

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT CITY COUNCIL

5:00 PM

**Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma
SPECIAL AGENDA**

January 23, 2018

**DURANT CITY HALL
300 W. EVERGREEN, DURANT, OK
ROSCOE J. HATFIELD COUNCIL CHAMBERS**

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

ORDER OF BUSINESS

1. Discussion with Action on Award of Bid for Carl Albert Swimming Pool Renovation to Carrothers Construction in the Amount of \$247,000 Including Approval for Mayor to Execute Contractual Documents Including the Notice to Proceed Pending City Attorney Review
2. Consideration To Approve Amended Memorandum Of Understanding (MOU) C-2018-02 With Rural Water And Sewer District # 5 Relating To The Infrastructure Improvements Serving The SteelFab, Inc. Facility Located At 446 Country Club Road.
3. Public Hearing For 2018 Recreational Trail Grant Application
 1. Consider Approval Of Resolution 2018-02 For Support And In-kind Labor And Equipment Match Commitment Towards The 2018 Recreational Trails Grant Project.
 2. Consider Authorization For The Mayor To Sign All Related Documentation To Complete The 2018 Recreational Trail Project Application.

ADJOURNMENT

CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act,

public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 16th day of January, 2018 and that an agenda of said meeting was posted at the place of such meeting at 4:40 p.m. on the 19th day of January, 2018..

Cynthia J. Price, City of Durant



The City of Durant

Public Works Director

Memorandum

Date: 1/17/2018
To: Mayor and City Council
From: Marty Cook - Public Works Director
Re: Discussion with Action on Award of Bid for Carl Albert Swimming Pool Renovation to Carrothers Construction in the Amount of \$247,000 Including Approval for Mayor to Execute Contractual Documents Including the Notice to Proceed Pending City Attorney Review

The Carl Albert Swimming Pool Renovation Project construction bids have been submitted and an acceptable candidate has been chosen. The best bidder has submitted a bid of \$247,000 for the project, which had an estimated budget amount was \$255,270. This falls under the estimated project budget for construction. We, therefore, recommend that the bid be awarded to Carrothers Construction Co, Inc.

Attached are the documents from Brandon Wall of Wall Engineering that relate to this project. Wall Engineering is administering this project for the City of Durant.

Council Information / Action Requested

Consider Approval of Item

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

Description	Type	Upload Date
Bid Award Documents	Cover Memo	1/17/2018

WALL ENGINEERING, LLC
PO Box 1457
Durant, OK 74702
Ph: 580-317-4104 Fax: 580-317-4190

January 17, 2018

City of Durant
ATTN: Mayor Jerry Tomlinson
300 W Evergreen
Durant, OK 74701

RE: City of Durant
Carl Albert Swimming Pool Renovation
Bid Tabulation and Notice of Award

Mayor Tomlinson:

The above referenced project was bid at 2:00 pm on January 16, 2018, at the City of Durant. Two (2) contractors elected to submit a bid. Carrothers Construction Company, LLC of Paola, KS, was the apparent low bidder with a base bid of \$247,000.00. A Certified Bid Tabulation is enclosed.

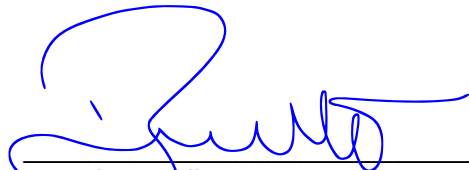
Based on the construction budget amount of \$255,270, we recommend that the City of Durant award the above referenced project to Carrothers Construction Company, LLC, of Paola, KS, in the amount of \$247,000.00.

Please review and sign the enclosed Notice of Award and return them to our office for further processing. We will coordinate preparation of the Contracts and schedule a Pre-Construction Conference where the Notice to Proceed will be issued.

Should you have any questions or require additional information, please do not hesitate to call me at (580) 317-4104.

