

REGULAR PIQUA CITY COMMISSION MEETING
TUESDAY, APRIL 5, 2016
7:30 PM
COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OATH OF OFFICE – PIQUA FIRE DEPARTMENT
ASSISTANT FIRE CHIEF – LEE A. ADAMS

ANNOUNCEMENTS

REGULAR CITY COMMISSION MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES
Approval of the minutes from the March 15, 2016 Regular Piqua City Commission Meeting

NEW BUSINESS

2. RES. NO. R-46-16
A Resolution authorizing the City Manager to enter into a lease agreement to permit the usage of a portion of Lock Nine Park and Linear Park to Mainstreet Piqua and Piqua Arts Council
3. RES. NO. R-47-16
A Resolution to amend the contract with Strand Associates to move into the bidding phase for the new Central Zone Water Tower project
4. RES. NO. R-48-16
A Resolution requesting authorization for the purchase of two valves and the materials needed for installation of the valves on the 20 inch water main feeding the distribution system from the current Water Treatment Plant
5. RES. NO. R-49-16
A Resolution requesting authorization for the installation of a line stop and two valves on the 20 inch water main feeding the distribution system from the current Water Treatment Plant
6. RES. NO. R-50-16
A Resolution requesting final legislation to enter into an agreement with the Ohio Department of Transportation (ODOT) for the resurfacing of State Route 185 within the City of Piqua
7. RES. NO. R-51-16
A Resolution awarding a contract to Grissom Construction, LLC for the sidewalk ADA Compliance Program

PUBLIC COMMENT

(This is an opportunity for citizens to address the City Commission regarding agenda items, issues, or to provide information. Comments are requested to be limited to five (5) minutes and specific questions should be addressed to the City Manager's office).

CITY MANAGER'S REPORT

COMMISSIONERS COMMENT

ADJOURNMENT

**MINUTES
PIQUA CITY COMMISSION
Tuesday, March 15, 2016 7:30 P.M.**

Piqua City Commission met at 7:30 P.M. in the Municipal Government Complex Commission Chambers located at 201 W. Water Street. Mayor Hinds called the meeting to order. Also present were Commissioners Terry, Vogt, Wilson, and Martin. Absent: None.

REGULAR CITY COMMISSION MEETING

Consent Agenda

Approval of Minutes

Approval of the minutes from the March 1, 2016 Regular Piqua City Commission Meeting.

RES. NO. R-40-16

A Resolution of Appreciation for the Public Service of Thomas S. Chirsty as a City Employee

Deputy Chief Tom Christy retired after over 35 years of faithful and dedicated service to the City of Piqua and the citizens. Mayor Hinds read the Resolution of Appreciation and presented it to Tom Christy.

RES. NO. R-41-16

A Resolution appointing a member to the Board of Zoning Appeals

Skip Murray was appointed to the Board of Zoning Appeals for a five year term

RES. NO. R-42-16

A Resolution appointing a member to the Park Board

Edna Stiefel was appointed to the Park Board for a five year term.

RES. NO. R-43-16

A Resolution appointing a member to the Stormwater Utility Board

Perry Townsend was appointed to the Stormwater Utility Board for a term to expire on August 1, 2017.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to approve the Consent Agenda. Voice vote, Aye: Martin, Hinds, Terry, Vogt, and Wilson. Nay: None. Motion carried unanimously. Mayor Hinds then declared the Consent Agenda approved.

OLD BUSINESS

ORD. NO. 2-16 Amended (3rd Reading)

An Ordinance Amending Chapter 30, Section 30.15 Rules of Conduct of the Piqua Municipal Code

Law Director Stacy Wall provided the Staff Report.

Ms. Wall stated this is the third reading of Ordinance No. 2-16, and provided the information. This clarifies what the procedural order will be during the meeting, and clarifies when there is a public hearing those speaking at the public hearing will be sworn in, because it is in more the format of a testimony rather than just public comment. Also clarifies that the traditional public comment that has been followed after every agenda item will be at the beginning of the meeting.

Public Comment is not being eliminated, but just being moved to the beginning of the meeting rather than throughout the meeting, stated Ms. Wall.

As a result of the 2nd Reading it was requested that the Ordinance be reviewed to be sure the language was consistent. The Code Sections being considered are Section 30.15 Rules of Conduct for Meetings. Section 30.15 (B) and (C) the word **open** was revised to read as **public** to be consistent with the language of the rest of the Ordinance, and it has been completed, stated Ms. Wall.

Commissioner Wilson stated he received several telephone calls regarding the changes to the Commission Meeting format. Everyone I talked to agreed that moving the public announcement part of the meeting forward made a lot sense, but I didn't find anyone who agreed with eliminating the comment through-out the agenda, said Commissioner Wilson. Commissioner Wilson stated the residents he spoke with stated eliminating the public comments after each item of business would take away some of their right to give the commission their input. If they give their comment at the beginning of the meeting they would not be able to respond to commissioner's comments or opinion on a particular line item. It was pretty much unanimous to move the public announcements to the beginning of the meeting, and leave the rest of the meeting as it has always been done, stated Commissioner Wilson.

Law Director Stacy Wall stated the residents commenting during the meeting would only be able to comment one time during the meeting, and would not be able to comment after hearing what the commission has to say after that and then comment again. The rules state you can only comment one time.

Commissioner Martin stated he also received similar input from the public. Now when we do public comment the commission speaks first, then we call for public comment and the public has heard the Commission's comments first. Several residents believe we are taking the public right to comment. Commissioner Martin stated he felt they should leave that part of the meeting the same as it has been.

Commissioner Vogt stated he also heard from the public and mentioned that there might have been a sense of "paranoia" driving that concern. We are not trying to pull a fast one on anybody, but you cannot stop that perception, stated Commissioner Vogt. Commissioner Vogt agreed that the commission should leave the commission meetings the way they are, and is in favor of moving the announcements to the beginning of the meeting.

