CALL TO ORDER

ROLL CALL

WORK SESSION: 2009 Street Project

ADJOURNMENT
City of Dodge City

Memorandum

February 4, 2009

TO:        Ken Strobel, City Manager
FROM:      Ray Slattery, P.E., City Engineer
RE:        2009 Street Program

Included in this memorandum, please find Engineering Services Staff’s recommendations for the 2009 Street Program. This year’s program will consist of: continuation of the Street Sealing Program, a corridor study of US 50 for a proposed intersection, Traffic Signal and Signing improvements around the Middle/Northwest Schools & Soule Intermediate Center. There will also be some smaller maintenance projects; Concrete Street Repairs, Curb & Gutter Repairs, Brick Street Repairs, Asphalt Street Crack Repairs, Traffic Signal Improvements, Sidewalk Construction/Repair, and Traffic Markings. The program also includes the design phase of the reconstruction of Trail St., from US56/US 400 intersection (Over Pass Rd.) to 14th Ave., and Comanche St., both two lane sections at each end of town. Also included in this year’s program, but not related to the city street system is the paving of some of the Roadways at the Cemetery.

In reviewing the Capital Program Improvement Outline for 2009, there is approximately $780,000 that is to be funded by General Obligation Bonds. The following table lists those projects and Proposed Dollar Amount;

<table>
<thead>
<tr>
<th>GOB PROJECTS</th>
<th>PROPOSED DOLLAR AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cemetery Roadway Paving</td>
<td>$ 100,000</td>
</tr>
<tr>
<td>Trail St. Reconstruction Design</td>
<td>$ 125,000</td>
</tr>
<tr>
<td>Comanche St. Reconstruction Design</td>
<td>$ 125,000</td>
</tr>
<tr>
<td>Asphalt Street Chip Sealing</td>
<td>$ 400,000</td>
</tr>
<tr>
<td>US 50 Corridor Study</td>
<td>$ 30,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 780,000</strong></td>
</tr>
</tbody>
</table>

For your information, here is a short summary of each of the projects listed above;
Cemetery Roadway Paving - this will continue the project that was started in 2002. An asphalt mat will be placed over the existing lane. The existing asphalt millings, road gravel surface will be used as the base for the new asphalt mat. If a new lane is constructed into a new division, provisions will be made to stabilize the base material. Other minor improvements would be completed at the same time along the lane.

Trail St. Reconstruction Design – fairly self explanatory, costs associated with hiring a consultant to design the plans for reconstructing Trail St. from 14th Ave. East to the US 56/US 283/US 400 Intersection. I believe the reconstruction would be split into phases for budget reasons.

Comanche St. Reconstruction Design – basically the same as Trail St., with the limits for Comanche St. being from Fairway Dr. to Ave. P and from Matt Down Ln. (possibly US 50) to 14th Ave.

Asphalt Street Chip Sealing – this is a continuation of the yearly project we started six years ago. We have basically sealed every residential asphalt street in the city and now it is time to start the process over.

US 50 Corridor Study – this project resulted from a request of the Developer of the Summerlong Subdivision to extend Fairway Dr. to US 50. KDOT is requesting a traffic impact study from the City to determine what improvements would be necessary at this proposed intersection. We may also review the traffic flow/alignment at some other intersections along this section of US 50.

The Capital Program Improvement Outline for 2009 also outlines $600,000 that is to be funded by the Special Streets Fund for street maintenance projects. The following table lists those projects and Proposed Dollar Amount;

<table>
<thead>
<tr>
<th>SPECIAL STREETS FUND PROJECTS</th>
<th>PROPOSED DOLLAR AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signal &amp; Sign Improvements at the Middle, Northwest, &amp; Soule Center Schools</td>
<td>$ 225,000</td>
</tr>
<tr>
<td>“Poly Patch” Material Purchase</td>
<td>$ 25,000</td>
</tr>
<tr>
<td>Sidewalk Construction/Repairs</td>
<td>$ 75,000</td>
</tr>
<tr>
<td>Traffic Signal Improvements/Repairs</td>
<td>$ 25,000</td>
</tr>
<tr>
<td>Pavement Markings</td>
<td>$ 25,000</td>
</tr>
<tr>
<td>Curb &amp; Gutter Repairs</td>
<td>$ 25,000</td>
</tr>
<tr>
<td>Asphalt Street Overlays</td>
<td>$ 100,000</td>
</tr>
<tr>
<td>Concrete Street Repairs (Patching)</td>
<td>$ 100,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 600,000</strong></td>
</tr>
</tbody>
</table>

