

# Memo

To: City Commission  
From: Toby Dougherty, City Manager  
Date: 4-4-16  
Re: April 7, 2016 Work Session

---

Please find the attached agenda and supporting documentation for the April 7, 2016 Work Session.

## Item 2 – Alcohol Consumption in City Streets

Please refer to the attached memorandum from Jacob Wood, Assistant City Manager, regarding alcohol consumption in City streets. Commissioner Musil asked several weeks ago that this item be discussed by the City Commission. In the past, most events that involved alcohol took place in City parks where the Commission has deemed it acceptable to consume alcohol. There has been more interest lately in events being held in City streets and public and private parking lots that involve the consumption of alcohol. Current State law and City Ordinances prohibit this type of an event from taking place. If the Commission wishes to allow these types of events, it will need to modify the City of Hays Code of Ordinances to do so.

## Item 3 (Purchase of Front-end Loader for Public Works Service Division) and Item 4 (Purchase of Backhoe/Loader for Public Works Service Division)

Items 3 and 4 are related to equipment purchases in the Public Works Department. Bids were solicited for a wheel loader and a backhoe. City staff is very pleased with the bids received as they were well under budget.

aw



**CITY OF HAYS  
CITY COMMISSION WORK SESSION  
THURSDAY, APRIL 7, 2016 – 6:30 P.M.  
AGENDA**

1. **ITEM FOR REVIEW: [March 17, 2016 Work Session Notes \(PAGE 1\)](#)**  
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance
  
2. **ITEM FOR REVIEW: [Alcohol Consumption on City Streets \(PAGE 5\)](#)**  
PERSONS RESPONSIBLE: Commissioner Musil  
Jacob Wood, Assistant City Manager
  
3. **ITEM FOR REVIEW: [Purchase of Front-end Loader for Public Works Service Division \(PAGE 11\)](#)**  
DEPARTMENT HEAD RESPONSIBLE: Greg Sund, Director of Public Works
  
4. **ITEM FOR REVIEW: [Purchase of Backhoe/Loader for Public Works Service Division \(PAGE 15\)](#)**  
DEPARTMENT HEAD RESPONSIBLE: Greg Sund, Director of Public Works
  
5. **OTHER ITEMS FOR DISCUSSION**
  
6. **EXECUTIVE SESSION (IF REQUIRED)**
  
7. **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.**



City of Hays  
City Commission  
Work Session Notes  
Thursday, March 17, 2016 – 6:30 p.m.

Present: Eber Phelps, Shaun Musil, James Meier, Lance Jones, John Bird, Toby Dougherty and Kim Rupp

Absent: Henry Schwaller IV

**1. March 3, 2016 Work Session Notes**

Commissioner Jones stated that in the last paragraph of the March 3, 2016 work session minutes it was stated that the water conference attended by the City Manager and several Commissioners was in Phoenix and it was actually in Albuquerque. Chairperson Phelps stated with this correction the minutes stand approved.

**2. USD 489 Sales Tax Petition**

USD 489 has decided to pursue a capital improvement program which will cost more than \$94 million, according to their presentation to the City Commission on January 7, 2016. They plan to attempt to finance it by use of a bond issue election on their part and asked the City Commission to put a sales tax initiative on the ballot to levy a City sales tax that would then be paid to USD 489 for defraying the cost of their improvements. The City of Hays has declined to do that.

The only other way to place the question on an election ballot is for a petition, signed by 10% of the electors of the City, to be properly filed. Ellis County has certified that the petition by USD 489 calling for a special election to consider the question of imposing a half-cent sales tax to fund USD 489 capital projects is valid. According to State law, when presented a valid petition, the City Commission shall pass a resolution setting forth the election.

Chris Dinkel and Mike Morley, both serving on the USD 489 Bond Committee, stated that there is significant community support to move this forward. They are hoping to have both the sales tax question and the bond proposal together on the same ballot on June 7, 2016

At the March 24, 2016 Commission meeting, Commissioners will be asked to consider approving a resolution calling for a special sales tax election for USD 489 on June 7, 2016.

