

CITY OF HAYS COMMISSION MEETING
THURSDAY, DECEMBER 10, 2015 – 6:30 P.M.
AGENDA

1. Call to order by Chairperson.
2. **MINUTES**: Consider approval of the minutes from the regular meeting held on November 24, 2015. (PAGE 1)
3. **CITIZEN COMMENTS**: (non-agenda items).
4. **PARAGUAY TRIP PRESENTATION**: Receive a presentation by Max Maximov, member of the Sister Cities Advisory Board, in regard to his trip to Paraguay. (PAGE 11)
5. **CONSENT AGENDA**: (Items to be approved by the Commission in one motion, unless objections are raised).
 - A. **Cereal Malt Beverage License Applications**: Consider approving various Cereal Malt Beverage License renewals for 2016. (PAGE 13)
 - B. **Mayoral Appointment for Approval**: Hays Convention and Visitors Bureau Advisory Committee (PAGE 15)
 - C. **Mayoral Appointment Recommendation**: Northwest Kansas Community Corrections Board (PAGE 17)

UNFINISHED BUSINESS

(No business to review)

NEW BUSINESS

6. **PHASE I AGREEMENT WITH CDM SMITH FOR DESIGN-BUILD SERVICES AT THE WASTEWATER FACILITY**: Consider authorizing the City Manager to sign a contract with CDM Smith for Phase 1 Design-build Services at the Wastewater facility with the cost to be reimbursed to the City from the SRF loan from the Kansas Department of Health and Environment. (PAGE 19)
7. **PROFESSIONAL SERVICES AGREEMENT WITH BURNS AND MCDONNELL FOR AIRPORT SNOW REMOVAL EQUIPMENT PROCUREMENT**: Consider authorizing the City Manager to execute Work Authorization No. 9 with Burns and McDonnell to provide professional engineering services in the procurement of snow removal equipment for the Hays Regional Airport with the City share to be funded out of the New Equipment Reserve Fund. (PAGE 29)
8. **REPORT OF THE CITY MANAGER**
9. **COMMISSION INQUIRIES AND COMMENTS**
10. **EXECUTIVE SESSION (IF REQUIRED)**

11. **ADJOURNMENT**

ANY PERSON WITH A DISABILITY NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT THE CITY MANAGER'S OFFICE 48 HOURS PRIOR TO THE SCHEDULED MEETING TIME. EVERY ATTEMPT WILL BE MADE TO ACCOMMODATE ANY REQUESTS FOR ASSISTANCE.

MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF HAYS, KANSAS
HELD ON NOVEMBER 24, 2015

1. CALL TO ORDER BY CHAIRMAN: The Governing Body of the City of Hays, Kansas met in regular session on Tuesday, November 24, 2015 at 6:30 p.m.

Roll Call: Present: Eber Phelps
Shaun Musil
James Meier
Lance Jones

Absent: Henry Schwaller IV

Chairperson Phelps declared that a quorum was present and called the meeting to order.

2. MINUTES: There were no corrections or additions to the minutes of the regular session held on November 12, 2015.

James Meier moved, Shaun Musil seconded, to approve the minutes as presented.

Vote: Ayes: Eber Phelps
Shaun Musil
James Meier
Lance Jones

3. FINANCIAL STATEMENT: Finance Director, Kim Rupp, presented the financial summaries of the revenue and expenditure activities of the City of Hays for the month ended October 31, 2015. Month-to-date general fund sales tax collections were at \$595,156 which is a decrease of \$48,417 as compared to last year. Year-to-date general fund collections are at \$6,219,044, up \$93,935 or 1.53%.

The Finance/City Clerk's Office invested \$6,900,000 of maturing or renewing certificates with a weighted average interest rate of .41%. The portfolio of certificates of deposit on October 31, 2015 totaled \$54,600,000 with a

weighted average interest rate of .30%. The total balance of the Money Market account on October 31, 2015 was \$1,000,000 with a current yield of .20%. Total investments are up \$1,200,000 when compared to this time last year.

Shaun Musil moved, Lance Jones seconded, that the Financial Statement for the month of October, 2015 be approved.

Vote: Ayes: Eber Phelps
Shaun Musil
James Meier
Lance Jones

4. CITIZEN COMMENTS: There were no comments.

5. CONSENT AGENDA: The following proposed mayoral appointment was presented for approval:

Hays Convention and Visitors Bureau Advisory Committee

Vil Bhakta (Hotel Rep) – unexpired term to expire December 1, 2016 (1st term)

The following proposed appointment will be presented for approval at the December 10, 2015 City Commission meeting:

Hays Convention and Visitors Bureau Advisory Committee

Reese Barrick (Sternberg Museum) – three year term to expire December 1, 2018 (3rd term)

Shaun Musil moved, Lance Jones seconded, to approve the consent agenda.

Vote: Ayes: Eber Phelps
Shaun Musil
James Meier
Lance Jones

NEW BUSINESS

6. REZONING OF PROPOSED BLUE SKY ACRES ADDITION FROM AGRICULTURAL (A-L) TO RESIDENTIAL SUBURBAN DISTRICT (R-S): The

owner of the proposed Blue Sky Acres, a proposed subdivision of six large

residential lots, has submitted a request to rezone the property from A-L (Agricultural District) to R-S (Residential Suburban District). Many concerns have been raised about this possible development. A public hearing was conducted on October 19, 2015 at the regular meeting of the Planning Commission. Several adjacent property owners spoke in opposition to this rezoning request and mostly had concerns of water, stormwater drainage, and road/access issues. After much discussion and debate, the rezoning request was denied by a vote of 6-1 and a recommendation was made by the Planning Commission to the City Commission to deny the rezoning, primarily due to the request not being in line with the Comprehensive Plan.

Jesse Rohr, Planning Inspection Enforcement Superintendent, discussed with the Commissioners the concerns that were presented at the Public Hearing during the Planning Commission meeting. Some of those concerns include; no public water available at this time, ongoing maintenance of additional county roads, and adequate structure fire protection is not available. In accordance with the Comprehensive Plan and sound planning practices, hamlet/ranchette developments of this style are to be avoided. In addition to the previously mentioned reasons, the City of Hays should not allow its limits to be surrounded with these types of developments as it is very difficult and expensive to incorporate them into the City in the future.

Mr. Rohr explained the City Commission has the following options; to deny the rezoning request from A-L to R-S as recommended by the Planning Commission and City staff, to send the request back to the Planning Commission for further consideration with specific basis for further review, or to approve the rezoning request from A-L to R-S which would require a 2/3 majority vote to overturn the Planning Commission's recommendation.

Mary Alice Unrein, the owner of the proposed development, spoke to the Commissioners and presented them with a packet of information she had gathered from research she has done regarding the land she wants to develop. She presented solutions to some of the problems stating the residents can drill water wells and the roads will be maintained by the Homeowners Association

according to the County specifications. She also stated this is not a new development it is an addition. She asked that the Commissioners postpone the vote to allow them time to review the information she presented.

Chairperson Phelps stated the City has a Comprehensive Land Use Plan in place and this proposal does not fit that plan. He was also concerned with the precedence this may set because several other property owners have been denied access to our water and sewer system that are adjacent to Hays.

Commissioner Musil stated Mr. Rohr is following the policy we have set in the Comprehensive Plan.

City Manager Toby Dougherty stated the Commissioners have a duty to make land use decisions that are going to have 60, 70, 80, 90 year ramifications. The reason the state statutes give the cities the ability to enact zoning and subdivision decisions outside the city limits is they know cities are going to grow and they want to make sure the cities have the ability to manage the growth in that area. The comprehensive plan states growth should be contiguous to the City so utilities can be easily extended and it can grow in a manner that fits the rest of the City.