Again for your information, here is a short summary of each of the projects listed above;

Signal & Sign Improvements at the Middle, Northwest, & Soule Center Schools – based on a study completed in September 2007 by Tran Systems of Kansas City, Mo., traffic sign changes, installation of a Pedestrian Signal, and converting an existing Pedestrian Signal to a fully
functioning Traffic Signal may help with traffic flow and confusion around these three schools. Along with the improvements proposed on the City streets, the study outlined several projects that the School District needs to complete. Staff was approached late last year by the School District which stated they were scheduling their improvements this year. The City’s projects and School districts projects go hand in hand and both have to be completed to make each function properly. But, before we proceed with our projects we will get confirmation from the School District to ensure they are still proceeding with their projects.

“Poly Patch” Material Purchase – this material will be used to fill the major thermal cracks that are found in asphalt pavement in various locations around town. City crews will perform the actual installation of this material. The city has been evaluating a test section that was done several years ago and a section done last summer to see the effectiveness of the material. Other communities in the area have had success in using this material in the major thermal cracks in asphalt streets.

Sidewalk Construction/Repairs – this money would be divided between the Cost Share Program and sidewalk construction and repairs.

Traffic Signal Improvements/Repairs – staff will prioritize which intersections around town are in need of updating or major maintenance. If funds are available, we will also install traffic control cameras on a selected intersection.

Pavement Markings – this money will be allocated for contractor work for striping pavement markings on arterials or collector streets around town.

Curb & Gutter Repairs – this money will be allocated for contractor work for concrete street repair around town.

Asphalt Street Overlays - this project consists of adding 1 1/8” to 3” of asphalt to some of the more rural roadways in the city limits. Typically these roads do not have curb and gutter and are only a few inches thick. Many of these roads are starting to see an increase in traffic, cars and trucks, and to prolong their life additional thickness of asphalt is needed.

Concrete Street Repairs (Patching) – this money will be allocated for contractor work for concrete street repair around town.

This is staff’s recommendation for the 2009 Street Program. This program does not include any of the funding necessary for the projects associated with the Casino or Special Events Center that was outlined in the Capital Program Improvement Outline for 2009.

This is only a recommendation and Staff would be happy to make any additions, deletions, or changes to the program that you or the commission desire.
CALL TO ORDER

ROLL CALL

INVOCATION:  Reverend Wingett, First Baptist Church

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

CONSENT CALENDAR

1. Approval of City Commission Work Session minutes, February 2, 2009
2. Approval of City Commission Meeting minutes, February 2, 2009
3. Approval of City Commission Study Session Meeting minutes, February 9, 2009
4. Appropriation Ordinance No. 4, February 16, 2009
5. Right-of-Way Purchase for 14 Street

ORDINANCES & RESOLUTIONS

Resolution 2009-02: Southwest Kansas Coalition Management Resolution

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Grant for AARF Facility. Presented by Mike Klein, Superintendent of Public Works.

2. Approval of Bids for Reconstruction of 14th Street. Presented by Joe Finley, Director of Engineering Services.
3. Approval of Allocation of Alcohol and Drug Tax Funds. Presented by Nannette Pogue, City Clerk.

OTHER BUSINESS

ADJOURNMENT
CITY COMMISSION WORK SESSION MINUTES
City Commission Chambers
Monday, February 2, 2009   6:00 p.m.
MEETING #4744

CALL TO ORDER

ROLL CALL - Mayor Kent Smoll, Commissioners Monte Broeckelman, Rick Sowers, Jim Sherer and Brian Weber

WORK SESSION: Information on Media Campaign for Graffiti Program. Presented by Dr. Larry Corpus

ADJOURNMENT was had on a motion by Commissioner Sowers, seconded by Commissioner Sherer. Motion carried unanimously.
CITY COMMISSION MINUTES
City Commission Chambers
Monday, February 2, 2009  7:00 p.m.
MEETING #4745

CALL TO ORDER

ROLL CALL - Mayor Kent Smoll, Commissioners Monte Broeckelman, Rick Sowers, Jim Sherer and Brian Weber

INVOCATION: Reverend Wingett, First Baptist Church

PLEDGE OF ALLEGIANCE

PETITIONS & PROCLAMATIONS

National AMBUCS Month – Merle Kaufman spoke in behalf of Dodge City AMBUCS
Mayors Smoll thanked AMBUCS for the contribution that they make to the community.

