order Total:	18,450.00

ABOVE PRICING EFFECTIVE FOR 30 DAYS

FILED

CITY OF OTTUMWA

2019 DEC 16 AM 8:47
Staff Summary

CITY OF OTTUMWA
** ACTION ITEM **

Council Meeting of: December 17, 2019

Engineering
Department

Alicia Bankson
Prepared By
Sandy Seals

Department Head

Tom X. Szjio

City Administrator Approval

AGENDA TITLE: Approve the Jefferson Street Bridge Lighting Improvements.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Approve the Jefferson Street Bridge Lighting Improvements.

DISCUSSION: The City of Ottumwa along with its community partners had an opportunity to participate in newly created program offered by Alliant Energy. The following is the program description offered by Alliant program managers.

* Hometown Rewards (the Program) is an initiative of Alliant Energy to increase energy efficiency and conservation and to improve awareness of sustainability in Partner Communities within Alliant Energy's service territory. Hometown Rewards encourages community members to implement energy efficient measures and adopt energy wise behaviors to save money, reduce their overall energy usage, and shrink their carbon footprint. Taking this a step further, the Program encourages Partner Communities to develop goals around efficiency that are unique to the priorities of community residents, businesses, and organizations.

* Through Hometown Rewards, Alliant Energy provides guidance and financial resources to partner communities, who in return commit to develop and implement strategies to educate community members, improve efficiency and sustainability, and reduce their carbon footprint. Alliant Energy will provide a "Reward Pool" at the end of the Program to be used by the community for an energy efficiency project that benefits the community. During the planning process, the Steering Committee will be asked to identify a community energy efficiency project where they would like funds from the Reward Pool to be applied.

Once projects were selected by the Committee they were then reviewed by Alliant to assure the local project meets the (the Programs) goals.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

The committee members included Janice Bain, Holly Berg, Kevin Flanagan, Jody Gates, Bradley Grefe, TJ Heller, Inez Hill, Tom Lazio, Stacie Manary, Andy Morris and Fred Zesiger.

Numerous Project were discussed by the committee and Jefferson Street Viaduct Lighting Project has been selected. The project will replace the existing light fixtures with LED color changing power efficient fixtures. Some of the Key features for selection were high visibility, ageing equipment and existing operational cost.

Main Street is the project sponsor and once completed and inspected will be accepted and maintained by the City.

The project will be funded entirely from grant funds. To date the following sources have been secured with a verbal commitments for the remaining amount.

\$50,046 Hometown Rewards
\$12,550 Wapello County Foundation

Estimated cost \$83,500

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

Jefferson Street Viaduct Accent Light Replacement Project Budget

Expenses	
RBG LED Lighting System with 24 lights and installation Security Fencing	\$78,000
Information and Donor Recognition Panel	\$ 500
	Total
	\$83,500

Source of Funds	
Alliant Energy Hometown Rewards Program	\$50,046
Wapello County Foundation (Award Pending)	\$12,550
Grant Requests Submitted (Pending Notice)	\$20,904
Other Donations	\$0
	Total
	\$83,500

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CITY CLERK
OTTUMWA, IA

City of Ottumwa

Staff Summary

** Action Item**

Council Meeting of: December 17, 2019

Item No. _____

Kristi McDowell

Prepared By

City Accountant

Finance Department
Department


Interim City Administrator

Agenda Title: Resolution No. 265-2019, approving the annual budget of the Ottumwa Water Works Board of Trustees for calendar year 2020.



RECOMMENDATION: Pass and adopt Resolution No. 265-2019.

Section 384.2 of the Code of Iowa requires the City Council to adopt the budget of any municipal utility under the control of an independent board by resolution. The Ottumwa Water Works Board of Trustees adopted this budget after a public hearing held November 19, 2019.

Discussion: The adoption of this budget is required by state code according to Section 384.2 of the Code of Iowa and will be forwarded along with the approving resolution to the County Auditor.

RESOLUTION NO. 265-2019

**A RESOLUTION APPROVING THE ANNUAL BUDGET OF THE OTTUMWA
WATER WORKS BOARD OF TRUSTEES FOR CALENDAR YEAR 2020**

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF
OTTUMWA THAT:

In accordance with Section 384.2 of the Code of Iowa, that the annual budget for the
calendar year 2020 as adopted by the Ottumwa Water Works Board of Trustees on
November 19, 2019 as attached and made part of this resolution by reference, is hereby
approved.

APPROVED, PASSED, AND ADOPTED this 17th day of December 2019.

CITY OF OTTUMWA, IOWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk

OTTUMWA WATER & HYDRO

230 TURNER DRIVE
P.O. BOX 20
OTTUMWA, IOWA 52501
TELEPHONE (641) 684-4606
FAX # (641) 682-3269

Ottumwa Water Works – Budget Highlights 2020

Revenue

Water revenue is projected based on a 1.5% increase in rates effective January 1, 2020. Other revenue remains relatively unchanged.

Operating Expenses

Total operating expenses are projected to increase \$173,544 or 3.3%. A significant portion of this increase (\$111,445) is due to adding 1.5 FTE's. Non Union and Union wage increases for 2020 will be 2%.

Debt Service

The SRF debt service of \$950,000 is for several loans, including the major capital improvements program (thirteen years ago), Airport Connection, VFD / Pumping improvements, water meter replacements and the UV Treatment System. It also includes interest on a new loan for Lime Residual Improvements. The City debt service is for several sewer separation projects and City G.O. Bonds for water main projects.

Capital Improvements

Capital projects dominate the 2020 budget. Our largest capital project is \$5.5 million for Lime Residual Improvements financed by an SRF loan. Water main replacements total \$2.6 million and include approximately 2.5 miles of new water main. Most projects will be coordinated with the City of Ottumwa including Streetscape, E. Alta Vista, Milner St. and the start of the East side sewer separation project. Our larger project includes N. Elm, and E. Highland Ave water main replacements.

UTILITIES BUDGET FORMS INSTRUCTIONS

Chapter 384.16, Code of Iowa requires utilities to publish a Notice of Public Hearing Budget Estimate. The information to complete the publication notice is taken from the Budget Summary. As a reminder, the notice must be published not less than 10 nor more than 20 days prior to the date of the hearing.

The published Budget Estimate is designed to include all utilities governed by the Board, or you may expand the notice, reporting each operation separately. Your budget hearing shall be accomplished in sufficient time to submit the budget for approval by resolution of the City Council not later than December 12th. (Chapter 384.2, Code of Iowa). A sufficient number of copies of the itemized detail must be available to meet the requests of taxpayers, citizens, and organizations not less than ten days before the date set for the hearing.

Your Beginning Fund Balances and your Ending Fund Balances will include all sinking funds and reserves. Receipts of services from other city funds are considered revenues. Transfers In and Transfers Out are actual transfers from or to another operating fund. Indicate the source of any Transfer In or the recipient fund of a Transfer Out in your budget detail. The Ending Fund Balance one year will be the Beginning Fund Balance the next year. Also, the total resources and the total requirements in any given year will be the same.

After the hearing has been held and the budget adopted, complete the Adopted Budget Summary Certificate and a new Budget Summary, if changes were made at the public hearing. File the following with the City Clerk:

- A. 3 copies of the Adopted Budget Certificate
- B. 3 copies of the Adopted Budget Summary
- C. 3 copies of the Resources and Requirements Detail
- D. 1 Proof of Publication

Your City Clerk will forward two copies of your Adopted Budget Certificate, Adopted Budget Summary, Resources and Requirements Detail to your County Auditor after your budget is approved by resolution of the council.

ADOPTED BUDGET CERTIFICATE

To: Ottumwa City Council

At a meeting of the Ottumwa Water Works Board of Trustees, held after public hearing as required by law, on Nov 19, 19, the proposed budget for Calendar 2020 was adopted as summarized and attached hereto.

Telephone
Area Code 641-684-4606

Teresa Jankin Board Secretary
(signature)

Address 230 Turner Drive
Ottumwa, Iowa

Record of Public Hearing and Adoption of Budget:

On Nov 19, 19, the Ottumwa Water Works Board of Trustees met for the purpose of conducting a public hearing on the proposed Calendar 2020 budget as published. Notice of time and place of hearing had been published on Nov. 5, 19 in the Ottumwa Courier and the affidavit of publication was available to file with the City Council. The budget estimate was considered and taxpayers and residents heard for and against said estimate were as follows:

After giving opportunity for all desiring to be heard, the Board adopted the following budget resolution:
A RESOLUTION ADOPTING THE BUDGET FOR Calendar YEAR ENDING Dec. 31, 20
BE IT RESOLVED by the Ottumwa Water Works Board of Trustees: The budget for Calendar ending Dec. 31, 20 as set forth in the Adopted Budget Summary and in the detailed budget in support thereof showing the estimated revenues and expenditures for said budget year in accordance with the summary and detail as adopted.

Passed and approved on, Nov. 19, 19 by the following vote: *(list names)*

Ayes: Ed Wilson
Keith Caviness
Bill Hoffman
Madonna Fisher

Nays: _____
Absent: _____

Charles S. Manson Chairperson
Teresa Jankin Secretary

ADOPTED BUDGET SUMMARY

Ottumwa Water Works _____ **Calendar** _____ **YEAR** _____ **2020**

(specify fiscal or calendar year budget)

NAME OF ENTERPRISE

(specify budget years)

Budget _____ **Re-Estimated** _____ **Actual**

2020 _____ **2019** _____ **2018**

REVENUES & OTHER FINANCING SOURCES

Use of Money and Property	241	(line 398)	156,035	271	168,000	301	106,897
Charges for Services	243	(line 414)	8,852,381	273	8,633,429	303	8,620,237
Miscellaneous	245	(line 416)	6,000,000	275	500,000	305	163,176
Operating Transfers In	247	(line 417)		277		307	
Proceeds of Long Term Debt	248	(line 418)		278		308	
Proceeds of Fixed Asset Sales	249	(line 419)		279		309	
Total Revenues & Other Financing Sources	250		15,008,416	280	9,301,429	310	8,890,310

EXPENDITURES & TRANSFERS OUT

Expenditures	255	(line 386)	15,290,064	285	9,563,045	315	9,056,161
Transfers Out	259	(line 387)		289		319	
Total Expenditures & Transfers Out	260		15,290,064	290	9,563,045	320	9,056,161

Excess of Revenues & Other Sources

Over (Under) Expenditures & Transfers Out	261		-281,647	291	-261,616	321	-165,851
BEGINNING Fund Balance	262	(line 390)	5,478,048	292	5,739,664	322	5,905,515
ENDING Fund Balance	263	(line 388)	5,196,401	293	5,478,048	323	5,739,664

RESOURCES DETAIL

	Calendar		
	Budget 2020	Re-Estimated 2019	Actual 2018
Beginning Fund Balance	5,478,048	5,739,664	5,905,515
Use of Money & Property	156,035	168,000	106,897
Charges for Services:			
Hospital			
Water	8,402,381	8,283,429	8,173,174
Sewer			
Electric	450,000	350,000	447,063
Gas			
Total Charges for Services	8,852,381	8,633,429	8,620,237
Miscellaneous		500,000	163,176
Other Financing Sources:			
Operating Transfers In			
Proceeds of Long Term Debt	6,000,000		
Proceeds of Fixed Asset Sales			
Total Resources	20,486,464	15,041,093	14,795,825

REQUIREMENTS DETAIL

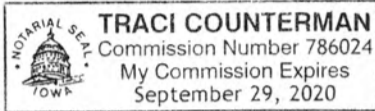
	Calendar		
	Budget 2020	Re-Estimated 2019	Actual 2018
Expenditures:			
Hospital			
Water	14,952,522	8,832,437	8,831,595
Sewer			
Electric	337,542	730,608	224,566
Gas			
Total Expenditures:	15,290,064	9,563,045	9,056,161
Transfers Out			
Ending Fund Balance	5,196,401	5,478,048	5,739,664
Total Requirements	20,486,465	15,041,093	14,795,825

PROOF OF PUBLICATION

STATE OF IOWA
 WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Budget Estimate
Ottumwa Water Works hereto attached was published in said newspaper for 1 consecutive weeks to-wit, 11/5/19 Subscribed and sworn to before me, and in my presence, by the said 5th day of November, 2019



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$105.34

NOTICE OF PUBLIC HEARING Budget Estimate

Ottumwa Water Works
(Name of Enterprise)

The Ottumwa Water Works Board of Trustees will conduct a public hearing on
(Governing Board)

the proposed Calendar year 2020 budget at Water Works Office
(specify fiscal or calendar) (XXXXXX)

on Nov. 19, 19, beginning at 4:00 o'clock. p.m. The Budget Estimate Summary of proposed revenues and expenditures is shown below. Copies of the **detailed** proposed budget may be obtained or viewed at the office of the, City Clerk, and at the city library. At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

11/05/2019 Teresa Parkin Secretary
(date) (signature)

	Budget	Re-estimated	Actual
	2020	2019	2018
	<small>(XXXX)</small>	<small>(XXXX)</small>	<small>(XXXX)</small>
Revenues & Other Financing Sources			
Use of money and property	156,035	168,000	106,897
Charges for services	8,852,381	8,633,429	8,620,237
Miscellaneous		500,000	163,176
Other Financing Sources	6,000,000		
Total Revenues & Financing Sources	15,008,416	9,301,429	8,890,310
Expenditures & Transfers Out			
Expenditures	15,290,064	9,563,045	9,056,161
Transfers Out			
Total Expenditures & Transfers Out	15,290,064	9,563,045	9,056,161
Excess of Revenues & Other Sources (+) (-) Expenditures & Transfers Out	-281,647	-261,616	-165,851
Beginning Fund Balance Jan, 2020	5,478,048	5,739,664	5,905,515
Ending Fund Balance Dec, 2020	5,196,401	5,478,048	5,739,664

FILED
CITY OF OTTUMWA
STAFF SUMMARY

2019 DEC 12 10:51

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OTT

Council Meeting of: December 17, 2019

Item No: _____

Cathy Shepherd

Prepared By

Health

Department

Department Head

City Administrator

AGENDA TITLE: Resolution No. 266-2019, a Resolution by the Ottumwa City Council assessing 2019 weed mowing charges against certain lots in the City of Ottumwa, Iowa.

PURPOSE: This resolution assesses 2019 weed mowing charges of \$57,835.00 to 118 properties.

RECOMMENDATION: Pass and adopt Resolution No. 266-2019.

DISCUSSION: The attached report lists 118 properties that were mowed by the City's mowing contractor in 2019. Owners whose properties were mowed in 2019 were billed for the mowing charges and those charges on the attached list remain unpaid. Total charges for mowing assessment for 2019, including administrative fees, are \$57,835.00.

Costs recovered are detailed in the chart shown.

Mowing Year	# of Properties	Calendar Assessment Cost	Fiscal Year	Fiscal Year Mowing Costs Recovered
2015	124	\$29,518.00	2015	\$15,436.00
2016	95	\$31,200.00	2016	\$10,631.00
2017	100	\$45,278.00	2017	\$5,279.00
2018	141	\$52,511.00	2018	\$11,267.00
2019	118	\$57,835.00	2019	\$6907.00

RESOLUTION NO. 266 -2019

A RESOLUTION BY THE OTTUMWA CITY COUNCIL ASSESSING 2019 WEED MOWING CHARGES AGAINST CERTAIN LOTS IN THE CITY OF OTTUMWA, IOWA.

WHEREAS, in accordance with Section 24-6(c) of the Municipal Code of the City of Ottumwa, Iowa, public notice was given to property owners of the City to cut or destroy any weeds, vines, brush and dead, damaged or unsightly bushes, trees or other offensive growth; and

WHEREAS, upon the failure of the property owner to cut or destroy said growth, the City caused the same to be done by the City of Ottumwa's weed mowing contractor for calendar year 2019, and said costs to be assessed to the owner or owners of the lot or parcel of ground; and

WHEREAS, the Code of Iowa, Section 364.12, allows the City Council to assess costs of abating nuisances against real estate taxes in the same manner as the property tax, and in accordance with Section 24-6(c) of the Ottumwa Municipal Code, said costs and expenses associated with the cutting of weeds are to be assessed against the owner of said lots or parcels; and

WHEREAS, said costs for the mowing of weeds, vines, etc., for calendar year 2019 are attached and made a part of this resolution.

NOW, THEREFORE BE IT RESOLVED THAT the attached 2019 weed mowing charges be assessed against the respective properties and the City Clerk to certify said assessments to the County Treasurer to be collected on the tax rolls.

