

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
FEBRUARY 22, 2018
7:00 P.M.**

Call to Order

1. **Roll Call** ____ Roberts ____ Longanecker ____ Brown ____ Crist ____ Conus ____ Lewis
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Agenda Approval
5. Approve Minutes for January 25, 2018 City Council Meeting
6. Approve Minutes for February 8, 2018 City Council Meeting
7. Approve Final Acceptance of 183rd Street Project and Authorize Final Payment to Amino Brothers Construction Company

Regular Agenda

8. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
9. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.
10. Presentation of Draft Final Downtown Edgerton Plan

Business Requiring Action

11. **CONSIDER APPROVAL OF EXHIBIT E PUBLIC INFRASTRUCTURE IMPROVEMENT NOTICE FOR 181ST STREET PHASE II (ALSO KNOWN AS RAIL SERVED ROAD)**

Motion: _____ Second: _____ Vote: _____

12. **Report by the City Administrator**

- o Final Report of Recovery for August 22, 2017 Flood
- o 2018 Citizen Survey

13. **Report by the Mayor**

14. Future Meeting/Event Reminders:

- March 8th 7:00 PM – City Council Meeting
- March 13th 7:00 PM – Planning Commission Meeting
- March 21st Noon – Senior Lunch
- March 22nd 7:00 PM – City Council Meeting

**15. CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319
(B) (2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE
ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY, FINANCIAL
ADVISOR AND CITY ADMINISTRATOR**

RECONVENE INTO OPEN SESSION

16. Adjourn Motion: _____ Second: _____ Vote: _____

**City of Edgerton, Kansas
Minutes of City Council Regular Session
January 25, 2018**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on January 25, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. ROLL CALL

Darius Crist	present
Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Jody Brown	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- Assistant City Administrator Scott Peterson
- City Attorney Lee Hendricks via phone (speaker)
- Public Works Superintendent Trey Whitaker
- Parks Bob McVey
- Katy Crow Development Services Director
- Mike Mabrey Utilities Superintendent
- Karen Kindle Finance Director

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

- 4.** Agenda Approval was considered.
- 5.** Minutes for December 28, 2017 City Council Meeting was considered.
- 6.** Minutes for January 11, 2018 City Council Meeting was considered.

Motion by Longanecker, seconded by Lewis, to approve items four and five from the consent agenda.

Motion was approved, 5-0

Item six was pulled to review the date of the minutes and to remove a statement by the Mayor.

Motion by Brown, seconded by Crist, to approve item six after changes have been made.

Motion was approved, 5-0.

7. PUBLIC COMMENTS

The President Ally and Vice President Rebecca of the Venturing Crew, a co-ed group of girl scouts and boy scouts, presented a matter to the Mayor and City Council about their group. The approximately ten member group is in need of volunteer hours, which can be done in groups or as individual volunteers. They have helped with Frontier Days and the Basketball Court in the past. Mayor Roberts stated that he would talk to staff about possible stream and lake clean up.

8. DECLARATION

None

BUSINESS REQUIRING ACTION**PUBLIC HEARING - VACATION OF STREETS****9 PUBLIC HEARING REGARDING AN ORDINANCE ORDERING THE VACATION OF STREETS AND ANY ADJOINING PUBLIC RIGHT-OF-WAY THERETO, BUT RESERVING A 20-FOOT-WIDE PUBLIC UTILITY EASEMENT WAS CONSIDERED.**

Katy Crow, Development Services Director, presented to Mayor and City Council information pertaining to the public hearing regarding an ordinance ordering the vacation of streets and any adjoining public right-of-way thereto, but reserving a 20-foot-wide public utility easement. Mayor Roberts opened the Public Hearing at 7:14 pm. With no questions or comments from either the audience or the City Council the Public Hearing was closed at 7:15 pm.