Commissioner Terry stated it does not make any difference to her when the public comment is.

Public Comment

Chuck Starrett, Demming Rd., came forward and voiced his concern on the changes to the meeting format. Mr. Starrett stated he was pretty upset when he saw how this was going to be changed and reading the Piqua Charter Section 4.

Mr. Starrett also voiced his opinion on the minutes of the meeting, and the details that should be included.

Mr. Starrett presented the Commissioner's with a copy of the City of Piqua Organization Chart asking that it be posted outside the doors of the Commission Chambers.

Jim Hemmert, Boone Street, came forward and voiced his opinion stating if you are trying to give your public comment before it's been elaborated on, you don't know what is going to go on. Mr. Hemmert further stated he would like to see the commission reconsider how they would like to restructure the meetings. Mr. Hemmert is in agreement with the Public announcements being moved to the beginning of the meeting.

Commissioner Vogt asked how they can amend the Ordinance at this time. Ms. Wall stated the Ordinance would have to be tabled at this time; you cannot amend on a third reading on just proposed items.

Law Director Wall stated to clarify for the purpose of the minutes, it is not in the Charter it is in the Ordinance. The Clerk and I have met several times about what goes into those minutes, and what the requirements are, so there is no issue with the minutes as it is not part of the ordinance proposed at this time.

Ms. Wall further stated, while the Charter requires public comment you have not taken that away by this ordinance, public comment still exists, it is just where it is put at in the meeting.

NEW BUSINESS

RES. NO. R-44-16

A Resolution authorizing a purchase order to Godwin Pumps of America, Inc. for the purchase of a portable 6' Diesel Pump & Hoses for all Water Utilities Departments

Dave Davis, Wastewater Plant Superintendent provided the Staff Report.

The purchase of a Portable 6" Diesel Driven Pump & Hoses from Godwin Pumps of America, Inc. will be made by using the State Contract, State of Ohio Department of Administrative Services, with a purchase price of not to exceed \$40,000. This purchase was in the 2016 budget using 40% Water funds and 20% Stormwater funds.

This unit will be used by all water divisions when needed during Emergencies within the city. The unit is mounted on a 2 wheel trailer with a 60 Gal. fuel tank, and includes proper PM Kits and Suction and Discharge Hose. The unit carries a 2000Hrs/1Year Warranty on engine Pump & Trailer, stated Mr. Davis.

Mr. Davis provided information on some of the past emergencies this could have been used for and what type of emergencies it could be used for in the future.

Dave Burtner, Director of Utilities, provided additional information stating in the past they have had to rent equipment when needed.

Commissioners asked several questions on the pump size, what the city currently has, and whether it will be diesel or gas.

Moved by Commissioner Martin, seconded by Commissioner Terry, that Resolution No. R-44-16 be adopted. Voice vote, Aye: Martin, Vogt, Terry, Hinds, and Wilson. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-44-16 adopted

RES. NO. R- 45-16

A Resolution approving the Fiscal year 2016 Local Government Safety Capital Grant Program Application and authorizing the City Manager to submit the application to the Ohio Development Services Agency

City Manager Huff stated he would like a motion to table indefinitely Resolution No. R-45-16 at this time. The City found out the particular work that was planned to be done with the grant money is not eligible to be used for that type of work so it is unnecessary to apply at this time.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to table Resolution No. R-45-16 indefinitely at this time. Roll call, Aye, Vogt, Wilson, Martin, Terry, and Hinds. Nay: None. Motion carried unanimously. Mayor Hinds declared Resolution No. R-45-16 tabled indefinitely.

PUBLIC COMMENT

No one came forward to speak at this time.

CITY MANAGER'S REPORT

City Manager Huff stated the Dayton Business Journal recently conducted a poll of the most livable cities in the Dayton area, and Piqua won the first round with 63% of the vote. Piqua will continue into the next round and encouraged citizens to vote again.

The American Public Power Association recognized the Piqua Power System with the "Certificate of Excellence" in reliability for 2015. This is another great award for the City of Piqua, and the Power Department, stated City Manager Huff.

The Employee GIVE Committee provided distribution of non-perishable food items to Piqua High School students for their spring break period. This is a great program that provides valuable assistance to less fortunate students, and plays a very big role in the community for the city, stated City Manager Huff.

On March 17, 2016 the City will be hosting a Regional Work Force Summit at the Piqua Plaza from 9:00 A.M. – 3:00 P.M. and have over 140 participants registered so far.

Commissioner Wilson asked City Manager Huff if he could give a brief update on the Community 4th of July celebration plans so far.

City Manager Huff stated he has posted information on his blog. The daytime events will take place at Fountain Park from 10:00 AM – 3:00 PM, and there will be activities for children, including a zip line, musical entertainment, and will have the non-profit and church groups providing food items. The evening activities will take place downtown at Lock Nine Park around 6:00 PM with two bands and a great fireworks display at the end of the evening. This should be a great day of celebration for the City of Piqua.

COMMISSIONERS COMMENT

Commissioner Martin reminded citizens to put their bags out with their can goods for the Boy Scouts to come by and pick up on Saturday, March 19th.

Commissioner Terry wished Tom Christy a happy retirement.

Mayor Hinds stated the Piqua High School Men's Chorus received a Superior Rating at the State Contest, and congratulated them on this award.

Mayor Hinds stated she attended the Active Living Committee Meeting. There is a lot going on in the community, especially around healthy activities. People are getting out riding their bikes and walking, getting active. There is a whole movement to get the community active, stated Mayor Hinds. The 6th grade classes at Piqua Central Intermediate School are running three days a week, and are going to be running in the 5K Run that the High School Cross Country Team is sponsoring in May. There will be more information coming in the future.