Passed and Adopted this 17th day of December, 2019

City of Ottumwa, Iowa

Matt Dalbey, Mayor Pro Tem

ATTEST:

Chris Reinhard, City Clerk

2019 ASSESSED MOWING FEES

ADDRESS MOWED	OWNER'S NAME	LEGAL DESCRIPTION	TOTAL	ASSESSED
1 2ND ST E 911	VICENTE RENTERIA VERA	007410120139000 BLAKES ADD LOT 9 BLK 15;W 7' OFF W SIDE LOT 10 BLK 15 (911 E SECOND)	\$ 125.00	\$ 275.00
2 2ND ST E 1323	WILLIAM D SCHINKEL	007410270083000 CITY VIEW ADD LOT 12 BLK 10 (1323 E SECOND)	\$ 125.00	\$ 275.00
3 2ND ST W 712	CINDY LOU SCARLETT	007414130004000 WEBBERS ADD PT NE77, 7 L7 BG INT WLN L7& SW LN 2ND/33.47/77,7 /33.8/NE-B	\$ 125.00	\$ 275.00
4 2ND ST W 821	821 W SECOND LLC	007413230015000 DIXON & HUTCHINSON'S ADD. NW 37' LOT 11 (821 W SECOND)	\$ 455.00	\$ 605.00
5 3RD ST & CLAY CORNER LOT	WILLIAM & KAREN BROWN	007413230061000 DIXON & HUTCHINSON'S ADD SE 47' OF NW 1/2 LOT 54	\$ 500.00	\$ 650.00
6 3RD & CLAY ST VACANT LOT	WILLIAM & KAREN BROWN	007413230059000 DIXON & HUTCHINSON'S ADD W 47 1/2' OF S E 77' LOT 54 LAND ON W 3RD)	\$ 500.00	\$ 650.00
7 3RD ST W 901	CHUCK & BARBARA RUBY	007413230055000 DIXON & HUTCHINSONS ADD SE 1/2 LOT 52	\$ 500.00	\$ 650.00
8 3RD ST W 905	CHUCK & BARBARA RUBY	007413230056000 DIXON & HUTCHINSONS ADD SE 54' OF NW 1/2 LOT 52	\$ 500.00	\$ 650.00
9 3RD ST W 926	JAMES SCOTT RUPP & KIMBERLY A SKINNER	007413230037000 DIXON & HUTCHINSON'S ADD LOT 39 & SE 11' LOT 40	\$ 500.00	\$ 650.00
10 4TH ST 908 E	AKAKPO THEOPHILE KOFI	007410120068000 BLAKES ADD LOT 5 BLK 9 (908 E FOURTH)	\$ 125.00	\$ 275.00
11 4TH ST W 620 LOT 33	ARMIRA SEJDIC	007413650043000 MAJOR/ DIBBLE'S ADD. LOT 33 ALL EX SE 6' OF NE 90' FOR EASEMENT.(LOT ON W 4TH)	\$ 450.00	\$ 600.00
12 4TH ST W 620 LOT 34	ARMIRA SEJDIC	007413650044000 MAJOR/ DIBBLE'S ADD.LOT 34 (620 W FOURTH)	\$ 450.00	\$ 600.00
13 5TH ST W 209	MARK AND/OR MARY WELCH	007413760146000 OTTUMWA ORIGINAL LOT 22 IN 1/2-BLK 5 (209 W FIFTH)	\$ 150.00	\$ 300.00
14 5TH ST W 329	ROLANDO GONZALES	007413760160000 OTTUMWA ORIGINAL SW 138' LOT30 1/2 BLK6 EX NW COR18'X22' &EX PT SOLD BK487PG 213	\$ 125.00	\$ 275.00
15 ADELLA ST S LOT 37	GWENDOLYN R SANDERS	007416140008000 H BEAVERS 2ND LOT 37(LAND S-ADELLA)	\$ 500.00	\$ 650.00
16 ADELLA ST S LOT 48	GWENDOLYN R SANDERS	007416140019000 H BEAVERS 2ND LOT 48(LAND-S ADELLA)	\$ 500.00	\$ 650.00
17 ALBIA RD 1405	NEIL F/DIANE O FERGUSON	007417540256000 PT AL13 S1/2 NW 26-7 2-14 DES AS FOLL:S45 6' E367°FOLL: BG C N W/E ALG MOWERY ETC.	\$ 150.00	\$ 300.00
18 ALBIA RD 2002	DR. EARL E BUSH	007417300246000 WILDWOOD ADD LOT 165(2002 ALBIA RD)	\$ 500.00	\$ 650.00
19 ALLISON ST 313 LOT 77	MERRIE JOHNSON	007416170080000 BLAKE PARK HEIGHTS LOT 77	\$ 500.00	\$ 650.00
20 ALLISON ST 313 LOT 78	OAK TREE PROPERTIES LLC	007416170081000 BLAKE PARK HEIGHTS LOT 78	\$ 500.00	\$ 650.00

21 ALTA VISTA W 216	ANGELINA FARNESS	007413480115000 HAWTHORNE TERRACE LOT 120 N 1/2 OF 15' VACATED ALLEY ABUTTING ON S (216 W ALTA VISTA)	\$	125.00	\$	275.00
22 APPANOOSE 529	ADA E MULLIN	007417020013000 SALTERS ADD LOT 11 (529 APPANOOSE)	\$	500.00	\$	650.00
23 ASH N 515	ARIC/KELLY BOUGHTON	007411190046000 NORRIS SUB OL 33 S 1/2 LOT 39 (515 N ASH)	\$	350.00	\$	500.00
24 ASH S 119	LORENA ORTIZ	007410120161000 BLAKES ADD LOT 2 BLK 17 (119 S ASH)	\$	125.00	\$	275.00
25 BENTON N 215	HEATHER LYNN PORTER	007414040018000 SUMMERS ADDITION NE 4' LOT 16; SW 1/2 LOT 17 (215 N BENTON)	\$	125.00	\$	275.00
26 BENTON ST N 314	DENNIS W/NANCY R MOSS	007414070014000 SUMMERS SUB LOT 8 (314 N BENTON ST)	\$	400.00	\$	550.00
27 BENTON ST N 318	DENNIS W/NANCY R MOSS	007414040015000 SUMMERS ADD PT LTS 10,14,15 CM INTER HOLT&BENTON STS/S226 .5 AS IN BK466PG813	\$	400.00	\$	550.00
28 BOONE AVE 614	DAVID E MILLER	007416100020000 J J MC COY-BAKERS 4TH ADD LOT 37 (614 BOONE)	\$	185.00	\$	335.00
29 BRYAN RD 327	MATT D RHOADES	007413060008000 BRYANS IRREG SURVEY LOT 5 & SE 25' LOT 6 (327 BRYAN RD)	\$	125.00	\$	275.00
30 CENTER ST 734	WILLIAM G JR/ANITA DENNISTON	007411190042000 NORRIS SUB OL 33 LOT 37 (734 CENTER)	\$	250.00	\$	400.00
31 CHERRY ST S LOT 8	MALLORICK INVESTMENTS LLC	007410120168000 BLAKES ADD LOT 8 BLK 17 (VAC LOT-S CHERRY)	\$	500.00	\$	650.00
32 CHILTON & PRAIRIE	MARSH AND ASSOCIATES INC	007413480126000 HAWTHORNE TERRACE LOT 201	\$	125.00	\$	275.00
33 CLARENCE ST 325	HAROLD KEMPF	007413500034000 HIGHLAND PARK ADD LOT 37: E 10' VACATED VALLEY ST ADJ ON W	\$	500.00	\$	650.00
34 CLAY ST N 111	DAWN PARKER	007413510015000 HINSEY & HEDRICK'S 1ST ADD SW 66' OF SE 54 1/4' OF NE 132' LOT 10 (111 N CLAY)	\$	875.00	\$	1,025.00
35 CLAY ST N 421	LEWIS/MEGAN BROWN	007414060016000 SUMMERS 3RD ADD LOT 16 (421 N CLAY)	\$	650.00	\$	800.00
36 CLAY ST N VACANT LOT	CARLUS & ROSALIE ALLMAN	007414060030000 SUMMER'S 3RD ADD LOT 9 EX THE E 15' (VAC LOT ON CLAY)	\$	500.00	\$	650.00
37 CLEM ST 221	NICASIOS A AWUNGDEH	007414070005000 SUMMERS SUB DIV NE 10' LOT 2; SW 50' LOT 3 (221 CLEM)	\$	125.00	\$	275.00
38 COLLEGE ST S 112	CYNTHIA M PAGE	007411240108000 OTTUMWA ORIG NW 9' OF NE 36' LT273 BLK 19; NE36' LT274 BLK 19	\$	500.00	\$	650.00
39 COURT ST N 513	MARK AND/OR MARY WELCH	007414280026000 A L 10(198'X 112.5') EX N 49' NW SW SEC 19-72-13 (513 N COURT)	\$	125.00	\$	275.00
40 COURT ST N 614	PETER/JOAN L SULLIVAN	007411580163000 AUD.SUB-DIV. SW NW SEC. 19-72-13, AL 6 52.5' X 330' SW NW 19-72-13/614 N COURT	\$	200.00	\$	350.00
41 COURT ST N 940	STRONG RENTALS LLC	007410680010000HAMILTON ADDITION S 50' OF W 200' LOT 12 BLK 2 (940 N COURT ST)	\$	125.00	\$	275.00
42 DAVIS ST S 107	WILLA D PROCTOR	007417200082000 R S SMITH'S 4TH ADD S 40' LOT 4 BLK 18 & N 10' LOT 6 BLK 18 (107 S DAVIS)	\$	125.00	\$	275.00

43 ELM ST S 133	HAROLD KEMPF	007410830032000 JANNEY ADD LOT 11 BLK 2 (133 S ELM)	\$	95.00	\$	245.00
44 FELLOWS S 145	FELIPE MENDOZA	007410830061000 JANNEY ADD LOT 11 BLK 3 (145 S FELLOWS)	\$	125.00	\$	275.00
45 FERRY S 422	RICHARD D FITZSIMMONS	007417310067000 WILLIAMS PARK ADD LOT 70 (422 S FERRY)	\$	200.00	\$	350.00
46 FERRY S 551	US BANK NATIONAL ASSOCIATION	007416670077000 LEIGHTONS SUB PT LOT 16 BG 104.85'N SECOR LOT16/N 52.25'/W150. 15'/S52.25'/E150.15BG	\$	275.00	\$	425.00
47 FOSTER AVE S 419	JEREMY & ALMA BROWN	007411000023000 MANNING'S 1ST ADD LOT 20 BLK 1	\$	500.00	\$	650.00
48 GARA ST 414	GEORGE D POST/BECKY G RUPE	007410560007000 FOSTER/CHAMBERS ADD LOT 12 (414 GARA)	\$	125.00	\$	275.00
49 GLENWOOD AVE 719	KENNETH B/RAYNEE L HAGELBERG	007417320012000 WILLIAMS PLACE W 75.37' LOT 4 (719 GLENWOOD)	\$	125.00	\$	275.00
50 GLENWOOD AVE 809	SCOTT/TINA M CUNNINGHAM	007417320014000 WILLIAMS PLACE W 54 1/2' OF E 109' OF LOT 5 (809 GLENWOOD)	\$	650.00	\$	800.00
51 GREEN ST N 121	MARK AND/OR MARY WELCH	007411240200000 OTTUMWA ORIG PT L166 BLK15 CM NW LN GREE N 35' NE ALLEY/NW66/ NE57/SE66/SW57-BG (121 N GREEN)	\$	225.00	\$	375.00
52 GREEN ST N 512	KEITH MORRIS	007410310030000 CONANT & CHAMBERS ADD LOT 2 (512 N GREEN)	\$	125.00	\$	275.00
53 HACKBERRY ST LOT 12	JOHN & SHARON BIBB	007410120007000 BLAKE'S ADD LOT 12 BLK 2	\$	500.00	\$	650.00
54 HAYNE ST LOT 25	DACOTA LLC	007410750064000 HAYNES ADD. LOT 25 EX SW COR 50' X 62' (LOT ON S ELM)	\$	125.00	\$	275.00
55 HAYNE ST LOT 25 CORNER	DACOTA LLC	007410750065000 HAYNES ADD SW COR LOT 25 (LOT ON S ELM)	\$	125.00	\$	275.00
56 HAYNE ST LOT 26	DACOTA LLC	007410750066000 HAYNES ADD. LOT 26 (HAYNE ST)	\$	125.00	\$	275.00
57 HAYNE ST LOT 28	DACOTA LLC	007410750067000 HAYNES ADD LOT 27 & W 1/2 LOT 28 (LOT ON HAYNE)	\$	125.00	\$	275.00
58 HERRMAN AVE 420	JACOB W MATHIAS	007411600084000 LOT 17 OF AL 3 SE SE C.29-72-13, KNOWN AS HERRMANN'S SUB. (420 HERRMAN)	\$	500.00	\$	650.00
59 HOLT ST LOT 2	ERIC D MORROW	007414250002000 LOT 2 OF LOT 1 OF ZOLLARS SUB. W 1/2 NE	\$	455.00	\$	605.00
60 HOLT ST N 324	RONALD & CATHERINE SLACK	007414250019000 ALL EX S 1' LOT 4 OF LOT 8 ZOLLARS SUB OF W 1/2 NE SEC 24-72-14	\$	500.00	\$	650.00
61 IOWA AVE S 121	JOYCE ANN JOHNSON	007410830098000 JANNEY ADD LOT 17 BLK 4 (121 S IOWA AVE)	\$	500.00	\$	650.00
62 IOWA AVE S 122	FAMILY HOME ASSOCIATION INC.	007411010029000 MANNING'S 2ND ADD. LOT 29 BLK 1 (122 S.IOWA AVE.)	\$	455.00	\$	605.00
63 IOWA AVE S 141	HAROLD G KEMPF LE	007410830092000 JANNEY ADD LOT 12 BLK 4 (141 S IOWA)	\$	590.00	\$	740.00
64 JAMES ST S 933	MARGARET M VAN BLARICOM	007416540168000 HARDING PARK ADD LOT 56 BLK 3 (933 S JAMES)	\$	815.00	\$	965.00

65 JEFFERSON ST N 435	JACK VANDERHYDE	00741180006000 MCGREW SUB PT L2 CM 71.5 SW E COR L2/NW 169.8/W37/S53.2/SE 144.3/NE15/NE68.5BG	\$	500.00	\$	650.00
66 KRUGER ST 514	ROBERT J CARLSON	007410310022000 CONANT & CHAMBERS LOT 26	\$	500.00	\$	650.00
67 LEE AVE 813	JACK & LOIS LOVING	007416280121000 CLINTON PLACE LOT 11 BLK 9 (813 LEE)	\$	500.00	\$	650.00
68 LEE AVE 817	SARAH L HENRY	007416280120000 CLINTON PLACE LOT 10 BLK 9	\$	500.00	\$	650.00
69 MAIN ST E 1605	ROMAN MENDOZA	007411010041000 MANNING'S 2ND ADD LOT 3 BLK 2 (1605 E. MAIN)	\$	95.00	\$	245.00
70 MAIN ST E 1816	NESTOR LIZALDE	007411000039000 MANNING'S 1ST ADD LOT 35 BLK 3 EX SE 23'THEREOF (1816 E. MAIN)	\$	225.00	\$	375.00
71 MAIN ST E 1818	NESTOR LIZALDE	007411000040000 MANNING'S 1ST ADD SE 23' LOT 35 BLK 3; NW 17' LOT 36 BLK 3 (1818 E. MAIN)	\$	225.00	\$	375.00
72 MAIN ST E N/T 1818	NESTOR LIZALDE	007411000041000 MANNING'S 1ST ADD E 22' LOT 36 BLK 3 (LOT ON E. MAIN)	\$	225.00	\$	375.00
73 MAIN ST E 1934	MARK AND/OR MARY WELCH	007411410007000 STILES PLACE LOT 5 (1934 E. MAIN)	\$	125.00	\$	275.00
74 MAIN ST E 2338	FEDERAL HOME LOAN MORTGAGE CORPORATION	007410580001000 FRANKLIN PARK LOT 1 (2338 E. MAIN)	\$	200.00	\$	350.00
75 MAIN ST E 2425	JOY L HOWARD	007411090029000 MINERAL SPRINGS ADD LOT 27 (2425 E. MAIN)	\$	125.00	\$	275.00
76 MARKET ST N 510	MICHAEL LAVALLEY	007410390010000 DEVINS ADD S 41' LOTS 10 & 11 (510 N. MARKET)	\$	175.00	\$	325.00
77 MARY ST E 1202	MONROE PROPERTIES LLC	007417250008000 SUNNYSIDE ADD LOT 11 (1202 E. MARY)	\$	1,100.00	\$	1,250.00
78 MOORE ST S 711	SCOTTY CARLBERG	007416590018000 JEFFERSON PARK ADD LOT 18 (711 S. MOORE)	\$	125.00	\$	275.00
79 MCLEAN ST N 129	TIM LAPOINT/SHANA CROSSMAN	007413650006000 MAJOR & DIBBLES ADD NE 1/2 LOT 11 EX SW 41.08' (129 N. MC LEAN)	\$	455.00	\$	605.00
80 MCLEAN ST N 302	RUSSELL A/JONALEE WALLER	007413030003000 BROWN'S 1ST ADD. SW 40' LOT 1 (302 N MC LEAN)	\$	200.00	\$	350.00
81 MCLEAN ST N 310	C & J ENTERPRISE LLC	007413030004000 BROWN'S 1ST ADD LOT 2 (310 N. MC LEAN)	\$	125.00	\$	275.00
82 MCLEAN ST N 319	ANA CARDENAS	007414350023000 PT AL 6 W1/2 NE SEC 24 NW 120'/NE 43'/SE 120'/SW 43' TO BEG (319 N. MC LEAN)	\$	200.00	\$	350.00
83 MCLEAN ST N 354	DEB BRILES	007414350044000 AL 26 W 1/2 NE SEC24 (BEING 435'X207'X13 3'X10.5'X156.5'X152. 5') (354 N MC LEAN)	\$	150.00	\$	300.00
84 MCPHERSON AVE 301	EDWARD E. WARD	007413500010000 HIGHLAND PARK ADD LOT 12 (LOT ON MC PHERSON)	\$	500.00	\$	650.00
85 MCPHERSON AVE 307	BRANDON REED	007413500011000 HIGHLAND PARK ADD. LOT 13 (307 MC PHERSON)	\$	500.00	\$	650.00
86 OTTUMWA ST 220	MICHAEL & SILVERTHORNE NICHOLSON	007413220003000 DEVINS SUB OF GILMOR ES SUB. LOT 3 (220 OTTUMWA ST)	\$	500.00	\$	650.00
87 OTTUMWA ST 525	TYCENA RENDON	007414220012000 ZOLLARS CENTRAL ADD LOT 128;W10' LOT 129 (525 OTTUMWA)	\$	125.00	\$	275.00