Chairperson Phelps moved item number four ahead of item number three on the agenda.

#### **4. Community Comments and Recommendation for 2016-2018 EAS Contract**

The current Essential Air Service (EAS) contract to provide commercial passenger service at the Hays Regional Airport expires July 31, 2016. On January 27, 2016, the US Department of Transportation solicited proposals for the 2016-2018 contract period. Proposals were submitted to serve the Hays Regional Airport by SkyWest Airlines, Great Lakes Aviation, Ltd., and Via Air. As part of the selection process, the Department of Transportation seeks community comment. Comments and recommendation are to be submitted no later than March 31<sup>st</sup>.

City Manager, Toby Dougherty, reviewed the three proposals with the Commissioners.

City staff recommends continuing service with SkyWest Airlines for the 2016-2018 EAS contract. The configuration would remain the same with 12 flights per week under the United Express brand. SkyWest Airlines offers first class service, reliability, and equipment, as well as the best value to the flying public. City staff sees no reason to recommend a change at this time.

It was the consensus of the Commission that the Mayor send a letter to the Department of Transportation recommending that SkyWest Airlines be selected for the 2016-2018 EAS contract.

Chairperson Phelps left the work session to attend the opening ceremonies of the Special Olympics and Vice-Mayor Musil continued the meeting.

**3. Airport Snow Broom Acquisition**

The 2016 budget included funds for the purchase of snow removal equipment at the Hays Regional Airport. A snow broom is eligible for Federal Aviation Administration (FAA) Airport Improvement Program funding, which covers 90% of eligible costs. FAA requires actual bids prior to awarding a grant to cover the costs. One bid was received on March 1, 2016 from M-B Companies, Inc. The total cost of the snow broom including administration and acquisition is \$173,354, with the City's share being \$17,336. The City's Airport Engineer, Burns & McDonnell, has prepared a grant application to be submitted to FAA to fund 90% of the cost of the snow broom. Staff requests authorization to apply for federal assistance in paying for the snow broom, and acceptance of the bid from M-B Companies, Inc. contingent on FAA grant funding.

At the March 24, 2016 Commission meeting, Commissioners will be asked to consider authorizing staff to submit an application for federal assistance for the purchase of a snow broom for the Hays Regional Airport, and accept the low bid from M-B Companies, Inc. contingent upon an FAA grant offer. All costs to be funded from the New Equipment Reserve Fund.

**Other Items for Discussion**

Commissioner Musil wished good luck to all the participants of the Special Olympics.

The work session was adjourned at 7:11 p.m.

Submitted by: \_\_\_\_\_

Brenda Kitchen – City Clerk



# Commission Work Session Agenda

## Memo

**From:** Jacob Wood, Assistant City Manager

**Work Session:** April 7, 2016

**Subject:** Alcohol Consumption on City Streets

**Person(s) Responsible:** Commissioner Musil  
Jacob Wood, Assistant City Manager

### Summary

At the February 18, 2016, Work Session Commission Musil requested additional information about the City's alcohol ordinances. The inquiry was related to the City's ability to allow the sale, possession and consumption of alcohol on public property for special events. The commission has several different options that all include approving an ordinance that would exempt public property from state law.

### Background

There are several events in Hays each year that include the sale, possession and consumption of alcohol on city property. State law and the City's current code of ordinances do not allow the sale, consumption or possession of alcohol on City property with the exception of parks. There has been an increasing demand from the Downtown Hays Development Corp (DHDC) and other groups to find a way to hold events on streets and sidewalks that would include the sale, possession and consumption of alcohol.

### Discussion

State law dictates that no person shall drink or consume alcoholic drinks on public streets, alleys, roads, or highways unless the local governing body approves an ordinance that exempts them from the provision. The City of Hays has exempted its parks. This exemption allows events like Oktoberfest, Fire on the Frontier and Wild West Festival to include the sale, possession and consumption of alcohol.