Mayor Hinds stated she went to Columbus with Piqua resident Jason McCabe who serviced by Riverside Developmental Disabilities in Miami County and is employed by RT Industries. Mr. McCabe spoke at the Developmental Disabilities Awareness Advocacy Day on March 8, 2016. He did a wonderful job and represented the Piqua Community well, and thanked him for the great job he did in Columbus.

Mayor Hinds stated she has noticed the Piqua Police Department has been in the news lately with some of the new tactics they have been taking to eliminate heroin in our community.

The Piqua Kiwanis had a successful Pancake Breakfast recently and thanked them for all the good work they do for the children in the community.

Moved by Commissioner Vogt, seconded by Commissioner Martin, to adjourn from the Regular Commission Meeting at 8:02 P.M. Voice vote, Aye: Martin, Wilson, Terry, Vogt, and Hinds. Nay, None.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

RESOLUTION NO. R-46-16

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO
ENTER INTO A LEASE AGREEMENT TO PERMIT THE USAGE
OF A PORTION OF LOCK NINE PARK AND LINEAR PARK TO
MAINSTREET PIQUA AND PIQUA ARTS COUNCIL**

BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: The City Manager is hereby authorized to permit Mainstreet Piqua and Piqua Arts Council on June 18, 2016, July 16, 2016, and August 20, 2016 to use Lock Nine Park and Linear Park as the location of the Rock Piqua! Riverfront Concert Series, upon the condition that Mainstreet Piqua and Piqua Arts Council obtains liability insurance satisfactory to the City Manager at a minimum coverage of \$1,000,000 and complies with the terms of the attached Lease Agreement. The rental fee for this lease shall be \$1.00 and other valuable consideration.

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION

EXHIBIT B

ROCK PIQUA! Riverfront Concert Series

A Piqua Arts Council and Mainstreet Piqua Program

Vision

A series of summer music events that...

- Attracts people to the riverfront area to raise the profile of the river corridor and the recreational trail system.
- Includes performers who can appeal to a wide age group and attract an audience from within and beyond the local community; e.g., local up and coming bands/performers from throughout the region.
- Incorporates beer and wines sales and specialty food vendor items.
- Raises funds to support the Piqua Arts Council and Mainstreet Piqua organizations.

Program Concept

Piqua Arts Council and Mainstreet Piqua will collaborate with local supporters to organize and provide a high quality outdoor summer music series that includes food and drink offerings. The series of events will take place in an around the Lock Nine Park area near the Great Miami River for the purpose of highlighting the recreation opportunities that exist on and along the river corridor.

The Rock Piqua! Riverfront Concert Series Planning Committee will be responsible for the general coordination of the event and solicitation of proposals and sponsorships and the committee will include representation from Piqua Arts Council and Mainstreet Piqua and the community at large. For the purpose of facilitating the event Piqua Arts Council and Mainstreet Piqua will serve as the contracting and fiduciary agencies and more or less share equal responsibility and or recognition and or financial gain occurring as a result of the planning, promotion, production, and execution of the music series of events. The specific task and roles to be filled by each organization will be as determined by the Planning Committee and agreed to as reasonable and appropriate by the Executive Director of each agency.

It is envisioned the program scope and coordination efforts will work as follows:

Location

The location of the event will be at the bend in the Great Miami River near where the river intersects with the multi-use recreational trail and in close proximity to the downtown area (the Lock Nine Park and surrounding area).

Dates/Times

A series of music events will be held on multiple dates throughout the summer. The event will take place on Saturday and the music performance will begin at approximately 7:00 P.M. and end at approximately 11:00 P.M. In general the dates will begin in June and run through early August and attempt to avoid conflicts with other community events or other major attractions taking place within the immediate region. The determination of whether or not another event or attraction constitutes a conflict to be avoided will be at the discretion of the Planning Committee.

EXHIBIT B

ROCK PIQUA! Riverfront Concert Series

Performers

The Planning Committee will identify performers that may be suitable for the scale, location, and budget defined for the event and come to a consensus on the appropriateness of a particular act before any talent is contracted to perform at any of the music series event dates.

Food

The event will be used to showcase signature food items prepared and provided by locally owned and operated restaurants. Restaurateurs with experience pairing food items that pair well with alcoholic beverages will be the preferred choice to provide food service at the event. The goal is to cross promote local restaurant establishments that are most likely to appeal to the event audience so that the local business may realize financial gain and greater brand awareness as a result of participating in the event.

Should there be a lack of interest or desirable options available locally, other vendors providing quality food items deemed suitable for the event will be considered. Service clubs, church groups, and other not-for profit organizations that offer food items as a fundraiser for their organization are not necessarily the targeted food vendors for this event.

The number of food vendors permitted to provide food service and the types of foods to be offered at each event will be limited to ensure each participating vendor a greater probability of profitability. A participation fee and contract determined appropriate by the Planning Committee will be required of each participating food vendor. The Planning Committee will identify food vendors that may be suitable for the scale, location, and budget defined for the event and come to a consensus on the appropriateness of a particular vendor before any entity is contracted to offer food service at the music series event dates.

Drink

The event will include soda and water, and beer and wine sales, and the beverage sales will be used to provide a source of income to the event. The Planning Committee will identify the beverage vendor option or options best suited for the scale, location, and budget defined for the event and come to a consensus on the appropriateness of a particular vendor before any entity is contracted to offer beverage service at any of the music series event dates.

Other

The event will require a temporary liquor license, security services, stage and equipment rentals, advertising, portable restrooms, portable barricades, and other incidental items.

EXHIBIT B
ROCK PIQUA! Riverfront Concert Series

Sponsorships

The goal is to provide the event to the community without requiring an admission fee. To achieve that goal sponsorships and other monetary support may be required. The Planning Committee will seek financial support from the community as deemed necessary and appropriate.

Roles and Responsibilities

It is understood that for an event of this scale to be successful the roles and responsibilities of all involved in executing the event must be clearly defined and understood. The following outlines the anticipated duties that each of the identified roles is expected to fulfill.