88 PARK AVE W 512	TOBY/ALISSA A WELCH	007414320077000 A L 4 SW SE SEC 13-7 2-14 EX N 10' THEREO F & EX SE PT SOLD TO CITY (512 W PARK)	\$	110.00	\$	260.00
89 RANSOM ST N 108	HEATHER D ULIN	007417190028000 R S SMITHS 3RD ADD LOT 49 BLK 6 (108 N RANSOM)	\$	225.00	\$	375.00
90 RICHMOND AVE 1840	NATHAN OVERTURF	007416370037000 EVERGREEN ADD LOT 44 (1840 RICHMOND)	\$	200.00	\$	350.00
91 ROCHESTER ST E 310	MICHAEL ISAAC FRANKLIN/LATISHA L OLIVER	007411550122000 PT NWNE CM259.83E NW COR/E219.05/S381.71/ E125.57/SW234.69/NE2 61.59/N208.13/ ETC (310 E ROCHESTER)	\$	225.00	\$	375.00
92 RUSSELL ST 922	MICHAEL ROBERT/KELLY ELIASON	007414040047000 SUMMERS ADDITION SE 50' OF NW 150'LOT 34 (922 RUSSELL)	\$	125.00	\$	275.00
93 SAMANTHA ST 2241 LOT 105	KELLY R KLINGSMITH	007413240105000 FAIRPORT ADDITION LOT 105 (VAC LOT ON SAMANTHA)	\$	125.00	\$	275.00
94 SAMANTHA ST 2241 LOT 106	KELLY R KLINGSMITH	007413240106000 FAIRPORT ADDITION LOT 106 (LOT ON W SAMANTHA)	\$	125.00	\$	275.00
95 SAMANTHA ST 2241 LOT 107	KELLY R KLINGSMITH	007413240107000 FAIRPORT ADDITION LOT 107 (2241 W SAMANTHA)	\$	375.00	\$	525.00
96 SAMANTHA ST 2241 LOT 108	KELLY R KLINGSMITH	007413240108000 FAIRPORT ADDITION LOT 108 (LOT ON W SAMANTHA)	\$	375.00	\$	525.00
97 SCHUYLER S 233	TY VAN/PHUONG V NGUYEN	007417360019000 M.J.WILLIAMS 4TH ADD LOT 12 (233 S SCHUYLER)	\$	125.00	\$	275.00
98 SHERIDAN AVE N 222	WELLS FARGO BANK NA	007416330051000 DAIN ADD LOT 55 (222 N SHERIDAN)	\$	200.00	\$	350.00
99 SHERIDAN AVE N 314	MARY ELIZABETH LAMMERT	007416330055000 DAIN ADD LOTS 61 & 62	\$	200.00	\$	350.00
100 SHERIDAN AVE N 526	JUDITH DIMMITT	007416920017000 SETH RICHARDS ADD LOT 13 (526 N SHERIDAN)	\$	575.00	\$	725.00
101 SHERIDAN AVE S 518	MARJEAN KOCEJA	007416500016000 AE HAMMONDS 2ND ADD LOT 46	\$	500.00	\$	650.00
102 SILK AVE 903	LARRY A MORRIS	007416540263000 HARDING PARK ADD LOT 31 BLK 5 (903 SILK)	\$	200.00	\$	350.00
103 TACOMA 510	SUMMER D MCCLURE	007411310038000 RIVERVIEW ADD LOT 13 BLK 3 (510 TACOMA)	\$	125.00	\$	275.00
104 TINDELL ST 301	TAX HOLDING LLC	007413960038000 SIBERELLS 1ST ADD LOT 40 & 41 BLK 4	\$	200.00	\$	350.00
105 TUTTLE 1006 LOT 16	WILLIAM T/LADONNA K BEALL	007416540248000 HARDING PARK ADD. LOT 16 BLK 5 (LOT ON TUTTLE)	\$	450.00	\$	600.00
106 TUTTLE 1006 LOT 17	WILLIAM T/LADONNA K BEALL	007416540249000 HARDING PARK ADD. LOT 17 BLK 5 (LOT ON TUTTLE)	\$	450.00	\$	600.00
107 TUTTLE 1006 LOT 18	WILLIAM T/LADONNA K BEALL	007416540250000 HARDING PARK ADD. LOT 18 BLK 5 (1006 TUTTLE)	\$	450.00	\$	600.00
108 VAN BUREN AVE S 137	THOMAS ANTHONY RIMMER/DONNA M MENDOZA	007411010010000 MANNING'S 2ND ADD LOT 12 BLK 1 (137 S VAN BUREN)	\$	200.00	\$	350.00
109 VAN BUREN AVE S 204	CHARLES LESTER DENHAM	007411010048000 MANNING'S 2ND ADD N 75' LOTS 10,11,12 BLK 2 (204 S VAN BUREN)	\$	125.00	\$	275.00

110 VENTURE DR OUTLOT 1	HORNE DEVELOPMENT, L P	007417800004010 HORNE SUB DIV OUTLOT 1 EX PARCEL A	\$ 1,250.00	\$ 1,400.00
111 VENTURE DR SUB DIVISION	HORNE DEVELOPMENT, L P	007417800005000 HORNE SUB DIV O L 2 EX PT IN BK 527 PG 866	\$ 1,050.00	\$ 1,200.00
112 VENTURE DR OUTLOT 5	HORNE DEVELOPMENT, L P	007417840004000 HORNE SECOND SUB OF LOT 3 HORNE SUB DIV OUTLOT 5	\$ 1,050.00	\$ 1,200.00
113 WABASH 713	P & M PROPERTIES	007416960016000 ROBINSONS 2ND ADD LOT 43 (713 WABASH)	\$ 125.00	\$ 275.00
114 WALNUT AVE N 105	DOROTHY MAE BLAKELY (ROSS)	007411290016000 KATE REDMANS 2ND ADD LOT 43	\$ 500.00	\$ 650.00
115 WALNUT AVE N 109	FELIPE MENDOZA	007411290017000 REDMANS 2ND LOT 44	\$ 500.00	\$ 650.00
116 WARD ST S 328	JOHN HENRY SHEPHERD JR	007416640011000 LEIGHTON & BANNISTER S 1ST ADD ALL EX S 14'LT 9 BLK 1,S 14' LT10 BLK1(328 S WARD	\$ 500.00	\$ 650.00
117 WAVERLY AVE 416	MICHAEL A. HEADY SR	007411310070000 RIVERVIEW ADD LOT 13 BLK 5 (416 WAVERLY)	\$ 500.00	\$ 650.00
118 WELLER ST N 410	GARY/CHRISTINA ROBINSON	007416330146000 DAIN ADD LOT 147 (410 N WELLER)	\$ 125.00	\$ 275.00
		TOTAL ASSESSED FEES	\$ 40,135.00	\$ 57,835.00

FILED

2019 DEC 10 PM 3:05

CITY OF OTTUMWA, IA

CITY OF OTTUMWA

STAFF SUMMARY

Council Meeting of: December 17, 2019

ITEM NO. _____

Joni Keith

Prepared By

Larry Seals

Department Head

Joni L Keith
Larry Seals

Engineering

Department

Tom X. Lazio
Tom X. Lazio, Acting City Administrator

AGENDA TITLE: Resolution #268-2019 approves a Right-of-Way Agreement between the City of Ottumwa and Uniti Fiber, L.L.C., which currently owns the network for McLeodUSA Telecommunications Services, Inc. a Windstream Company.

PURPOSE: Approve the execution of a Right-of-Way Agreement between the City of Ottumwa and Uniti Fiber, L.L.C. to provide for installation of a fiber optics system in Ottumwa.

RECOMMENDATION: Pass and Adopt Resolution #268-2019.

DISCUSSION: McLeodUSA Telecommunications Services, Inc. a Windstream Company currently has an existing long-term agreement with the city to allow construction of high-bandwidth, fiber-based communications networks and related services and has been constructing a fiber optic cable system within the city. This Windstream Company is currently going through a bankruptcy. The network is owned by Uniti Fiber, L.L.C. Uniti is requesting to execute an agreement with the City to begin utilizing the Windstream facilities as soon as needed. Once implemented, this will be a 10-year agreement with two 10-year extensions.

RESOLUTION # 268-2019

**RESOLUTION APPROVING A RIGHT-OF-WAY AGREEMENT WITH
UNITI FIBER, L.L.C.**

WHEREAS, the City of Ottumwa, Iowa desires to approve a Right-of-Way Agreement with Uniti Fiber, L.L.C. to provide the installation of a fiber optics system in Ottumwa; and

WHEREAS, Uniti Fiber, L.L.C. owns the network that provides services to McLeodUSA Telecommunications Services, Inc., a Windstream Company, which is currently undergoing bankruptcy proceedings; and

WHEREAS, this Agreement with Uniti Fiber, L.L.C. will be effective when Uniti Fiber, L.L.C. gives notice to the City that it is undertaking operation of the network that was previously provided by McLeodUSA Telecommunications Services, Inc. This Agreement, upon its effective date, is for a ten-year period with two additional ten-year extensions by the mutual agreement of the City and Uniti Fiber, L.L.C.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA:

That the proposed Right-of-Way Agreement between the City of Ottumwa, Iowa and Uniti Fiber, L.L.C. is hereby approved.

That upon the receipt of the final form of the Right-of-Way Agreement, Mayor Pro Tem Matt Dalbey is hereby authorized to sign said Agreement on behalf of the City of Ottumwa, Iowa.

PASSED AND ADOPTED this _____ day of December, 2019.

City of Ottumwa, Iowa

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk

**CITY OF OTTUMWA, IOWA
RIGHT-OF-WAY AGREEMENT
WITH
UNITI FIBER, LLC**

THIS AGREEMENT is made on this _____ day of _____, 2019, by and between the City of Ottumwa, Iowa (“City”) and Uniti Fiber, LLC (“Uniti”).

In consideration of the mutual covenants contained in this Agreement, the sufficiency of which is acknowledged, the parties agree as follows:

SECTION 1. IDENTITY OF THE PARTIES AND DEFINITIONS.

- A. The City of Ottumwa, Iowa is a municipality and political subdivision of the State of Iowa incorporated in accordance with the relevant provisions of Iowa law. The City’s Administration Office location is 105 East Third Street, Ottumwa, Iowa 52501.
- B. Uniti is a facilities-based service provider constructing, operating, and maintaining fiber optic networks and delivering communications services to its customers both above-ground and under-ground and delivering these services using the Network in certain City rights of way (ROW).
- C. “Public Improvements” shall mean any improvements on Public Property, including, but not limited to, paving, sidewalks, grass, vegetation, trees, street lights, traffic signals, water mains, sewers, electric transmission lines and equipment related thereto.
- D. “Public Property” shall mean City-owned property or City-controlled public rights-of-way, and easements and bridges.

SECTION 2. BASIC GRANT; FEES AND RESERVATION OF RIGHTS

- A. Uniti is hereby granted a non-exclusive license to operate and maintain its fiber optic cable system along, under and upon the streets, avenues, alleys and public places in the City, subject to the regulatory powers of the City and subject to the conditions hereinafter set forth.
- B. Uniti shall pay the City, an administrative license fee in the amount of Two Hundred and Fifty Dollars (\$250.00), payable upon the commencement of this Agreement, as defined in Section 18 of the Agreement.
- C. If during the term of this Agreement, the City enacts a right-of-way ordinance requiring compensation from communication providers, then Uniti shall, within sixty (60) days after

request by City, pay the fees required by such Ordinance, provided that all other communication providers are required to pay the same fees.

SECTION 3. INSTALLATION, REPAIR, EXTENSION, OR EXPANSION OF THE NETWORK

Before commencing any extension or expansion of its system, or any major repair work, or the installation of any new system to the City, Uniti shall file with the City a written statement verifying the Public property under which or upon which it proposes to extend, expand, install or repair its system. The City may require that the statement be accompanied by a map, plan or specifications showing the proposed location of the system components with reference to streets and alleys, the size and dimensions of all facilities, and the distance above or beneath the surface of the ground where it is proposed that a repair or installation is to occur.

If the proposed locations of any facilities shall interfere with the reasonable and proper use, construction, reconstruction and maintenance of any public improvements or any existing City-owned public utility system component, or other structure upon or under public property, the City shall within a reasonable time note the interference and refer the same back to Uniti for amendments. Such map, plan or specifications, when properly changed and corrected, shall be filed with the City, and after approval of the same by the City, a permit issued authorizing Uniti to proceed in accordance with the approved maps, plans or specifications. No such excavation, construction or erections shall be commenced before the issuance of the permit herein provided for, unless it is an emergency as described in Section 5, and all work shall be in accordance with the approved maps, plans or specifications. Uniti shall comply with all bonding and insurance requirements as set out by City Ordinances. All work shall conform to all applicable safety, construction, and technical specifications and codes and standards as well as all federal, state, county and city construction requirements.

Any aerial installations shall be mounted on existing poles through private agreement(s) with existing franchise or right-of-way agreement holders. Uniti will not be allowed to erect any additional poles on the City's right-of-way, unless pre-approved by the City on an individual case basis.

If it is determined by City staff pursuant to the Manual of Uniform Traffic Control Devices, that a Uniti pole or Uniti equipment is positioned in a location that could jeopardize the safety of citizens or drivers, the City may order the removal of the pole or equipment to a location that meets current safety standards. Said removal shall be at the sole cost of Uniti.

All underground cables must be installed using directional boring technology except where open excavations are necessary for beginning or terminating a directional bore, unless pre-approved by the City on an individual case basis.

Cables shall be placed so as not to interfere with any existing utilities or facilities owned by the City or any other company legally authorized to own utilities or facilities located within the City's right-of-way. In the event the City at some point in the future requires the burying of cable lines within the right-of-way, Uniti agrees to cover their cost for burying those lines owned or controlled by Uniti.

SECTION 4. CONSTRUCTION AND REPAIR OF NETWORK

In the process of location, construction, reconstruction, replacement, or repair of any system component, the excavation or obstruction made or placed in public property at any time or for any purpose by Uniti shall, to protect the public and to assure the safe and efficient movement of traffic, be properly barricaded to comply, at a minimum, with requirements set forth in the Manual of Uniform Traffic Control Devices. All pavements taken up or damaged shall be properly and speedily replaced in accordance with the City's regulations. As a condition to use of Public Property, Uniti shall at its own expense, repair or cause repair to any private property, public utility system component, public improvement, or Public Property damaged by such location, construction, reconstruction, replacement or repair work. If Uniti fails to repair or arrange with the City for property repair of any Public Property after excavations have been made, then the City may make such repairs at the expense of Uniti.

SECTION 5. EXCAVATIONS

Uniti is authorized to make excavations in City streets, avenues, alleys and public places for purposes of routine repair, replacement and maintenance of poles, cables, or other system components associated with the Uniti network. In making such excavations, Uniti shall obtain a permit pursuant to City Ordinance and regulations, shall not unnecessarily obstruct the use of streets, avenues, alleys or public places, shall provide the City with 24 hours' notice prior to the actual commencement of the work and shall comply with all provisions, requirements, and regulations in performing such work. In emergencies which require immediate excavation, Uniti may proceed with the work without first applying for or obtaining the permit, provided, however, that Uniti shall apply for and obtain permit as soon as possible after commencing such emergency work.

Failure to Comply: Remedies. If Uniti fails to comply with the provisions of this section, the City may repair or restore the public property to a condition as good as the condition of the property prior to the disturbance by Uniti. Uniti shall pay the costs of such repair or restoration.

Uniti shall pay to the City its costs and charges for such work within thirty (30) days after the date of the City's billing.

SECTION 6. WORK BY OTHERS, ALTERATION TO CONFORM WITH PUBLIC IMPROVEMENTS

The City reserves the right to lay, and permit to be laid, wires, pipes, cables, conduits, ducts, manholes and other appurtenances, and to do, or permit to be done, any underground, surface and overhead installation or improvement that may be deemed necessary or proper by the City in, across, along, over or under any public property occupied by Uniti, and to change any curb or sidewalk or the grade of any street. In permitting others to do such work, the City shall not be liable to Uniti for any damages arising out of the performance of such work by other parties. Nothing in this Agreement shall be construed as to relieve any other person or corporation from liability for damage to Uniti's facilities.

SECTION 7. UNITI CONTRACTORS

The requirements of the Agreement shall apply to all persons, firms, or corporations performing for Uniti under a contract, subcontract or other type of work order. Uniti agrees to ensure that all contractors and subcontractors adhere to the requirements of this Agreement.

SECTION 8. CONDITIONS OF STREET OCCUPANCY

The fiber optic cable system and other components of the facilities erected by Uniti within the City shall conform to established grade of streets, alleys, and sidewalks, and be so located as to cause minimum interference with other public utilities located in or upon public property, and to cause minimum interference with the rights or reasonable convenience of property owners who adjoin public property.

Uniti shall conduct its work hereunder in such manner as to cause as little interference as possible with pedestrian and vehicular traffic, and shall abide by scheduling directions, if any, given by the City.

Uniti shall upon reasonable notice and at its sole cost and expense, promptly remove, locate and relocate its facilities in, on, over or under public property in such manner as the City may at any time require for the purpose of facilitating the construction, reconstruction, maintenance, repair or change in grade of any public improvement on, in, or about any such public property, for the purpose of promoting the efficient operation of any such improvement, or for the purposes of facilitating the vacation and/or redevelopment of public right-of-way by the City. In the event Uniti fails to act within a reasonably allocated time, the City may cause Uniti facilities to be

relocated, and the costs thereof shall be to Uniti and shall be paid as provided in Section 5 hereof.

