

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

8:00 AM

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

October 21, 2016

CALL TO ORDER

ROLL CALL

ORDER OF BUSINESS

1. The 2016 Community Development Block Grant (CDBG) Economic Development Infrastructure Finance Grant Award 16802 CDBG -ED 16 For Water and Wastewater Infrastructure Improvements (C-2016-86) Benefiting CMC Steel Oklahoma, LLC Facility To Create New Jobs.
1. Consideration To Accept The 2016 Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16 In The Amount of \$ 1,000,000 For Water and Wastewater Infrastructure Improvements (C-2016-86) Necessary For New Job Creations.
- 2. Consideration To Approve The Residential Anti-Displacement And Relocation Assistance Plan Relating To the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.**
- 3. Consideration To Approve The Statement Of Compliance To Ensure Compliance With Specific Grant Award Conditions Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.**
- 4. Consideration To Approve Resolution No. 2016-24 Relating To The CMC Steel Oklahoma, LLC Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.**
- 5. Consideration To Approve Ordinance No. 1811 Relating To The**

CMC Steel Oklahoma, LLC Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

6. Consideration To Approve The Request For Authorization To Purchase 2016-102 (CONST) In The Amount of \$ 880,055 For Infrastructure Construction Costs Relating To the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16

7. Consideration To Accept And Approve Bid No. RFB 2016-102A For Infrastructure Improvements Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16, Contingent Upon Receiving Oklahoma Department Of Commerce Approval Of The Removal Of Contract Conditions To Achieve Release Of Funds For 16802 CDBG-ED 16.

8. Consideration To Authorize The Mayor To Sign Documents Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

2. Executive Session

- a. Consider Entering into Executive Session as Authorized by Title 25, Section 307 B(4) of the Oklahoma State Statutes, to Confidentially Discuss with Attorney Pending Litigation, Charles Calhoun and Jim Thorpe v. City of Durant, District Court Case No. CV -2016-79
- b. Consider Action Pursuant to 2(a) Above

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 17th day of October, 2016 and that an agenda of said meeting was posted at the place of such meeting at 7:25 a.m. on the 18th day of October, 2016.

Cynthia J. Price, City of Durant



The City of Durant

Grants Department

Memorandum

Date: 10/16/2016

To: Mayor and City Council

From: Rebecca Collins, Grants Coordinator

Re: The 2016 Community Development Block Grant (CDBG) Economic Development Infrastructure Finance Grant Award 16802 CDBG -ED 16 For Water and Wastewater Infrastructure Improvements (C-2016-86) Benefiting CMC Steel Oklahoma, LLC Facility To Create New Jobs.

1. Consideration To Accept The 2016 Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16 In The Amount of \$ 1,000,000 For Water and Wastewater Infrastructure Improvements (C-2016-86) Necessary For New Job Creations.

2. Consideration To Approve The Residential Anti-Displacement And Relocation Assistance Plan Relating To the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

3. Consideration To Approve The Statement Of Compliance To Ensure Compliance With Specific Grant Award Conditions Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

4. Consideration To Approve Resolution No. 2016-24 Relating To The CMC Steel Oklahoma, LLC Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

5. Consideration To Approve Ordinance No. 1811 Relating To The CMC Steel Oklahoma, LLC Job Creations Benefitted By The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

6. Consideration To Approve The Request For Authorization To Purchase 2016-102 (CONST) In The Amount of \$ 880,055 For Infrastructure Construction Costs Relating To the Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802

CDBG-ED 16

7. Consideration To Accept And Approve Bid No. RFB 2016-102A For Infrastructure Improvements Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16, Contingent Upon Receiving Oklahoma Department Of Commerce Approval Of The Removal Of Contract Conditions To Achieve Release Of Funds For 16802 CDBG-ED 16.

8. Consideration To Authorize The Mayor To Sign Documents Relating To The Community Development Block Grant-Economic Development Infrastructure Finance (CDBG-ED) Award 16802 CDBG-ED 16.

On October 14, 2016 the city received notice of the 2016 CDBG Economic Development Infrastructure Finance grant award **16802 CDBG ED 16** in the amount of **\$ 1,000,000**. The grant will provide funding for water and wastewater infrastructure improvements to benefit the CMC Steel Oklahoma, LLC facility for 168 new job creations.