Respectfully,

WALL ENGINEERING



Brandon Wall, P.E.
President

cc: Project File: DU-17-03
Plan Holders

CITY OF DURANT
CARL ALBERT POOL REHABILITATION
BID TABULATION
JANUARY 16, 2018; 2:00pm

Bid Item	Carrothers Construction Co	Branco Enterprises, Inc
	Paola, KS	Neosho, MO
Complete Swimming Pool Renovation to include all items of work listed in plans and specifications	\$ 209,500.00	\$ 234,800.00
Concrete Access Hole (3'x3' per Spec Section 1-A)	\$ 1,500.00	\$ 1,500.00
Remove underwater lighting, fuses, and wiring	\$ 9,800.00	\$ 6,200.00
Pressure Test stainless steel recirculation system	\$ 17,600.00	\$ 4,300.00
Expose Leaks in Recirculation System and Repair	Included in Bid Price	\$ 12,300.00
New zero entry floor in wading pool	\$ 8,600.00	\$ 13,400.00
New exterior finish on slide	Included in Bid Price	\$ 28,900.00
TOTAL BASE BID PRICE	\$ 247,000.00	\$ 301,400.00

Certified as True and Correct



Brandon Wall, P.E.
Wall Engineering

NOTICE OF AWARD

Date of Issuance:

Owner:	City of Durant	Owner's Contract No.:	DU-17-03
Engineer:	Wall Engineering, LLC	Engineer's Project No.:	DU-17-03
Project:	Swimming Pool Renovation	Contract Name:	N/A
Bidder:	Carrothers Construction Co, Inc.		
Bidder's Address:	401 W Wea, Paola, KS 66071		

TO BIDDER:

You are notified that Owner has accepted your Bid dated January 16, 2018 for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

Base Bid

The Contract Price of the awarded Contract is:

Two Hundred Forty-Seven Thousand Dollars and Zero Cents (\$247,000.00)

6 unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

☒ a set of the Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner 6 counterparts of the Agreement, fully executed by Bidder.
2. Deliver with the executed Agreement(s) the Contract security and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): None

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner:

By: _____
Jerry Tomlinson

Title: Mayor

Copy: Engineer



The City of Durant

Grants Department

Memorandum

Date: 1/19/2018
To: Mayor and City Council
From: Rebecca Collins, Grants Coordinator
Re: Consideration To Approve Amended Memorandum Of Understanding (MOU) C-2018-02 With Rural Water And Sewer District # 5 Relating To The Infrastructure Improvements Serving The SteelFab, Inc. Facility Located At 446 Country Club Road.

Council approved the MOU C-2018-02 on January 9, 2018.

Upon further review by Bryan County Rural Water and Sewer District # 5 (RWSD), their legal counsel has requested some revisions. Tom Marcum, our legal counsel, has approved the changes made to the attached document.

For your convenience, the Amendment DRAFT is attached with changes striked or underlined and the FINAL document included for approval execution.

Council Information / Action Requested

Approve Amended Memorandum Of Understanding (MOU) C-2018-02 With Rural Water And Sewer District # 5 Relating To The Infrastructure Improvements Serving The SteelFab, Inc. Facility Located At 446 Country Club Road.

City Staff Information / Action Follow-up, if Council authorizes this action:

Becca will forward the Amended MOU to RWSD # 5 with a request to present to their board as soon as possible. The completely approved document will be included with the CDBG-ED application for the SteelFab project.

ATTACHMENTS:

Description	Type	Upload Date
Amended MOU C-2018-02 DRAFT for SteelFab project	Cover Memo	1/19/2018
Amended MOU C-2018-02 for SteelFab Project	Cover Memo	1/19/2018

C-2018-02
MEMORANDUM OF AGREEMENT
AMENDED DRAFT
CITY OF DURANT & BRYAN COUNTY RURAL WATER AND SEWER DISTRICT # 5

For and in consideration of the mutual promises and benefits to each party this Memorandum of Agreement is entered into by and between the City of Durant (hereinafter referred to as "**City**"), and the Bryan County Rural Water and Sewer District # 5 (hereinafter referred to as **RWSD # 5**) relating to the SteelFab, Inc. (hereinafter referred to as "**Company**") water line improvements project (hereinafter referred to as "**Improvements**"); and