Commissioner Jones stated he does not see this as a new development, but as an extension to a development that is already there. It appears the City is growing north not south and right now we have a land owner that wants to put in private roads maintained by the home owners, use private wells or rural water, and use a septic system not the city sewer system. He is in favor of the proposed area.

Commissioner Meier stated he does not feel it is his place to approve or deny this proposal given the distance the area is from the city limits. He understands the concerns the other homeowners may have with additional wells being drilled in that area.

Shaun Musil moved, Eber Phelps seconded, to deny the request for rezoning of the proposed Blue Sky Acres from A-L to R-S.

Commissioner Jones commented he supports the Strong Towns philosophy and agrees that we should keep smaller lots in the city limits, but if

you want to live on a larger lot you should do so around an existing development like this. He feels the homeowners should have the right to do this.

Commissioner Meier asked if the developer had discussed with the property owner on the north lot the location of the entry way if he would be concerned about adding traffic to that private drive.

Mrs. Unrein stated there is a 60 foot public road coming all the way in off of the highway. She said some people drive anywhere they want to, but when she maintains that road it will have ditches like the county roads and will make sure it is a public road crossing no ones property.

Brian Church, the property owner of the north most lot of the existing development, is concerned that the drive appears to cross his property line. With the current traffic load it is not a problem with everyone going south, but with the proposed additional homes to the west he is concerned that the way the road is located someone may drive into his house.

Vote: Ayes: Eber Phelps

Shaun Musil

No: James Meier

Lance Jones

City Attorney, John Bird, stated it requires three votes to pass. The options are to pass it, send it back to the Planning Commission, or override the Planning Commission's recommendation by a vote of two-thirds of the Commission, but with the missing Commissioner, it would take a unanimous vote to approve it. To override the planning commission it takes a 3-1 vote to approve what the planning commission is recommending. He suggested to either table the vote until Commissioner Schwaller is present or consider amending the motion and send it back to the Planning Commission with reasons to reconsider it.

The next meeting of the Planning Commission is December 21, 2015.

Lance Jones moved, James Meier seconded, to send this request back to the Planning Commission for review of the information presented.

Vote: Ayes: Eber Phelps
James Meier
Lance Jones
No: Shaun Musil

7. REZONING OF 1517 COMMERCE PARKWAY FROM AGRICULTURAL (A-L) TO LIGHT INDUSTRIAL DISTRICT (I-1):

The owner of the property at 1517 Commerce Parkway has submitted a request to rezone the property from (A-L) Agricultural District to (I-1) Light Industrial District. A public hearing was conducted on October 19, 2015 at the regular meeting of the Planning Commission and it was recommended by a vote of 7-0 that the rezoning be approved. The zoning change from A-L to I-1 would allow the owners to use the property for other commercial ventures that are not currently allowed in the A-L district. Staff, as well as the Planning Commission, recommends approving this rezoning request from A-L to I-1 as submitted to encourage redevelopment of this property and allow for more uses than those allowed in the A-L district.

Eber Phelps moved, Shaun Musil seconded, to approve Ordinance No. 3912 annexing 1517 Commerce Parkway to the City of Hays, Kansas.

Discussion was held as to why the entire property, including the home, would not be annexed at the same time.

City Manager, Toby Dougherty, stated staff did not see any benefit to preemptively annex the entire property when they were only requesting annexation of the portion described.

Jesse Rohr, PIE Superintendent clarified that the rezoning of 1517 Commerce Parkway is the first item on the agenda to be voted on.

Eber Phelps moved, Shaun Musil seconded, to approve Ordinance No. 3911 rezoning the property of 1517 Commerce Parkway from A-L to I-1.

Vote: Ayes: Eber Phelps
Shaun Musil
James Meier
Lance Jones

8. ANNEXATION OF 1517 COMMERCE PARKWAY: The current owners of the property at 1517 Commerce Parkway have submitted a signed consent to annex the property under K.S.A. 12-520a and desire the annexation to allow for development of the property, including connection to City utilities. The land is contiguous with the present City limits. Staff recommends annexing this property due to its contiguous nature and the immediate availability of City services necessary to serve this property.

Lance Jones moved, James Meier seconded, to approve Ordinance No. 3912 annexing 1517 Commerce Parkway to the City of Hays, Kansas.

Vote: Ayes: Eber Phelps
Shaun Musil
James Meier
Lance Jones

The original motion made by Mayor Phelps to approve Ordinance No. 3912 annexing 1517 Commerce Parkway to the City of Hays was withdrawn.

9. WATER RATE ADJUSTMENT – ORDINANCES: Springsted Inc. was contracted to conduct a comprehensive study to determine the rate increases needed in the water fund to support future anticipated operating and maintenance expenditures, debt service, capital improvements, replacements and cash reserves. The result of the study was a recommendation that the monthly water base and volumetric user rates, conservation tiers, taps and connection fees all be increased 17% January 1, 2016 and 3% annually thereafter. This change requires modification to four sections of the City of Hays Municipal Code.

At the November 19, 2015 Work Session, Commissioners discussed different scenarios adjusting the percent of increase over the years and asked staff to bring back other options for consideration. There was concern expressed with the effect the 17% rate increase would have on those on a fixed income.

Finance Director, Kim Rupp, presented several water rate adjustment plans to the Commissioners. The fourth option suggested by Commissioner Meier, called for the fees, rates, costs and service charges to be modified by

increasing them by 10% in 2016 and 2017, 5% in 2018 and 2019, and 3% in 2020 and 2021 and continuing until the Governing Body, by resolution, determines otherwise. Mr. Rupp stated this allows for a more steady increase, yet affords a slightly lower rate at the end of the increases.

Johnny O'Connor, Director of Public Works, presented the Commissioners with information on various projects and infrastructure repairs that will be necessary in the coming years.

James Meier moved, Shaun Musil seconded, to approve Ordinance No. 3913, 3914, 3915, and 3916 as presented.

Commissioner Musil asked Mr. Rupp to clarify what the one-half cent sales tax for water that was passed in the 1990's could be used for.

Mr. Rupp replied the one-half cent sales tax can be used for water exploration, infrastructure to bring the water here, and any legal fees associated with that; but it can not be used for normal infrastructure maintenance, repair or operations not related to a new water source.

Commissioner Meier commented that we need to keep in mind that this is a utility and the people that are using the utility should be the ones paying for the utility.

Commissioner Jones stated he appreciates the discussion that brought about the 4th plan which is much better for the customers and also makes the water utility self sustainable.

Vote: Ayes: Eber Phelps
Shaun Musil
James Meier
Lance Jones

10. WATER RATE ADJUSTMENT – RESOLUTION: Lance Jones moved, James Meier seconded, to approve Resolution No. 2015-024 modifying the costs, meter rates, service charges and fees in the City of Hays, Kansas using the 4th plan proposed.

Vote: Ayes: Eber Phelps
Shaun Musil
James Meier
Lance Jones

11. REPORT OF THE CITY MANAGER: The City Manager had no additional items to report on.

Shane Scranton, City Manager Office Intern, presented a monthly report of city-related activities, services, and programs.

12. COMMISSION INQUIRIES AND COMMENTS: Chairperson Phelps reminded everyone of the tree lighting ceremony at the Union Pacific Park on Saturday November 28, 2015 at 6:00.

The meeting was adjourned at 8:39 p.m.

Submitted by: _____

Brenda Kitchen – City Clerk

CITY OF HAYS
AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 4

MEETING DATE: 12-10-15

TOPIC:

Paraguay Trip Presentation

ACTION REQUESTED:

Receive a presentation by Sister Cities Advisory Board member Max Maximov in regard to his trip to Paraguay.

NARRATIVE:

N/A

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Max Maximov, Sister Cities Advisory Board Member

ADMINISTRATION RECOMMENDATION:

N/A

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

None

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 5A

MEETING DATE: 12-10-15

TOPIC:

Cereal Malt Beverage License Applications

ACTION REQUESTED:

Approve the Cereal Malt Beverage License renewals for 2016.