ORDINANCE NO. 1073-VACATION OF STREETS**10. ORDINANCE NO. 1073 ORDERING THE VACATION OF STREETS AND ANY ADJOINING PUBLIC RIGHT-OF-WAY THERETO, BUT RESERVING A 20-FOOT-WIDE PUBLIC UTILITY EASEMENT WAS CONSIDERED.**

Katy Crow, Development Services Director, continued with explanation of Ordinance No. 1073 ordering the vacation of streets and any adjoining public right-of-way thereto, but reserved a 20-foot-wide public utility easement. On February 24, 2011, the Governing Body approved Ordinance No. 901 which ordered the vacation of streets and any adjoining public right of way but reserved a 20-foot wide public utility easement to include all of the property dedicated for 191st street between Four Corners and US-56 Highway and all property dedicated for 183rd street between Waverly Road and US-56 Highway. Ordinance No. 901 was not correctly recorded in 2011, therefore Ordinance No. 1073 repeals Ordinance 901 and restates property descriptions sufficient to satisfy the Register of Deeds office. City staff will record this new ordinance upon its passage.

Motion by Longanecker, seconded by Brown, to approve Ordinance No. 1073.

Motion was approved, 5-0.

AWARD CONSTRUCTION OF NELSON STREET WATER LINE CDBG PROJECT.**11. A RECOMMENDATION OF CITY ENGINEER TO AWARD CONSTRUCTION OF THE NELSON STREET WATER LINE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT WAS CONSIDERED.**

Scott Peterson, Assistant City Administrator, provided information about the City Engineer's recommendation to award construction of the Nelson Street Water Line Project. Johnson County awarded the City of Edgerton a total of \$170,000 in Community Development Block Grant funds. The remainder of the project cost not covered by the CDBG fund is recommended by staff to be covered by the Water System Development Fund. In May of 2017, the City of Edgerton received three bids for a public bid process and all three bids were rejected by staff and City Council. The project was tabled until early 2018 so that the City could go back out for bid on the project. The project was put back out to bid in December, 2017 and the City held a public bid letting on January 9, 2018. At this time, the City received 10 bids at a much more competitive rate. BG Consultants submitted a letter of recommendation for Wiedenmann, Inc. as the lowest and best bidder.

Motion by Crist, seconded by Longanecker, to approve recommendation of City Engineer to award the project to Wiedenmann, Inc. in an amount not to exceed 280,546.00, and authorize the Mayor to sign the contract.

Motion was approved, 5-0.

ORDINANCE NO. 1074 PLANNING COMMISSION CHANGES**12. ORDINANCE NO. 1074 AMENDING THE SIZE AND COMPOSITION OF THE EDGERTON PLANNING COMMISSION WAS CONSIDERED.**

Katy Crow, Development Services Director, addressed the Mayor and City Council with proposed changes for the Planning Commission. Article 8, Section 8.2 (A) of the Uniform Development Code (UDC) states "There shall be nine regular voting members of the Planning Commission." In October 2017, the City Attorney and City Administrator addressed the Planning commission regarding the possibility of changing the size of the Commission. A nine member Planning Commission is a challenge to fill all nine positions and meet quorum requirements, a nine member commission requires a quorum of five. Currently if one member is absent, the meeting would need to be cancelled due to lack of quorum. The Edgerton Planning Commission recommended changes to reduce the membership to five (5) members, with three (3) members as a quorum, with a maximum of two (2) members from the unincorporated planning area adjacent to Edgerton. The planning area is within a three mile radius from the City boundary.

Motion by Conus, seconded by Brown, to approve Ordinance No. 1074 with changes to the City of Edgerton Planning area and the number of members on the Planning Commission.

Motion was approved, 5-0.

13. REPORT BY THE CITY ADMINISTRATOR

Beth Linn, City Administrator handed out three updated job descriptions. The Parks and Recreation Coordinator is a job class 4, supervised by the Assistant City Administrator, Scott Peterson.