Uniti shall not place its facilities in the public property where the same will interfere with the normal use or maintenance of any public improvement including but not limited to streets, alleys, sidewalks, traffic control devices, gas mains, sanitary sewers, storm sewers, storm drains or water mains, or electrical transmission lines, or any public or private utility facility.

Upon request, Uniti agrees to assist in locating underground facilities which are part of its system. Such assistance will be provided in a timely manner in accordance with Iowa Code Chapter 480. Uniti will provide contact numbers to the City so that a representative of Uniti is available at all times. As a condition of this Agreement, Uniti shall enroll as a member of the "Iowa One-Call System" and shall respond to all requests and notifications placed to the toll free "One-Call" number.

Installation, repair, or replacement work completed by Uniti on any facilities requiring excavation of public property or public right-of-way shall require restoration and replacement of surface vegetation with stripped, salvaged top soil and seeded.

SECTION 9. POWERS OF CITY

Nothing in this Agreement shall be construed to abridge the right or power of the City to further regulations relative to the use of the streets, alleys and public grounds by anyone using the same for the erection and maintenance of utility systems.

SECTION 10. PLANS AND COORDINATION

Upon completion of the work, Uniti shall promptly furnish to the City copies of "as-built" plans related to its facilities located on Public Property.

Uniti shall keep complete and accurate maps and records on the locations and operations of its facilities in connection with the Agreement and shall be responsible for the maintenance of such facilities and the protection and visibility of such facilities.

SECTION 11. VIOLATIONS OF AGREEMENT

Upon evidence being received by the City that a violation or breach of this Agreement or codes or ordinances lawfully regulating Uniti in the operation of its facilities, or in the use of public property therefore, is occurring, or has occurred, (hereafter referred to as a "default") the City shall cause an investigation to be made. If the City finds that a default exists or has occurred, the

City may take appropriate steps to secure compliance with the terms of this Agreement or the code or ordinances. The City shall notify Uniti of the default and Uniti shall cure such default within a reasonable time after receipt of such notice.

If Uniti fails to cure a default within the time allowed, the City shall have the right to:

- (i) seek specific performance; or
- (ii) remedy the default by doing the act itself, or through a contractor, and charge the costs of such work to Uniti; or
- (iii) seek damages for such default; or
- (iv) any combination of (i), (ii), and (iii).

The City may terminate this Agreement for repeated defaults or default(s) of a significant nature.

SECTION 12. LIABILITY, INDEMNIFICATION AND INSURANCE

Except to the extent caused by the negligence or willful misconduct of the City, its officers, agents, representatives and employee Uniti covenants to indemnify, defend, and save the City and its officers, agents and employees, harmless from any and all liability claims, losses, costs of investigation and defense, and damage to property or bodily injury or death to any person, which may arise out of or be caused by the erection, construction, replacement, removal, maintenance, operation of Uniti's fiber optic cable system. Uniti agrees to require contractors and subcontractors engaged in work for Uniti within the public rights-of-way or on any public property to maintain in effect during the term of work, liability insurance in comprehensive form and in the amounts to be set by the City.

Uniti, contractors and subcontractors will furnish the City with Certificates of Insurance showing the City as additional insured for said insurance in the amount to be set by the City.

SECTION 13. ASSIGNMENT

Neither party shall assign or otherwise transfer this Agreement or any of its rights and interest to any firm, corporation or individual, without the prior written consent of the other party, except either party shall have the right to assign, convey or otherwise transfer its rights, title, interest and obligations under this Agreement, in whole or in part, to any entity controlled by, controlling or under common control with a party hereto, or any entity into which a party may be merged or consolidated or which purchases all or substantially all of the assets of such party.

SECTION 14. VACATION OF STREETS AND ALLEYS

So long as Uniti exercises the rights granted to it hereunder, the City will not, by ordinance or otherwise, vacate any street, alley or public way in which Uniti has installed its facilities without reserving such rights as necessary to allow continued use of such property for the said facilities in accordance with the terms of this Agreement, provided that nothing herein shall limit the City's right to require Uniti to relocate its facilities as provided in Section 8.

SECTION 15. DELIVERY OF NOTICES

Except as may be expressly provided herein, any notices hereunder shall be in writing and shall be delivered via certified mail and addressed as follows: unless indicated otherwise in the future:

If to City: City Administrator
 City of Ottumwa
 105 East Third Street
 Ottumwa, Iowa 52501

If to Uniti: Uniti Fiber, LLC
 Attn: Allison W. Taylor, Senior Vice President, Operations
 10802 Executive Center Drive
 Benton Building Suite 300
 Little Rock, AR 72211
 Phone: 501-850-0850

With a Copy to: Robert P. Williams, Esquire
 Outside Counsel
 600 Peachtree Street, NE
 Suite 3000
 Atlanta, GA 30308
 Phone: 404-885-3438
 FAX: 404-885-3900
 Email: robert.williams@troutman.com

Provided, however, that in the case of an emergency, notices may be given verbally to the above named persons. In such case, written confirmation should be provided. Nothing contained herein shall prevent other forms of notice if actually received by the addressee. Notice shall be deemed given on date of mailing in lieu of certified mail, or otherwise on the date actual notice is received.

SECTION 16. 1996 TELECOMMUNICATIONS ACT

This Agreement is subject to all applicable federal, state and local laws, regulations and orders of governmental agencies as amended, including but not limited to, the Communications Act of 1934, as amended by the Telecommunications Act of 1996, Pub. L. No. 104-104 101(a), 110 Stat. 708 codified at 47 U.S.C., and all orders, rules, tariffs, regulations issued by the Federal Communications Commission or the governing State authority pursuant thereto, as well as all other applicable State, Federal, or local law ("Law").

SECTION 17. SEVERABILITY

The provisions of this Agreement are severable, and if any provision of this Agreement is found invalid, unenforceable, unconstitutional, or inapplicable by a court or agency of competent jurisdiction, such invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Agreement.

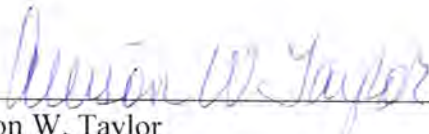
SECTION 18. TERM OF AGREEMENT

This Agreement shall commence on the date Uniti provides notice to the City, in accordance with Section 15 of this Agreement, that it has undertaken operation of the Network within the ROW, and continue for a term of ten (10) years and for two (2) additional ten (10) year terms (each a "Renewal Term") unless written notice is given by either the City or Uniti to the other at least ninety (90) days prior to the expiration of the initial term or any successive term of its intention to terminate the same at the expiration of the then current term. Each Renewal Term shall be on the same terms and conditions set forth herein unless the parties agree otherwise.

CITY OF OTTUMWA, IOWA

UNITI FIBER, LLC

By _____
Matt Dalbey, Mayor Pro Tem

By  _____
Allison W. Taylor
Senior Vice President, Operations

Attest:

Witness:

Christina Reinhard, City Clerk

 _____

FILED

DEC 12 AM 10:54

CITY OF OTTUMWA

CITY OF OTTUMWA Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec 17, 2019

Chris Cobler

Prepared By

Tom Lazio

Department Head

Airport

Department



City Administrator Approval

AGENDA TITLE: Resolution # 271-2019 A resolution authorizing the mayor to sign the Airport Capital Improvement Program (ACIP) data sheets and related documents, and authorize staff to submit the data sheets and related documents to the Iowa DOT for the fiscal years 2021-2025

Public hearing required if this box is checked.

RECOMMENDATION: Approve and adopt resolution # 271-2019

DISCUSSION: The city must submit an annual Airport Improvement plan to the Iowa DOT and the FAA. The plan serves as the pre-application for the IDOT's grant program. The updated project plan includes:

- *Apron Improvements 2021
- *Runway 4/22 and Taxiway Crack Cleaning and Slurry Sealing 2021
- *3 - Box Hanger Construction 2023
- *Snow Removal Equipment Acquisition 2025

The following information is included in the plan: data sheets with project description, amount of requested DOT dollars (85%), the local match required (15%) of the project. This has been approved by the Airport Advisory Board.

Source of Funds: 85% IDOT/ Airport Fund Balance

Budgeted Item:

Budget Amendment Needed:

RESOLUTION # 271-2019

AUTHORIZE THE MAYOR TO SIGN, AND STAFF TO SUBMIT, THE AIRPORT CAPITOL IMPROVEMENT PROGRAM (ACIP) DATA SHEETS AND RELATED DOCUMENTS, AND AUTHORIZE STAFF TO SUBMIT THE DATA SHEETS AND RELATED DOCUMENTS TO THE IOWA DOT.

WHEREAS, Authorize the Mayor to sign (ACIP) documents for submittal to the Iowa Department of Transportation.

WHEREAS, Eligible projects have been identified at the Ottumwa Regional Airport for the years of 2021 – 2025.

WHEREAS, The plan includes: Data Sheets with project description, amount of requested DOT dollars (85%), with local match required (15%) of the projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA. THAT; Authorizing the Mayor to sign the Airport Capital Improvement Program data sheets and related documents for the fiscal years of 2021-2025.

PASSED AND ADOPTED this 17th day December 2019

City of Ottumwa, Iowa

Matt Dalbey Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk

**FEDERAL AIRPORT IMPROVEMENT PROGRAM (AIP)
PREAPPLICATION FEDERAL FISCAL YEAR 2021
CHECKLIST**

Please attach the following documents with your application.

- Sponsor Identification Sheet for the Airport
- Capital Improvement Program (CIP) Data Sheet (one for each project listed in the first three years of the CIP) and detailed cost estimate for each data sheet
- Five-Year CIP
- Long-Range Needs Assessment
- Verification of an updated airport layout plan (ALP) (when applying for new construction of buildings or airfield expansion)
- Verification of completed environmental processing in accordance with National Environmental Policy Act of 1969
- Verification of completed land acquisition or signed purchase agreement
- Verification of pavement maintenance program (when applying for pavement preservation or reconstruction)
- If requesting federal assistance for snow removal equipment, please include an inventory of the existing equipment and calculations based on Chapters 4 and 5 of the Airport Winter Safety and Operations Advisory Circular (AC) 150/5200-30 and the Airport Snow and Ice Control Equipment AC 150/5220-20 showing the minimum equipment needed, along with the Airport Capital Improvement Plan (ACIP) Data Sheet, include a copy of a completed Federal Aviation Administration's snow removal equipment spreadsheet.
- If requesting federal assistance for general aviation apron expansion, include a copy of a completed FAA apron design spreadsheet.
- If requesting pavement reconstruction, submit an engineering report showing the need for the reconstruction as part of the CIP justification.
- For revenue-producing facilities (i.e., fueling facilities and hangars), please submit:
 - 1) A statement that airside development needs are met or include a financial plan to fund airside needs over the next three years.
 - 2) A statement that runway approach surfaces are clear of obstructions (the FAA Airport 5010 should show at least a 20:1 clear approach).
 - 3) Justification for the project.
- System for Award Management (SAM) registration is up to date (www.sam.gov)

Please e-mail this form with supporting documents identified in the checklist to shane.wright@iowadot.us.

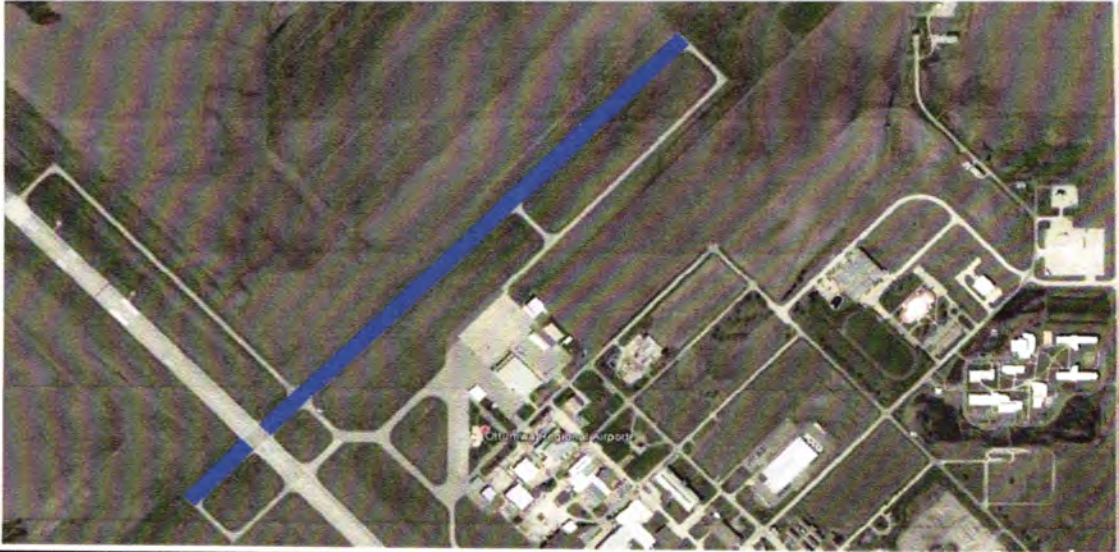
Attn.: Program Manager
Aviation Bureau
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

E-mail: shane.wright@iowadot.us
FAX: 515-233-7983
Phone: 515-239-1048

FEDERAL AVIATION ADMINISTRATION

CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)
AIRPORTS DIVISION - CENTRAL REGION

SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION			
Airport Name, LOCID, City, State:	Ottumwa Regional, OTM, Ottumwa, Iowa		
AIP Project Type:	Runway 4/22 and Taxiway Crack Cleaning and Slurry Sealing		
Local Priority:	1 - Very High	Federal Share:	\$ 442,746
FFY Requested:	2021	State Share:	\$Click here to enter text.
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing that clearly identifies the scope of the project.		Local Share:	\$49,194
		Total Project Cost:	\$ 491,940
<p>Project Description: Runway 4/22 and Taxiways Crack Cleaning and Slurry Sealing</p> <p>Justification: This project provides preventive maintenance due for Runway 4/22 along with some taxiway crack cleaning and sealing. (See sketch). The 2015 PCI Map scores Runway 4/22 a PCI of 76.</p> <p>Current Pavement Management Report Date: 04/2016</p> <p>NEPA Categorical Exclusion: Project is categorically excluded per 5-6.4e.</p> <p>Approaches are clear according to 150/5300-13 Airport Design and Order 8260.3 TERPS.</p> <p>Land Ownership: Sponsor maintains property interest as depicted within the property table on the Exhibit A property map dated 3/24/2015.</p>			
			
SPONSOR SIGNATURE BLOCK			
Signature:		Date:	Click here to enter a date.
Printed Name:	Chris Cobler	Title:	Airport Supervisor
Phone Number:	641-683-0619	Email:	airport@ci.ottumwa.ia.us

**Ottumwa Regional Airport (OTM)
Runway 4/22 and Taxiways Crack Cleaning and Slurry Sealing
AIP 3-19-0073-xx**

FY 20-Federal Fiscal Year Starting October 1, 2019


Item No.	Description	Estimated Quantity	Units	Unit Price	Amount
1	Mobilization	1	LS	\$ 70,000.00	\$ 70,000.00
2	Crack Cleaning and Sealing	11,000	LF	\$ 3.00	\$ 33,000.00
3	Ful Depth HMA Patch	275	Ton	\$ 190.00	\$ 52,250.00
4	Slurry Seal	66,100	SY	\$ 3.00	\$ 198,300.00
5	Pavement Markings	1	LS	\$ 40,000.00	\$ 40,000.00
TOTAL CONSTRUCTION COST ESTIMATE BASE BID					\$ 393,550.00

A	Engineering and Administration	\$ 98,390.00
	Base Bid Plus Engineering	\$ 491,940.00

FEDERAL AVIATION ADMINISTRATION

CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)
AIRPORTS DIVISION - CENTRAL REGION

SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION			
Airport Name, LOCID, City, State:	Ottumwa Regional, OTM, Ottumwa, Iowa		
AIP Project Type:	Hangar Construction		
Local Priority:	1 - Very High	Federal Share:	\$ 462,447
FFY Requested:	2023	State Share:	\$Click here to enter text.
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing that clearly identifies the scope of the project.		Local Share:	\$51,383
		Total Project Cost:	\$513,830
<p>Project Description: Construct 3-Box Hangar</p> <p>Justification: With the previous runway improvement projects, Ottumwa is experiencing demand for more hangar space for based aircraft.</p> <p>Airside needs will be met by 2023. No federal funding other than AIP is anticipated for 3 years thereafter.</p> <p>NEPA Categorical Exclusion: Project is categorically excluded per FAA Order 1050.1E, 310f.</p> <p>Approaches are clear according to 150/5300-13 Airport Design and Order 8260.3 TERPS.</p> <p>Land Ownership: Sponsor maintains property interest as depicted within the property table on the Exhibit A property map dated 3/24/2015.</p>			
			
SPONSOR SIGNATURE BLOCK			
Signature:		Date:	Click here to enter a date.
Printed Name:	Chris Cobler	Title:	Airport Supervisor
Phone Number:	641-683-0619	Email:	airport@ci.ottumwa.ia.us

**Ottumwa Regional Airport (OTM)
3-Box Hangar Construction
AIP 3-19-0073-xx**

FY 23-Federal Fiscal Year Starting October 1, 2022

Item No.	Description	Estimated Quantity	Units	Unit Price	Amount
1	Mobilization	1	LS	\$ 55,000.00	\$ 55,000.00
2	Subgrade Preparation	1,370	SY	\$ 5.00	\$ 6,850.00
3	Aggregate Base Course	1,370	SY	\$ 10.00	\$ 13,700.00
4	6" PCC	1,370	SY	\$ 58.00	\$ 79,460.00
5	Box Hangar Construction	3	EA	\$ 90,000.00	\$ 270,000.00
TOTAL CONSTRUCTION COST ESTIMATE BASE BID					\$ 425,010.00

A	Engineering and Administration	\$ 88,820.00
	Project Total	\$ 513,830.00



Form 281112 (10-17)

**FIVE-YEAR AIRPORT
CAPITAL IMPROVEMENT PROGRAM (CIP)**
Attach additional sheets if necessary.

Airport name, LOCID, city, state Ottumwa Regional, OTM, Ottumwa, Iowa

Prepared by City of Ottumwa

Sponsor's email airport@ci.ottumwa.ia.us

Date prepared 11/6/2019

Sponsor's signature _____

Sponsor's phone (641) 683-0619

Printed name Chris Cobler

FY	Detailed project/scope description	Funding source	Total estimated cost
2021	Apron Improvements	Federal \$ State \$297,500 Local \$52,500 Total \$350,000	
2021	Runway 4/22 and Taxiway Crack Cleaning and Slurry Sealing	Federal \$442,746 State \$ Local \$49,194 Total \$491,940	
2023	3-Box Hangar Construction	Federal \$462,447 State \$0 Local \$51,383 Total \$513,830	
2025	Snow Removal Equipment Acquisition	Federal \$274,680 State \$ Local \$30,520 Total \$305,200	
		Federal \$ State \$ Local \$ Total \$	

FILED

CITY OF OTTUMWA

2019 DEC 12 PM 2:06

Staff Summary

CITY OF OTTUMWA, IA

**** ACTION ITEM ****

Council Meeting of: December 17, 2019

Engineering Department
Department

Alicia Bankson
Prepared By
Darryl Seals
Department Head

Tommy Lopez
City Administrator Approval

AGENDA TITLE: Resolution #272-2019. Approving Change Order #1 and accepting the work as final and complete and approving the Final Pay Request for the 2019 Catch Basin Replacement Program.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #272-2019.