CONSENT CALENDAR

1. Approval of City Commission Meeting minutes, January 20, 2009
2. Approval of Joint City/County Meeting minutes, January 26, 2009
3. Appropriation Ordinance No. 3, February 2, 2009
4. Approval of Sewer Service Contract for Ford County
5. Reject all Bids for Detective Vehicle Bid

Commissioner Weber moved to approve the Consent Calendar, seconded by Commissioner Sherer. The motion carried unanimously.

NEW BUSINESS

1. The following Boards and Commissions appointments were presented:

   Housing Authority Board – Duane Ross
   Library Board – Esther Abby, Larry Burke
   Airport Advisory Board – Richard Goodnough, Kerry Zimmerman, Dan Cammack, Jon Scheffing
   Dodge City Zoning Board – Emily Schultz, Steve Crane, Susanne Martinez
   Board of Zoning Appeals – Robert Durheim
   Building Board of Appeals – John O’Neal, Gordon Smith, Varae Norman
   Historic Landmark Commission – Charles Meade, Darleen Clifton-Smith, Don Pearce
Convention & Visitors Bureau – Austin Swift, Beth Rhoten  
Shade Tree Commission – Gail Ferguson, Jim Geis, Marilyn Treto  
Parks & Recreation Advisory Board – Barbara Lundin  
Golf Advisory Board – Rollie Van Whye  
Dodge City/Ford County Development Corporation Board of Directors – Brian Weber,  
Monte Broeckelman

Commissioner Sowers moved to approve, Commissioner Sherer seconded the Board and  
Commission appointments as presented. The motion carried unanimously.

2. A contract with Wilson & Company for Phase II Levy Certificates in an amount not to  
exceed $387,400 was approved on a motion by Commissioner Sowers, seconded by  
Commissioner Weber. The motion carried unanimously.

3. A previous motion related to the cost and location of an Events Center by Tom Martin  
made on November 19, 2001, was rescinded and to be of no further force and effect on a  
motion by Commissioner Sherer, seconded by Commissioner Sowers. The motion  
carried unanimously.

OTHER BUSINESS

Ken Strobel extended a thank you to the volunteer members of all the Boards and  
Commisions. He reported on a meeting with the Casino and related activities. The Global  
Entertainment team met today regarding the Dodge City Event Center. Reminder – Southwest  
Kansas Coalition meeting February 4th at Mariah Hills Golf Course. March 2 is Dodge City  
night in Topeka. Need to find a non meeting night to discuss some items.

Cherise Tieben reported Cavalier Restroom are nearly complete.

Joe Finley reported that Wyatt Earp Boulevard reconstruction has begun. Construction  
updates are on a hotline phone number and on the City of Dodge City website. The bid letting  
for 14th Street reconstruction was delayed for about a week.

Commissioner Weber talked about the positive excitement from the East end of the State  
about Dodge City.

Commissioner Sherer is excited about the building of the Events Center. He commented  
about the Railers who are a volunteer group manning the Depot train station. He attended the  
LKM board meeting and they are excited about what is going on in Dodge City. On June 11 and  
12 the LKM Board will be meeting in Dodge City.

Commission Sowers thanked FFAB and CFAB and Greg Starks for all the efforts in  
getting the Events Center in motion.

Mayor Smoll thanked Ken Strobel and Cherise Tieben for all their work on the Casino  
and Events Center activities.
Adjournment was had on a motion by Commissioner Broeckelman, seconded by Commissioner Weber. The motion carried unanimously.
CALL TO ORDER

ROLL CALL: Mayor Kent Smoll, Commissioners Rick Sowers, Monte Broeckelman, Jim Sherer, and Brian Weber

WORK SESSION

1. Discussion of Capital Improvement Projects
2. Discussion of City Owned Properties

ADJOURNMENT
Memorandum

To: Ken Strobel, City Manager
Cherise Tieben, Assistant Manager

From: Joseph E. Finley, P.E.  
Director of Engineering Services

Date: February 11, 2009

Subject: Payment for Right-of-way and Construction Easements 14th Street Reconstruction Project

BACKGROUND: With the exception of one parcel, the city only needed to acquire temporary construction easements for the 14th Street Reconstruction project. Many of the temporary easements were acquired through the work of staff. However, several owners would not settle and the City hired a professional company, LAI to acquire the remaining properties.