The following items require council action for acceptance of the grant contract award, Release of Funds requirements and infrastructure construction:

Council Information / Action Requested

Please consider actions individually for all items listed per the council agenda for **16802 CDBG ED 16**.

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

The RFAP 2016-102 CONST will be completely signed before the council meeting on Friday, Oct. 21.

Becca will complete the Release of Funds requirements for 16802 CDBG-ED 16, as soon as possible to prepare for expediting the infrastructure construction schedule.

ATTACHMENTS:

Description	Type	Upload Date
CMC Grant Contract Award 16802 CDBG-ED 16 (C-2016-86)	Cover Memo	10/17/2016
CMC Anti-Displacement Plan 16802 CDBG-ED 16	Cover Memo	10/17/2016
CMC Statement of Compliance 16802 CDBG-ED 16	Cover Memo	10/17/2016
CMC Resolution 2016-24 Job Creations 16802 CDBG-ED 16	Cover Memo	10/17/2016
CMC Ordinance No. 1811 Job Creations 16802 CDBG-ED 16	Cover Memo	10/17/2016
CMC RFAP 2016-102 CONST 16802 CDBG-ED 16	Cover Memo	10/17/2016
CMC RFB 2016-102A 16802 CDBG-ED 16	Cover Memo	10/17/2016

CONTRACT
PART I
SUMMARY AND SIGNATURES

FEI #: 73-6005186

--

Total CDBG	\$0
Total Leverage	\$0
Total Funds	\$1,000,000.00

Issue Payment To:

Contract Part I

Community Development
Oklahoma Department of Commerce
900 North Stiles
Oklahoma City, OK 73104-3234

City of Durant
P.O. Box 578
Durant, Oklahoma 74702-0578

**AGREEMENT
COMPONENTS:**

Part I - Summary and Signatures
Part II - Terms and Conditions
PART III - SPECIFIC TERMS AND CONDITIONS

1. In addition to the specific duties enumerated herein, the Contractor agrees to perform those duties, obligations and representations contained in its application and to be bound by the provisions of its application and all amendments thereto, which were submitted to and accepted by ODOC in contemplation of this contract, said application being incorporated herein and made a part hereof by reference. Any conflict between said application and the provisions of this contract shall be controlled by the provisions of this contract.
2. Revisions to the contract and the attached budget, which is a part of this contract, must be approved in writing in advance by ODOC.
3. No costs shall be incurred for any funded activity, as identified in the contract budget, until all requirements of paragraph 4 below have been met and approved by ODOC. ODOC shall issue a "Notice of Removal of Contract Conditions and Authority to Use Grant Funds" for any or all activities and shall specify therein the effective date this condition is removed.
4. The Contractor shall submit to ODOC, in accordance with the CDBG Project Management Guide and other policies as noted below, a "Request for Authority to Use Grant Funds (Request for Release of Funds)" and all required supporting documentation as follows:
 - a. Environmental Review: The Contractor shall complete an Environmental Review for each contract activity with the exception of exempt activities and categorically excluded activities not subject to 24 CFR 58.5, i.e., administration, engineering and purchase of equipment. If the project has identifiable phases which can be separated, construction may begin on phases which are not directly financed with CDBG funds. When the environmental assessment is done, it must include the impact of all phases of the total project on the environment.
 - b. Placement Plan: The Contractor shall submit a Placement Plan.
 - (1) The Placement Plan shall include the following:
 - (a) A commitment from the Company that within 36 months of the start date of the contract it shall create at least 168 permanent, full-time equivalent positions, of which 102 (61% of 168) positions on a full-time equivalent basis shall be filled by

Contract Part I

low- and moderate-income persons and/or that 102 (61% of 168) positions shall be made available on a full-time equivalent basis for low- and moderate-income persons;

(b) Assurance from the Company that, if more than 168 total positions are created, 51% of them will be made available to low- and moderate-income persons;

(c) A commitment from the Contractor that it shall ensure that the Company provides training necessary for positions requiring special skills or education;

(d) A commitment from the Company that it shall provide a listing by position title of the permanent positions to be created, indicating which positions shall be available to low- and moderate-income persons, which positions require special skills or education and which positions are part time;

c. Insurance and Bonding: The Contractor shall submit evidence of:

(1) General liability insurance covering the funded activities; and

(2) Bonding of all officials who are responsible for financial transactions relating to this contract.

d. Anti-Displacement Plan: The Contractor must adopt and submit an Anti-Displacement Plan in accordance with ODOC CDBG Project Management Guide.

e. Leverage Commitment: The Contractor shall submit Certification of Leverage certifying leverage funds are available and identifying the source and amount in accordance with approved application.