The Accounting Technician is a job class 4, supervised by the Finance Director, Karen Kindle.
And the third job description is for a Customer Service Specialist, a job class 3 and supervised by the Assistant City Administrator, Scott Peterson.

Motion by Longanecker, seconded by Brown, to accept the three job descriptions introduced tonight.

Motion was approved, 5-0.

Update for the belt press, still no bids, Mayor is okay with staff recommendations.

14. REPORT BY THE MAYOR

No report

Kansas Rural Water Association Conference is coming in March, need to know before February 1, 2018 if you want to go. Please let City Administrator, Beth Linn know as soon as possible.

15. FUTURE MEETING/ EVENT REMINDERS:

- February 8th 7:00 pm – City Council Meeting
- February 13th 7:00 pm – Planning Commission Meeting
- February 15th 6:00pm- State of the City
- February 19th – City Offices Closed in observance of Presidents' Day
- February 21st Noon – Senior Lunch
- February 22nd 7:00 pm – City Council Meeting

16. ADJOURN MOTION: 1st Brown 2nd Longanecker Vote 5-0

The meeting adjourned at 7:50 pm.

Janeice L. Rawles
City Clerk

Approved by the Governing Body on

**City of Edgerton, Kansas
Minutes of City Council Regular Session
February 8, 2018**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on February 8, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Jody Brown	absent
Darius Crist	absent

With a quorum present, the meeting commenced.

Staff in attendance:	City Administrator Beth Linn
	Assistant City Administrator Scott Peterson
	City Attorney Lee Hendricks
	Public Works Superintendent Trey Whitaker
	Parks Bob McVey
	Katy Crow Development Services Director
	Mike Mabrey Utilities Superintendent
	Karen Kindle Finance Director
	Kathy Clark Accounting Technician

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

- 4.** Agenda Approval was considered.
- 5.** Approve Minutes

Motion by Longanecker, seconded by Lewis, to approve item four from the consent agenda.

Motion was approved, 3-0

Item five was tabled until the next meeting.

6. PUBLIC COMMENTS

None

7. DECLARATION

None

*Mayor Roberts introduced Johnson County District 6 Commissioner Mike Brown. Commissioner Brown presented a power point presentation about what is happening in the County. Commissioner Brown told about the Meadowbrook Park and the Big Bull Creek Park that is to open this year. He also gave an update about the Transit Project.

*Karen Kindle introduced Kathy Clark, Accounting Technician. She will be working with Utility Billing, Accounts Payable and Accounts Receivable, and other tasks as assigned.

*Mike Mabrey introduced his new employee Wayne Kauffman, who will be working in the Utilities Department.

HIGH-SPEED INTERNET ANTENNA AT THE BANK OF KNOWLEDGE

8. AN AGREEMENT WITH JOHNSON COUNTY, KANSAS, AND THE CITY OF EDGERTON, KANSAS, FOR THE INSTALLATION OF A HIGH-SPEED INTERNET ANTENNA AND MOUNT INSTALLATION AT THE BANK OF KNOWLEDGE WAS CONSIDERED.

Trey Whitaker, Public Works Superintendent presented information about the installation of a high-speed internet antenna at the Library. Johnson County will do the install and will fix any and all damages to our Library Building if there are any damages. Mr. Whitaker stated that there would be no roof penetration.

Motion by Longanecker, seconded by Lewis, to approve the agreement with Johnson County for the installation of a high-speed antenna at the Library.

Motion was approved, 3-0.

AGREEMENT BETWEEN JOHNSON COUNTY AND THE CITY OF EDGERTON

9. AN AGREEMENT BETWEEN JOHNSON COUNTY, KANSAS, AND THE CITY OF EDGERTON, KANSAS, FOR THE PUBLIC IMPROVEMENT OF NELSON STREET AND EAST 4TH STREET (INCLUDING THE INTERSECTION) WAS CONSIDERED.