CURRENT CONSIDERATION: Three of the properties that the City hired LAI to acquire would not settle and the property was condemned. An additional property would not grant the temporary easement without monetary payment. As a part of the condemnation proceedings necessary to acquire the properties, the City must pay the court appointed appraisers for their services.

FINANCIAL CONSIDERATIONS: The following amounts have been awarded by the District Court of Ford County

- Hy Plains Shopping Center: $6,000.00
- First Assembly of God Church: $1,000.00
- Walgreens: $1,000.00
- Hitz Appraisal Service: $875.00
- Jay Don Reynolds: $875.00
- Frank Rose: $875.00

In addition, the City also agreed to pay the Howard Estate $1,000.00 for a temporary construction easement.

STAFF RECOMMENDATION: Staff would recommend payment of $8,000.00 to the District Court for settlement of the eminent domain proceedings, $2,625.00 to the court appointed appraisers, and $1000.00 to the Howard Estate. Should you have any questions, please let me know.
Memorandum

To: City Commission
From: Ken W. Strobel, City Manager
Date: February 13, 2009
Subject: Southwest Kansas Coalition Resolution

As you will recall, at the last Southwest Kansas Coalition meeting it was the consensus of the three cities that a resolution be presented to each of the governing bodies with a recommendation for approval. The enclosed resolution provides a procedure for processing and payment of expenses incurred by the coalition. By adoption of this resolution the Commission would be approving the procedure for payment of coalition expenses, as well as the payment by the City of $9,000.00 to be applied towards its share of the lobbying expenses for the current legislative session.

Staff recommends adoption of the resolution and the payment.
Southwest Kansas Coalition Management Resolution

Pursuant to the provisions of the Southwest Kansas Regional Cooperation Agreement and the Interlocal Agreement as approved by the Attorney General, each member City adopts this resolution for the purpose of establishing a procedure for payment of obligations incurred by the Coalition, including but not limited to compensation to Jennison Government Services ("Jennison") for services provided to the Coalition.

Each member City (the City of Garden City, Dodge City, and Liberal) shall forthwith issue a check in the amount of $9,000 payable to the Southwest Kansas Coalition, such check representing each City’s share of the estimated fees and expenses to be incurred pursuant to the Jennison agreement.

Upon receipt of the above checks, the Acting Secretary of the Coalition, shall deposit said check with the Western State Bank in Dodge City in an account entitled Southwest Kansas Coalition.

Upon receipt of invoices for approved expenditures, a copy of each invoice shall be provided to each City Manager who shall note thereon approval or disapproval for payment of said invoice. Upon receipt of approvals by all three City Manager’s, the
Acting Secretary shall issue a check for the approved invoice from the Southwest Kansas Coalition account in the amount reflected in the approved invoice.

All checks drawn on the Southwest Kansas Coalition account must be signed by a member, City Manager, and the Acting Secretary.

The foregoing procedure will be utilized for payment of Coalition obligations; provided however, the Acting Secretary and depository bank may change from time to time by action of the Executive Committee or the Coalition.

Approved by the parties on the date setforth below:

City of Dodge City

By: __________________________

Mayor

ATTEST: __________________________  Dated: __________________________

City Clerk
City of Garden City

By: __________________________

Mayor

ATTEST: ______________________  Dated: ____________________

City Clerk

City of Liberal

By: __________________________

Mayor

ATTEST: ______________________  Dated: ____________________
The Dodge City Regional Airport received notification from the Federal Aviation Administration to initiate action necessary to obtain bids for the new Aircraft Rescue & Fire Fighting Facility (ARFF). Two bids were received and opened on February 3, 2009. Bid tabulations and engineers recommendation is attached for your review.

Building Solutions, LLC
Dodge City, Kansas $ 1,561,254.00

AB Bradley Construction Co., Inc.
Shawnee, Kansas $ 1,747,000.00

Engineers Estimate
Burns and McDonnell
Kansas City, Missouri $ 1,791,743.00

The new facility will provide space for up to four full time fire fighters to perform emergency crash and rescue operations on the airfield. The manning of this facility will be based on future needs and FAA requirements, the facility will be unmanned at this time. The facility will be located north of the existing ARFF building and northeast of the T-Hangars. This site will provide direct access to all airfield pavements. The facility includes space for two apparatus bays, a control/alarm room, training and day room, equipment and storage areas and office space. The facility will be 103 foot by 50 foot, 5,250 sq. ft. The existing ARFF building will be utilized as a snow removal equipment facility. Site location and facility design are attached for your review.