DISCUSSION: This was our annual catch basin project which reconstructed and raised catch basin wells with new grates as indicated on plans and specifications. Basins were located on various streets located within the City of Ottumwa.

Change Order #1 increases the contract sum by \$31,606.36 for the increase of quantity adjustments.

Original Contract Amount	\$54,706.00
Change Order #1	<u>\$31,606.36</u>
New Contract Amount	\$86,312.36
Less Previous Payments	<u>\$48,263.97</u>
Final Amount Due	\$38,048.39

Budgeted Amount: \$50,000 Sewer Fund

RESOLUTION #272-2019

A RESOLUTION APPROVING CHANGE ORDER #1 AND ACCEPTING THE WORK
AS FINAL AND COMPLETE AND APPROVING THE FINAL PAY REQUEST
FOR THE 2019 CATCH BASIN REPLACEMENT PROGRAM

WHEREAS, The City Council of the City of Ottumwa, awarded a contract on May 21, 2019 with DC Concrete and Construction of Douds, Iowa for the above referenced project; and

WHEREAS, Change Order #1 increases the contract amount by \$31,606.36. The total new contract sum is \$86,312.36. The project is now completed in accordance with the plans and specifications.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above mentioned change order for this project is hereby approved. The 2019 Catch Basin Replacement Program is hereby accepted as complete and authorization to make final payment to DC Concrete and Construction of Douds, Iowa in the amount of \$38,048.39 is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 17th day of December 2019.

CITY OF OTTUMWA, IOWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk

**Section 640
CHANGE ORDER**

Project: Catch Basin Replacement Program 2019 To Contractor: DC Concrete & Const.

Change Order Number: 1

The Contract is changed as follows:

	9-Dec-19
Qty. Adjustments: See Tab Sheet	<u>\$6,373.93</u>
30" Storm Replacement	<u>\$12,123.20</u>
Foundation wall/building debris removal	<u>\$2,000.00</u>
Rem/Replace Fire Hydrant & Water Services	<u>\$1,761.33</u>
Intake Adjustments and Mod for 30"	<u>\$5,200.00</u>
30" Sewer Conn/Headwall removal	<u>\$2,300.00</u>
10 San Repair, Remove MH top and Fill	<u>\$1,350.00</u>
Unused Material, purchase for inventory	<u>\$1,297.90</u>
Liquidated Damages 4 days @ \$200/day	<u>-\$800.00</u>
Total:	\$31,606.36

Base bid amount \$54,706.00

NEW PROJECT TOTAL \$86,312.36

NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR

The Original Contract Sum was	<u>\$54,706.00</u>
Net change by previously authorized Change Orders	<u>\$0.00</u>
The Contract Sum prior to this change order	<u>\$54,706.00</u>
The Contract Sum will be <u>increased</u> by this change order in the amount of	<u>\$31,606.36</u>
The new Contract Sum including this change order	<u>\$86,312.36</u>
The Contract Time will be <u>increased</u> by	<u>50</u> days

The date of Substantial Completion as of the date of this Change Order is in accordance with contract documents.

Phil Berger
ENGINEER/
DIRECTOR OF PUBLIC WORKS

12-12-2019
DATE

DC Concrete & Const.
CONTRACTOR

12/12/19
DATE

Budget Coffey
BY

Cs - Owner
TITLE

**SECTION 630
PAY ESTIMATE**

CITY OF OTTUMWA

APPLICATION FOR PAYMENT

TO OWNER: City of Ottumwa PROJECT: Catch Basin Replacement Program 2019 PAY REQUEST NO 3
FROM CONTRACTOR: DC Concrete & Const. PAY PERIOD: 11-Dec-19 Final

CONTRACTOR'S APPLICATION FOR PAYMENT

Application for payment is made as follows:

1. Original Contract Sum	\$54,706.00
2. Net change by Change Orders	\$31,606.36
3. Contract Sum to Date (Line 1± Line 2)	\$86,312.36
4. Total Completed and Stored to Date	\$86,312.36
5. Retainage: <u>0</u> % of Completed work	\$0.00
6. Total Earned Less Retainage Amount	\$86,312.36
7. Less Previous Payments	\$48,263.97
8. Current Payment Due	\$38,048.39

The undersigned Contractor certifies that to the best of their knowledge, the Work covered by this Application has been completed in accordance with the Contract Documents, that the Contractor has paid for all Work which previous Applications for Payment were issued and payments received from the Owner, and that current payment (Line 8) is now due.

CONTRACTOR: DC Concrete & Construction DATE: 12/12/2019
BY: Budget Coffman TITLE: Co-Owner

ENGINEER'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED: \$38,048.39

DATE: 12-12-2019

Phil Bryman
ENGINEER/DIRECTOR OF PUBLIC WORKS

FILED

CITY OF OTTUMWA

2019 DEC 12 PM 2:06

Staff Summary

CITY OF OTTUMWA

**** ACTION ITEM ****

Council Meeting of: December 17, 2019

Alicia Bankson

Prepared By

Darryl Seals
Department Head

Engineering Department

Department

Tommy Sevin
City Administrator Approval

AGENDA TITLE: Resolution #274-2019. Approving Change Order #2 and #3 and accepting the work as final and complete and approving the Final Pay Request for the Jefferson Street Reconstruction Project.

Public hearing required if this box is checked.

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #274-2019.

DISCUSSION: The project consisted of full width full depth reconstruction of Jefferson Street from Sixth Street north to approximately 175 feet south of Gara Street. The project included the installation of sanitary, storm and water mains. Any additional needed funds will be from LOST.

Change Order #2 increased the contract sum by \$3,769.40 and Change Order #3 increases the contract by \$24,453.67 for the increase in quantity adjustments.

Original Contract Amount	\$794,777.00
Change Order #1	\$ 14,850.00
Change Order #2	\$ 3,769.40
Change Order #3	\$ 24,453.67
New Contract Amount	\$837,850.07
Less Previous Payments	\$772,641.07
Final Amount Due	\$ 65,209.00

Ottumwa Water Works Reimbursement: \$98,654.85

Engineers estimate: \$671,379.00

Funding:

City of Ottumwa:	\$671,379
Ottumwa Water Works:	\$ 93,550
	\$764,929

FY 18/19 - \$336,000

FY 19/20 - \$300,000

Source of Funds: CIP /LOST

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #274-2019

A RESOLUTION APPROVING CHANGE ORDER #2 and #3 AND ACCEPTING THE WORK
AS FINAL AND COMPLETE AND APPROVING THE FINAL PAY REQUEST
FOR THE JEFFERSON STREET RECONSTRUCTION PROJECT

WHEREAS, The City Council of the City of Ottumwa, entered into a contract on March 19, 2019, with Jones Contracting Corp of West Point, Iowa for the above referenced project; and

WHEREAS, Change Order #2 increased the contract amount by \$3,769.40 and Change Order #3 increased the contract amount by \$24,453.67. The total new contract sum is \$837,850.07. The project is now completed in accordance with the plans and specifications.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The above mentioned change order for this project is hereby approved. The Jefferson Street Reconstruction Project is hereby accepted as complete and authorization to make final payment to Jones Contracting Corp of West Point, Iowa in the amount of \$65,209.00 is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 17th day of December 2019.

CITY OF OTTUMWA, IOWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk

**Section 640
CHANGE ORDER**

Project: JEFFERSON ST RECONSTRUCTION

To Contractor: JONES CONTRACTING

Change Order Number: 2

The Contract is changed as follows:
Additional Saw Cutting on Stone Trunk Sewer
Intake Adjustment Due to Utility Conflicts

	6-Sep-19
	\$2,500.00
	<u>\$1,269.40</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
Total:	\$3,769.40

Base bid amount \$794,777.00

NEW PROJECT TOTAL \$813,396.40

NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR

The Original Contract Sum was	<u>\$794,777.00</u>
Net change by previously authorized Change Orders	<u>\$14,850.00</u>
The Contract Sum prior to this change order	<u>\$809,627.00</u>
The Contract Sum will be <u>increased</u> by this change order in the amount of	<u>\$3,769.40</u>
The new Contract Sum including this change order	<u>\$813,396.40</u>
The Contract Time will be <u>unchanged</u> by	<u>0</u> days
The date of Substantial Completion as of the date of this Change Order is <u>in accordance with contract documents.</u>	


ENGINEER/
DIRECTOR OF PUBLIC WORKS

12-12-2019
DATE

JONES CONTRACTING
CONTRACTOR

9/16/2019
DATE


BY

President
TITLE

**Section 640
CHANGE ORDER**

Project: JEFFERSON ST RECONSTRUCTION

To Contractor: JONES CONTRACTING

Change Order Number: 3

The Contract is changed as follows:

Adjustment of Qty's: See Tab Sheet
Drop Connections at 6th Street
Steps at 513 N Jefferson

	10-Dec-19
	<u>\$14,070.75</u>
	<u>\$8,877.92</u>
	<u>\$1,505.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>
	<u>\$0.00</u>

Total: \$24,453.67

Base bid amount \$794,777.00

NEW PROJECT TOTAL \$837,850.07

NOT VALID UNTIL SIGNED BY THE OWNER AND CONTRACTOR

The Original Contract Sum was	<u>\$794,777.00</u>
Net change by previously authorized Change Orders	<u>\$18,619.40</u>
The Contract Sum prior to this change order	<u>\$813,396.40</u>
The Contract Sum will be <u>increased</u> by this change order in the amount of	<u>\$24,453.67</u>
The new Contract Sum including this change order	<u>\$837,850.07</u>
The Contract Time will be <u>unchanged</u> by	<u>0</u> days

The date of Substantial Completion as of the date of this Change Order is in accordance with contract documents.


ENGINEER
DIRECTOR OF PUBLIC WORKS

12-12-2019
DATE

JONES CONTRACTING
CONTRACTOR

12/12/2019
DATE


BY

President
TITLE

**SECTION 630
PAY ESTIMATE**

CITY OF OTTUMWA

APPLICATION FOR PAYMENT

TO OWNER: City of Ottumwa

PROJECT: JEFFERSON ST RECONSTRUCTION

PAY REQUEST NO. 6
Final

FROM CONTRACTOR: JONES CONTRACTING

PAY PERIOD: 10-Dec-19

CONTRACTOR'S APPLICATION FOR PAYMENT

Application for payment is made as follows:

1. Original Contract Sum	<u>\$794,777.00</u>
2. Net change by Change Orders	<u>\$43,073.07</u>
3. Contract Sum to Date (Line 1± Line 2)	<u>\$837,850.07</u>
4. Total Completed and Stored to Date	<u>\$837,850.07</u>
5. Retainage: <u>0</u> % of Completed work	<u>\$0.00</u>
6. Total Earned Less Retainage Amount	<u>\$837,850.07</u>
7. Less Previous Payments	<u>\$772,641.07</u>
8. Current Payment Due	<u>\$65,209.00</u>

The undersigned Contractor certifies that to the best of their knowledge, the Work covered by this Application has been completed in accordance with the Contract Documents, that the Contractor has paid for all Work which previous Applications for Payment were issued and payments received from the Owner, and that current payment (Line 8) is now due.

CONTRACTOR: Jonas Contracting Corp

DATE: 10/12/2019

BY: [Signature]