Roles and Responsibilities

Authorized Agent – Duties include providing the authoring signature on contracts and other documents to be executed and or provided in conjunction with the event.

Assignment: Piqua Arts Council

Food Coordinator - Duties include coordination with food vendors, and oversight of planning and execution of food preparation, sales, and clean-up needs, incidental to the event.

Assignment: Mainstreet Piqua

Beverage Coordinator - Duties include coordination with beverage vendors, and oversight of planning and execution of beverage preparation, sales, and clean-up needs, incidental to the event.

Assignment: Piqua Arts Council

Entertainment Coordinator - Duties include coordination with performing artist and audio/lighting/stage engineers, and oversight of planning and execution of engineer's audio/lighting/stage set-up, operation, and tear-down, and artist's pre-show, in-show, and post show needs, and any other ancillary entertainment activities, incidental to the event.

Assignment: Piqua Arts Council

Facilities Coordinator - Duties include coordination with sanitation, refuse, security, and electric service vendors/providers, and oversight of planning and execution of the set-up, operation, and tear-down, and security personnel pre-show, in-show, and post show needs, incidental to the event.

Assignment: Mainstreet Piqua

Marketing Coordinator - Duties include coordination of creation and publishing of print and electronic promotion and advertising materials, and media communication needs, incidental to the event.

Assignment: Piqua Arts Council/Mainstreet Piqua

Event Volunteers - Volunteers will be assigned to work under the direction of an event coordinator to assist with the completion of the task incidental to the coordinator's responsibilities.

EXHIBIT B
ROCK PIQUA! Riverfront Concert Series

Assignment: Mainstreet Piqua

Anticipated Schedule

<u>START</u>	<u>FINISH</u>	<u>TASK</u>
10:00 AM	NOON	STAGE/ROOF SET UP
NOON	3:00 PM	AUDIO/LIGHTING LOAD IN AND SET UP
3:00 PM	6:00 PM	BACKGROUND MUSIC/LIGHT PROGRAMING AND FOCUS
5:15 PM	6:00 PM	OPENING ACT LOAD IN AND SET UP (ON STAGE)
6:00 PM	6:20 PM	OPENING ACT SOUND CHECK
6:20 PM	7:00 PM	BACKGROUND MUSIC/PRE-SHOW ANNOUNCEMENTS
7:00 PM	8:30 PM *	OPENING ACT PERFORMANCE
7:45 PM *	8:30 PM *	HEADLINE ACT LOAD IN (OFF STAGE PREP AREA)
8:30 PM *	9:15 PM *	HEADLINE ACT SET UP AND SOUND CHECK
9:15 PM *	11:00 PM	HEADLINE ACT PERFORMANCE
11:00 PM	12:30 AM	AUDIO/LIGHTING STRIKE AND LOAD OUT
TBD		STAGE STRIKE

* ACTUAL PERFORMANCE TIMES TBD ONCE ARTISTS ARE CONFIRMED

ROCK PIQUA! RIVERFRONT CONCERT SERIES

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into this _____ day of _____ 2016, by and between the City of Piqua (CITY) and the Piqua Arts Council and Mainstreet Piqua (ASSOCIATION) as follows:

Section 1: For one dollar and other valuable consideration, the City leases to the Association on the days of June 18, 2016, July 16, 2016, and August 20, 2016 the Lock Nine Park and portions of the Linear Park public park facilities, and a portion of the Water Street public right of way from Spring Street to Harrison Street, as more specifically shown on the attached Exhibit 'A'.

Section 2: The Association shall occupy and use the leased premises solely for the purposes of the Rock Piqua! Riverfront Concert Series and related activities, as more specifically shown on the attached Exhibit 'B'.

Section 3: The Association shall obtain liability insurance satisfactory to the City Manager at a minimum coverage of \$1,000,000 per event or \$3,000,000 aggregate for bodily injury or property damage or for liability for acts of the Association or its agents, employees, licensees, or invitees, including operations, products and contemplated operations. Proof of coverage shall be provided to the City of Piqua.

The association will include the following as additional insureds: The City of Piqua, Ohio, its elected and appointed officials, all employees, agents, volunteers, all boards, commissions and/or authorities and board members including employees, agents and volunteers thereof. Coverage shall be primary to the Additional Insureds and not contributing with any other insurance or similar protection available to the Additional Insureds whether other available coverage be primary, contributing, or excess.

The City of Piqua shall be issued a certificate of insurance in the amount not less than stated above. The certificate of insurance shall specify that the City of Piqua, its elected of and appointed officials, all employees, agents, volunteers, all boards, commissions and/or authorities and board members including employees, agents and volunteers thereof are added by endorsement as additional insureds.

All performers and vendors at the celebration shall provide proof of liability coverage in the same amount and include the City of Piqua as an additional insured. The Association shall not permit any performer or vendor without the proper liability insurance coverage.

Section 4: The Association shall indemnify, hold harmless and defend the City of Piqua, Ohio, its officers, employees, agents and volunteers against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the City of Piqua, Ohio, its officers, employees, agents and volunteers may hereafter sustain, incur or be required to pay, arising out of or by any act or omission of the Association, the City of Piqua, Ohio, their officers, employees, agents and volunteers, in the execution, performance or failure to adequately perform Association's or City of Piqua's obligations pursuant to this contract.

ROCK PIQUA! RIVERFRONT CONCERT SERIES
LEASE AGREEMENT

Section 5: The Association, its assigns, heirs, successors, employees and any and all subcontractors are independent contractors and are not agents and/or employees of the City of Piqua.

Section 6: This agreement shall not be assignable.

Section 7: The Association and all performers and vendors shall comply with all inspections and obtain any permits required prior to operation, including any full time or on-site security, at the Association's expense.

Section 8: No Association contract with any performer or vendor shall place any liability upon the City.

Section 9: The Association shall be responsible for basic clean-up of the facilities after the conclusion of each Rock Piqua! Riverfront Concert Series event.