NARRATIVE:

Per Charter Ordinance No.10, it is required for any person selling cereal malt beverages at retail in the City of Hays to secure a license for each place of business.

Attached is a list of businesses requesting renewal of their CMB licenses for 2016. All have met the required criteria for renewal.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Kim Rupp, Director of Finance

ADMINISTRATION RECOMMENDATION:

Approve the Cereal Malt Beverage License renewals for 2015.

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Cereal Malt Beverage License Renewals List

BEER LICENSE NEW AND RENEWALS

Business Name

Business Location

Class A - General Retailer

For Consumption on Premises Only

Business Name

Wild West Fest Saloon
China Garden

Business Location

Municipal Park 4th and Main
2503 Vine Street

For Consumption on Premises Only - Sunday Sales Allowed

Business Name

Pizza Hut
Lucky Hays Inc
Qdoba
Hays Baseball Association
Taco Shop

Business Location

1308 Vine St
2405 Vine Street
3310 Vine St Ste 40
200 E. 4th Street
333 West 8th Street

Class B - Limited Retailer

For Sale in Original and Unopened Containers and Not for Consumption on Premises

Business Name

Dillon Store #14
Cerv's Conoco
Dillon Store #61
Tiger Mart / CX Smokeshop
Walgreens #06285
Main Street Express
Casey's Retail Company
Valero / Golden Ox Truck Stop
IC 66 Division of Cerv's LLC
Kwik Shop, Inc # 759
Love's Country Store #44
Casey's Retail Company
Qwest Fuel Convenience Store
Cerv's Conoco
Southside Convenience
Downtown Hays Development Corp.
Wal-Mart Supercenter #0664

Business Location

517 W. 27th Street
2701 Vine Street
1902 Vine Street
335 W 8th St
2600 Vine Street
1601 Main
1600 East 27th Street
3610 Vine Street PO Box 772
3701 Vine Street
1301 Vine Street
2500 Vine Street
1301 Canterbury Drive
1000 East 41st Street
2722 Hall Street
703 Vine Street
Municipal Park/Shelter House
4301 Vine Street

Class B - One day License

For Consumption on Premises Only

Business Name

Oktoberfest / Volga German Society

Business Location

Municipal Park

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 5B

MEETING DATE: 12-10-15

TOPIC:

Mayoral Appointment for Approval

ACTION REQUESTED:

Consider approving Mayor Phelps' proposed appointment to the Hays Convention and Visitors Bureau Advisory Committee.

NARRATIVE:

The following appointment was recommended at the November 24, 2015 City Commission meeting and is now being presented for approval.

Hays Convention and Visitors Bureau Advisory Committee

Reese Barrick (Sternberg Museum) – 3-year term to expire 12-1-18 (3rd term)

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mayor Phelps

ADMINISTRATION RECOMMENDATION:

N/A

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Application

NOV 10 2015

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

NAME: Reese Barrick
ADDRESS: 1508 Honey Drive
DAY TIME PHONE NUMBER: (785) 628-5664 EVENING PHONE NUMBER: (785) 498-9202
E-MAIL ADDRESS: reese.barrick@gmail.com
PLACE OF EMPLOYMENT: FHSU Sternberg Museum
HOW LONG HAVE YOU BEEN A RESIDENT OF HAYS? 6 yrs
NAME OF BOARD(S) YOU ARE INTERESTED IN SERVING ON: CUR

HOW MUCH TIME COULD YOU DEVOTE PER MONTH? 2-4 hrs

ARE YOU RELATED TO ANYONE WHO IS CURRENTLY SERVING ON A BOARD/COMMITTEE? NO

IF YES, EXPLAIN: _____

BRIEFLY DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMITTEE FOR THE CITY OF HAYS

As director of the Sternberg, I am keenly interested in helping make Hays a destination for travelers and tourists

PLEASE LIST ANY GROUPS OR ACTIVITIES THAT YOU PARTICIPATE IN, OR HAVE PREVIOUSLY PARTICIPATED IN, THAT DEMONSTRATE YOUR INVOLVEMENT IN THE COMMUNITY.

Rec softball, Hays Art Walks, FHSU Encore, sports

SIGNATURE: Reese E. Barrick DATE: 11/6/15

Thank you for your interest in serving on a Board/Commission. It is rewarding to see individuals who are willing and able to commit their time and energy to make the City of Hays a better place to work, live and play.

CITY OF HAYS
AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 5C

MEETING DATE: 12-10-15

TOPIC:

Mayoral Appointment Recommendation

ACTION REQUESTED:

Receive Mayor Phelps' proposed appointment to the Northwest Kansas Community Corrections Board.

NARRATIVE:

The following proposed appointment will be presented for approval at the December 22, 2015 City Commission meeting.

Northwest Kansas Community Corrections Board

Marcia Tacha – 2-year term to expire 11-1-17 (2nd term)

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mayor Phelps

ADMINISTRATION RECOMMENDATION:

N/A

COMMITTEE RECOMMENDATION(S):

N/A

ATTACHMENTS:

Application Received for this Board

CITY OF HAYS
APPLICATION FOR SERVING ON A CITY BOARD OR COMMITTEE

Email: mtacha@fhsu.edu

Date: 12/4/2015

Name: Marcia Tacha

Address: 524 W. 16th St.

Day Time Phone Number: 628-4206

Evening Phone Number: 650-7296

Place of Employment: Fort Hays State University

How long have you been a Resident of Hays: I have lived in the city of Hays for just over 5 years, but I have been a resident of Ellis County since September 2004.

Name of Board(s) you are interested in serving on: Northwest Kansas Community Corrections Board

How much time could you devote per month: 4 hours

Are you related to anyone who is currently serving on a Board/Committee?: No

If Yes, Explain:

Briefly describe why you are interested in serving on a Board/Committee for the City of Hays: I have a bachelor's degree in criminal justice, and I believe I would be an asset to this board due to my degree and 20 years' experience in working with the Kansas court system.

Please list any groups or activities that you participate in, or have previously participated in, that demonstrates your involvement in the community: I am currently serving on this board as well as the Hays Beautification Committee. I am also the president of the University Support Staff Senate at FHSU and sit on other numerous university committees.

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 6

MEETING DATE: 12-10-15

TOPIC:

Phase I Agreement with CDM Smith for Design-build Services at Wastewater Facility

ACTION REQUESTED:

Authorize the City Manager to sign a contract with CDM Smith for Phase 1, 90% Design and GMP Development, for a contract price not to exceed \$1,876,611.00 with this cost to be reimbursed to the City from the SRF loan from the Kanas Department of Health & Environment.

NARRATIVE:

For the past four months the design-build selection committee (city staff and HDR representatives) has been vetting design-build teams. Six responses were received after the initial request for qualifications was sent out in July. The selection committee narrowed down the group to three finalist teams. Proprietary meetings were held with the teams on October 14th and formal proposals were received on November 3rd. The three finalists gave formal presentations on November 18th and 19th.

After the final presentations the selection committee met and scored the three finalists using comprehensive and detailed rating criteria. The selection committee recommends the Commission move forward with CDM Smith as the design-build team for the rebuilding of the wastewater treatment facility. Staff requests the Commission authorize the City Manager to enter into contract with CDM Smith for Phase 1, 90% Design and GMP Development for a Contract Price not to exceed \$1,876,611.00.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Johnny O'Connor, Director of Utilities
Stan Christopher, Project Manager, HDR

ADMINISTRATION RECOMMENDATION:

The City Staff and HDR recommend that the City Commission approve a Contract with CDM Smith for Phase 1, 90% Design and GMP Development, of the Progressive Design Build Procurement process that has been followed since July 27, 2015.