City staff have been working to determine the options that would like to allow sale, possession, and consumption of alcohol on City streets. There is a provision of state law that allows for a special event permit to be issued that legalizes the sale of alcohol on public property. The permit application requires the applicant to provide a copy of the local ordinance that allows alcohol on public property.

Brews on the Bricks was allowed to take place on a City street because the City leased the area to the DHDC and it was completely blocked off from the surrounding area. City staff have been informed by our local Alcohol Beverage and Control Agent that it is

likely that the option of leasing public property to a private entity in order to include alcohol at an event will not be allowed in the future. When property is leased, a special event permit is not allowed. This means that the event would fall under other alcohol licensing requirements that are more stringent than what is allowed under a special event permit.

The three (3) options available to the City that would allow alcohol on public property include:

- Approving an ordinance that would exempt specific areas permanently,
- Approving exemption ordinances for special events on a case by case basis; or
- Approving an ordinance that would give the City Manager administrative authority to exempt public property for special events.

An ordinance allowing for the temporary exemption of City property would allow events like Wines and Steins and Brews on the Bricks to possess and consume alcohol on sidewalks and streets. The possession and consumption of alcohol would only be allowed if the street was blocked off to traffic. The current code gives the City Manager the authority to close off City streets, but does not include a provision that would allow for sale, possession or consumption of alcohol on city streets, sidewalks alleys or parking areas. Alcohol is permitted in public parking lots as long as they are segregated from the surrounding area and no vehicles are allowed to drive in the area.

### **Legal Consideration**

There are no legal obstacles to proceeding with any of the options listed by City Staff.

### **Financial Consideration**

There are no financial considerations at this time for the proposed policy.

### **Options**

The City Commission has the following options:

- Approving an ordinance that would exempt specific areas permanently,
- Approving exemption ordinances for special events on a case by case basis; or
- Approving an ordinance that would give the City Manager administrative authority to exempt public property for special events.
- Provide further guidance

### **Recommendation**

City staff requests that the City Commission provide direction with regard which process they would like to pursue.

### **Supporting Documentation**

City of Hays alcohol ordinances  
K.S.A 41-719

Sec. 14-141. - Street sales; public drinking.

It is unlawful for any person to sell, dispense or drink any alcoholic liquor or cereal malt beverage while in or on any street, avenue, alley, sidewalk, or other public place, or within any vehicle upon any such place within the corporate limits of the city; provided, however, that the provisions of Section 44-7 shall regulate and control the consumption of alcoholic liquor or cereal malt beverages in the public parks of the city.

(Code 2000, § 5.04.430)

Sec. 14-143. - Public possession.

It is unlawful for any person to have in his possession upon any street, avenue, alley or sidewalk or upon any privately or publicly owned parking area or lot not located inside a public park of the city, and not otherwise licensed for the sale of alcoholic liquor or cereal malt beverages, a full or partially filled container of alcoholic liquor or cereal malt beverages from which the original cap, cork or lid shall have been removed; provided, however, that the provisions of Section 14-118 shall regulate and control the possession of such cereal malt beverages in the public parks of the city.

(Code 2000, § 5.04.450)

Sec. 14-144. - Transporting in or consuming from kegs in parks.

It is unlawful for any person to sell, give away, dispose of, deliver or consume alcoholic liquor, or cereal malt beverages from unlicensed keg containers on the premises of a public park of the city at such times alcoholic liquor or cereal malt beverages are sold under a valid license of the city.

(Code 2000, § 5.04.460)

Sec. 44-7. - Hours of consumption of alcoholic beverages limited.

It is unlawful for any person to consume alcoholic beverages within the confines of the public parks of the city between the hours of 12:30 a.m. and 6:00 a.m.

(Code 2000, § 12.36.080)

## 2012 Kansas Statutes

**41-719. Consumption of alcoholic liquor prohibited in certain places; exemptions.** (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A. 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a, 41-308b or K.S.A. 2012 Supp. 41-354, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with bona fide scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.