TITLE: President

ENGINEER'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED: \$65,209.00

DATE: 12-12-2019

[Signature]
ENGINEER/DIRECTOR OF PUBLIC WORKS

JEFFERSON ST RECONSTRUCTION										
6										
12/10/2019										
ITEM	DESCRIPTION	JONES CONTRACTING				AS BUILT		QUANTITY	% OF CONTRACT	
		UNIT	QTY	PRICE	EXTENSION	QTY	EXTENSION			
1	EXCAVATION, CLASS 10	CY	790	\$47.25	\$37,327.50	790	\$37,327.50	\$0.00	100.00%	
2	SUBRADE PREP (12" THICK)	SY	3805	\$3.75	\$13,518.75	3805	\$13,518.75	\$0.00	100.00%	
3	SUBRADE TREATMENT, GEOGRID, TYPE I	SY	3805	\$2.10	\$7,970.50	344.44	\$723.32	(\$6,847.18)	9.55%	
4	SUBBASE, MODIFIED	SY	3605	\$6.00	\$21,630.00	3605	\$21,630.00	\$0.00	100.00%	
5	COMPACTION TESTING	LS	1	\$2,100.00	\$2,100.00	1	\$2,100.00	\$0.00	100.00%	
6	TRENCH FOUNDATION	TN	80	\$21.00	\$1,680.00	0	\$0.00	(\$1,680.00)	0.00%	
7	TRENCH COMPACTION TESTING (Water Main, Storm and San Sewer)	LS	1	\$3,675.00	\$3,675.00	1	\$3,675.00	\$0.00	100.00%	
8	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 10"	LF	10	\$67.20	\$672.00	67	\$4,502.40	\$3,830.40	670.00%	
9	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 12"	LF	10	\$72.45	\$724.50	21	\$1,521.45	\$796.95	210.00%	
10	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 18"	LF	605	\$75.60	\$45,738.00	592	\$44,755.20	(\$982.80)	87.86%	
11	SANITARY SEWER SERVICE STUB, PVC, 4" OR 6"	LF	375	\$73.50	\$27,562.50	384	\$28,224.00	\$661.50	102.40%	
12	SANITARY SEWER CLEANOUT	EA	3	\$682.50	\$2,047.50	3	\$2,047.50	\$0.00	100.00%	
13	STORM SEWER, TRENCHED, RCP 15"	LF	348	\$57.50	\$19,890.00	384	\$22,080.00	\$2,190.00	110.98%	
14	STORM SEWER, TRENCHED, RCP 18"	LF	40	\$59.35	\$2,374.00	0	\$0.00	(\$2,374.00)	0.00%	
15	STORM SEWER, TRENCHED, RCP 24"	LF	648	\$70.35	\$45,588.00	645	\$45,375.75	(\$211.05)	99.54%	
16	SUBDRAIN, LONGITUDINAL, 4"	LF	1820	\$7.10	\$12,922.00	1822	\$12,936.20	\$14.20	100.11%	
17	SUBDRAIN OUTLETS AND CONNECTIONS, CMP OR PVC, 4" OR 6"	EA	14	\$183.75	\$2,572.50	14	\$2,572.50	\$0.00	100.00%	
18	STORM SEWER SERVICE STUB, PVC, 4"	LF	35	\$50.40	\$1,764.00	0	\$0.00	(\$1,764.00)	0.00%	
19	WATER MAIN, TRENCHED, PVC 6"	LF	895	\$39.85	\$35,486.75	885	\$35,090.25	(\$396.50)	98.88%	
20	WATER SERVICE PIPE, TRENCHED, TYPE K COPPER, 3/4"	LF	475	\$27.00	\$12,825.00	667	\$18,009.00	\$5,184.00	140.42%	
21	WATER SERVICE CORPORATION, 3/4"	EA	19	\$236.25	\$4,488.75	23	\$5,433.75	\$945.00	121.05%	
22	WATER SERVICE CURB STOP AND BOX, 3/4"	EA	19	\$288.75	\$5,486.25	23	\$6,641.25	\$1,155.00	121.05%	
23	GATE VALVE, 6"	EA	3	\$1,102.50	\$3,307.50	3	\$3,307.50	\$0.00	100.00%	
24	TAPPING VALVE ASSEMBLY, 8" X 6"	EA	1	\$2,887.50	\$2,887.50	1	\$2,887.50	\$0.00	100.00%	
25	FIRE HYDRANT ASSEMBLY	EA	2	\$4,725.00	\$9,450.00	2	\$9,450.00	\$0.00	100.00%	
26	FIRE HYDRANT ASSEMBLY REMOVAL	EA	1	\$787.50	\$787.50	1	\$787.50	\$0.00	100.00%	
27	VALVE BOX REMOVAL	EA	3	\$262.50	\$787.50	3	\$787.50	\$0.00	100.00%	
28	WATER MAIN CONNECTION NO 1	LS	1	\$2,782.50	\$2,782.50	1	\$2,782.50	\$0.00	100.00%	
29	WATER MAIN CONNECTION NO 2	LS	1	\$3,465.00	\$3,465.00	1	\$3,465.00	\$0.00	100.00%	
30	LOWER EXISTING WATER SERVICE	EA	3	\$682.50	\$2,047.50	0	\$0.00	(\$2,047.50)	0.00%	
31	MANHOLE, SW-301, 48" DIA	EA	6	\$4,305.00	\$21,525.00	5	\$21,525.00	\$0.00	100.00%	
32	SW-502 INTAKE, 48" DIA	EA	2	\$4,935.00	\$9,870.00	2	\$9,870.00	\$0.00	100.00%	
33	SW-502 INTAKE, 60" DIA	EA	2	\$6,300.00	\$12,600.00	2	\$12,600.00	\$0.00	100.00%	
34	SW-505 INTAKE	EA	4	\$5,870.00	\$22,680.00	4	\$22,680.00	\$0.00	100.00%	
35	CONNECTION TO EXISTING MANHOLE	EA	1	\$9,300.00	\$9,300.00	1	\$9,300.00	\$0.00	100.00%	
36	REMOVE MANHOLE	EA	3	\$1,050.00	\$3,150.00	4	\$4,200.00	\$1,050.00	133.33%	
37	REMOVE INTAKE	EA	1	\$1,050.00	\$1,050.00	3	\$3,150.00	\$2,100.00	300.00%	
38	PAVEMENT, PCC, 7" THICK	SY	90	\$75.00	\$6,750.00	218.57	\$16,242.75	\$9,492.75	240.63%	
39	PAVEMENT, PCC, 9" THICK	SY	3120	\$63.00	\$196,560.00	3123.08	\$195,754.04	\$1,944.04	100.10%	
40	REMOVAL OF SIDEWALK	SY	540	\$7.35	\$3,969.00	592.93	\$4,358.04	\$389.04	109.80%	
41	REMOVAL OF DRIVEWAY	SY	383	\$10.75	\$4,117.25	379	\$4,074.25	(\$43.00)	98.96%	
42	SIDEWALK, PCC, 5" THICK	SY	657	\$53.50	\$35,149.50	757.46	\$40,524.11	\$5,374.61	115.29%	
43	SIDEWALK, PCC, 6" THICK	SY	162	\$56.00	\$9,072.00	154.42	\$8,647.52	(\$424.48)	95.32%	
44	DETECTABLE WARNING	SF	64	\$45.60	\$2,918.40	40	\$1,824.00	(\$1,094.40)	62.50%	
45	DRIVEWAY, PAVED, PCC, 6" THICK	SY	303	\$72.00	\$21,816.00	266.57	\$19,193.04	(\$2,622.96)	87.98%	
46	DRIVEWAY, GRANULAR (Class A Crushed Stone, IDOT Grad. No. 11)	TN	10	\$26.25	\$262.50	31.54	\$827.93	\$565.43	315.40%	
47	FULL DEPTH PATCHES (PCC, 9" THICK)	SY	180	\$75.00	\$13,500.00	207.99	\$15,599.25	\$2,099.25	115.55%	
48	SUBBASE, OVEREXCAVATION	TN	60	\$26.25	\$1,575.00	61.07	\$1,603.09	\$28.09	101.78%	
49	PAVEMENT REMOVAL	SY	3355	\$6.30	\$21,136.50	3545.85	\$22,338.88	\$1,202.38	105.69%	
50	PAINTED PAVEMENT MARKINGS, SD. VENT/WATERBORNE	STA	18.12	\$165.00	\$2,989.80	18.12	\$2,989.80	\$0.00	100.00%	
51	TEMPORARY TRAFFIC CONTROL	LS	1	\$6,700.00	\$6,700.00	1	\$6,700.00	\$0.00	100.00%	
52	HYDRAULIC SEEDING, FERTILIZING, AND MULCHING	LS	1	\$4,510.00	\$4,510.00	1	\$4,510.00	\$0.00	100.00%	
53	SWPPP PREPARATION	LS	1	\$500.15	\$500.15	0	\$0.00	(\$500.15)	0.00%	
54	SWPPP MANAGEMENT	LS	1	\$2,500.00	\$2,500.00	0	\$0.00	(\$2,500.00)	0.00%	
55	SILT FENCE	LF	200	\$3.15	\$630.00	225	\$708.75	\$78.75	112.50%	
56	SILT FENCE REMOVAL OF SEDIMENT	LF	200	\$1.05	\$210.00	0	\$0.00	(\$210.00)	0.00%	
57	SILT FENCE REMOVAL OF DEVICE	LF	200	\$1.05	\$210.00	0	\$0.00	(\$210.00)	0.00%	
58	MOBILIZATION	LS	1	\$50,000.00	\$50,000.00	1	\$50,000.00	\$0.00	100.00%	
59	CONSTRUCTION SURVEY (ADDED BY CO#1)	LS	1	\$14,850.00	\$14,850.00	1	\$14,850.00	\$0.00	100.00%	
			(CO#2)	1	\$3,789.40	\$3,789.40	1	\$3,789.40	\$0.00	100.00%
			(DOES NOT INCLUDE QTY ADJUSTMENTS) (CO#3)			\$10,382.92	1	\$10,382.92		
					TOTAL	\$823,779.32				
					ASBUILT TOTAL		\$837,860.07			
								\$14,070.75		



JEO CONSULTING GROUP, INC.
Milner Street Reconstruction

COST ESTIMATE SHEET

Design No.: _____
 City: Ottumwa
 File No.: 170410.00
 Proj. No.: _____

Date: 12/12/2019
 Est. By: BAE
 Check By: DAS

ITEM #	ITEM CODE	BID ITEM DESCRIPTION	DIVISION 1 QUANTITY	DIVISION 2 QUANTITY	UNIT	RATE	DIVISION 1 TOTAL	DIVISION 2 TOTAL
10	2101-0850002	CLEAR+GRUBB	0.1		ACRE	\$5,000.00	\$500.00	
20	2102-2710070	EXCAVATION, CL 10, RDWY+BORROW	9836		CY	\$8.00	\$78,688.00	
30	2102-2710090	EXCAVATION, CL 10, WASTE	200		CY	\$20.00	\$4,000.00	
40	2105-8425015	TOPSOIL, STRIP, SALVAGE+SPREAD	860		CY	\$8.00	\$6,880.00	
50	2115-0100000	MODIFIED SUBBASE	2875.7		CY	\$35.00	\$100,649.50	
60	2123-7450020	SHOULDER FINISHING, EARTH	36.2		STA	\$130.00	\$4,706.00	
70	2301-1083080	STD/S-F PCC PAVT, CL M CL 3, 8"	15654		SY	\$60.00	\$939,240.00	
80	2304-0101000	TEMPORARY PAVEMENT	250		SY	\$65.00	\$16,250.00	
90	2404-7775000	REINFORCING STEEL	1168.6		LB	\$10.00	\$11,686.00	
100	2435-0250100	INTAKE, SW-501	1		EACH	\$3,500.00	\$3,500.00	
110	2435-0250300	INTAKE, SW-503	1		EACH	\$5,500.00	\$5,500.00	
120	2435-0600010	MANHOLE ADJUSTMENT, MINOR	15		EACH	\$500.00	\$7,500.00	
130	2435-0600020	MANHOLE ADJUSTMENT, MAJOR	7		EACH	\$2,500.00	\$17,500.00	
140	2435-0600110	INTAKE ADJUSTMENT, MINOR	25		EACH	\$500.00	\$12,500.00	
150	2435-0600120	INTAKE ADJUSTMENT, MAJOR	4		EACH	\$2,500.00	\$10,000.00	
160	2502-8212036	SUBDRAIN, LONGITUDINAL, (SHLD) 6"	8781.8		LF	\$10.00	\$87,818.00	
170	2502-8221303	SUBDRAIN OUTLET, DR-303	54		EACH	\$500.00	\$27,000.00	
180	2503-0114215	STORM SWR, GRAVITY MAIN, TRENCHED, RCP, 15"	32		LF	\$60.00	\$1,920.00	
190	2510-6745850	RMVL OF PAVT	15558.1		SY	\$7.00	\$108,906.70	
200	2511-6745900	RMVL OF SIDEWALK	3004.6		SY	\$10.00	\$30,046.00	
210	2511-7526004	SIDEWALK, PCC, 4"	1460.1		SY	\$45.00	\$65,704.50	
220	2511-7526006	SIDEWALK, PCC, 6"	427.3		SY	\$60.00	\$25,638.00	
230	2511-7528101	DETECTABLE WARNING	648.4		SF	\$40.00	\$25,936.00	
240	2515-2475006	DRIVEWAY, PCC, 6"	1576.6		SY	\$60.00	\$94,596.00	
250	2515-6745600	RMVL OF PAVED DRIVEWAY	1576.6		SY	\$8.00	\$12,612.80	
260	2518-6910000	SAFETY CLOSURE	21		EACH	\$200.00	\$4,200.00	
270	2524-6765010	RMV+REINSTALL SIGN	32		EACH	\$200.00	\$6,400.00	
280	2526-8285000	CONSTRUCTION SURVEY	1		LS	\$20,000.00	\$20,000.00	
290	2527-9263109	PAINTED PAVT MARK, WATERBORNE/SOLVENT	11.1		STA	\$75.00	\$832.50	
300	2528-8445110	TRAFFIC CONTROL	1		LS	\$25,000.00	\$25,000.00	
310	2533-4980005	MOBILIZATION	1		LS	\$284,829.00	\$284,829.00	
320	2549-000621	SPOT REPAIR BY PIPE REPLACEMENT, BY COUNT	1		EACH	\$1,000.00	\$1,000.00	
330	2549-000622	SPOT REPAIR BY PIPE REPLACEMENT, BY LINEAR FOOT	26		LF	\$50.00	\$1,300.00	
340	2552-0000300	TRENCH COMPACTION TESTING		1	LS	\$7,500.00		\$7,500.00
350	2554-0112006	WATER MAIN, TRENCHED, PVC, 6"		481	LF	\$50.00		\$24,050.00
360	2554-0112008	WATER MAIN, TRENCHED, PVC, 8"		129	LF	\$55.00		\$7,095.00
370	2554-0112012	WATER MAIN, TRENCHED, PVC, 12"		3618	LF	\$90.00		\$325,620.00
380	2554-0112016	WATER MAIN, TRENCHED, PVC, 16"		30	LF	\$150.00		\$4,500.00
390	2554-0202200	FITTINGS BY WEIGHT, DI		6852	LB	\$13.00		\$89,076.00
400	2554-0204110	WATER SERVICE STUB, COPPER, 1"		65	EACH	\$2,000.00		\$130,000.00
410	2554-0204120	WATER SERVICE STUB, COPPER, 2"		5	EACH	\$2,500.00		\$12,500.00
420	2554-0207006	VALVE, GATE, DIP, 6"		8	EACH	\$1,500.00		\$12,000.00
430	2554-0207008	VALVE, GATE, DIP, 8"		3	EACH	\$2,000.00		\$6,000.00
440	2554-0207012	VALVE, GATE, DIP, 12"		10	EACH	\$3,000.00		\$30,000.00
450	2554-0208012	TAPPING VALVE ASSEMBLY, 12"		1	EACH	\$6,000.00		\$6,000.00
460	2554-0210201	FIRE HYDRANT ASSEMBLY, WM-201		5	EACH	\$5,500.00		\$27,500.00
470	2555-0000010	DELIVER AND STOCKPILE SALVAGED MATERIALS		1	LS	\$2,500.00		\$2,500.00
480	2599-9999005	MANHOLE ADJUSTMENT, SPECIAL	1		EACH	\$5,000.00	\$5,000.00	
490	2599-9999010	WATERMAIN ABANDONMENT		1	LS	\$5,000.00		\$5,000.00
500	2601-2634100	MULCHING	1.3		ACRE	\$500.00	\$650.00	
510	2601-2636044	SEED+FERTILIZE (URBAN)	1.3		ACRE	\$4,500.00	\$5,850.00	
520	2602-0000020	SILT FENCE	300		LF	\$5.00	\$1,500.00	
530	2602-0000071	RMVL OF SILT FENCE/SILT FENC-DITCH CHECK	300		LF	\$2.00	\$600.00	
540	2602-0000309	PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 9 IN	465		LF	\$5.00	\$2,325.00	
550	2602-0000310	REMOVAL OF PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 9 IN	465		LF	\$3.00	\$1,395.00	
560	2602-0010010	MOBILIZATION, EROSION CONTROL	1		EACH	\$500.00	\$500.00	
DIVISION SUBTOTAL							\$2,060,659.00	\$689,341.00
TOTAL COST							\$2,750,000.00	

FILED

CITY OF OTTUMWA

2019 DEC 12 PM 2:06

Staff Summary

CITY OF OTTUMWA

**** ACTION ITEM ****

Council Meeting of: December 17, 2019

Engineering
Department

Alicia Bankson
Prepared By
Darryl Seal

Department Head

Tom Lizio

City Administrator Approval

AGENDA TITLE: Resolution #275-2019. Authorizing the Mayor to execute Iowa DOT Agreement No. 5-19-STBG-SWAP-031 for a Surface Transportation Block Grant Program Federal-aid Swap Project.

**Public hearing required if this box is checked. **

**The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda **

RECOMMENDATION: Pass and adopt Resolution #275-2019.

DISCUSSION: This agreement formalizes the federal-aid for the Milner Street Reconstruction Project from Mary Street to Burrhus Street. Milner Street Construction project is a full width, full depth PCC project and includes replacement of sidewalks to ADA standards, storm and sanitary sewer improvements, and water main replacement as needed or requested by Ottumwa Water Works. The design includes grade work for an 8' multi use trail on the east side which will be let at a later date and is funded by a separate grant source.

This grant program is 80% federal grant and 20% local match. Local match will come from CIP, budgeted at \$407,377.

This is a DOT letting and set for February 18th 2020.

Street construction estimated at \$2,036,885.
Ottumwa Water & Hydro \$ 689,341
JEO design contract \$ 196,000

Funding:

\$ 407,377 CIP FY 2017/2018
\$1,629,508 STP Funding

Source of Funds: Budgeted Item: Budget Amendment Needed:

RESOLUTION 275-2019

A RESOLUTION APPROVING THE MAYOR TO EXECUTE
IOWA DOT AGREEMENT NO. 5-19-STBG-SWAP-031
FOR A SURFACE TRANSPORTATION BLOCK GRANT PROGRAM
FEDERAL-AID SWAP PROJECT.

WHEREAS, The agreement authorizes IDOT to develop and complete PCC pavement, grade and replace, water main, and sanitary sewer on Milner Street from Mary Street North .68 miles to Burrhus Street.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Agreement between the City of Ottumwa and Iowa DOT for the above referenced project is hereby approved.

APPROVED, PASSED, AND ADOPTED, this 17th day of December 2019.

CITY OF OTTUMWA, IOWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
Agreement for a Surface Transportation Block Grant Program Federal-aid Swap Project**

Recipient: City of Ottumwa

Project No.: STBG-SWAP-5825(644)--SG-90

Iowa DOT Agreement No.: 5-19-STBG-SWAP-031

This is an agreement between the City of Ottumwa, Iowa (hereinafter referred to as the Recipient) and the Iowa Department of Transportation (hereinafter referred to as the Department) for Surface Transportation Block Grant (STBG) Program Federal-aid Swap funds under 761 Iowa Administrative Code (IAC) Chapter 162. Iowa Code Section 306A.7 provides for the Recipient and the Department to enter into agreements with each other for the purpose of financing transportation improvement projects on streets and highways in Iowa.

Pursuant to the terms of this agreement, applicable statutes, and administrative rules, the Department agrees to provide STBG Federal-aid Swap funding to the Recipient for the authorized and approved costs for eligible items associated with the project.

Under this agreement, the parties further agree as follows:

1. The Recipient shall be the lead local governmental agency for carrying out the provisions of this agreement.
2. All notices required under this agreement shall be made in writing to the appropriate contact person. The Department's contact persons will be the Local Systems Project Development Engineer, Christy VanBuskirk, and Eastern Region Local Systems Field Engineer, Kent L. Ellis. The Recipient's contact person shall be the City Engineer.
3. The Recipient shall be responsible for the development and completion of the following described STBG project:

In the City of Ottumwa on Milner Street from Mary Street North .68 Miles to Burhhus Street - PCC Pavement - Grade and Replace, Watermain, and Sanitary Sewer.
4. Eligible project activities will be limited to the following: construction, engineering, inspection, and right-of-way acquisition. Under certain circumstances, eligible activities may also include utility relocation or railroad work that is required for construction of the project.
5. The Recipient shall receive reimbursement for costs of authorized and approved eligible project activities from STBG Federal-aid Swap funds. The portion of the project costs reimbursed by STBG Federal-aid Swap funds shall be up to \$1,629,508 for the following phases of work as stipulated by the Area 15 Regional Planning Commission :

	Preliminary Engineering
	Construction Engineering
	Right-of-Way
X	Construction
	Other (please specify) _____.
6. The Recipient shall pay for all project costs not reimbursed with STBG Federal-aid Swap funds.
7. If the project described in Section 3 drops out of the Area 15 Regional Planning Commission current TIP or the approved current STIP prior to obligation of funds, and the Recipient fails to reprogram the project in the appropriate TIP and STIP within 3 years, this agreement shall become null and void.
8. The Recipient shall let the project for bids through the Department.
9. If any part of this agreement is found to be void and unenforceable, the remaining provisions of this agreement shall remain in effect.
10. It is the intent of both parties that no third party beneficiaries be created by this agreement.