COMMITTEE RECOMMENDATION(S):

The City Staff and HDR recommend that the City Commission approve a Contract with CDM Smith for Phase 1, 90% Design and GMP Development, of the Progressive Design Build Procurement process that has been followed since July 27, 2015.

ATTACHMENTS:

Staff Memo
HDR Recommendation
Handout to be presented at the work session
RFP Evaluation and Fee Comparison
DBIA 520 and 535 Contracts ([click here to view](#))

Commission Work Session Agenda

Memo

From: Johnny O'Connor, Director of Utilities

Work Session: December 3, 2015

Subject: Phase I Agreement with CDM Smith for Design-build Services at Wastewater Facility

Person(s) Responsible: Johnny O'Connor, Director of Utilities,
Stan Christopher, Project Manager HDR

Summary

For the past four months the design-build selection committee (city staff and HDR representatives) has been vetting design-build teams. Six responses were received after the initial request for qualifications was sent out in July. The selection committee narrowed down the group to three finalist teams. Proprietary meetings were held with the teams on October 14th and formal proposals were received on November 3rd. The three finalists gave formal presentations on November 18th and 19th.

After the presentations the selection committee met and scored the three finalists using comprehensive and detailed rating criteria. The selection committee recommends that the Commission move forward with CDM Smith as the design-build team for the rebuilding of the wastewater treatment facility. Staff requests that the Commission authorize the City Manager to enter into contract with CDM Smith for Phase 1, 90% Design and GMP Development, for a contract price not to exceed \$1,876,611.00.

Background

The City of Hays Wastewater Treatment Facility was originally constructed in the 1950s. In the late 1960s and the early 1990s, the facility was upgraded to meet tighter wastewater discharge standards. The existing facilities are reaching or exceeding their useful life. In addition, discharge limits are becoming more stringent in an effort by the US. Environmental Protection Agency (EPA) and the Kansas Department of Health and Environment (KDHE) to protect the local, state and national water resources.

KDHE issued the City a new discharge permit in 2014 that lowered the City's previous ammonia limits and issued new discharge limits for nitrates, nitrites, and phosphorus. Staff worked to meet these new limits with the existing facility. It was concluded by KDHE and the City staff that a significant upgrade to the existing treatment facilities will be required for the City to be able to meet its new discharge limits. KDHE placed a schedule on these upgrades in the 2014 permit. The parts of the wastewater treatment facility that treat the wastewater will need to be complete by December 31, 2017 and the plant shall fully meet the permit discharge limits by July 2018.

In late 2014, the City made a decision to proceed with the upgrade of its wastewater treatment facility using a progressive design-build procurement method. In April 2015, a contract with HDR Engineering, Inc. to serve as the City's Owner's Representative to assist the City in the design build process was executed. HDR has assisted the City in facility assessment and facility planning, the Pollution Control Revolving Loan Program, and the evaluation of design builders to complete the wastewater treatment plant improvements.

Discussion

The process to select a design-builder was initiated during workshops that were held on June 18th & 19th, 2015. This facilitated the development of the facility plan and Request for Qualifications on July 27, 2015. Qualifications were received from six Design-Builders:

- CH2M/UCI
- Black & Veatch/Garney
- Crossland Heavy Constructors/CMT/GBA
- Corollo Design Build Group
- CDM Smith
- Burns and McDonnell/CAS

On September 9th, 2015, a workshop between the City Staff and HDR was conducted. The workshop allowed the selection committee to review and rate the qualifications, work history and projects of the firms that submitted their qualifications. The workshop resulted in three of these Design Builders being selected to submit proposals and interview with the City for selection for this project. The three short-listed firms that received the Request for Proposal (RFP) on September 14th, 2015 were.

- Black & Veatch/Garney
- CDM Smith
- Burns and McDonnell/CAS.

Prior to submittals of the proposals; proprietary meetings were held on October 14th, 2015 with the selected teams. This gave them the opportunity to meet with HDR and city staff to clarify the proposal and ask questions. Proposals were received on November 3rd, 2015. The selection committee met on November 18th & 19th, 2015 to score the proposals and to interview the three short-listed teams. The interviews were conducted in order for the teams to demonstrate innovation, cost savings, and scope of work.

Based on the proposal rating and the interviews, the selection committee recommends that the City select CDM Smith to complete the design and the construction of the City's wastewater treatment facility improvements project. The committee feels CDM Smith provides the most innovative approach to the project, and also provides the best value.

The next step in the process is to enter into an agreement with CDM Smith for Phase 1 services, which includes a basis of design report as well as development of a 90% design and a GMP (Guaranteed Maximum Price). After development of a GMP, the Commission will be asked to enter into a phase II contracts.

CDM will be present at the Work Session on December 3rd and the regular meeting on the 10th to make a brief presentation and answer questions related to this project.

Legal Consideration

There are no known legal obstacles to proceeding with the selection of the Design-Builder as recommended. HDR and the City Attorney have prepared contracts for execution by the City and the Design-Builder. The Phase 1 Contract will be for 90% design documents and for the development of a guaranteed maximum price (GMP) to the final design and construction of the project. If the GMP is not mutually agreeable to the Design-Builder and the City, the City has the right to terminate the contract with the Design Builder and proceed with an alternate procurement of the final design and construction of the project.

Financial Consideration

The Contract Price for Phase 1, 90% Design and GMP Development is \$1,811,611.00. This cost will be reimbursed to the City from the SRF loan from Kansas Department of Health & Environment.

Options

The City is required to complete improvements to its wastewater treatment plant and meet new permit limits by July 2018. The City Commission has the following options:

1. Approve the Design Build contract with CDM Smith for Phase 1, 90% Design and GMP Development.
 - a. If an acceptable GMP and schedule is agreed to by the Design-Builder and the City upon completion of 90% design, City Staff and HDR will bring back to Commission the Phase II contract to consider and approve at a later date for the final design and construction of the Wastewater Treatment Plant improvements.
2. Reject the Design-Build contract and give the City Staff and HDR instructions on how to proceed.

Recommendation

City Staff and HDR recommend that the City Commission authorize the City Manager to enter into an agreement with CDM Smith for Phase 1, 90% Design and GMP Development, of the Progressive Design Build Procurement process that has been followed since July 27, 2015.

Action Requested

Authorize the City Manager to sign a contract with CDM Smith for Phase 1, 90% Design and GMP Development for a Contract Price not to exceed \$1,876,611.00

Supporting Documentation

HDR Recommendation, RFP Evaluation and Fee Comparison Handout to be presented at the work session
DBIA 520 and 535 Contracts ([please click here to view contracts](#))



November 20, 2015

Mr. Johnny O'Connor
Utilities Director
City of Hays
1507 Main Street
Hays, Kansas 67601

RE: Recommendation of Design-Builder Selection Process
City of Hays, Kansas
Wastewater Treatment Plant Upgrade Project
Project No. 255252

Dear Mr. O'Connor:

We are pleased to provide the results of the recent interviews with potential Design-Builders for the City's Wastewater Treatment Plant Upgrade Project, including a recommendation for consideration by the City Commission.