WHEREAS, **Company** has initiated construction of a steel fabrication facility on property owned by **Company** at 446 Country Club Road, within the **RWSD # 5** service area; and

WHEREAS, the **Company** properties require water service for the safety and convenience of the **Company's** employees and to support operations, and

WHEREAS, with **RWSD # 5** being the owner of the water lines in the area of the **Improvements** required for the **Company**, it is necessary that permission be granted by **RWSD # 5** to allow **City** to complete construction thereon and connection thereto; and

~~WHEREAS, the construction of **Improvements** to serve the **Company** properties will inure to **Company's** exclusive benefit.~~

In consideration of the mutual covenants and conditions contained herein, and for other good and valuable consideration, the parties hereto agree to the following terms and understandings:

1. WHEREAS, the **City** needs assistance in constructing **Improvements** to serve the **Company**, located at 446 Country Club Road, Durant, OK 74701.

Proposed Improvements Identified Below:

- Lift Station – Owned by **City** in easement (from DIA) and maintained by City.
- 6” Sewer Forcemain – Owned by **City** in easement (from DIA / SteelFab) and maintained by City
- 12” Sewer Gravity Main – Same as 6” - Owned by **City**
- 12” Watermain, west of Hwy 78 - Owned by **City** in street ROW and maintained by City
- 12 Watermain, east of Hwy 78 – Owner by **RWSD #5** in easement (from DIA / SteelFab) and maintained by RWSD

2. WHEREAS, it is deemed feasible that this local assistance be obtained, through a 2017 Community Development Block Grant Economic Development Infrastructure (hereinafter referred to as **CDBG-ED**) grant from the Oklahoma Department of Commerce for funding of the public facilities project.
3. The **City** shall prepare and submit the **CDBG-ED** grant application for the **SteelFab, Inc.** public infrastructure project, which encompasses **Improvements** within the **RWSD # 5** jurisdiction.
4. The **CDBG-ED** grant funds will be utilized for all materials and any construction contract(s) required for the **Improvements** to complete the public facilities project, benefitting the **Facility**, which are necessary for the new job creations.
5. The **RWSD # 5** will be allowed to review and approve any easements necessary for the project within its service area.
6. The **RWSD # 5** will be allowed to review and approve plans for construction of infrastructure items in RWSD # 5 service area.

7. The **RWSD # 5** will be allowed to inspect the infrastructure **Improvements** construction and approve prior to acceptance of completed project.
8. The **City**, as agreed upon through the executed Industrial Water Purchase Memorandum of Understanding, shall provide treated water to the **RWSD # 5**, upon completion of the **Improvements** constructed pursuant to this Agreement.
9. The **RWSD # 5** will be responsible for delivering the water supplied by this Agreement to its own customers.
10. The **RWSD # 5** shall be responsible for delivering the water supplied by the Agreement to its own customers at such a time as it accepts delivery of water from the **City**.
11. ~~The maintenance and responsibility of those certain portions of the Improvements consisting of new water lines are the sole responsibility of the **RWSD # 5**.~~
The completed water line infrastructure **Improvements** east of Highway 78, will be the sole ownership and maintenance responsibility of the **RWSD #5**.

THEREFORE, we have set our hand and seal the day and year indicated with our signatures.

CITY OF DURANT

RURAL WATER AND SEWER DISTRICT NO. 5

By: _____
Jerry L. Tomlinson, Mayor

By: _____
Stan Presley, Chairman

Date: _____

Date: _____

ATTEST:

ATTEST:

Cynthia Price, City Clerk

Betty Patton, Secretary

C-2018-02
MEMORANDUM OF AGREEMENT
AMENDED
CITY OF DURANT & BRYAN COUNTY RURAL WATER AND SEWER DISTRICT # 5

For and in consideration of the mutual promises and benefits to each party this Memorandum of Agreement is entered into by and between the City of Durant (hereinafter referred to as "**City**"), and the Bryan County Rural Water and Sewer District # 5 (hereinafter referred to as **RWSD # 5**) relating to the SteelFab, Inc. (hereinafter referred to as "**Company**") water line improvements project (hereinafter referred to as "**Improvements**"); and