11. This agreement and the attached Exhibit 1 constitute the entire agreement between the Department and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement shall be made in the form of an addendum to this agreement. The addendum shall become effective only upon written acceptance of the Department and the Recipient.

IN WITNESS WHEREOF, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

City Signature Block

By _____ Date _____, 20____

Title of city official

I, _____, certify that I am the City Clerk of Ottumwa, and that _____, who signed said Agreement for and on behalf of the city was duly authorized to execute the same by virtue of a formal resolution duly passed and adopted by the city on the _____ day of _____, 20____.

Signed _____ Date _____, 20____

City Clerk of Ottumwa, Iowa

**IOWA DEPARTMENT OF TRANSPORTATION
Highway Administration**

By _____ Date _____, 20____

Kent L. Ellis, P.E.
Local Systems Field Engineer
Eastern Region

EXHIBIT 1

General Agreement Provisions for use of Federal-aid Swap Funds on Non-primary Projects

Unless otherwise specified in this agreement, the Recipient shall be responsible for the following:

1. General Requirements.

- a. The Recipient shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the Recipient, the Department has provided guidance in the Instructional Memorandums to Local Public Agencies (I.M.s), available on-line at: https://iowadot.gov/local_systems/publications/im/lpa_ims. The Recipient shall follow the applicable procedures and guidelines contained in the I.M.s in effect at the time project activities are conducted.
- b. In accordance with Iowa Code Chapter 216 and associated subsequent nondiscrimination laws and regulations, the Recipient shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
- c. The Recipient shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), the associated Code of Federal Regulations (CFR) that implement these laws, and the guidance provided in I.M. 1.080, ADA Requirements. When pedestrian facilities are constructed, reconstructed, or altered, the Recipient shall make such facilities compliant with the ADA and Section 504.
- d. The Recipient agrees to indemnify, defend, and hold the Department harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend, and hold harmless applies to all aspects of the Department's application review and acceptance process, plan and construction reviews, and funding participation.
- e. Termination of funds. Notwithstanding anything in this agreement to the contrary, and subject to the limitations set forth below, the Department shall have the right to terminate this agreement without penalty and without any advance notice as a result of any of the following: 1) The Federal government, legislature or governor fail in the sole opinion of the Department to appropriate funds sufficient to allow the Department to either meet its obligations under this agreement or to operate as required and to fulfill its obligations under this agreement; or 2) If funds are de-appropriated, reduced, not allocated, or receipt of funds is delayed, or if any funds or revenues needed by the Department to make any payment hereunder are insufficient or unavailable for any other reason as determined by the Department in its sole discretion; or 3) If the Department's authorization to conduct its business or engage in activities or operations related to the subject matter of this agreement is withdrawn or materially altered or modified. The Department shall provide the Recipient with written notice of termination pursuant to this section.

2. Programming

- a. The Recipient shall be responsible for including the project in the appropriate Regional Planning Affiliation (RPA) or Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP). The Recipient shall also ensure that the appropriate RPA or MPO, through their TIP submittal to the Department, includes the project in the Statewide Transportation Improvement Program (STIP). If the project is not included in the appropriate fiscal year of the STIP, funds cannot be obligated.
- b. Before beginning any work for which funding reimbursement will be requested, the Recipient shall submit a written request for acceptance to the Department. The Department will notify the Recipient when acceptance is granted. The cost of work performed prior to acceptance will not be reimbursed. The turning in of plans for letting by the Department's administering bureau shall be considered acceptance for construction. The Department will notify the Recipient when acceptance is granted.

3. Design and Consultant Services

- a. The Recipient shall be responsible for the design of the project, including all necessary plans, specifications, and estimates (PS&E). The project shall be designed in accordance with the design guidelines provided or referenced by the Department in the Guide and applicable I.M.s.

4. Environmental Requirements and other Agreements or Permits.

- a. The Recipient shall obtain project permits and approvals, when necessary, from the Iowa Department of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Coast Guard, U.S. Army Corps of Engineers, the Department, or other agencies as required. The Recipient shall follow the applicable procedures in the Instructional Memorandums to Local Public Agencies Table of Contents, Chapter 4 – Environmental Regulations.

5. Right-of-Way, Railroads, and Utilities.

- a. The Recipient shall acquire the project right-of-way, whether by lease, easement, or fee title, and shall provide relocation assistance benefits and payments in accordance with the procedures set forth in I.M. 3.600, Right-of-Way Acquisition, and the Department's Right of Way Bureau Local Public Agency Manual. The Recipient shall contact the Department for assistance, as necessary, to ensure compliance with the required procedures.
- b. If a railroad crossing or railroad tracks are within or adjacent to the project limits, the Recipient shall obtain agreements, easements, or permits as needed from the railroad. The Recipient shall follow the procedures in I.M. 3.670, Work on Railroad Right-of-Way.
- c. The Recipient shall obtain agreements from utility companies as needed. The Recipient shall comply with the "Policy for Accommodating Utilities on the County and City a Non-Primary Federal-aid Road System" for projects on non-primary Federal-aid highways. For projects connecting to or involving some work inside the right-of-way for a primary highway, the Recipient shall follow the Department's "Policy for Accommodating and Adjustment of Utilities on the Primary Road System" The Recipient should also use the procedures outlined in I.M. 3.640, Utility Accommodation and Coordination, as a guide to coordinating with utilities.

6. Contract Procurement.

- a. The following provisions apply only to projects involving physical construction or improvements to transportation facilities:
- b. The project plans, specifications, and cost estimate (PS&E) shall be prepared and certified by a professional engineer or architect, as applicable, licensed in the State of Iowa.
- c. The Recipient shall be responsible for the following:
 - i. Prepare and submit the PS&E and other contract documents to the Department for review and acceptance in accordance with I.M. 3.700, Check and Final Plans and I.M. 3.500, Bridge or Culvert Plans, as applicable.
 - ii. The contract documents shall use the Department's Standard Specifications for Highway and Bridge Construction. Prior to their use in the PS&E, specifications developed by the Recipient for individual construction items shall be approved by the Department.
 - iii. Follow the procedures in I.M. 5.030, Iowa DOT Letting Process, to analyze the bids received; make a decision to either award a contract to the lowest responsive bidder or reject all bids; and if a contract is awarded, execute the contract documents and return to Department.

Note: The Department may not be able to allow a project to be let in the scheduled letting due to possible issues with cash flow availability.

- d. The Recipient shall forward a completed Project Development Certification (Form 730002) to the Department in accordance with I.M. 5.050, Project Development Certification Instructions. The project will not be turned in for bid letting until the Department has reviewed and accepted the Project Development Certification.
- e. If the Recipient is a city, the Recipient shall comply with the public hearing requirements of the Iowa Code section 26.12.

- f. The Recipient shall not provide the contractor with notice to proceed until after receiving written notice that the Department has concurred in the contract award.

7. Construction.

- a. The Recipient shall follow the procedures in I.M. 6.000, Construction Inspection, and the Department's Construction Manual, as applicable, for conducting construction inspection activities. The Recipient's engineer shall at all times be responsible for inspection of the project.
- b. A full-time employee of the Recipient shall serve as the person in responsible charge of the project. For cities that do not have any full time employees, the mayor or city clerk will serve as the person in responsible charge, with assistance from the Department.
- c. Traffic control devices, signing, or pavement markings installed within the limits of this project shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways" per 761 IAC Chapter 130. Proper protective measures and devices such as fences, barricades, signs, flood lighting, and warning lights as needed.
- d. The project shall be constructed under the Department's Standard Specifications for Highway and Bridge Construction and the Recipient shall comply with the procedures and responsibilities for materials testing according to the Department's Materials I.M.s. Available on-line at: <https://www.iowadot.gov/erl/index.html>.
- e. If the Department provides any materials testing services to the Recipient, the Department will bill the Recipient for such testing services according to its normal policy as per Materials I.M. 103.

8. Reimbursements.

- a. The Recipient will be initially responsible for all project costs. After costs have been incurred, the Recipient shall submit to the Department periodic itemized claims for reimbursement for eligible project costs. Requests for reimbursement shall be made at least semi-annually but not more than bi-weekly.
- b. To ensure proper accounting of costs, reimbursement requests for costs incurred prior to June 30 shall be submitted to the Department by August 1, if possible, but no later than August 15.
- c. Reimbursement claims shall include a certification that all eligible project costs, for which reimbursement is requested, have been reviewed by an official or governing board of the Recipient, are reasonable and proper, have been paid in full, and were completed in substantial compliance with the terms of this agreement.
- d. The Department will reimburse the Recipient for properly documented and certified claims for eligible project costs. The Department may withhold up to 5% of the total funds available for the project. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final review or audit selected by the Administering Bureau, the Department determines the Recipient has been overpaid, the Recipient shall reimburse the overpaid amount to the Department. After the final review is complete and after the Recipient has provided all required paperwork, the Department will release the funds withheld.
- e. The total funds collected by the Recipient for this project shall not exceed the total project costs. The total funds collected shall include any funds received; for example, Federal funds not received through FHWA, any special assessments made by the Recipient (exclusive of any associated interest or penalties) pursuant to Iowa Code Chapter 384 (cities) or Chapter 311 (counties), proceeds from the sale of excess right-of-way, and any other revenues generated by the project. The total project costs shall include all costs that can be directly attributed to the project. In the event that the total funds collected by the Recipient do exceed the total project costs, the Recipient shall either:
 - i. in the case of special assessments, refund to the assessed property owners the excess special assessments collected (including interest and penalties associated with the amount of the excess), or
 - ii. refund to the Department all funds collected in excess of the total project costs (including interest and penalties associated with the amount of the excess) within 60 days of the receipt of any excess funds.

FILED

2019 DEC 12 PM 2:06

CITY CLERK
OTTUMWA, IA

CITY OF OTTUMWA

Staff Summary

**** ACTION ITEM ****

Council Meeting of: December 17, 2019

Engineering Department
Department

Alicia Bankson
Prepared By
Darryl Seed
Department Head

Tom Sizoo
City Administrator Approval

AGENDA TITLE: Resolution #277-2019. Authorizing the Mayor to execute six Permanent Easement and Temporary Construction Easement Agreements for Construction and Maintenance of Public Improvements for the East Alta Vista Reconstruction Project.

**Public hearing required if this box is checked. **

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution #277-2019.

DISCUSSION: The project will consist of full depth full width PCC reconstruction of Alta Vista from the 65' outside of the City Limits south westerly a distance of 1190 LF. The existing HMA pavement width varies from 22.5' to 24'. The new design will adjust the vertical profile for line of sight and widen the pavement to 26'. A new water main installation is part of the project and will be reimbursed by OWW.

Easements were required to flatten driveway slopes and to provide a safer slope on the roadway embankment. We are asking for approval of the easements which property owners have reviewed, agreed to, and signed.

RESOLUTION #277-2019

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SIX TEMPORARY CONSTRUCTION EASEMENT AGREEMENTS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS FOR THE E. ALTA VISTA RECONSTRUCTION PROJECT

WHEREAS, The project will consist of full depth full width PCC reconstruction of Alta Vista from the 65' outside of the City Limits south westerly a distance of 1190 LF. The existing HMA pavement width varies from 22.5' to 24'. The new design will adjust the vertical profile for line of sight and widen the pavement to 26'. A new water main installation is part of the project and will be reimbursed by OWW.

WHEREAS, This resolution will authorize the Mayor to sign the six easements with property owners for construction of the public improvements.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The Mayor is authorized to sign the six temporary construction easement agreements for the reconstruction of E. Alta Vista Avenue.

APPROVED, PASSED, AND ADOPTED, this 17th day of December 2019.

CITY OF OTTUMWA, IOWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk

FILED

2019 DEC 12 AM 10:51

CITY OF OTTUMWA
Staff Summary

**** ACTION ITEM ****

Council Meeting of: Dec 17, 2019

Jody Gates

Prepared By

Kevin C Flanagan

Department Head

Health & Inspections

Department

City Administrator Approval

AGENDA TITLE: Resolution No. 278 -2019, a resolution approving the service agreement between the City of Ottumwa and iWorQ for Health and Planning Software for a purchase price of \$25,000.

****Public hearing required if this box is checked.****

The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.

RECOMMENDATION: Pass and adopt Resolution No. 278 - 2019

DISCUSSION: Health and Planning Departments are using a software program called Energov for the issuance of permits and scheduling inspections. The program is nearly 15 years old, and the departments have outgrown. The cost to upgrade the existing program was quoted as \$88,000. Staff began to explore other options and found iWorQ. The program is used by many municipalities including Mt. Pleasant and Burlington. Staff spent some time in Mt. Pleasant discovering how the system works and were pleased with the results. The iWorq group can install the software

Source of Funds: 001-3-340

Budgeted Item:

Budget Amendment Needed:

this fiscal year for \$10,000 and then charge the remaining amount due in next fiscal year as part of the annual maintenance agreement. Although the Health Department didn't budget to replace software in this fiscal year, there are personnel savings from retirements and vacant positions that can be used to pay for installation costs this year. Data conversion, support, updates, and training are part of the package. Staff recommends purchasing iWorQ software and support for a total price of \$25,000, with \$10,000 to be paid this fiscal year and \$15,000 to be paid in fiscal year 2020/2021.

RESOLUTION NO. 278 – 2019

A RESOLUTION APPROVING THE SERVICE AGREEMENT BETWEEN THE CITY OF OTTUMWA AND IWORQ FOR HEALTH AND PLANNING SOFTWARE FOR A PURCHASE PRICE OF \$25,000

WHEREAS, the Health and Planning Department need to upgrade the permitting software; and

WHEREAS, after exploring software and the associated costs from a number of companies; and

WHEREAS, staff conducted an onsite review of iWorQ software used by the City of Mt. Pleasant, Iowa; and

WHEREAS, staff feel the iWorQ software will be user friendly for clerks and inspectors and cost effective to purchase and upgrade.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, THAT: the agreement to purchase iWorQ software at a total cost of \$25,000 to purchase and install and \$15,000 annually for maintenance is approved and the Mayor is authorized to sign the agreement.


Approved, passed and adopted, this ____ day of December 2019

CITY OF OTTUMWA

Matt Dalbey, Mayor Pro Tem

ATTEST:

Christina Reinhard, City Clerk



**Service Agreement for
Ottumwa, Iowa**

iWorQ

Community Development & Public Works Software

Table of Contents iWorQ Pricing Proposal

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Executive Summary

Thank you for your interest in iWorQ Systems! We have been providing government software solutions since 2001 and serve more than 1,400 customers throughout the United States and Canada. We lead the industry in delivering hosted web-based solutions and were the first vendor in this market to provide a fully web-based system.

Since cities and counties often have limited capital budgets, we lease our applications so that our clients are not confronted with large capital investments and our annual support and maintenance fees do not increase year to year. We have found that this model allows agencies to plan for growth in a cost-conscious way.

To access our applications all you need is an internet connection and your choice of device including desktops, laptops, smartphones (iPhone, Android) and tablet devices (iPad, Galaxy, etc.) The system's graphical user interface, including all screens and dashboards, is natively touch screen enabled allowing your staff the flexibility to determine which device to utilize inside the office or in the field.

We are confident in providing a solution that can improve your internal communication as well as increase your responsiveness to your citizens and customers while reducing the time and effort from your staff. We also provide additional access through our Citizen Engagement mobile app and web portal for internal staff and citizens.

Thank you again for considering iWorQ, we will follow up with you to review any questions you may have about this proposal and the next steps in our consultative sales process.

Best Regards,

A handwritten signature in black ink that reads "Adam Laing". The signature is written in a cursive, flowing style.

Adam Laing
Vice President

Application Description

iWorQ software solutions and professional services together provide a seamless fit for Ottumwa software project. Having implemented over 1,400 customer agencies and configuring a unique fit for each one provides our team the experience and background required to ensure a successful implementation.

iWorQ's browser-based software is an off-the-shelf system which requires no custom modifications to the code, only configuration of the application which requires no coding. As it is already utilized by hundreds of offices of all different sizes, we can scale and configure as much as needed for each implementation in order to meet your project goals. The system will provide access in the field and in the office, assuring your staff will be efficient and have all the data necessary to run a paperless system. iWorQ's hosted solution provides a smooth transition from your current system because much of the complexity of setting up the server hardware and networking environment is not required, which helps save time, money, and resources.

Since iWorQ's applications are configurable, we are able to provide a familiar and intuitive system that easy to use and understand. For example, when a user logs in, their screen contains only the fields on their dashboard that are pertinent to them, which makes the training process resonate with each of the end users. iWorQ implementers will consult with each department during the set-up process to configure the applications in order to meet the unique needs of each of your departments.

Project Initiation and Management

Throughout the history of our company, iWorQ's success with adding and maintaining customers can be accredited to our carefully structured methodology and approach with each implementation. Our phased project methodology allows regular checkpoints and frequent opportunities to ensure that all of our team members are in sync. During the planning phase, our project teams meet to analyze how each department operates today, and how you would like your new system to work going forward. Based on our discussions, we create a project plan, agree on major milestones, and set a project schedule. The project plan will also address communications, managing risk and change management.

Throughout the project, iWorQ will hold regular status meetings in which both teams report on progress, tasks, and timelines, as agreed upon during the planning phase and outlined in the project plan. The iWorQ project manager acts as your main point of contact during the project and works with your staff to ensure that adequate communication takes place, assuring that the project moves along smoothly.