Procurement Process

The procurement of the Design-Builder for completion of the upgrades to the City's Wastewater Treatment Plant was started on July 27, 2015 with the posting of a Request for Qualifications (RFQ). The subsequent steps in this procurement process were as follows:

- | | |
|---|------------------------|
| 1. Pre-Submittal Meeting and Site Tour | August 4, 2015 |
| 2. Submittal of Statement of Qualifications | September 1, 2015 |
| 3. Completion of Evaluation to Establish Best
Three Statements of Qualifications | September 9, 2015 |
| 4. Posting of Request for Proposals (RFP)
To Three Short-Listed Firms | September 14, 2015 |
| 5. Proprietary Meetings with Short-Listed Firms | October 14, 2015 |
| 6. Submittal of Proposals | November 3, 2015 |
| 7. Interviews between Short-Listed Firms
and City's Selection Committee | November 18 – 19, 2015 |

HDR facilitated the procurement process with the Design-Build Firms and the City Selection Committee. The Selection Committee included the following City Staff:

Toby Dougherty
Johnny O'Connor
Kim Rupp
Todd Powell

John Braun
Roger Moerke
Shawn Swift

hdrinc.com

3741 NE Troon Drive, Lee's Summit, MO 64064
T 816.347.1100 F 816.347.1197

Bernie Kitten also participated in the initial part of the procurement process.

Evaluation Results

The following Design-Builders submitted Statement of Qualifications on September 1, 2015:

CH2M/UCI Contractors	Wichita, Kansas
Black and Veatch/Garney	Kansas City, Missouri
Crossland Heavy Constructors/CMT/GBA	Columbus, Kansas
Corollo, Design Build Group	Kansas City, Missouri
CDM Smith	Wichita, Kansas
Burns and McDonnell/CAS	Kansas City, Missouri

After evaluation of the Statement of Qualifications, the following Design-Builders were selected to submit proposals:

Black and Veatch/Garney
CDM Smith
Burns and McDonnell/CAS

The Selection Committee reviewed the proposals from these three firms as well as interviewed each of the firms on November 18 – 19, 2015. The Design-Builders were required to address the following in their proposals and interviews: 1) Project Approach; 2) Safety and Quality Control; 3) Compliance with City's Proposed Design-Build Contract; and 4) Ability to Meet MBE/WBE Goals. Based on the evaluation of these elements, the Selection Committee ranked the Design Builders as follows:

1. CDM Smith
2. Black and Veatch
3. Burns and McDonnell

The primary differentiators favoring CDM Smith was their presentation of innovative ideas during the procurement process, their willingness to comply with all of the City's contract requirements, and their stated opinion that the project can be completed for or less than the City's budget of \$27.6 million. They also appeared very anxious to get started, exhibited by their intent to place an office trailer on the site at the beginning of Phase 1 and moving their Design-Build Project Manager and Design Manager to Hays immediately.

The Design-Builders were also required to submit their proposed fee to complete Phase 1 of the Design-Build Process, which includes 90% Design Completion and development of a Guaranteed Maximum Price for Construction, as well as proposed overhead and profit multipliers for the future construction part of the project. The proposed fees and overheads are attached.

Recommendation

Based on the results of this procurement process, we recommend that the City proceed with approval of CDM Smith as the Design-Builder for its Wastewater Treatment Plant Upgrade Project. We recommend that the City and CDM Smith enter into an Agreement for Phase 1 of the project, which includes the completion of 90% design, approval of construction plans by KDHE and the City, and development of a Guaranteed Maximum Price for the construction costs. The fee for these services, based on CDM Smith's proposal, is \$1,876,611.

Next Steps

Upon approval of the City Commission and execution of the Phase 1 Agreement, the following milestones for Phase 1 are proposed:

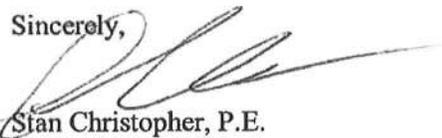
Completion of Basis of Design Report	January 29, 2016
Completion of 30% Design	February 29, 2016
Completion of 60% Design	March 31, 2016
Completion of 90% Design	April 29, 2016
Completion of GMP Proposal	May 13, 2016
Completion of Negotiation of Final GMP	June 30, 2016

Upon completion of the negotiation of the Final GMP, HDR and City Staff will finalize the Agreement for Phase 2 of the Design-Build Process, which includes construction, startup, and commissioning of the upgraded facility. We anticipate that this Phase 2 Agreement will be brought to the Commission in July 2016 for approval.

We look forward to meeting with the Commission on December 3, 2015 to discuss the results of the procurement process and our recommendation.

Please let me know if you have any questions.

Sincerely,



Stan Christopher, P.E.

Cc: John Awezec
Tricia Quigley

**CITY OF HAYS, KANSAS
WASTEWATER TREATMENT PLANT
DESIGN-BUILD PROCUREMENT**

Selection Committee Points

	Burns & McDonnell/CAS	CDM Smith	Black & Veatch/Garney
Evaluation Criteria			
Proposer's Project Approach	148	202	182
Approach to Safety & Quality	87	100	96
Progressive Design-Build Contract Markups	79	118	134
Ability to Meet MBE/WBE Participation Goal	31	31	34
Subtotal Evaluation Criteria	345	451	446
Fee and Rate Proposal			
Total Design-Builder Points			

**CITY OF HAYS, KANSAS
WASTEWATER TREATMENT PLANT
DESIGN-BUILD PROCUREMENT**

Fee & Rate Proposal Comparison

Cost Element	Project Phase	Description	Burns & McDonnell/CAS	CDM Smith	Black & Veatch/Garney
1	1	Engineering lump sum fee for Basis of Design report, (less cost element 2)	\$498,100	\$73,363	\$194,879
2	1	Engineering to compare the two process options	82,500	80,805	49,310
3	1	Engineering lump sum fee for 30% design milestone	502,200	516,269	489,198
4	1	Engineering lump sum fee for 60% design milestone	699,400	408,725	705,412
5	1	Engineering lump sum fee for 90% design milestone	458,300	530,449	652,671
6	1	Preconstruction services lump sum fee including GMP development	202,410	267,000	362,392
		Subtotal – Phase 1 Fees	\$2,422,910	\$1,876,611	\$2,453,862
7	2	Engineering lump sum fee for final design milestone	85,600	67,615	344,565
8	2	Home office overhead (as a percentage of direct and indirect costs)	3.95%	3.47%	1.0%
9	2	Field office overhead (as a percentage of direct and indirect costs)	5.50%	5.41%	4.0%
10	2	Construction Fee (as a percentage of direct and indirect costs)	7.95%	6.00%	6.00%
Evaluation Points (0 – 30)					

CITY OF HAYS

AGENDA ITEM COVER SHEET

COMMISSION AGENDA ITEM NO. 7

MEETING DATE: 12-10-15

TOPIC:

Professional Services Agreement with Burns and McDonnell for Airport Snow Removal Equipment Procurement

ACTION REQUESTED:

Authorize the City Manager to execute Work Authorization No. 9 with Burns and McDonnell in the amount of \$13,830 with the City share to be funded out of the New Equipment Reserve Fund.

NARRATIVE:

The Airport Capital Improvement Program identifies acquisition of Snow Removal Equipment as the next FAA funded Airport Improvement Project. FAA has issued notice of their intent to fund the acquisition of an airport broom for snow and ice removal, and is asking for a Professional Service Agreement to be submitted as soon as possible. The City's Airport Engineer, Burns and McDonnell, has prepared a Work Authorization for services related to the acquisition of this equipment.

City Staff recommends approving the Work Authorization #9 in the amount of \$13,830 to be funded out of the New Equipment Reserve Fund with ninety percent (90%) of the cost to be reimbursed by the FAA.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Greg Sund, Director of Public Works

ADMINISTRATION RECOMMENDATION:

City Staff recommends a motion to approve Work Authorization No. 9 from Burns & McDonnell Engineering Company for professional services as presented.

COMMITTEE RECOMMENDATION(S):

Airport Advisor Board Supports the acquisition of this piece of equipment.