Trey Whitaker, Public Works Superintendent presented information about the CARS (County Assistance Road System) project. The City of Edgerton will use BG Consultants to complete the design plans for the project. This project was approved as a 2018 CARS Project, and once plans are completed city staff will seek concurrence to bid with construction completion expected by fall 2018. Lee Hendricks, City Attorney has recommended a few proposed changes and staff has advised the County of the proposed changes. The County is unable to make the requested changes at this time however they have indicated they will take the requested changes under consideration for the upcoming agreement revision.

Motion by Longanecker, seconded by Lewis, to approve the CARS agreement.

Motion was approved, 3-0.

ETC INSTITUTE

10. A CONTRACT FOR SERVICES AND SCOPE OF WORK WITH ETC INSTITUTE FOR A CITIZEN SURVEY WAS CONSIDERED.

In 2012 and 2015 the Edgerton City Council contracted with ETC Institute to perform a citizen survey. The results of those surveys have been used to assist the Governing Body and Staff in prioritizing funding and resources during the preparation of the annual budget. A survey in 2018 will allow the Governing Body to again compare the results of the previous two surveys. This year ETC will have the ability to send the survey on line, which should increase the response rate.

Motion by Conus, seconded by Longanecker, to approve the contract with ETC for a citizen survey.

Motion was approved, 3-0.

CANDID MARKETING

11. AN AGREEMENT WITH CANDID MARKETING + COMMUNICATIONS FOR MARKETING, GRAPHIC DESIGN AND PUBLIC RELATIONS SERVICES FOR 2018 WAS CONSIDERED.

The City of Edgerton began contracting with candid Marketing in December 2012. Becky Freetly presented a great power point presentation about the past, current and future services. City of Edgerton staff is recommending a change in structure to the agreement for payment of services. The agreement will be more similar to other professional services used by the City of Edgerton, which would allow for an hourly rate for marketing and communications. This will allow for having a better way to track work and payments in the future.

Motion by Lewis, seconded by Longanecker, to approve the contract with Candid.

Motion was approved, 3-0.

12. REPORT BY THE CITY ADMINISTRATOR

Reminder of the upcoming KRWA (Kansas Rural Water Association) conference, need to know who is attending by tomorrow.

13. REPORT BY THE MAYOR

March 1st – water and wastewater rates will go up.

14. FUTURE MEETING/EVENT REMINDERS:

February 9th 8:00 am – Ribbon Cutting at Patti's Hair Salon

February 13th 7:00 pm—Planning commission Meeting

February 15th 6:00 pm – State of the City

February 19th – City Offices closed in observance of Presidents' Day

February 21st Noon – Senior Lunch

February 22nd 7:00 pm – City Council Meeting

14.5 EXECUTIVE SESSION

Motion by Longanecker, seconded by Lewis, for executive session, five minutes, attorney client privilege to discuss contract negotiations.

Motion was approved, 3-0.

Meeting recessed at 8:10 pm.

Motion by Longanecker, seconded by Lewis, to return with no action taken.

Motion was approved, 3-0.

Meeting was reconvened at 8:15 pm.

15. ADJOURN.

Motion by Lewis, seconded by Longanecker, to adjourn.

Motion was approved, 3-0

Meeting adjourned at 8:16 pm.

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider Final Acceptance of 183rd Street Project and Authorize Final Payment to Amino Brothers Construction Company

Department: Public Works

Background/Description of Item: On September 28, 2017, the Edgerton City Council approved 183rd Street (Montrose Street east to the city limits) as a Public Infrastructure Project as described in the Amended and Restated Public Infrastructure Financing Plan between the City Edgerton, BNSF Railway and Edgerton Land Holding Company (ELHC) in the amount of \$1,446,000. At the time of this approval, ELHC had not yet received bids for award of construction. This project is included in the List of Projects for the Logistics Park Kansas City (LPKC) Plan of Finance.