(12) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane

art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.

**History:** L. 1949, ch. 242, § 82; L. 1968, ch. 35, § 1; L. 1969, ch. 242, § 1; L. 1971, ch. 175, § 1; L. 1975, ch. 251, § 1; L. 1979, ch. 153, § 13; L. 1981, ch. 200, § 1; L. 1987, ch. 182, § 54; L. 1988, ch. 165, § 3; L. 1990, ch. 180, § 2; L. 1991, ch. 143, § 1; L. 1992, ch. 269, § 1; L. 1995, ch. 59, § 1; L. 1998, ch. 92, § 8; L. 1998, ch. 191, § 4; L. 1999, ch. 153, § 2; L. 2000, ch. 166, § 3; L. 2002, ch. 139, § 1; L. 2005, ch. 201, § 11; L. 2006, ch. 206, § 1; L. 2008, ch. 126, § 7; L. 2009, ch. 114, § 9; L. 2012, ch. 144, § 28; L. 2012, ch. 144, § 29; Jan. 1, 2013.



# Commission Work Session Agenda

## Memo

**From:** Greg Sund, Director of Public Works

**Work Session:** April 7, 2016

**Subject:** Purchase of Front-end Loader for Public Works Service Division

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

### Summary

The Fleet Replacement Schedule for 2016 includes replacement of a front-end loader for the Public Works Service Division. The 2016 budget includes \$180,000 from the New Equipment Reserve fund for this purchase. The low bidder for this piece of equipment was Sellers Equipment with a Doosan DL220-5 front-end loader in the amount of \$127,150. Staff recommends accepting the low bid.

### Background

This purchase will replace a 1996 Case 621B front-end loader that has reached its programmed life of 20 years. Staff considered keeping the Case front-end loader in the fleet as a reserve, but metal shavings were discovered in the transmission fluid. The decision was made to trade the unit in because the cost to maintain the equipment does not outweigh benefit of keeping it on hand.

### Discussion

The Public Works Department advertised for bids in February with an opening date of March 15, 2016. The City received five responsive bids. The low bid was from Sellers Equipment for a Doosan DL220-5 front-end loader in the amount of \$127,150. Below is a quick reference bid tabulation. A full tabulation is enclosed.

#### Bid Tabulation

<b>Vendor</b>	<b>Make/Model</b>	<b>Bid Amount w/Trade</b>
Sellers	Doosan DL220-5	127,150.00
VLP	Case 621F	138,107.89
Van Keppel	Volvo L70H	140,157.00
Foley	Cat 930M	148,722.00
Murphy Tractor	John Deere 544K	153,504.00

## **Legal Consideration**

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

## **Financial Consideration**

This purchase was programmed for 2016 in the Fleet Replacement Schedule on page 178 of the 2016 Budget Book (enclosed). The 2016 budget includes \$180,000 from the New Equipment Reserve fund for the purchase of a new front-end loader. The low bid from Sellers Equipment for a Doosan DL220-5 front-end loader was substantially below the budgeted amount. The New Equipment Reserve has adequate funds to cover this purchase.

## **Options**

The City Commission has the following options:

- To award the bids as recommended
- To award the bids to non-recommended bidders
- To reject all bids and order staff to re-bid.

## **Recommendation**

Staff recommends awarding the bid for a new front-end loader to Sellers Equipment for a Doosan DL220-5 front-end loader in the amount of \$127,150.

## **Action Requested**

To award the bid for purchase of a Doosan Model DL220-5 front-end loader for the Public Works Service Division to Sellers Equipment in the amount of \$127,150, including trade-in, to be funded out of the New Equipment Reserve

## **Supporting Documentation**

Bid tabulation

Page 178 of the 2016 Budget Book.