WHEREAS, **Company** has initiated construction of a steel fabrication facility on property owned by **Company** at 446 Country Club Road, within the **RWSD # 5** service area; and

WHEREAS, the **Company** properties require water service for the safety and convenience of the **Company's** employees and to support operations, and

WHEREAS, with **RWSD # 5** being the owner of the water lines in the area of the **Improvements** required for the **Company**, it is necessary that permission be granted by **RWSD # 5** to allow **City** to complete construction thereon and connection thereto; and

In consideration of the mutual covenants and conditions contained herein, and for other good and valuable consideration, the parties hereto agree to the following terms and understandings:

1. WHEREAS, the **City** needs assistance in constructing **Improvements** to serve the **Company**, located at 446 Country Club Road, Durant, OK 74701.

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- 12 Watermain, east of Hwy 78 – Owner by **RWSD #5** in easement (from DIA / SteelFab) and maintained by RWSD

2. WHEREAS, it is deemed feasible that this local assistance be obtained, through a 2017 Community Development Block Grant Economic Development Infrastructure (hereinafter referred to as **CDBG-ED**) grant from the Oklahoma Department of Commerce for funding of the public facilities project.
3. The **City** shall prepare and submit the **CDBG-ED** grant application for the **SteelFab, Inc.** public infrastructure project, which encompasses **Improvements** within the **RWSD # 5** jurisdiction.
4. The **CDBG-ED** grant funds will be utilized for all materials and any construction contract(s) required for the **Improvements** to complete the public facilities project, benefitting the **Facility**, which are necessary for the new job creations.
5. The **RWSD # 5** will be allowed to review and approve any easements necessary for the project within its service area.
6. The **RWSD # 5** will be allowed to review and approve plans for construction of infrastructure items in RWSD # 5 service area.

7. The **RWSD # 5** will be allowed to inspect the infrastructure **Improvements** construction and approve prior to acceptance of completed project.
8. The **City**, as agreed upon through the executed Industrial Water Purchase Memorandum of Understanding, shall provide treated water to the **RWSD # 5**, upon completion of the **Improvements** constructed pursuant to this Agreement.
9. The **RWSD # 5** will be responsible for delivering the water supplied by this Agreement to its own customers.
10. The **RWSD # 5** shall be responsible for delivering the water supplied by the Agreement to its own customers at such a time as it accepts delivery of water from the **City**.
11. The completed water line infrastructure **Improvements** east of Highway 78, will be the sole ownership and maintenance responsibility of the **RWSD #5**.

THEREFORE, we have set our hand and seal the day and year indicated with our signatures.

CITY OF DURANT

RURAL WATER AND SEWER DISTRICT NO. 5

By: _____
Jerry L. Tomlinson, Mayor

By: _____
Stan Presley, Chairman

Date: _____

Date: _____

ATTEST:

ATTEST:

Cynthia Price, City Clerk

Betty Patton, Secretary



The City of Durant

Grants Department

Memorandum

Date: 1/19/2018
To: Mayor and City Council
From: Rebecca Collins, Grants Coordinator
Re: Public Hearing For 2018 Recreational Trail Grant Application

1. Consider Approval Of Resolution 2018-02 For Support And In-kind Labor And Equipment Match Commitment Towards The 2018 Recreational Trails Grant Project.
2. Consider Authorization For The Mayor To Sign All Related Documentation To Complete The 2018 Recreational Trail Project Application.

The awarded ODOT Rails to Trails grant budget will fund the cost of the complete engineer design of the trail system along the abandoned railway planned for connection to other trails at SOSU.

Unfortunately, the Rails to Trails grant award will not provide enough funding to fully complete the designed trail.

The Recreational Trails grant would possibly provide an additional \$240,000 to apply towards the **continuation** of the awarded Rails To Trails project. This grant would not be used on the Rails to Trails section. City in-kind labor and equipment will be utilized only on the portion of the trail to be requested through the OK Recreational Trail program.

If funded, the project would not begin until early 2019.

Council Information / Action Requested

Becca will conduct the public hearing.