ELHC awarded the 183rd Street Improvement Project to Amino Brothers Co. in the amount of \$1,065,250.84. At the time of award of the contract, the design plans were not 100% complete. Change Order No. 1 was used to address the final changes to the design plans necessary after bid including items such as inclusion of drive apron that was inadvertently left off (and all supporting infrastructure with the entrance), additional pavement removal and the deduct of storm sewer constructed under a different contract. Change Order No. 2 added curb framing to the island on the east end of the project that should have been included in original plans. Final construction costs are \$1,089,922.70. A summary of the total project costs listed below.

Construction	\$ 1,065,250.84
Change Order #1	\$ 15,071.86
Change Order #2	<u>\$ 9,600.00</u>
Total	\$ 1,089,922.70

This cost will be borne entirely by ELHC until such time the project is converted to funding from Home Rule Revenue Bonds. Staff will work during the first quarter of 2018 with Intermodal Bond Counsel and ELHC to convert recently completed infrastructure projects in the next Home Rule Revenue Bond series.

Notice to Proceed was issued on October 9, 2017. The substantial completion date was December 22, 2017, with final completion on February 2, 2018. BG Consultants as City's Inspector has performed final inspection and noted project for final acceptance. There are a few items noted by the Inspector that Contractor will address during the warranty period next spring.

Enclosure: Original Cost Estimate
Change Order No. 1
Change Order No. 2
Email from BG Consultants regarding project completion.

Related Ordinance(s) or Statute(s): N/A

Recommendation: Approve Final Acceptance of 183rd Street Project and Authorize Final Payment to Amino Brothers Construction Company

Funding Source: Public Infrastructure Fund

Prepared by: Scott Peterson, Assistant City Administrator & Trey Whitaker, Public Works Superintendent
Date: February 1, 2018

September 25, 2017

**Project: 183rd St Reconstruction
Montrose St to Gardner City Limits
Edgerton, Kansas**

Ms. Beth Linn,

The letter is to establish a budget for the proposed 183rd St reconstruction project. The project is currently listed in the Plan of Finance as 183rd St with Dedicated Source listed in the Total Cost column. The project is currently out to bid. We anticipate the total cost to be about \$1,446,000. The total cost items are summarized below in the Associated Costs list.

<u>Items</u>	<u>Associated Costs</u>
City Bond Costs	\$ 7,000
Road Construction Costs	\$ 1,200,000
Design for Road Improvements	\$ 65,000
Inspection Fees (2.5% on Const. Costs)	\$ 30,000
NP Development Fee (5%)	\$ 60,000
Contingency (7%)	\$ 84,000
Project Totals	\$ 1,446,000

We appreciate the opportunity to work with the City of Edgerton on this project.

Sincerely,



John Thomas, Vice President
NorthPoint Development



AIA Document G701™ – 2017

Change Order

PROJECT: <i>(Name and address)</i> West 183rd Street Edgerton, KS	CONTRACT INFORMATION: Contract For: LPKC-Public Street Improvements Date: October 2, 2017	CHANGE ORDER INFORMATION: Change Order Number: 001 Date: November 20, 2017
OWNER: <i>(Name and address)</i> Edgerton Land Holding Company, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150	ARCHITECT: <i>(Name and address)</i>	CONTRACTOR: <i>(Name and address)</i> Amino Brothers Co, Inc. 8110 Kaw Drive PO Box 11277 Kansas City, KS 66111