City of Hays  
Public Works Department  
Tabulation of Bids  
15-Mar-16

Front End Loader

	Sellers	VLP	Van Keppel	Foley	Murphy
	Doosan	Case	Volvo	Cat	JD
	DL220-5	621F	L70H	930M	544K
Out-Right	\$ 144,000.00	\$ 149,107.89	\$ 166,154.00	\$ 162,845.00	\$ 161,504.00
Trade-in Credit	\$ 18,500.00	\$ 11,000.00	\$ 28,000.00	\$ 15,600.00	\$ 8,000.00
Base	\$ 125,500.00	\$ 138,107.89	\$ 138,154.00	\$ 147,245.00	\$ 153,504.00
Option 1	\$ 1,650.00	\$ -	\$ 2,003.00	\$ 1,477.00	\$ -
Total	\$ 127,150.00	\$ 138,107.89	\$ 140,157.00	\$ 148,722.00	\$ 153,504.00
Delivery	90 days	90 days	90 days	4-6 weeks	45-60 days
Warranty	1 yr/1500 hr full 5 yr/7500 hr Ptrain	3 yr/3000 hr	1 yr/2500 hrs	1 yr/unl hrs	2 yrs/2000hrs
Exceptions					
1) 160 Hp			170		163
2) 425 Cl engine	360	411	348		414
3) 345 ft-lbs torque			629		504
4) 6 cyl Diesel turbo			N		
5) 115 amp alternator			80		130
11) slip differentials f&b				diff lock on front	hyd locking
12) 28 deg axle oscillation		24	13	10.5	
14) self adjusting/equalizing			blank		
17) auto Park Brake				manual	
21) Z bar			TP linkage		
27) 27000 breakout force	25000	23966	22400		19824
28) gear driven steering pump				var. displacement	axial piston
30) Loader pump 56 gpm		45.2	40.7	50	50
41) analog oil gauge			digital		

**VEHICLE/LARGE EQUIPMENT REPLACEMENT SCHEDULE  
CITY OF HAYS - 2016 BUDGET**

Department/ Division	2016 Purchases	Fleet to be Replaced	Water & Sewer	General	CVB	Solid Waste	Public Safety	Airport	Stormwater
Parks	3/4 ton P/U 4x4 with Plow	412 2001 Chevy 1/2 ton P/U 4x4		\$31,400.00					
Parks	Truck with Dump Bed	410 2001 Chevy F-450 with Dump Bed		\$56,000.00					
Parks/Golf Course	Mower	478 2008 Jacobson Gplex III Mower		\$25,800.00					
Parks	Mower	480 2008 Jacobson HR 5111		\$62,500.00					
Parks/Golf Course	Mower	1008 2008 Tri-plex Reel Mower		\$27,600.00					
Public Works/PIE	1/2 ton P/U	805 2001 Ford F-150		\$20,000.00					
Public Works/Service	Front End Loader	815 1996 Case 621B		\$180,000.00					
Public Works/Service	Backhoe	848 1997 Case 580 SL		\$115,000.00					
Public Works/Service	Snow Blower	878 1985 Detroit		\$100,000.00					
Public Works/Storm	Car	862 2006 Ford Taurus							\$18,800.00
Utilites	1 Ton Truck w/ Dump	651 2001 F-450 with Dump Bed	\$56,000.00						
Utilites	3/4 Ton P/U 4x2	653 2001 F-250 with Utility Bed	\$25,000.00						
Fire Department	SCBA Air Compressor	1992 SCBA Compressor					\$30,000.00		
Police Department	Interceptor AWD SUV	129 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor AWD SUV	130 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor Sedan	132 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	133 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	135 2007 Chevy Impala					\$24,000.00		
<b>Total</b>			\$81,000.00	\$618,300.00	\$0.00	\$0.00	\$158,000.00	\$0.00	\$18,800.00