Executed as of the above-referenced date by:

CITY OF PIQUA

MAINSTREET PIQUA

Gary A. Huff, City Manager

Lorna Swisher, Executive Director

PIQUA ARTS COUNCIL

Jordan Knepper, Executive Director

EXHIBIT A



RESOLUTION NO. R-47-16

A RESOLUTION TO AMEND THE CONTRACT WITH STRAND ASSOCIATES TO MOVE INTO THE BIDDING PHASE FOR THE NEW CENTRAL ZONE WATER TOWER PROJECT

WHEREAS, Resolution R-89-13 was passed to allow Strand Associates to research and design a new water tower for the central zone of the distribution system; and

WHEREAS, land was acquired by the city for the tower and Strand Associates has completed design of the tower and water main extensions needed to supply the tower; and

WHEREAS, the City of Piqua is ready to move into the bidding phase of the project.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that

SEC. 1: The contract with Strand Associates be amended in the amount of \$27,000 for the bidding services.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	April 5, 2016		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution to amend the contract with Strand Associates to move into the bidding phase for the new Central Zone Water Tower Project		
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant Superintendent		
	Department: Water		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>Resolution R-89-13 was passed to allow Strand Associates to begin the research and design for a new water tower for the central zone of the distribution system of the city. Since that time, Strand has been working closely with the City to find the best location for the tower, design of the tower, and improvements that would be needed to the distribution system to incorporate the new tower into the existing water distribution system.</p> <p>A parcel of land located at 316 Fox Drive, was donated to the City of Piqua for the tower by Mr. Paul Sherry. A new 12" water main will be installed along Drake Road and through an easement on the Sherry property to connect the tower to the water distribution system. The new tower will also connect to the water system on Fox Drive.</p> <p>The water tower and the water main extension will be bid as separate projects. The tower will be bid as either a composite tower or an all steel tower to ensure the best pricing. Demolition of the Spring Street and South Main Water Towers will also be included in the new tower bid.</p> <p>We have secured a 1.075 million dollar grant from the Ohio Public Works Commission (OPWC) for the construction of the tower.</p> <p>Once bids have been received, we will come back to commission to approve contracts for the construction of the tower and installation of the water main. We will also need to amend the Strand contract again to enter into the construction administration phase of the project.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	(2016 Expenditure)	
	Expenditure \$:	\$27,000	
	Source of Funds:	WSLRF Loan	
	Narrative	Project will be funded through this loan.	

<p style="text-align: center;">OPTIONS (Include Deny /Approval Option)</p>	<ol style="list-style-type: none"> 1. Approve the Resolution to amend the contract with Strand Associates to move into the bidding phase of the new water tower project 2. Do not approve the Resolution and do not amend the contract with Strand Associates to allow them to move forward with the new water tower project. This would also cause the city to lose the OPWC grant money that is now available.
<p style="text-align: center;">PROJECT TIMELINE</p>	<p>Plans are to advertise for bids in mid to late May with a bid opening date of approximately August 5, 2016.</p>
<p style="text-align: center;">STAFF RECOMMENDATION</p>	<p>Approval of the Resolution to amend the contract with Strand Associates and move into the bidding phase of the new water tower project.</p>
<p style="text-align: center;">ATTACHMENTS</p>	<p>Strand Associates scope/fee document for bidding services.</p>

RESOLUTION NO. R-48-16

**A RESOLUTION REQUESTING AUTHORIZATION
FOR THE PURCHASE OF TWO VALVES AND
THE MATERIALS NEEDED FOR INSTALLATION
OF THE VALVES ON THE 20 INCH WATER MAIN
FEEDING THE DISTRIBUTION SYSTEM FROM
THE CURRENT WATER TREATMENT PLANT**

WHEREAS, the City of Piqua, has determined that two valves on the twenty inch water main feeding the city from the water treatment plant are inoperable; and

WHEREAS, Installation of two new valves is needed to maintain the functionality and integrity of the distribution system; and

WHEREAS, HD Supply Waterworks was the lowest of three bids for the materials.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that

SEC. 1: A purchase order not to exceed \$14,000 is hereby authorized to HD Supply Waterworks for the purchase of two valves and related materials.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$14,000.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	April 5, 2016		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution requesting authorization for the purchase of two valves and the materials needed for installation of the valves on the 20 inch water main feeding the distribution system from the current water treatment plant.		
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant Superintendent		
	Department: Water		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>It has been determined that two valves on the 20" feed line from the current water treatment plant leading into the city are not operable.</p> <p>These valves are essential for the integrity and flexibility of the distribution system. The valves are also needed to isolate a portion of the water main for work being done with the off-site pipeline portion of the new plant project. The valves will remain in use after the new treatment plant comes on line.</p> <p>Without these valves, we would not be able to fill East Ash Street Water Tower during that construction period.</p> <p>A line-stop is needed to be installed as there is currently no way to isolate this portion of the main because of the broken valves. The line-stop will allow the main to be shut down so that the new valves can be installed.</p> <p>The work will require Johnston Farm & Indian Agency to be without water service for a day. They have been notified and a timeframe for the project has been set when they will be closed.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	(2016 Expenditure)	
	Expenditure \$:	\$14,000	
	Source of Funds:	403-000-175-1750	
	Narrative	Valves and other materials needed for the job will be purchased from HD Waterworks Supply Company. They were the lowest price of three quotes. The project includes an approximate 10% contingency.	

OPTIONS (Include Deny /Approval Option)	1.	Approve the Resolution and allow for the purchase of two new valves and other materials needed for the 20" distribution feed line.
	2.	Do not approve the Resolution and do not allow for the City to be able to fill Ash Street Water Tower during the relocation phase of the new plant Off-Site Pipeline Project. This could result in loss of adequate water supply for fire protection for the eastern half of the city.
PROJECT TIMELINE	The project will take place in early June and be completed in one day.	
STAFF RECOMMENDATION	Approval of the Resolution and allow for the purchase of two new valves and related materials for the 20" water main feeding the City of Piqua	
ATTACHMENTS	Price Quote from Culy Contracting and cost of materials from HD Water Supply Waterworks.	