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

- Item 4 - Unclassified Excavation - The addition of the entrance on Montrose (as shown on Sheet C10B of the revised plans requires an additional 140 CY of Unclassified Excavation.
- Item 9 - Integral PCCP Curb - The addition of the entrance on Montrose added an additional 90 LF of Integral Curb.
- Item 11 - 11" PCCP-(AE)(NRDJ) - The addition of the entrance on Montrose, including the area of the removal of the existing curb that is not reflected on the plans, added an additional 212 SY of pavement.
- Item 12 - 7" Compacted AB-3 - The addition of the entrance on Montrose, including the area of the removal of the existing curb that is not reflected on the plans, added an additional 243 SY of 7" AB-3.
- Item 13 - 4" Clean Crushed Gravel -The revised plans, including the area of the removal of the existing curb on Montrose that is not reflected on the plans, added an additional 657 SY of 4" Clean Gravel.
- Item 14 - 6" Perforated Underdrain -In order to get the underdrain at the west end/north side to drain, some of the underdrain had to be deleted and we drained it into Storm Structure C01.
- Item 17 - 4" Concrete Sidewalk -The addition of the entrance on Montrose added an additional 350 SF of 4" Concrete Sidewalk.
- Item 18 - ADA Ramps-The addition of the entrance on Montrose added 80 SF of ADA ramps.
- Item 19 - Sodding -The addition of the entrance on Montrose added an additional 80 SY of Sodding.
- Item 20 - 15" RCP -The revised plans changed Storm Sewer Line E from 24" RCP to 15" RCP. This added 37 LF of 15" RCP.
- Item 22 - 24" RCP -The revised plans changed Storm Sewer Line E from 24" RCP to 15" RCP. This reduced the quantity of 24" RCP by 37 LF.
- Item 24 - 36" RCP -The revised plans removed the Storm Sewer Line between Structures A1 and A2 from our contract. Therefore, this reduced the quantity of 36" RCP by 236 LF.
- Item 27 - 6'x6' Concrete Junction Box-The revised plans removed Storm Structure A1 from our contract. Therefore, this reduced the quantity of Junction Box by 1 EA.
- Item 29 - 20" Split Steel Casing Pipe -The revised plans increased the length of the casing at Sta. 2+92.23 LT by 12 LF. Therefore, this added 12 LF of Split Steel Casing Pipe.
- Item 32 - Removal of Existing Curb & Gutter -Per your direction, we are to remove the existing curb & gutter at the entrance that was added on Montrose. This added 134 LF of Curb Removal.
- Item 33 - Removal of Existing Pavement -The revised plans added an additional 520 SY of Pavement Removal.
- Item 38 - Additional Traffic Control -On October 16th, the City of Gardner requested additional traffic control devices be added for the road closure. You accepted our price of \$2,250.00 for this additional traffic control via email on October 18th-
- Item 39 - Additional Construction Staking for Entrance -The addition of the entrance on Montrose created the need for additional Construction Staking. These additional costs are \$690.00.

Item 40 - Additional Pavement Sawing at Entrance -The removal of the curb at the entrance on Montrose will require additional pavement sawing. These additional costs are \$480.00.

The original Contract Sum was	\$	1,065,250.84
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	1,065,250.84
The Contract Sum will be increased by this Change Order in the amount of	\$	15,071.86
The new Contract Sum including this Change Order will be	\$	1,080,322.70

~~The Contract Time will be increased by Zero (0) days.~~
~~The new date of Substantial Completion will be unchanged.~~

THE CONTRACT TIME WILL BE ADDRESSED BY
A SEPARATE CHANGE ORDER.

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

ARCHITECT (Firm name)	Amino Brothers Co, Inc.	Edgerton Land Holding Company, LLC
SIGNATURE	SIGNATURE	SIGNATURE
PRINTED NAME AND TITLE	Mary J. Sullivan CEO	Chris Chancellor, Proj. Manager
DATE	11-21-17	11/22/2017

AIA® Document G701™ – 2017
Change Order
PROJECT: *(Name and address)*
 West 183rd Street

Edgerton, KS

OWNER: *(Name and address)*
 Edgerton Land Holding Company, LLC

 4825 NW 41st Street, Suite 500
 Riverside, MO 64150

CONTRACT INFORMATION:
 Contract For: LPKC-Public Street
 Improvements
 Date: October 2, 2017
ARCHITECT: *(Name and address)*
CHANGE ORDER INFORMATION:
 Change Order Number: 002

Date: January 24, 2018

CONTRACTOR: *(Name and address)*
 Amino Brothers Co, Inc.