ATTACHMENTS:

Staff Memo
ACIP Data Sheet
Letter from FAA
Work Authorization #9

Commission Work Session Agenda

Memo

From: John Braun, Assistant Director of Public Works

Work Session: December 3, 2015

Subject: Professional Services Agreement with Burns and McDonnell for Airport Snow Removal Equipment Procurement

Person(s) Responsible: Greg Sund, Director of Public Works

Summary

The Airport Capital Improvement Program identifies acquisition of Snow Removal Equipment as the next FAA funded Airport Improvement Project. FAA has issued notice of their intent to fund the acquisition of an airport broom for snow and ice removal, and is asking for a Professional Service Agreement to be submitted as soon as possible. The City's Airport Engineer, Burns and McDonnell, has prepared a Work Authorization for services related to the acquisition of this equipment.

City Staff recommends approving the Work Authorization #9 in the amount of \$13,830 to be funded out of the New Equipment Reserve Fund with ninety percent (90%) of the cost to be reimbursed by the FAA.

Background

With new jet service at the Hays Regional Airport, there is a higher level of snow removal required. Many of the snow fall events are small amounts or light slush/ice. The current snow removal equipment, loader plow and snow blower, are not effective at removing light accumulations; however, the commercial airline and FAA require these small amounts to be cleared. A rotary broom would be more effective at removal and would cause less wear and tear on the runway, taxiways, and apron compared to scraping the pavement with the blade. The FAA has issued a letter providing notice of their intent to fund the project. **See Attached Letter from FAA**

Burns and McDonnell Engineers (BMcD) is the City's Airport Engineering Consultant under a Master Service Agreement approved by the City Commission and dated March 10, 2011. Amendment No. 1 to that agreement was dated October 25, 2012 regarding the remodel of the Terminal Building.

Acquisition of the snow broom would reduce the dependence of the airport on other City resources for snow removal. The Capital Improvement Plan (CIP) contained within the 2016 budget included acquisition of this snow removal equipment.

Discussion

BMcD has submitted Work Authorization #9 for professional services related to the acquisition of Snow Removal Equipment in accordance with Federal guidelines and assuring the City reimbursement from FAA of 90% of the cost. **See Attached Work Authorization No. 9**

The fixed lump sum cost for professional services is \$13,830.

The time schedule is as follows:

Professional Services Agreement to FAA	ASAP
90% Project Manual to FAA	January 15, 2016
Open Bids	March 1, 2016
City Commission Conditional Award of Bid	March 23, 2016
Submit Grant Application to FAA	April 1, 2016
Notice to Proceed (Place Order)	May 2016
Delivery	Fall 2016

Legal Consideration

There are no known legal obstacles to proceeding as recommended by City Staff

Financial Consideration

The CIP within the 2016 Budget identified \$170,000 for the acquisition of Snow Removal Equipment with \$17,000 as the local share to be funded out of the New Equipment Reserve. Since that time, the FAA requirements identifying eligible Snow Removal Equipment has changed and the cost has increased to \$215,000 resulting in a local share (10%) of \$21,500. The New Equipment Reserve has adequate funds to cover the local share, which would be reimbursed to the fund through the annual transfer from the Airport Budget.

The Lump Sum compensation of \$13,830 for BMcD’s services covered under Supplement #9 is included in the \$215,000 total project cost. The FAA grant will cover 90% of the costs. The total project cost identified in the FAA Go Letter is higher than \$215,000 due to project refinement since the date of that letter.

Estimated Project Costs follow:

	City Share	FAA Share	Total Cost
Professional Services	\$ 1,383	\$ 12,447	\$ 13,830
Acquisition	\$20,117	\$181,053	\$201,170
Total	\$21,500	\$193,500	\$215,000

Options

The City Commission has the following options:

1. Authorize the City Manager to execute Supplement #9 with Burns and McDonnell in the amount of \$13,830.
2. Provide alternate direction.
- 3.

Recommendation

City Staff recommends a motion to approve Work Authorization No. 9 from Burns & McDonnell Engineering Company for professional services as presented.

Action Requested

Authorize the City Manager to execute Work Authorization No. 9 with Burns and McDonnell in the amount of \$13,830 with the City share to be funded out of the New Equipment Reserve Fund.

Supporting Documentation

ACIP Data Sheet
Letter from FAA
Work Authorization #9

ACIP DATA SHEET

AIRPORT	Hays Regional Airport	LOCID	HYS	LOCAL PRIORITY	1
PROJECT DESCRIPTION	Acquire New Snow Removal Broom			Identify FFY that you desire to construct (FFY: Oct 1 – Sept 30)	2016

SKETCH:



JUSTIFICATION:

The Airport does not have adequate snow removal equipment to safely and efficiently remove snow fall from the Airport’s runways, taxiways and apron areas. A new towed-broom as depicted in the sketch above will be used for the removal of dry/light snow. The Airport plans to tow the broom using their Case 621B loader. This equipment procurement project will allow the Airport to comply with the FAA’s snow removal requirements for Part 139 Airports.

COST ESTIMATE: (Attach detailed cost estimate)

Federal	(90%)	\$ 193,500.	State	()%	\$ 0.00	Local	(10%)	\$ 21,500.	Total	\$ 215,000.
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SPONSOR’S VERIFICATION:	Date	(See instruction sheet)
For each and every project as applicable	06-14-10	Date of approved ALP with project shown.
		Date of environmental determination (ROD, FONSI, CE) or cite CE paragraph # (307-312) in Order 1050.1E
		Date of land acquisition or signed purchase agreement
FAA USE ONLY		Date of pavement maintenance program
FAA Verification: (initial/date)		Snow removal equipment inventory & sizing worksheet (for SRE acquisition)
		Apron sizing worksheet (for apron projects)
		Revenue producing facilities (for fuel farms, hangars, etc.)
		Date statement submitted for completed airside development
		Date statement submitted for runway approaches are clear of obstructions

SPONSOR’ SIGNATURE: _____	Date: _____
PRINTED NAME: <u>Greg Sund</u>	Title: <u>Public Works Director</u>
PHONE NUMBER: <u>785-628-7350</u>	

FAA USE ONLY

PREAPP NUMBER	GRANT NUMBER	NPIAS CODE	WORK CODE	FAA PRIORITY	FEDERAL \$

ENGINEERS ESTIMATED COST OF CONSTRUCTION

Hays Regional Airport

Hays, Kansas

ACQUIRE NEW SNOW REMOVAL BROOM

EQUIPMENT PROCUREMENT

PROJECT NO.: AIP 3-20-0028-33

Burns & McDonnell No.

November 25, 2015

ITEM NO.	FAA ITEM NO.	DESCRIPTION OF WORK	UNITS	ESTIMATED QUANTITY	TOTAL PROJECT COST		AIP ELIGIBLE COST	TOTAL SPONSOR COST
					UNIT COST	TOTAL	TOTAL	
1		ACQUIRE NEW SNOW REMOVAL BROOM	EA	1.00	\$200,000.00	\$200,000.00	\$180,000.00	\$20,000.00
		TOTAL ESTIMATED CONSTRUCTION COST OF BASE BID				\$200,000.00	\$180,000.00	\$20,000.00
		ESTIMATED DESIGN, CONSTRUCTION SERVICES & ADMINISTRATION COST				\$15,000.00	\$13,500.00	\$1,500.00
		TOTAL COST				\$215,000.00	\$193,500.00	\$21,500.00
		Anticipated Date to be Performed		2016				



U.S. Department
of Transportation
**Federal Aviation
Administration**

Central Region
Iowa, Kansas,
Missouri, Nebraska

901 Locust
Kansas City, Missouri 64106
(816) 329-2600

October 22, 2015

Mr. Sund

Public Works Director
City of Hays
1002 Vine Street
Hays, Kansas 67601

Mr. Sund:

Project Initiation Letter (Go Letter)
Hays Regional Airport
AIP No. 3-20-0028-033 (2016)

Proposed Project

The FAA is considering the following project as part of its FY 2016 Airport Improvement Program (AIP). The scope of work and anticipated Federal share is based on your Capital Improvement Plan (CIP) Data Sheet.