The City of Dodge City has received from our airport consultant, Burns & McDonnell a construction phase services proposal for the aforementioned project. Their proposed not-to-exceed fee is $245,027. In complying with FAA procedures, the City obtained an independent cost analysis, (ICA) for this proposed scope of work from Kirkham Michael & Associates. This cost analysis was performed by Mr. Eric Johnson. Mr. Johnson’s analysis was based on Burns & McDonnell’s scope of work. His estimate was $ 239,754.34. The difference between the proposal and estimate is $ 5,272.66. This results in a
02% difference between the proposed fee and the ICA. The construction services fee will be included in the grant for the ARFF facility.

The grant application has been submitted to FAA for their approval with the following cost.

<table>
<thead>
<tr>
<th>Share Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Federal Share 95%</td>
<td>$ 1,719,102.00</td>
</tr>
<tr>
<td>Local Share 5%</td>
<td>$ 90,479.00</td>
</tr>
<tr>
<td>Total</td>
<td>$ 1,809,581.00 (figure includes $ 3300.00 admin fees)</td>
</tr>
</tbody>
</table>

Based on the bids received and construction services, it is staff’s recommendation to accept the bid from Building Solutions of Dodge City for a total amount of $ 1,561,254.00 and to accept the construction services agreement from Burns and McDonnell for a total amount of $ 245,027.00 for a total of $ 1,806,281.00. Funds are available in the CIP for the city’s match.

Contracts and bonds will be processed when the FAA Grant is received and forwarded to the City Commission for your ratification. This project is contingent on Congressional lease of funds.

**Aircraft Rescue and Fire Fighting Vehicle**

On December 15, 2008 the airport received notification from FAA to proceed with the development and bidding documentation for the procurement of a new 1500 gallon ARFF truck. The current ARFF vehicle 1,000 gallon capacity, does not meet the new Part 139 requirements, however, the vehicle will remain at the airport as a second ARFF truck. The grant application has been submitted to FAA for their approval with the following information.

<table>
<thead>
<tr>
<th>Share Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Federal Share 95%</td>
<td>$ 815,567.00</td>
</tr>
<tr>
<td>Local Share 5%</td>
<td>$ 42,925.00</td>
</tr>
<tr>
<td>Total</td>
<td>$ 858,492.00 (figure includes $ 500.00 admin fee)</td>
</tr>
</tbody>
</table>

Staff is recommending proceeding with the development and bidding process on a new 1500 gallon ARFF truck and to accept the professional engineering services agreement from Burns and McDonnell for a total of $ 16,500.00. When the bidding process is complete information will be brought back to the City Commission for your approval. This project is contingent on Congressional release of funds.

If you have any questions or need additional information, please contact my office.

cc: Airport Advisory Board  
    Mike Rottingham, Federal Aviation Administration  
    Dave Hadel, Burns & McDonnell
February 6, 2009

Mr. Mike Klein  
Airport Manager  
806 Second Avenue  
Dodge City, Kansas 67801

Engineer’s Recommendation for the Aircraft Rescue and Fire Fighting (ARFF) Facility  
at Dodge City Regional Airport  
AIP No. 3-20-0017-21  
B&McD No. 49157

Dear Mr. Klein:

Burns & McDonnell has tabulated and reviewed the bids received for the Aircraft Rescue and Fire Fighting (ARFF) Facility project. The table below provides a summary of the bid analysis. A detailed tabulation summary is enclosed herein.

<table>
<thead>
<tr>
<th>Bidders/Engineer</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burns &amp; McDonnell</td>
<td>$1,791,743.00</td>
</tr>
<tr>
<td>AB Bradley Construction Co., Inc.</td>
<td>$1,747,000.00</td>
</tr>
<tr>
<td>Building Solutions, LLC</td>
<td>$1,561,254.00</td>
</tr>
</tbody>
</table>

There were no discrepancies between any of the tabulated bid values and the submitted bid values for Building Solutions; AB Bradley did not provide the tabulated bid values, only a total value. As a part of our bid review process, Burns & McDonnell performed further analysis to verify the validity of each proposal. Details of these evaluations are described herein as follows:

Bid Tabulation: Building Solutions’ proposal values match the tabulated values calculated by Burns & McDonnell. AB Bradley did not provide a tabulated value, only a total value, therefore no evaluation of their individual line items could be performed.

DBE Participation: Neither of the bidders provided any DBE participation with their Bid. However, Building Solutions provided extensive proof that they made a good faith effort to procure DBE participation. Therefore, both did not meet the project goal of 4%.