 8110 Kaw Drive
 PO Box 11277
 Kansas City, KS 66111
THE CONTRACT IS CHANGED AS FOLLOWS:
(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)
Includes setting up 4 Type 3 barricades (two at either end of the location), sawing and removal of the outer portion of the existing median, drilling and inserting new dowels, pouring the new curb and pouring non-colored concrete median noses at either end of the median and removal of existing right turn arrow on Montrose Street.

The original Contract Sum was	\$ 1,065,250.84
The net change by previously authorized Change Orders	\$ 15,071.86
The Contract Sum prior to this Change Order was	\$ 1,080,322.70
The Contract Sum will be increased by this Change Order in the amount of	\$ 9,600.00
The new Contract Sum including this Change Order will be	\$ 1,089,922.70

~~The Contract Time will be unchanged by Zero (0) days.~~
~~The new date of Substantial Completion will be unchanged.~~
The scope of work contemplated by Change Order herein is recognized to be work not subject to Contract Time provisions of the contract.
NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.
NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

ARCHITECT <i>(Firm name)</i>	Amino Brothers Co, Inc.	Edgerton Land Holding Company, LLC
CONTRACTOR <i>(Firm name)</i>	<i>Denise M. Jones</i>	<i>Chris Chancellor</i>
SIGNATURE	SIGNATURE	SIGNATURE
	<i>DENISE M. JONES, PRES.</i>	Chris Chancellor, Project Manager
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
	<i>1/24/2018</i>	1/24/2018
DATE	DATE	DATE

Trey Whitaker

From: Jon Carlson <jon.carlson@bgcons.com>
Sent: Wednesday, February 14, 2018 8:08 AM
To: Trey Whitaker; Scott Peterson
Cc: Beth Linn; Katy Crow; david.hamby@bgcons.com; Chris Chancellor; Al Seeman
Subject: 183rd Street Edgerton Final Acceptance

To the best of my knowledge Amino Brothers Co., Inc. has completed all work on the 183rd Street project as noted in the plans approved by the City of Edgerton as of February 12, 2018. The Substantial Completion date for this project was December 21, 2017 with a two year warranty period from this date. The project can be accepted by the City of Edgerton at your discretion.

Respectfully submitted,

Jon Carlson

Senior Construction Observer



1405 Wakarusa Drive | Lawrence, KS 66049

T: 785.749.4474 | F: 785.749.7340

C: 785.331.8289 (Personal)

Web: www.bgcons.com | [Map](#) | [Email](#)

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AGENDA ITEM INFORMATION FORM

Agenda Item: Consider Approval of Exhibit E Public Infrastructure Improvement Notice for 181st Street Phase II (also known as Rail Served Road)

Department: Public Works

Background/Description of Item: In July 2015, the City of Edgerton executed the Amended and Restated Public Infrastructure Financing Plan with BNSF Railway (BNSF) and Edgerton Land Holding Company (ELHC), LLC. This agreement included as Exhibit B a list of approved infrastructure projects associated with Logistics Park Kansas City. Exhibit B is enclosed with the packet.

Section 5.f of this Agreement states that all remaining Public Infrastructure Improvements (that are not specifically assigned a start date or that have not already began) shall be commenced when ELHC executes and delivers to the City and BNSF a Public Infrastructure Improvement Notice to Proceed (the "Improvement Notice") reference in the Agreement as Exhibit E with the cost estimate.

Edgerton Land Holding Company has submitted Exhibit E for 181st Street Phase II (also known as Rail Served Road) construction adjacent to ColdPoint Logistics. 181st Street will be constructed simultaneously with ColdPoint Logistics Phase III. 181st Street Phase I was approved for construction by Edgerton City Council on September 28, 2017 in the amount of \$432,831.