PS Bid #: JH750310490
 Job Name: PIQUA WTP 20" MATERIAL
 Location:
 Customer: CITY OF PIQUA
 Engineer:
 Bid date: 3/21/16

Salesman: JEFF HUELSKAMP
 Branch: HD SUPPLY WATERWORKS
 Phone: (937) 667-2169
 Fax: (937) 667-9016

Seq#	Qty	Description	Units	Price	Ext. Price
EXPIRATION DATE 4/21/16					
WATER					
40	1	20 MJ BUTTERFLY VLV OL 2"ON	EA	3,300.00	3,300.00
50	4	20 MJ DI WEDGE REST. BLK W/ ACC	EA	254.52	1,018.08
60	1	20 MJ LP SLEEVE USA CP DI C153	EA	1,079.28	1,079.28
70	1	20" FOSTER ADPT 20ABC W/ MJ ACC	EA	577.71	577.71
Bid Totals			Sub Total		\$5,975.07
			Bid Total		\$5,975.07

RESOLUTION NO. R-49-16

A RESOLUTION REQUESTING AUTHORIZATION FOR THE INSTALLATION OF A LINE STOP AND TWO VALVES ON THE 20 INCH WATER MAIN FEEDING THE DISTRIBUTION SYSTEM FROM THE CURRENT WATER TREATMENT PLANT.

WHEREAS, the City of Piqua, has determined that two valves on the twenty inch water main feeding the city from the water treatment plant are inoperable; and

WHEREAS, Installation of two new valves is needed to maintain the functionality and integrity of the distribution system; and

WHEREAS, Culy Contracting will insert a line stop so that the new valves can be installed and do the installation of the two new valves.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that

SEC. 1: A purchase order not to exceed \$17,000 is hereby authorized to Culy Contracting for the installation of a line stop and two valves.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$17,000.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	April 5, 2016		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution requesting authorization for the installation of a line stop and two valves on the 20 inch water main feeding the distribution system from the current water treatment plant.		
SUBMITTED BY	Name & Title: Don Freisthler, Water Plant Superintendent		
	Department: Water		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input checked="" type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input checked="" type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>It has been determined that two valves on the 20" feed line from the current water treatment plant leading into the city are not operable.</p> <p>These valves are essential for the integrity and flexibility of the distribution system. The valves are also needed to isolate a portion of the water main for work being done with the off-site pipeline portion of the new plant project. The valves will remain in use even after the new treatment plant comes on line.</p> <p>Without these valves, we would not be able to fill East Ash Street Water Tower during that construction period.</p> <p>A line-stop is needed to be installed as there is currently no way to isolate this portion of the main because of the broken valves. The line-stop will allow the main to be shut down so that the new valves can be installed with minimal interruption to customer's service.</p> <p>The work will require Johnston Farm & Indian Agency to be without water service for a day. They have been notified and a timeframe for the project has been set when they will be closed.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	(2016 Expenditure)	
	Expenditure \$:	\$17,000	
	Source of Funds:	403-000-175-1750	
	Narrative	Culy Contracting will be installing the line-stop and doing the labor for the valve installation. The valves and other materials needed for the job will be purchased by the City. Culy is the only contractor in the area that performs this type of work. The project includes an approximate 10% contingency.	

OPTIONS (Include Deny /Approval Option)	1.	Approve the Resolution and allow for the installation of two new valves on the 20" distribution feed line.
	2.	Do not approve the Resolution and do not allow for the City to be able to fill Ash Street Water Tower during the relocation phase of the new plant Off-Site Pipeline Project. This could result in loss of adequate water supply for fire protection for the eastern half of the city.
PROJECT TIMELINE	The project will take place in early June and be completed in one day.	
STAFF RECOMMENDATION	Approval of the Resolution and allow for the installation of two new valves on the 20" water main feeding the City of Piqua	
ATTACHMENTS	Price Quote from Culy Contracting and cost of materials from HD Water Supply Waterworks.	



Special Services Division
Line Stopping
Valve Insertion
Pressure/Hot Tapping
Process Pumps/Station Repair
Prompt and Professional Service in Zero Fail Environment

November 6, 2015

Shane Johnson
Underground Utilities Superintendent
City of Piqua, OH
123 Bridge St
Piqua, OH 45356

RE: Line Stops

Shane,

As per RFP, Please use this as our formal quotation to provide all labor, materials and installation of the following.

20" Line Stops, CI/DI Pipe water, less than 125 psi	\$13,180.00 each
Labor and equipment to install new valve and appurtences: <i>(All materials by others. We will supply line stop sleeve.)</i>	\$750.00 each

(Price is based on performing this work consecutively within 1 work week. We will supply technicians, service trucks and all means to lift and complete installation.) If you have any questions, please do not hesitate to call me on my cell. All excavation by others. Safe hole excavations must be followed with shoring if over 60"/5" deep.

Best Regards,

Ron Weston
Project Manager, Culy Contracting, Inc.
(765) 584-8509
(765) 584-8060, fax
(231) 499-6808 cell

5 Industrial Park Drive * P.O. Box 29 * Winchester, Indiana 47394
Phone: 765/584-8509 * Fax: 765/584-8060

RESOLUTION NO. R-50-16

**A RESOLUTION REQUESTING FINAL LEGISLATION
TO ENTER INTO AN AGREEMENT WITH THE OHIO
DEPARTMENT OF TRANSPORTATION (ODOT) FOR
THE RESURFACING OF STATE ROUTE 185 WITHIN
THE CITY OF PIQUA**

WHEREAS, on 6th day of May, 2014, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of resurfacing State Route 185 from the Piqua corporation limit (SLM 8.71) to US 36 (SLM 9.90), lying within the City of Piqua, and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

Also, if curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, the future maintenance of installed sidewalk curb ramps shall be the responsibility of the City.