	2015 Transfer Amounts	2016 Transfer Amounts
IT	\$1,087.19	\$1,624.24
CMO	\$0.00	\$0.00
Parks	\$137,126.90	\$139,139.46
PW	\$149,892.58	\$155,468.81
General Fund	\$288,106.67	\$296,232.51
Airport	\$6,053.00	\$6,829.14
Utilities	\$52,184.21	\$53,565.35
Sports Complex	\$19,524.11	\$19,524.11
Solid Waste	\$114,860.00	\$109,900.02
CVB	\$2,760.07	\$2,760.07
Fire	\$170,706.00	\$205,662.00
Police	\$128,891.00	\$161,196.00
Stormwater	\$1,790.00	\$0.00

# Commission Work Session Agenda

## Memo

**From:** Greg Sund, Director of Public Works

**Work Session:** April 7, 2016

**Subject:** Purchase of Backhoe/Loader for Public Works Service Division

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

### Summary

The Fleet Replacement Schedule for 2016 includes a new backhoe/loader for the Public Works Service Division. The 2016 budget includes \$115,000 from the New Equipment Reserve Fund for this purchase. The low bidder was Sellers Equipment with a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500. Staff recommends accepting the low bid.

### Background

The current backhoe/loader, a 1997 Case 580 SL, has been in service for 19 years. This purchase will take place a year earlier than the regularly planned 20 year replacement. The Public Works Service Division has determined that it would function more efficiently if it had two backhoes in service. Purchasing a new backhoe/loader this year will allow the current unit to remain in service and extend its useful life.

### Discussion

The Public Works Department advertised for bids in February with an opening date of March 15, 2016. The City received five responsive bids. The low bid was from Sellers Equipment for a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500. Below is a quick reference bid tabulation. The full tabulation is enclosed.

#### Bid Tabulation

<b>Vendor</b>	<b>Make/Model</b>	<b>Bid Amount</b>
Sellers Equipment	JCB 3CX-14 Super	88,500.00
Murphy Tractor	John Deere 310SL	91,622.05
Foley	Cat 420F	91,759.00
VLP	Case 5805N Widetrack	93,748.00
Farm Implement	New Holland B95C TC T4	107,740.00

## **Legal Consideration**

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

## **Financial Consideration**

The proposed purchase of a new backhoe/loader is listed in the Vehicle/Large Equipment Replacement Schedule in the 2016 budget document on page 178 (enclosed). The 2016 Budget includes \$115,000 for the purchase of a new backhoe/loader. The bid from Sellers Equipment for a JCB 3CX-14 Super backhoe/loader was substantially below the budgeted amount. The New Equipment Reserve has adequate funds to cover this purchase.

## **Options**

The City Commission has the following options:

- To award the bids as recommended
- To award the bids to non-recommended bidder
- To reject all bids and order staff to re-bid.

## **Recommendation**

Staff recommends awarding the bid for a new backhoe/loader to Sellers Equipment for a JCB 3CX-14 Super backhoe/loader in the amount of \$88,500.

## **Action Requested**

To award the bid for the purchase of a 2016 JCB Model 3CX-14 Super backhoe/loader for the Public Works Service Division to Sellers Equipment in the amount of \$88,500 to be funded out of the New Equipment Reserve Fund.

## **Supporting Documentation**

Bid tabulation

Page 178 of the 2016 Budget Book.