Snow Broom	\$229,866.00
<i>Proposed Project Description</i>	<i>Anticipated Federal Share</i>

Contact me immediately if you need to cancel the project, postpone the project to a later fiscal year, or require a significant change in scope and/or Federal share.

Purpose and Limitations of Letter

This letter notifies you that funding appears favorable for your proposed project; it is not a guarantee of funding. The Congressional notification of funding, if issued, will serve as your official announcement that funding is available for your airport. Please portray all project activities performed prior to the Congressional notification of funding as a Sponsor initiative as opposed to a confirmation of Federal funding.

Proposed Schedule of Sponsor Actions

To compete for funding this Federal fiscal year, please complete the following actions no later than the date requested. Failure to meet these dates could jeopardize the inclusion of your project in this year's AIP. Contact me immediately if you cannot meet these deadlines.

1. Conduct the Predesign Meeting Oct 28, 2015
2. Submit draft Engineering Agreement for FAA review..... Oct 30, 2015
3. Execute the Engineering Agreement; provide copy to FAADec 4, 2015

4. Submit 90% Engineer's Report, P&S, and draft CSPP Feb 1, 2016
5. Open Bids..... Mar 15, 2016
6. Submit Bid Documentation and Recommendation of Award Apr 1, 2016
7. Submit Grant Application April 15, 2016

If you have any questions regarding this letter, please contact me at (816) 329-2643 or dan.wilson@faa.gov.

Sincerely,



Daniel E. Wilson, P.E.
Regional Pavement and Equipment Engineer

cc: FAA File

**AUTHORIZATION NO. 9
FOR PROFESSIONAL ENGINEERING SERVICES
FOR
THE PROCUREMENT OF NEW SNOW REMOVAL EQUIPMENT
AT HAYS REGIONAL AIRPORT
AIP Project No. 3-20-0028-33**

In accordance with SECTION 1 – AUTHORIZATION OF SERVICES of the Agreement for Professional Engineering Services (the “AGREEMENT”) dated March 10, 2011 and amended on October 25, 2012, by and between THE CITY OF HAYS (SPONSOR) and BURNS & McDONNELL (CONSULTANT), the following Airport Improvement Project (“AIP”) authorization is hereby given and mutually agreed upon:

A. PROJECT NAME AND DESCRIPTION OF IMPROVEMENTS:

1. **Project Name:** Acquire Snow Removal Equipment.
2. **Description of Improvements:** Provide professional engineering services in the procurement of new snow removal equipment for the Hays Regional Airport:

B. DESCRIPTION OF SERVICES TO BE PERFORMED:

CONSULTANT has developed the following scope of engineering services for the aforementioned project. The Scope of Services is defined as follows:

1. **Preliminary Design Phase:** This phase includes activities for defining the scope of the aforementioned project and establishing preliminary requirements. The elements of work for this task include:
 - a. Meet with the SPONSOR and discuss the overall program requirements and vehicle accessories.
 - b. Review existing information & CIP cost estimates.
 - c. Conduct a predesign conference via teleconference with the SPONSOR and FAA to review program requirements and applicable accessories.
2. **Design Phase:** This phase will include the activities required to develop the project design documents showing the character and scope of work to be performed by contractors/vendors on the project. The specific tasks that will be performed in this phase are:
 - a. Prepare a Project Manual that will include the following reference manuals:
 - i. FAA AC 150/5220-20A – Airport Snow and Ice Control Equipment
 - ii. FAA AC 150/5210-5D – Painting, Marking, and Lighting of Vehicles Used on an Airport.

- b. Prepare Standard FAA and SPONSOR front-end documents.
 - c. Revise the preliminary cost estimate for final engineer's estimate of probable cost.
 - d. Prepare the SRE-FAA Spreadsheet calculation for justification purposes.
 - e. Submit Project Manual and cost estimate to the SPONSOR and the FAA for 90% review.
 - f. Revise contract documents and resubmit to the SPONSOR and the FAA for bidding.
 - g. Provide an electronic copy of (100% complete) project manual to SPONSOR for the purpose of filing and use for distribution to contractors/vendors.
- 3. Bidding & Construction Award Phase:** This phase will include basic services to assist the SPONSOR with bidding of the contract documents and reviewing and award of the bid, including the following activities:
- a. Assist SPONSOR with advertising the project.
 - b. Prepare any addenda for the project.
 - c. Respond to questions during the bidding phase.
 - d. Receive from the SPONSOR, copies of the Bidders Proposals and tabulate the bids, analyze and provide recommendations to the SPONSOR.
 - e. Review the Bidder's Buy American documentation with the SPONSOR and the FAA prior to CONSULTANT's recommendation of award.
 - f. Assist SPONSOR with preparing contract documents.
 - g. Assist SPONSOR with preparing grant application documents.
 - h. Conduct pre-procurement meeting via teleconference with the Sponsor and Bidder to confirm project requirements.
- 4. Grant Closeout Services:** This phase will include basic services to complete the FAA closeout compliance requirements for equipment purchases.
- a. Meet with the SPONSOR and Contractor/Vendor at the Airport and perform an equipment walk-through to confirm the equipment meets the project requirements.
 - b. Provide all project closeout documentation within 45 days after acceptance of equipment purchase.

C. METHOD OF COMPENSATION:

- 1. Compensation of the Scope of Work shall be made by Method A – Fixed Lump Sum Payment according to SECTION 6- COMPENSATION, paragraph 6.1.1, which outlines compensation on a fixed lump sum basis

D. AMOUNT OF COMPENSATION:

- 1. CONSULTANT will perform the Scope of Services for items identified in this Authorization No. 9, per the terms and conditions set forth in the Agreement, for an estimated Not to Exceed cost of Thirteen Thousand Eight Hundred Thirty Dollars (\$13,830).

E. ESTIMATED TIME OF COMPLETION:

- 1. The estimated time to complete the Scope of Services B.1-2 of this Authorization No. 9 is estimated at (60) calendar days.

F. CONSULTANT’S NOTICE TO PROCEED DATE:

- 1. CONSULTANT is prepared to commence work on this project immediately upon receiving a Notice to Proceed. The Notice to Proceed date for this project is _____.

It is further understood and agreed by the parties hereto that all of the terms and conditions of the AGREEMENT are hereby incorporated by reference as if set forth fully herein and are made a part of this Authorization.

IN WITNESS WHEREOF, the parties hereto have caused this Authorization to be executed in three (3) counterparts by their duly authorized representatives and made effective the day and year first written above.

-----oooOooo-----

City of Hays, Kansas

Burns & McDonnell Engineering Company, Inc.