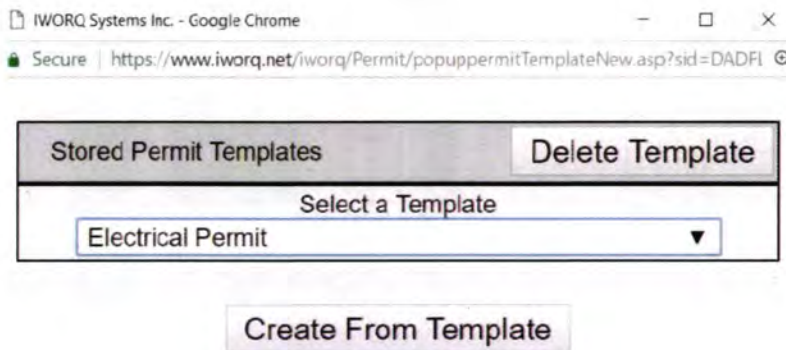


iWorQ has standard documentation to record decisions made during the project. These documents list tasks, person responsibilities, decisions made, etc.

Developing Specific Deliverables for Your Project

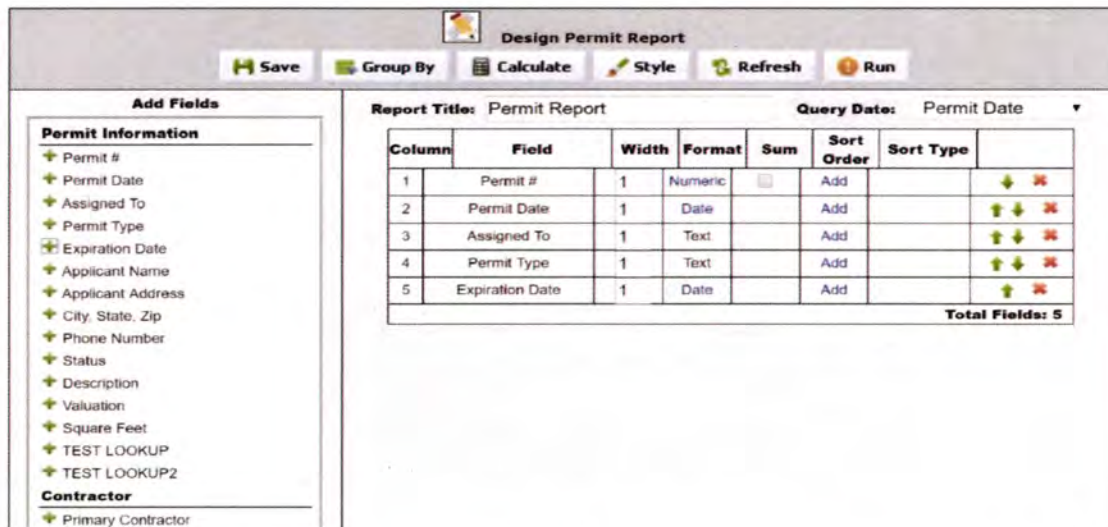
The iWorQ team works with your subject matter experts (that you assign) during the initiating and planning phases to determine what deliverables to build for your solution (e.g., reports, documents, templates, and dashboards etc.). After we create a deliverable, we test it to ensure it meets your specifications and then pass it to your team for user acceptance.

Figure 1.1



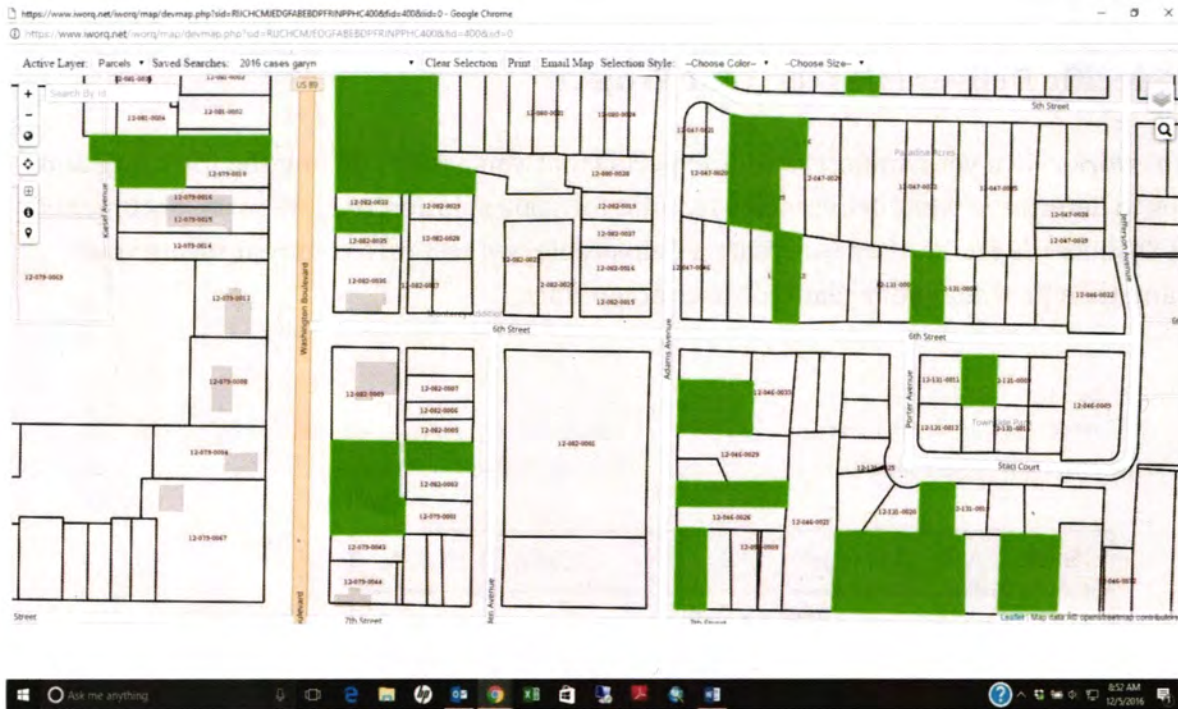
The above screen shows how easy it is to create a permit template with prefilled information.

Figure 1.2



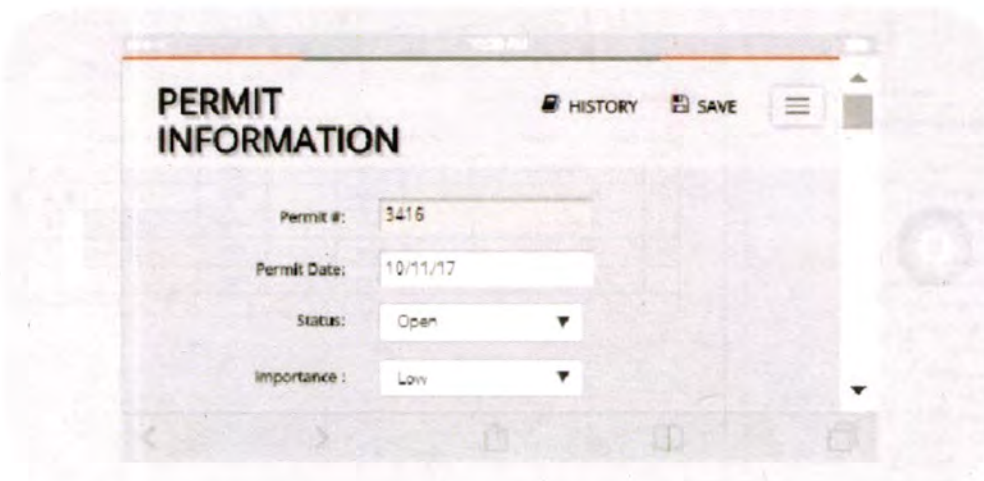
iWorQ's report builder provides a user interface that only requires a user to simply click on the "+" button below to instantly report on desired input. This enables you to add new fields when desired and create adhoc and saved reports.

Figure 1.3



Map above shows Responsive interface- Showing the parcel layer with highlighted parcels. The map is showing the permits issued last year. User can select, display, and edit data directly from the map.

Figure 1.4



The screenshot shows iWorQ's Mobile HTML 5 Interface making access in the field easy to use, which includes icons to help assure your field staff will be successful accessing the system.

Implementation Phases

Your project is configured through a four-phased approach that includes Initiation, Planning, Executing, and Closing phases. Throughout these phases, iWorQ bears the bulk of the project risk. We provide as much training and services as you need to be successful throughout the project.

This section discusses:

- Initiation Phase
- Planning Phase
- Executing Phase
- Closing Phase

Initiation Phase

During this phase, we install your software in our secure, hosted (SaaS) data center utilizing Amazon Web Services (AWS). During this phase, you should determine what staff members will assist with the project. We ask you to complete initial worksheets that allow us to import data into iWorQ dropdown fields. These worksheets are system-agnostic, and do not require that you understand iWorQ data structures to complete this phase.

Planning Phase

During the Planning phase, the iWorQ project team works with your team to define how processes at Ottumwa work today and how you would like your new system to operate going forward. As part of this, your team should analyze the reports and documents you currently have to determine which ones you need to have in iWorQ. Based on our discussions, we create a project plan that includes project timelines, goals, priorities, and responsibilities. Our project team will work with you to set a clear project plan with detailed requirements. Both teams follow this plan during the executing phase.

Executing Phase

During the Executing phase, we train your project team and together configure the solution. Concurrent with your system configuration, our data integration team will work with you to build data interfaces and migrate data if they are part of the project scope. After our teams complete these tasks, we train your staff members.

Your success is our highest priority. While each of our training phases has a specific plan, we provide additional or repeat trainings at no additional cost if necessary for a successful implementation. As a customer, we will provide additional training anytime it is desired for no additional cost. The time completion of project phases is often dependent upon Ottumwa go-live goals and staff availability.



Go Live

After the configuration, iWorQ will train each of your staff members. During our training, attendees learn by doing actual data entry. They should come to the training with any materials they regularly use to enter cases (e.g., a stack of permits or code cases to be entered). Instructors will provide the training online. Instructors provide personal assistance to attendees, answer specific questions, and personalize teaching styles to meet the needs of individual attendees.

Closing Phase

During the closing phase, your iWorQ project team continues to work with you to answer any questions and resolve any configuration questions. We hold a project closure meeting to ensure a smooth transition from our project team to our iWorQ customer support team, who will support you going forward and as long as you are a customer.

Training

Your administrator and other individuals you designate receive several different types of training that cover iWorQ's key functionalities.

Our training involves guiding staff to use iWorQ to complete actual work tasks. Instructors provide personal assistance to attendees, answer specific questions, model examples and exercises, and personalize teaching styles to individual attendees. This informal style helps your staff relax and feel comfortable asking and responding to questions.

These trainings are described in further detail below:

Administrator Training: Administrator training teaches your iWorQ administrator(s) how to manage iWorQ going forward. This training covers items such as setting up code tables (options in drop-down lists); security rules; and iWorQ tools.

Configuration Training: During the configuration phase, your administrators make many decisions about configuring iWorQ to make your office its most efficient. During Configuration Training, iWorQ's project team helps trainees understand approaches, methodologies, and best practices for making these decisions and recognizing the ramifications of the decisions they make.

Go-Live Training: Prior to Go-Live, every user on the system will receive training pertinent to their role type on the system. We provide unlimited training during implementation and after Go-Live via conference calls, webinars, or online screen share and we offer an annual, national users' conference to learn new and advanced skills.



Ottumwa	Quote creation: 12/9/2019
105 East Third Street, Ottumwa, IA 52501	Prepared by: Jon Goble and Adam Laing

1. QUOTE

Ottumwa- hereafter known as "Customer", enters into the following Service Agreement with iWorQ Systems, "iWorQ", headquartered Logan, UT. Customer will pay an annual fee for the services and a one-time setup fee detailed below:

Population: 25,023

<u>Community Development Applications and Services</u>	<u>Package Price</u>	<u>Billing</u>
<p>Community Development Package <i>Package includes</i> *Permit Management *Code Enforcement</p> <ul style="list-style-type: none"> - Available on any computer, tablet, or mobile device using Chrome browser - Code Enforcement with OpenStreetMap - Permit Management with OpenStreetMap - Quarterly parcel upload - Track contractors and their associated permits and inspections - Free letters, and / or permits utilizing iWorQ's template library, and up to 3 custom letters. <p>Plan Review Management</p> <ul style="list-style-type: none"> - Draw & annotate on plans - Save data in layers on plans - Place watermarks on plans - Must have premium data to use 	\$9,500	Annual
<p>Portal Home *Permit Portal *Code Enforcement Portal</p> <ul style="list-style-type: none"> -Configurable portal for ease of applying for permits and tracking current permits online -Allows for submitting code enforcement issues online and viewing code cases on the map -Apply for licenses online & view current list of licenses -Includes Premium Data (25 MB Uploads, 100 GB Total Storage) -3 Custom Forms -Messaging feature for easy interaction with citizens -Built-in automatic workflow capabilities -Ensures better communication with citizens and allows for easy interaction 	\$4,500	Annual
<p>Payment Processing</p> <ul style="list-style-type: none"> - Credit/debit card processing <p>NOTE: Payment provider has standard merchant fees associated with their processing</p> <ul style="list-style-type: none"> - Merchant account and gateway via payment provider - Payments are recorded and tracked in iWorQ -iWorQ's robust reporting tool can track all historical transactions 	\$1,000	Annual

ANNUAL TOTAL	\$ 15,000	
Setup, training, and system configuration	\$ 10,000	Once
Grand total due	\$ 25,000	

Notes

- 1- This quote is provided at the customer's request and is good through **December 18th, 2019**. Invoices for the Set-up amount (\$10,000) will be sent out 2 weeks after signature. Invoicing for the annual amount (\$15,000) will be sent out on June 1, 2020 (Terms of the invoicing is Net 30 days). Each invoice thereafter for the annual fees will be sent out on the anniversary date of June 1st.
- 2- This quote is provided at the customer's request and is good for 30 days.
- 3- This quote cannot be disclosed or used to compete with other companies.
- 4- Pricing is based on population and number of applications. Removing any items from this quote may require application prices to be updated.

2. ADDITIONAL SERVICES

iWorQ provides additional applications and services that can be purchased as part of the Community Development solution. These can be added to the customer's annual* cost, upon request. The services listed below may already be included in the quote in Section 1.

Licensing – track business, animal, liquor, rental, and other license types. Includes customized automated reminder letters and online renewal.	Price based on Population	Annual
Additional Storage – Each unit of storage contains an additional 100 GB.	\$250	Annual
Onsite Backup – iWorQ will send a *.BAK on a scheduled basis to an FTP server maintained by the customer.	\$500	Annual
Monthly Parcel Update – iWorQ will import an electronic file on a scheduled basis from a file stored on an FTP server maintained by the Customer.	\$500	Annual
Interactive Voice Response (IVR) – used by contractors to schedule inspections via telephone.	\$1000	Annual
Additional letters/forms	\$250/each	Annual

**Additional services are subject to setup fees which are 2/3 of the annual cost.*

3. GUIDELINES

3.1 Getting started

iWorQ will assign an account manager to your account to begin the setup and training process upon contract signature.

Send the signed service agreement to iWorQ Systems:

Email: sales@iworq.com

Fax: 1 (866) 379-3243

Mailing address:

PO Box 3784

Logan, UT 84323

Physical address:

1125 W. 400. N. Suite 102

Logan, UT 84321

3.2 Billing information

iWorQ will invoice Customers on an annual basis. Customers reserves the right to cancel service at any time after the initial year, by providing iWorQ a 30-day written notice.

3.3 Data conversion

As part of the project setup, iWorQ provides a data conversion service. This service consists of importing data, sent by the Customer, in an electronic (relational database) format. iWorQ provides contact information and an upload site where the electronic data can be sent. Additional costs apply for data that does not meet the criteria listed above.

4. SERVICES and SUPPORT

4.1 Data ownership

All customer data remains the property of the customer. Customer can request data electronically or on disk, upon cancellation of Service Agreement. iWorQ will disburse data within 30 days of written notification.

4.2 FREE training

iWorQ provides FREE training and support. iWorQ provides webinars, phone support, written manuals, web videos, documentation and help files. Training is available to any Customer with a login.

4.3 FREE updates

All updates, bug fixes, and upgrades are FREE to the Customer. iWorQ is a web-based application. Customer only needs to login to get any updates to the applications.

4.4 FREE support

Customer support and training are FREE and available from 6:00 A.M. to 5:00 p.m. Mountain Standard Time.

4.5 FREE data back up

iWorQ does back-ups twice weekly and offsite once weekly.



4.6 Proprietary letters/forms

Letters and forms, including permits, certificates, or other documents must be owned by the customer and have a clear copyright.

4.7 Data upload and storage limits

Standard data plan includes uploads of up to 3 MB per file and 10 GB total storage. iWorQ offers a premium data plan available for an additional annual cost.

4.8 Software Terms and Limitations

The iWorQ Software is the proprietary information and a trade secret of iWorQ, Systems Inc. and this agreement grants no title or rights of ownership with the software. The software is protected by United States copyright laws and international copyright treaties, as well as other intellectual property laws. Customer shall not permit any user or other party to, (a) copy or otherwise reproduce, reverse engineer or decompile all or any part of the iWorQ Software, (b) make alterations to or modify the Software, (c) grant sublicenses, leases or other rights, or (d) permit any party access to the Licensed Software for purposes of programming against it.

5. SETUP & BILLING INFORMATION

5.1 Implementation information

Primary Contact(s) _____

Phone _____ Cell _____ Email _____

Additional Contact(s) _____

Phone _____ Cell _____ Email _____

5.2 Billing information

Billing Contact _____ Phone _____ Cell _____

Email _____ Prefer to receive invoice by email? Yes No

Billing Address _____

City _____ State _____ Zip _____

PO# _____ (if required) Tax exempt ID# _____

6. SIGNATURE

Signature of this Agreement is based on the understanding and acknowledgement of the terms and conditions stated within this Service Agreement.

(Phone) (Mobile) (Email)

(Signature) (Print Name & Title) (Date)