City of Hays  
 Public Works Department  
 Tabulation of Bids  
 15-Mar-16

Backhoe

	Murphy	Sellers	Murphy	Foley	VLP	Farm Imp
	JD	JCB	JD	Cat	Case	New Holland
	310L	3CX-14 Super	310SL	420F	5805N widetrack	B95C TC T4
Base	\$ 88,470.60	\$ 88,500.00	\$ 91,622.05	\$ 89,916.00	\$ 91,748.00	\$ 106,690.00
Option 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Option 2	\$ -	\$ -	\$ -	\$ 1,843.00	\$ 2,000.00	\$ 1,050.00
Total	\$ 88,470.60	\$ 88,500.00	\$ 91,622.05	\$ 91,759.00	\$ 93,748.00	\$ 107,740.00
Delivery	45-60 days	90 days	45-60 days	4-6 weeks	45 days	mid June
Warranty	2 yrs/2000hrs	2 yrs/2000hrs	2 yrs/2000hrs	1 yr/unl hrs	1 yrs/2000hrs	1 yr/unl hrs 5 yr/3000 hrs engine
Exceptions						
4) Turbo II precleaner	new design		new design			
9) inboard planetary	outboard drives	limited slip out	outboard			
10) diff locks on the go		N/A with limited slip				
12) rear diff dip stick				plug	no	plug
13) inboard wet disk brakes					no	
17) auto park brake		mechanical		manual		
19) 11Lx16 front tire		14-17.5				
20) 1.5 CY bucket	1.25		1.31		no	1.3
21) 89" cutting edge	86	96 or 92				
23) built in lift loops		?		not available		
25) 2-spool 1 lever elect cut off					no	
26) 7,230# lifting	6469				7044	
27) 12000 breakout	8978		10532	11500	10947	
30) open center HYD pump				var flow piston		var displacement
31) 35 gpm HYD	28				41	
44) light package					2 front 2 side	
46) dual 1250 CCA batteries						1200 and 900
52) reversible stabilzer	no					

**Does not Meet  
 Specifications**

**VEHICLE/LARGE EQUIPMENT REPLACEMENT SCHEDULE  
CITY OF HAYS - 2016 BUDGET**

Department/ Division	2016 Purchases	Fleet to be Replaced	Water & Sewer	General	CVB	Solid Waste	Public Safety	Airport	Stormwater
Parks	3/4 ton P/U 4x4 with Plow	412 2001 Chevy 1/2 ton P/U 4x4		\$31,400.00					
Parks	Truck with Dump Bed	410 2001 Chevy F-450 with Dump Bed		\$56,000.00					
Parks/Golf Course	Mower	478 2008 Jacobson Gplex III Mower		\$25,800.00					
Parks	Mower	480 2008 Jacobson HR 5111		\$62,500.00					
Parks/Golf Course	Mower	1008 2008 Tri-plex Reel Mower		\$27,600.00					
Public Works/PIE	1/2 ton P/U	805 2001 Ford F-150		\$20,000.00					
Public Works/Service	Front End Loader	815 1996 Case 621B		\$180,000.00					
Public Works/Service	Backhoe	848 1997 Case 580 SL		\$115,000.00					
Public Works/Service	Snow Blower	878 1985 Detroit		\$100,000.00					
Public Works/Storm	Car	862 2006 Ford Taurus							\$18,800.00
Utilites	1 Ton Truck w/ Dump	651 2001 F-450 with Dump Bed	\$56,000.00						
Utilites	3/4 Ton P/U 4x2	653 2001 F-250 with Utility Bed	\$25,000.00						
Fire Department	SCBA Air Compressor	1992 SCBA Compressor					\$30,000.00		
Police Department	Interceptor AWD SUV	129 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor AWD SUV	130 2006 Chevy Impala					\$28,000.00		
Police Department	Interceptor Sedan	132 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	133 2007 Chevy Impala					\$24,000.00		
Police Department	Interceptor Sedan	135 2007 Chevy Impala					\$24,000.00		
<b>Total</b>			\$81,000.00	\$618,300.00	\$0.00	\$0.00	\$158,000.00	\$0.00	\$18,800.00

	2015 Transfer Amounts	2016 Transfer Amounts
IT	\$1,087.19	\$1,624.24
CMO	\$0.00	\$0.00
Parks	\$137,126.90	\$139,139.46
PW	\$149,892.58	\$155,468.81
General Fund	\$288,106.67	\$296,232.51
Airport	\$6,053.00	\$6,829.14
Utilities	\$52,184.21	\$53,565.35
Sports Complex	\$19,524.11	\$19,524.11
Solid Waste	\$114,860.00	\$109,900.02
CVB	\$2,760.07	\$2,760.07
Fire	\$170,706.00	\$205,662.00
Police	\$128,891.00	\$161,196.00
Stormwater	\$1,790.00	\$0.00