Building Solutions’ proposal included a list of sixteen DBE’s that were contacted by phone but did not respond or chose not to participate. Building Solutions also placed advertisements in three local newspapers soliciting DBE participation. AB Bradley did not provide any documentation as to their solicitation of DBE participation.
Mr. Mike Klein  
February 6, 2009  
Page 2

In addition, Burns & McDonnell performed a review of Appendix A to (49 CFR) Part 26 – Guidance Concerning Good Faith Efforts, paragraphs IV and V and compared the information provided by Building Solutions and AB Bradley. Our review evaluated the following:

**Paragraph IV.A:** Soliciting through all reasonable and available means (e.g. attendance at the pre-bid meetings, advertising and/or written notices) the interest of all certified DBEs who have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.  
*BMcD Opinion: Building Solutions attended the prebid meeting; AB Bradley did not. Building Solutions did initiate contact of sixteen potential DBEs as evidenced from the detailed list provided in their Bid, including sending copies of the plans and specifications. AB Bradley did not provide any information supporting steps performed to solicit DBE participation.*

**Paragraph IV.B:** Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own forces.  
*BMcD Opinion: Since neither Bidder was able to procure DBE participation, this paragraph does not apply.*

**Paragraph IV.C:** Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.  
*BMcD Opinion: The plans and specifications provided by Building Solutions to potential DBEs were sent in a timely manner. Furthermore, the applicable documents could have been provided to the DBEs when they responded to Building Solutions as being interested in the work items identified. AB Bradley did not provide any proof or notice that they sent any documents to any potential DBE participants.*

**Paragraph IV.H:** Effectively using the services of available minority/women community organizations; minority/women contractors’ groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.  
*BMcD Opinion: Building Solutions stated in their bid that they contacted an Alaskan Native Corporation 8(a) firm to assist in recruiting DBE participation at the State and Federal level. Again, AB Bradley provided no proof of any attempts at procuring DBE participation.*
Mr. Mike Klein  
February 6, 2009  
Page 3

Paragraph V: In determining whether a bidder has made good faith efforts, you may take into account the performance of other bidders in meeting the contract. For example, when the apparent successful bidder fails to meet the contract goal, but others meet it, you may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful bidder could have met the goal. If the apparent successful bidder fails to meet the goal, but meets or exceeds the average DBE participation obtained by other bidders, you may view this, in conjunction with other factors, as evidence of the apparent successful bidder having made good faith efforts.

BMcD Opinion: Neither of the Bidders met the DBE requirement established for this project, but at least Building Solutions provided evidence that they attempted to do so.

In review of all of the information considered, Building Solutions is the apparent low Bidder. It is our opinion that they did meet the “Good Faith Effort” criteria identified in Appendix A of 49 CFR Part 26, Guidance Concerning Good Faith Efforts. Therefore, Burns & McDonnell’s recommendation is for the acceptance of Building Solutions for the proposed and tabulated confirmed value of $1,561,254.00 for the Base Bid.

I trust this information is sufficient for your purposes. If you should have any additional questions or comments regarding this information, please contact me at 816-822-3927.