Approve Resolution 2018-02 For Support And In-kind Labor And Equipment Match Commitment Towards The 2018 Recreational Trails Grant Project.

Authorize The Mayor To Sign All Related Documentation To Complete The Recreational Trail Project Application.

City Staff Information / Action Follow-up, if Council authorizes this action:

Becca plans to complete the grant application and submit by January 31.

ATTACHMENTS:

Description	Type	Upload Date
Public Hearing Notice - Recreational Trail Grant	Cover Memo	1/19/2018
Resolution 2018-02 Supporting Recreational Trail Application	Cover Memo	1/19/2018

NOTICE OF PUBLIC HEARING

2018 Oklahoma Tourism and Recreation Department *Recreational Trails Program*

The City of Durant is proposing to submit a grant application by January 31, 2018 to the Oklahoma Department of Tourism and Recreation Department for Federal Highway Administration Outdoor Recreation and Recreational Trail projects through the Recreational Trail Program.

The City of Durant will present an Application Phase Public Hearing announcing the grant proposal for trail improvements. If funded, the proposed project would be partially financed with the FY18 Recreational Trail Program funds.

The purpose of the public hearing is to provide a clear explanation of the proposed project and to give an opportunity for citizens to discuss the project, community needs and recreational improvement priorities in the community, with city staff, community partners and fellow citizens. Topics of discussion will also include: OK Tourism and Recreation and Federal Highway Administration Recreational Trail Program purpose, design and emphasis.

The City of Durant will conduct the informational public hearing to provide opportunity for public input.

Public Hearing scheduled for:

Tuesday - January 23, 2018

5:00 PM

Special Council Meeting

**City Council Chambers - Durant City Hall
300 West Evergreen - Durant, OK**

The public is encouraged to attend, and if you need any special accommodations, please contact Becca Collins, on-staff Grants Coordinator, at 580.931.6623. If you will be unable to attend the Application Phase Public Hearing at the scheduled time, and you would like more information or to submit a comment, please write or call the City Clerk at (580) 931.6645 - 300 W. Evergreen Street, Durant, OK 74701.

Posted Friday, January 19, 2018 before 5:00 PM at Durant City Hall, City Council Agenda, the city website, Bryan County Courthouse, Donald W. Reynolds Community Center and Library, and Durant Chamber of Commerce.

Resolution No. 2018 – 02

**A RESOLUTION FOR SUPPORT AND MATCH COMMITMENT
Oklahoma Department of Tourism and Recreation
FY 2018 Recreational Trails Program**

In an effort to continue outdoor recreation improvements to enhance the quality of life for the Durant community, the City of Durant is submitting an FY 2018 grant application to the Oklahoma Department of Tourism and Recreation Department through the Recreational Trails Program.

WHEREAS, the City of Durant is requesting grant funds in the amount of **\$240,000** to increase outdoor recreational opportunities by continuing the scope of current awarded 2016 ODOT Rails To Trails project. The proposed project will include a recreational trail with support amenities, to include signage recognizing funding agency; and

WHEREAS, the Recreational Trails Program grant guidelines require a minimum 20% match. The application project budget will propose to utilize city in-kind and equipment match. The total grant project budget for the trail site is estimated in the amount of **\$ 300,000**.

WHEREAS, the total grant match sources will be identified for the application in the form of itemized city in-kind labor and equipment for a minimum total of **\$ 60,000** to support a successful project; and,

NOW THEREFORE, BE IT RESOLVED, the City of Durant commits to ensure the minimum 20% match requirement is met, to support outdoor recreation improvements identified in the 2016 Durant Master Trail Plan, the 2012 OK Statewide Comprehensive Outdoor Recreation Plan (SCORP) and the 2001 OK Recreational Trails Plan.

PASSED AND APPROVED by the Mayor and City Council of the City of Durant, Oklahoma this January 23, 2018, at a special scheduled meeting of the governing body, in compliance with the Open Meeting Act, 25 O.S. § 301 et seq.

Jerry L. Tomlinson, Mayor

ATTEST:

Cynthia Price, City Clerk