Construction cost is estimated at \$1,670,986.00. This cost will be borne entirely by ELHC until such time the project is converted to funding from Home Rule Revenue Bonds. If the project is approved, staff will work with Intermodal Bond Counsel and ELHC to include the project in the next Home Rule Revenue Bond series.

As this project was included in Exhibit B, staff would recommend approval of Exhibit E.

Enclosure: Exhibit B – Plan of Finance Infrastructure Project List
Exhibit E – including cost estimate

Related Ordinance(s) or Statute(s):

Recommendation: Approve Exhibit E Public Infrastructure Improvement Notice for 181st Street Phase II (also known as Rail Served Road)

Funding Source: N/A

Prepared by: Beth Linn, City Administrator
Date: February 1, 2018

LPKC
Plan of Finance
Infrastructure Project List

Project No.	Project Name	Linear Feet	Price per LF	Total Cost	Anticipated Year of Construction
1	Kill Creek Road (Phase I)	1,161		\$ 1,250,973	2014
2	Kill Creek Road/187th Street (Phase II)	1,200	\$ 583	\$ 2,184,887	2014
3	Water Tower			\$ 2,000,000	2014
4	Montrose St/196 St	3,620	\$ 750	\$ 2,715,000	2015
5	Widmer E/W	1,100	\$ 600	\$ 660,000	2017
6	Widmer N/S	5,500	\$ 560	\$ 3,080,000	2018
7	Widmer Turn Lane/Median			\$ 450,000	2017
8	Waverly Rd/197th St			Dedicated Source	
9	Rail Served Road	12,250	\$ 560	\$ 6,860,000	2017
10	183rd St			Dedicated Source	2017
11	Montrose St/187 St (north by Big Industrial)			Dedicated Source	2017
12	Removal of Four Corners	5,291	\$ 350	\$ 1,851,850	2021
13	207th Grade Separation - Design			\$ 2,000,000	2016
14	207th Grade Separation - Construction			\$ 13,000,000	2019
15	Public Road Extension - 197th St to 199th St	1301	\$ 583	\$ 758,483	2019
		31,423		\$ 36,811,193	

Exhibit E

Public Infrastructure Improvement Notice

ELHC agrees to promptly proceed with the Public Infrastructure Improvement(s) identified below:

<u>Public Infrastructure Improvement</u>	<u>Public Infrastructure Improvement Description</u>	<u>Estimated Cost</u>	<u>Funding Mechanism</u>	<u>Responsible Party</u>
181st Street Phase II	Rail Served Road Phase II adjacent to ColdPoint	\$1,670,986.00	ELHC	ELHC

The Infrastructure Concept Plans (as defined in the Project Agreement), if any, are attached to this Notice.

**Project: Public Street Improvements
 181st Street Phase II
 City of Edgerton, Johnson County Kansas**

January 5, 2018
February 14, 2018 Revised

Ms. Beth Linn,

NorthPoint has received the bids for the 181st Street Phase II project. Four companies were invited to submit proposals and three responded. NorthPoint has reviewed the proposals and recommends award to Clarkson Construction Company. Clarkson Construction Company provided the most competitive proposal and committed to the required construction schedule. Please find below an estimate of the costs associated with this project. We appreciate the opportunity to work with the City of Edgerton. Please let us know if any additional information is required.

<u>Items</u>	<u>Associated Costs</u>
City Bond	\$12,000
Road Construction	\$1,254,984
Storm Construction	\$139,548
Design for Road & Storm	\$73,855
Testing/Inspection Fees – geotechnical completed with IP XL	\$0.00
NP Development Fee (5%)	\$74,019
Contingency (7.5%)	\$116,580
Project Total	\$1,670,986

Sincerely,

Aaron J. Burks

Aaron J. Burks
NorthPoint Development

Copy: John Thomas
 Amanda Roller
 Chris Chancellor