Sincerely,

Charles E. Loudon, RA, LEED® AP, DBIA  
Project Manager  
Burns & McDonnell

encl  
cc    M. Rottinghaus, FAA  
      D. Hadel, BMcD

49157 eng bid recomend ARFF 3feb09.doc
<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>SPEC. NO.</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>ESTIMATED QUANTITY</th>
<th>BURNS &amp; MCDONNELL</th>
<th>AB BRADLEY CONSTRUCTION</th>
<th>BUILDING SOLUTIONS</th>
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<tr>
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<td>CRUSHED AGGREGATE BASE COURSE (0&quot;)</td>
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<td>8</td>
<td>P-301-6.1a</td>
<td>PORTLAND CEMENT CONCRETE PAVEMENT (3&quot;)</td>
<td>LF</td>
<td>3,740</td>
<td>$1,740</td>
<td>$6,507</td>
<td>$1,240</td>
</tr>
<tr>
<td>9</td>
<td>P-405-5.1</td>
<td>JOINT SEALING FILLER</td>
<td>GAL</td>
<td>250</td>
<td>$2,970</td>
<td>$5,256</td>
<td>$2,440</td>
</tr>
<tr>
<td>10</td>
<td>P-609-5.1</td>
<td>SEALCOAT MATERIAL</td>
<td>SF</td>
<td>60</td>
<td>$7,232</td>
<td>$433,800</td>
<td>$3,278</td>
</tr>
<tr>
<td>11</td>
<td>P-620-5.1-1</td>
<td>PARKING LOT PAINTING</td>
<td>SF</td>
<td>144</td>
<td>$3,350</td>
<td>$482,454</td>
<td>$2,340</td>
</tr>
<tr>
<td>12</td>
<td>P-620-5.2-1</td>
<td>TAXWAY PAINTING</td>
<td>LF</td>
<td>36</td>
<td>$104,097</td>
<td>$3,747,24</td>
<td>$50,760</td>
</tr>
<tr>
<td>13</td>
<td>D-701-5.1</td>
<td>10-1/2 INCH REINFORCED CONCRETE PIPE</td>
<td>LF</td>
<td>3</td>
<td>$1,674,00</td>
<td>$3,944,00</td>
<td>$1,674,00</td>
</tr>
<tr>
<td>14</td>
<td>D-701-5.2</td>
<td>12-INCH REINFORCED CONCRETE FLARED END SECTION WITH RIPRA</td>
<td>EA</td>
<td>2</td>
<td>$201,371</td>
<td>$1,802,74</td>
<td>$7,560.00</td>
</tr>
<tr>
<td>15</td>
<td>D-701-5.3</td>
<td>SEPTIC SYSTEM WITH LEACH FIELD</td>
<td>EA</td>
<td>1</td>
<td>$8,459,00</td>
<td>$5,437,00</td>
<td>$8,459.00</td>
</tr>
<tr>
<td>16</td>
<td>D-701-5.4</td>
<td>DOMESTIC WATER MAIN SYSTEM (2&quot;)</td>
<td>LS</td>
<td>1</td>
<td>$16,977,00</td>
<td>$16,977</td>
<td>$30,012.00</td>
</tr>
<tr>
<td>17</td>
<td>D-701-5.5</td>
<td>FIRE MAIN WATER SYSTEM (6&quot;)</td>
<td>LS</td>
<td>1</td>
<td>$13,396,00</td>
<td>$13,396</td>
<td>$16,200.00</td>
</tr>
<tr>
<td>18</td>
<td>D-701-5.6</td>
<td>GAS MAIN SYSTEM (2&quot;)</td>
<td>EA</td>
<td>4</td>
<td>$16,940,00</td>
<td>$5,560</td>
<td>$1,911.00</td>
</tr>
<tr>
<td>19</td>
<td>D-701-5.7</td>
<td>ROOF DRAIN (6&quot;)</td>
<td>EA</td>
<td>1</td>
<td>$72,780</td>
<td>$72,780</td>
<td>$17,231.00</td>
</tr>
<tr>
<td>20</td>
<td>L-125-5.1</td>
<td>L-656 GUIDANCE SIGN, SIZE 1, STYLE 2/3, CLASS 2, 1 PANEL</td>
<td>EA</td>
<td>1</td>
<td>$2,646,87</td>
<td>$6,691,74</td>
<td>$3,737.00</td>
</tr>
<tr>
<td>21</td>
<td>T-901-5.1</td>
<td>SEEDING</td>
<td>AC</td>
<td>2</td>
<td>$1,897,25</td>
<td>$3,784.50</td>
<td>$7,474.00</td>
</tr>
<tr>
<td>22</td>
<td>T-308-5.1</td>
<td>Mulching</td>
<td>LS</td>
<td>1</td>
<td>$1,284,780.28</td>
<td>$1,284,780.28</td>
<td>$1,284,780.28</td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
<td>LS</td>
<td>1</td>
<td>$500.00</td>
<td>$500</td>
<td>$324.00</td>
</tr>
</tbody>
</table>

**TOTAL COST**

BMC: $1,791,742.00

AB Bradley Total: $1,747,003.00

Building Solutions Total: $1,561,254.00
Memorandum

To: City Commission  
    Ken Strobel, City Manager  
    Cherise Tieben, Assistant City Manager

From: Joseph E. Finley, P.E.  
       Director of Engineering Services

Date: February 10, 2009

Subject: ST0508 14th Street Reconstruction  
          Comanche to US-50

Attachment: Bid Tabulation

BACKGROUND: In 2005 the city commission funded and directed staff to complete Phase II of the 14th Street Reconstruction. Due to several changes in commission and their vision, the project went through several design revisions. The final design will have a continuous left turning lane and a dedicated right turn lane into Wal-Mart using Burkhard Road. In addition, sidewalk will be installed along the project and a pedestrian crosswalk light at the south entrance of DCCC.