The share of the cost of the LPA is now estimated in the amount of Seventy One Thousand Nine Hundred Sixty Eight and - - - - 00/100 Dollars, (\$71,968.00). For the purpose of this resolution, a 10% contingency has been added to the local share bringing the total to Seventy Nine Thousand One Hundred Sixty Five and - - - - 00/100 Dollars, (\$79,165.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

Sec. 1: That the estimated sum, of Seventy Nine Thousand One Hundred Sixty Five and - - - - 00/100 Dollars, (\$79,165.00) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds. Said appropriated amount shall cover the estimated cost and any contingency for the actual dollar amount of the Project, which will be based upon advertised bids received.

Sec. 2: That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Sec 3: That the LPA enter into a contract with the State, and that the City Manager be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

Sec. 4: That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution. This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the 6th day of May, 2014, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

SEC. 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	April 5, 2016		
REPORT TITLE (Should match resolution/ordinance title)	A resolution requesting final legislation to enter into an agreement with the Ohio Department of Transportation (ODOT) for the resurfacing of State Route 185 within the City of Piqua.		
SUBMITTED BY	Name & Title: Amy L. Havenar, P.E., City Engineer		
	Department: Engineering		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>On May 6, 2014, City Commission passed a resolution authorizing the City Manager to enter into a preliminary agreement with ODOT for the resurfacing of State Route 185. ODOT has completed the plans and specifications for the project and is ready to bid the project.</p> <p>The project limits of the resurfacing project are Sunset Drive (SR 185) from Covington Avenue to the west corporation limit. The resurfacing project will consist of the necessary roadway base repairs, the milling and the overlaying of the roadway with a new asphalt surface course and the installation of new pavement markings.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	\$79,165	
	Expenditure \$:	\$79,165	
	Source of Funds:	Local (103 Fund)	
	Narrative	<p>ODOT is funding a portion of this project through their Urban Paving Program. This program allows for projects to be completed with an 80/20 split with ODOT paying 80% of the project costs and the locals responsible for 20% of the project costs.</p> <p>While the bids are not in yet for this project, the estimated construction cost at this time is approximately \$360,000. Therefore, the estimated local portion (20%) of the project is approximately \$79,165, which includes a 10% contingency. If the actual bids come in higher, the local portion will increase. If the bids come in lower than the estimate, the local portion will decrease.</p>	

OPTIONS (Include Deny /Approval Option)	1.	Approve the resolution to enter into an agreement with ODOT and complete the resurfacing of State Route 185.
	2.	Deny the resolution and do not proceed with the resurfacing project.
PROJECT TIMELINE	The resurfacing is scheduled to begin in the summer of 2016.	
STAFF RECOMMENDATION	Approval of the Resolution to enter into an agreement with ODOT to allow for the resurfacing of State Route 185 to proceed.	
ATTACHMENTS	Contract (Exhibit A)	

EXHIBIT A

PID No. 92661
ODOT Project No. _____ (2016)

CONTRACT (Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of Piqua, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

WHEREAS, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

SECTION I: RECITALS

The foregoing recitals are hereby incorporated as a material part of this contract.

SECTION II: PURPOSE

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: LEGAL REFERENCES

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of resurfacing SR 185 from Piqua corp. limit (SLM 8.71) to US 36 (SLM 9.90), lying within the City of Piqua.

SECTION V: FINANCIAL PARTICIPATION

1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
2. The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of **Seventy One Thousand Nine Hundred Sixty Eight and - - - 00/100 Dollars, (\$\$71,968.00).**
5. **The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.**
Also, if curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, the future maintenance of installed sidewalk curb ramps shall be the responsibility of the City.
6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.
7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION VI: RIGHT-OF-WAY AND UTILITIES

1. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
 - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
 - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
 - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
2. The LPA agrees:
 - A. To keep said highway open to traffic at all times;
 - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto,
 - C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
 - D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;

- E. To place and maintain all traffic control devices conforming to the Ohio Manual on Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

SECTION IX: NOTICE

Notice under this contract shall be directed as follows:

City of Piqua
201 West Water Street
Piqua, Ohio
45356

Ohio Department of Transportation
Office of Estimating
1980 West Broad Street, 1st Floor
Columbus, Ohio 43223

SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin, disability, or age. Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.
2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin, disability, or age. If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.

3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

SECTION XI: GENERAL PROVISIONS

1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.
6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

SECTION XI: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

IN WITNESS THEREOF, the parties hereto have caused this contract to be duly executed in duplicate.

SEAL
(if Applicable)

OHIO DEPARTMENT OF
TRANSPORTATION

LOCAL PUBLIC AGENCY
City of Piqua

Director of Transportation

City Manager

Date

Date

Approved:
Mike DeWine
Attorney General of Ohio

By: _____
Stephen H. Johnson
Chief, Transportation Section

Date: _____

RESOLUTION NO. R-51-16

**A RESOLUTION AWARDING A CONTRACT
TO GRISSOM CONSTRUCTION, LLC FOR
THE SIDEWALK ADA COMPLIANCE
PROGRAM**

WHEREAS, on January 5, 2016, this Commission passed Resolution No. R-5-16 authorizing the City Purchasing Analyst to advertise for bids, according to law, for the Sidewalk ADA Compliance Program; and

WHEREAS, after proper advertisement, bids were opened resulting in the tabulation of bids as listed in Exhibit A attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Piqua, Miami County, Ohio, the majority of all members elected thereto concurring, that:

SEC. 1: A contract is hereby approved with Grissom Construction, LLC as the lowest, responsible bidder for the Sidewalk ADA Compliance Program and the City Manager is hereby authorized to execute a contract with said bidder pursuant to contract specifications.