By _____
Toby Dougherty
City Manager

By  _____
David G. Hadel, P.E.
Director, Aviation Services

ATTEST:

By _____
City Clerk

END OF AUTHORIZATION NO. 9

PROJECT NAME: **ACQUIRE SNOW REMOVAL EQUIPMENT**

PROJECT LOCATION: **HAYS REGIONAL AIRPORT**

PROJECT DESCRIPTION: **DESIGN & PROCUREMENT SERVICES**

Developed by: Burns & McDonnell

DATE: 11/02/15

FILENAME: HYS PROCURE SRE EQUIPMENT

Element 1 PRELIMINARY DESIGN		Project Manager	Civil Engineer	Clerical	N/A	N/A	N/A	TOTALS
	Description							
1.01	Conduct Conference Call with Sponsor & Discuss Overall Programming & Vehicle Requirements	0.5	2					2.5
1.02	Review Grant Estimate & ACIP Data Sheet	0.5	2					2.5
1.03	Conduct Predesign Conference with City and FAA	0.5	2					2.5
TOTALS		1.5	6					7.5

Element 2 DESIGN		Project Manager	Civil Engineer	Clerical	N/A	N/A	N/A	TOTALS
	Description							
Task 2.01	Prepare Project Manual per AC 150/5220-20A & 150/5210-5		32					32
Task 2.02	Prepare Standard Front End Documents		2					2
Task 2.03	Prepare Preliminary Cost Estimate	0.5	2					2.5
Task 2.04	Complete SRE FAA Spreadsheet	0.5	4					4.5
Task 2.05	Submit 90% Project Manual & SRE Spreadsheet to FAA		2	2				4
Task 2.06	Respond to Comments, Revise Project Manual		2	2				4
Task 2.07	Provide an Electronic Copy of 100% Project Manual for Bidding Purposes to Sponsor & FAA		0.5	0.5				1
TOTALS		1	44.5	4.5				50

PROJECT NAME: **ACQUIRE SNOW REMOVAL EQUIPMENT**

PROJECT LOCATION: **HAYS REGIONAL AIRPORT**

PROJECT DESCRIPTION: **DESIGN & PROCUREMENT SERVICES**

Developed by: Burns & McDonnell

DATE: 11/02/15

FILENAME: HYS PROCURE SRE EQUIPMENT

Element 3 BIDDING & CONSTRUCTION AWARD PHASE								
	Description	Project Manager	Civil Engineer	Clerical	N/A	N/A	N/A	TOTALS
Task 3.01	Assist Sponsor with Advertisement, Contact Bidders		4					4
Task 3.02	Prepare any Addenda during Bidding		4					4
Task 3.03	Respond to Bidder's Inquiries		4					4
Task 3.04	Receive from Sponsor & Tabulate Bid Proposals		2					2
Task 3.05	Evaluate Apparent Low Bid Proposal & Buy American Documentation		2					2
Task 3.06	Prepare Bid Recommendation Letter		2					2
Task 3.07	Assist Sponsor with Contract Documents	0.25	4	2				6.25
Task 3.08	Assist Sponsor with Grant Application	0.25	4	2				6.25
Task 3.09	Conduct Preprocurement Meeting via Teleconference with Sponsor & Bidder to confirm project requirements	0.5	4					4.5
TOTALS		1	30	4				35

Element 4 GRANT CLOSEOUT SERVICES								
	Description	Project Manager	Civil Engineer	Clerical	N/A	N/A	N/A	TOTALS
Task 4.01	Delivery of Equipment and Final Inspection (on-site)		10					10
Task 4.02	Grant Closeout Documentation	1	8	2				11
TOTALS		1	18	2				21

SUMMARY TOTALS		4.5	98.5	10.5				113.5
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**DERIVATION OF CONSULTANT PROJECT COSTS
SUMMARY OF COSTS
ACQUIRE SNOW REMOVAL EQUIPMENT
HAYS REGIONAL AIRPORT
DESIGN & PROCUREMENT SERVICES
BASIC AND SPECIAL SERVICES
November 2, 2015**

1 DIRECT SALARY COSTS:

TITLE	HOURS	RATE/HOUR	COST (\$)		
			Office	Field	Contract
Project Manager	4.50	\$64.00	\$288.00	\$0.00	\$0.00
Civil Engineer	98.50	\$34.00	\$3,349.00	\$0.00	\$0.00
Clerical	10.50	\$20.00	\$210.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
N/A	0.00	\$0.00	\$0.00	\$0.00	\$0.00
	113.50				
Total Direct Salary Costs			\$3,847.00	\$0.00	\$0.00

2 LABOR AND GENERAL ADMINISTRATIVE OVERHEAD:

Percentage of Direct Salary Costs @	200.61%	Office	\$7,717.47		
Percentage of Direct Salary Costs @	200.61%	Field		\$0.00	
Percentage of Direct Salary Costs @	200.61%	Contract			\$0.00

3 SUBTOTAL:

Items 1 and 2			\$11,564.47	\$0.00	\$0.00
---------------	--	--	-------------	--------	--------

4 PROFIT:

10.00%	% of Item 3 Subtotal		\$1,156.45	\$0.00	\$0.00
		Subtotal	\$12,720.91	\$0.00	\$0.00

5 OUT-OF-POCKET EXPENSES:

a. Transportation (Office Staff)	1.00 Trip @	\$289.000 / Trip =	\$289.00		
b. Transportation (Field Staff)	0.00 Trip @	\$354.000 / Trip =		\$0.00	
c. Expense (meals) office (per day)	1.00 days @	\$35.00 / day=	\$35.00		
d. Expense (lodging) office (per day)	0.00 days @	\$125.00 / day=	\$0.00		
e. Expense field (meals) : per day	0.00 days @	\$35.00 / day =		\$0.00	
f. Expense field (Lodging) : per day	0.00 days @	\$125.00 / day =		\$0.00	
g. Comp. hrs: (N/A)	0.00 Hours @	\$0.00 / Hour =	\$0.00		
h. Comp. hrs: (N/A)	113.50 Hours @	\$0.00 / Hour =	\$0.00		
i. Materials and Supplies		=	\$785.09	\$0.00	\$0.00
Total Out-of-Pocket Expenses			\$1,109.09	\$0.00	\$0.00

6 SUBCONTRACT COSTS:

a. Surveyor: N/A	=	\$0.00	\$0.00	\$0.00
b. Geotechnical: N/A	=	\$0.00	\$0.00	\$0.00
c. Other: N/A	=	\$0.00	\$0.00	\$0.00
d. Other: N/A	=	\$0.00	\$0.00	\$0.00
	Subtotal		\$0.00	\$0.00

7 MAXIMUM TOTAL FEE:

Items 1, 2, 3, 4, 5 and 6			\$13,830.00	\$0.00	\$0.00
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TOTAL:	SUMMARY		\$13,830.00		
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SUMMARY

DERIVATION OF CONSULTANT PROJECT COSTS
SUMMARY OF COSTS
ACQUIRE SNOW REMOVAL EQUIPMENT
HAYS REGIONAL AIRPORT
DESIGN & PROCUREMENT SERVICES
BASIC AND SPECIAL SERVICES
 November 2, 2015

Classification:	Project Manager	Civil Engineer	Clerical	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Other Costs
Gross Hourly Rate:	\$211.63	\$112.43	\$66.13										
A. BASIC SERVICES													
1 PRELIMINARY DESIGN	1.50	6.00											(1, 2, 3, 4, 5)
Total =	\$1,162.00	\$317.44	\$674.57										\$169.99
2 DESIGN	1.00	44.50	4.50										(1, 2, 3, 4, 5)
Total =	\$5,922.00	\$211.63	\$5,003.05	\$297.60									\$409.71
3 BIDDING & CONSTRUCTION AWARD PHASE	1.00	30.00	4.00										(1, 2, 3, 4, 5)
Total =	\$3,973.00	\$211.63	\$3,372.84	\$264.54									\$123.99
4 GRANT CLOSEOUT SERVICES	1.00	18.00	2.00										(1, 2, 3, 4, 5)
Total =	\$2,773.00	\$211.63	\$2,023.71	\$132.27									\$405.40
5 N/A													(1, 2, 3, 4, 5)
Total =													
PART A SUBTOTAL =	\$13,830.00												
B. SPECIAL SERVICES													
1 N/A													(1, 2, 3, 4, 5)
Total =													
2 N/A													(1, 2, 3, 4, 5)
Total =													
3 N/A													(1, 2, 3, 4, 5)
Total =													
4 N/A													(1, 2, 3, 4, 5)
Total =													
5 N/A													(1, 2, 3, 4, 5)
Total =													
PART B SUBTOTAL =													
GRAND TOTAL =	\$13,830.00												

(1) Mileage, Motel and Meals (3) Computer Services (5) Other (identify)
 (2) Equipment, Materials and Supplies (4) Vendor Services

EXHIBIT V SUMMARY