FINANCIAL CONSIDERATION: The Engineering Department accepted bids from the following contractors

<table>
<thead>
<tr>
<th>Contractors</th>
<th>Bid Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pavers Inc., Salina, KS</td>
<td>$3,179,197.00</td>
</tr>
<tr>
<td>JAG Construction, Dodge City, KS</td>
<td>$3,429,652.25</td>
</tr>
<tr>
<td>Klaver Construction Inc., Kingman, KS</td>
<td>$3,530,960.51</td>
</tr>
<tr>
<td>Smokey Hill, Salina, KS</td>
<td>$3,811,210.95</td>
</tr>
</tbody>
</table>

The Engineer’s Estimate for the project was $4,735,974.50

RECOMMENDATION: Staff would recommend approval for this work with Pavers Inc. in the amount of $3,179,197.00. The contractor anticipates starting work on March 15, 2009. They would have 300 calendar days in which to complete the work. Work would be completed by January 10, 2010

Should you have any questions or need further information, please let me know.
February 5, 2009

MEMO

TO: Ken Strobel, City Manager
    Cherise Tieben, Assistant City Manager

FROM: Nannette Pogue, Finance Director/City Clerk

SUBJECT: Recommendation for 2009 Special Alcohol and Drug Funds

The City of Dodge City receives a portion of the alcohol and drug tax that is collected in the community. That tax is allocated 1/3 to the General Fund, 1/3 to a Special Park and Recreation Fund and 1/3 to a Special Alcohol and Drug Fund. This allocation is spelled out in the Kansas State Statutes. The amount deposited into the Special Alcohol and Drug fund are to be used for “the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers”. In order to accomplish this, we take applications from agencies/programs that provide those services. A committee of 3 individuals reviewed the applications and made a recommendation on the allocation of these funds. The 3 people serving on the committee were Bob Lancaster, Luanne Menard and Vickie Williamson. I was the coordinator and facilitator. There is approximately $65,000 to be allocated for these programs. In addition to the $65,000, two City programs, Dare and JUDGE (Underage Drinking Enforcement Program), are also funded by this fund. JUDGE will be funded approximately $15,740 from these funds and DARE approximately $8,300 for a total of $24,040 for these two programs. The applications received, the amount applied for and the recommended allocation is:

<table>
<thead>
<tr>
<th>Agency/Program</th>
<th>Specific Program</th>
<th>Amount Applied For</th>
<th>Amount Recommended</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friends of Recovery</td>
<td>Oxford Houses in Dodge City - Aftercare</td>
<td>$10,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>Catholic Social Services</td>
<td>Drug and Alcohol Evaluations and Assessments</td>
<td>$9,000</td>
<td>$9,000</td>
</tr>
<tr>
<td>New Chance</td>
<td>Alcohol &amp; addiction services including prevention,</td>
<td>$37,500</td>
<td>$37,500</td>
</tr>
<tr>
<td></td>
<td>Education, detoxification and treatment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dodge City Public Library</td>
<td>Provide public w/ video &amp; book materials revealing</td>
<td>$1,997.57</td>
<td>$0</td>
</tr>
<tr>
<td>Area Mental Health</td>
<td>Integrated dual diagnosis treatment for severe mental illness and drug and alcohol programs</td>
<td>$114,816</td>
<td>$15,500</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>16&lt;sup&gt;th&lt;/sup&gt; Juvenile District Services-Gray County</td>
<td>Delinquency Prevention Services</td>
<td>$31,120</td>
<td>$ 0</td>
</tr>
<tr>
<td>CASA - Children Worth Saving, Inc.</td>
<td>A voice for children in Court</td>
<td>$8,149.64</td>
<td>$ 0</td>
</tr>
</tbody>
</table>

The Committee met and reviewed the applications. The recommendations for funding were for those programs that clearly met the guidelines of the statutes for treatment, prevention and education and were a direct service for these issues. While all of the applications described a very worthy program and one that the community needs, the committee felt that the services weren’t a direct service for drug and alcohol issues, but more on the fringe. For these programs the recommendation was not to fund them with these monies.

The City Commission has approved the allocation in the past. I would like to take the recommendation to them at the next City Commission meeting.

I would be happy to supply more detail about the applications, programs or thought process behind the recommendations. If you need further information, please let me know.