SEC. 2: The Finance Director certifies that funds are available and is hereby authorized to draw her warrant from time to time on the appropriate account of the city treasury in payment according to contract terms, not exceeding a total of \$78,700.

SEC. 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

KATHRYN B. HINDS, MAYOR

PASSED: _____

ATTEST: _____
REBECCA J. COOL
CLERK OF COMMISSION



Commission Agenda Staff Report

MEETING DATE	April 5, 2016		
REPORT TITLE (Should match resolution/ordinance title)	A Resolution awarding a contract to Grissom Construction, LLC for the Sidewalk ADA Compliance Program.		
SUBMITTED BY	Name & Title: Amy L. Havenar, P.E., City Engineer		
	Department: Engineering		
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Regular
APPROVALS/REVIEWS	<input checked="" type="checkbox"/> City Manager		<input type="checkbox"/> Asst. City Manager/Finance
	<input type="checkbox"/> Asst. City Manager/Development		<input type="checkbox"/> Law Director
	<input type="checkbox"/> Department Director		<input type="checkbox"/> Other:
BACKGROUND (Includes description, background, and justification)	<p>On March 16, 2016, two bids were received for the Sidewalk ADA Compliance Program (see attached Exhibit A). In general, the work will consist of the installation of 41 ADA compliant handicap ramps at intersections along the streets to be resurfaced as a part of the 2016 Street Resurfacing Program as well as at a few other locations throughout the City. We would also like to have the Contractor install 2 additional handicap compliant ADA ramps at the intersection of Cedarbrook Drive and Covington Avenue which were not a part of the original bid. These two ramps need to be completed prior to the Covington Avenue Resurfacing Project scheduled for 2017. The project cannot be programmed with ODOT until these ramps are in place; therefore, we would like to get these installed as soon as possible so we can resurface Covington Avenue as early in 2017 as possible. We are requesting that these 2 ramps be added to Grissom Construction's contract based upon the unit price bids.</p>		
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	\$78,700	
	Expenditure \$:	\$78,700 (includes 10% contingency)	
	Source of Funds:	Street (103) Fund	
	Narrative:	This resolution includes a 10% contingency for items of work which may be required which are not included in the original plans and specifications as well as the cost for 2 additional handicap ramps on Covington Avenue that need to be completed prior to the Covington Avenue Resurfacing Project which will take place in 2017.	
OPTIONS (Include Deny /Approval Option)	1.	Approve the resolution and complete our 2016 Sidewalk ADA Compliance Program.	

	2.	Do not approve the resolution and do not complete the handicap ramp installation and ultimately, do not complete the 2016 Street Resurfacing Program.
PROJECT TIMELINE	The work will begin as soon as possible and has a completion date of July 1, 2016.	
STAFF RECOMMENDATION	Approve the resolution to allow for the completion of the Sidewalk ADA Compliance Program	
ATTACHMENTS	Bid Tabulation (Exhibit A)	

EXHIBIT A

City of Piqua 2016 Sidewalk ADA Compliance		Quantity	Grissom Construction, LLC		T.C. Holzen Inc.	
Item List A - BASE BID			Price	Extension	Price	Extension
202 - CONCRETE WALK REMOVED - S.F.		4,200.00	\$ 1.50	\$ 6,300.00	\$ 2.25	\$ 9,450.00
202 - CURB, CURB & GUTTER REMOVED, TYPE 6 / TYPE 2 - L.F.		610.00	\$ 7.00	\$ 4,270.00	\$ 10.00	\$ 6,100.00
608 - 6" NON-REINFORCED CONCRETE PAVEMENT, CLASS QC1 - S.F.		4,140.00	\$ 5.00	\$ 20,700.00	\$ 8.00	\$ 33,120.00
608 - 10" NON-REINFORCED CONCRETE PAVEMENT CLASS QC1 - S.F.		60.00	\$ 10.00	\$ 600.00	\$ 9.50	\$ 570.00
608 - CAST IRON CURB RAMP W/ TRUNCATED DOMES, AS PER PLAN - EACH		37.00	\$ 400.00	\$ 14,800.00	\$ 350.00	\$ 12,950.00
609 - CITY OF PIQUA TYPE 2 CURB, CLASS QC1 - L.F.		50.00	\$ 18.00	\$ 900.00	\$ 20.00	\$ 1,000.00
609 - CITY OF PIQUA TYPE 6 CURB, CLASS QC1 - L.F.		560.00	\$ 18.00	\$ 10,080.00	\$ 20.00	\$ 11,200.00
614 - TRAFFIC CONTROL - LUMP		1.00	\$ 3,500.00	\$ 3,500.00	\$ 2,500.00	\$ 2,500.00
Item List B - ALTERNATE BID						
202 - CONCRETE WALK REMOVED - S.F.		480.00	\$ 1.50	\$ 720.00	\$ 2.25	\$ 1,080.00
202 - CURB, CURB & GUTTER REMOVED, TYPE 6 / TYPE 2 - L.F.		64.00	\$ 7.00	\$ 448.00	\$ 10.00	\$ 640.00
608 - 6" NON-REINFORCED CONCRETE PAVEMENT, CLASS QC1 - S.F.		480.00	\$ 5.00	\$ 2,400.00	\$ 8.00	\$ 3,840.00
608 - CAST IRON CURB RAMP W/ TRUNCATED DOMES, AS PER PLAN - EACH		4.00	\$ 400.00	\$ 1,600.00	\$ 350.00	\$ 1,400.00
609 - CITY OF PIQUA TYPE 2 CURB, CLASS QC1 - L.F.		64.00	\$ 18.00	\$ 1,152.00	\$ 20.00	\$ 1,280.00
614 - TRAFFIC CONTROL - LUMP		1.00	\$ 1.00	\$ 1.00	\$ 750.00	\$ 750.00
14 Items			\$	\$ 67,471.00	\$	\$ 85,880.00