(1) Documentation of leverage may require any or all of the following:

(a) Copies of promissory notes;

(b) Copies of security agreements;

(c) Copies of loan agreements;

(d) Copies of guaranty agreements;

(e) Copies of loan histories;

(f) Copies of bank statements;

(g) Copies of cancelled checks;

Contract Part I

(h) Other documentation as specific circumstances may require;

(2) Other Sources of funds for this project are as follows:

(a) CMC Steel - \$25,000,000.00

f. Federal Procurement Procedures Certification: The Contractor shall submit a certification that it will comply with all State and federal procurement requirements for professional service contracts for administration services, architectural/engineering and public construction contracts, if applicable. If these costs were expended prior to compliance with federal procurement procedures, CDBG-EDIF funds may not be used to reimburse those costs.

g. Other: The following outlines additional documentation necessary before funds may be released on this contract. Where "ODOC form required" is indicated, no substitutions will be allowed. Contractor shall submit:

(1) The development and execution of a resolution by the City of Durant to track future beneficiaries of the CDBG-EDIF funded infrastructure improvements. Said resolution should include not only CMC Steel Oklahoma, LLC but also any other entity using the CDBG-EDIF funded infrastructure improvement. The time period for said resolution will be until all of the projected jobs have been created by CMC Steel Oklahoma, LLC and the project has been closed out. For all other beneficiaries, job tracking will be for a period of time starting with the date the State awarded the CDBG-EDIF funds to the City of Durant, and ending one year after the physical completion of the improvements. A copy of the draft resolution shall be delivered to the Oklahoma Department of Commerce for review and approval, before the resolution is adopted by the City of Durant.

(2) The development and execution of an ordinance that provides that any entity using the CDBG-EDIF funded infrastructure improvements has to agree to provide job tracking data as a condition of using the improvement for a period of time starting with the date the State awards the CDBG-EDIF funds to the City of Durant and ending one year after the physical completion of the public improvement. A copy of the draft ordinance shall be delivered to the Oklahoma Department of Commerce for review and approval, before the ordinance is adopted by the City of Durant.

(3) The City shall provide verification of the existence of the construction and permanent easements for the infrastructure improvements.

(4) The City shall certify to the Oklahoma Department of Commerce, that the execution of a construction contract for the CDBG-EDIF financed activities of the project may not take place before the release of funds date. The City shall also certify to the Oklahoma Department of Commerce that it will not start construction of the CDBG-EDIF portion with other funds and then reimburse those funds when the CDBG-EDIF assistance begins.

Contract Part I

5. The Contractor shall obtain written approval from ODOC if the Company does not hire the required 102 low- and moderate-income persons and the Contractor desires to meet this requirement by using an adequate proportion of low- and moderate-income persons given first consideration.

6. Upon notification of meetings or training sessions scheduled by ODOC, the Contractor shall ensure the attendance of any person performing services under this contract whose presence is requested.

SPECIAL CONDITIONS:

SIGNATURES – EXECUTION OF CONTRACT

The rights and obligations of the parties to this contract are subject to and governed by Part II – Terms and Conditions. To the extent of any inconsistency between the general and the specific, the specific governs.

I certify that I am authorized to sign this document, and any attachments or addendums thereto, and I have read and agree to all parts of the contract.

Executed by:
City of Durant

Executed by:
Oklahoma Department of Commerce

Signature of Authorized Official

Signature of Authorized ODOC Official

Date

Date

**RESIDENTIAL ANTI-DISPLACEMENT
AND
RELOCATION ASSISTANCE PLAN
16802 CDBG-ED 16**

The **City of Durant** will undertake a public infrastructure improvements project, funded through the 2016 Community Development Block Grant-Economic Development Infrastructure Financing Program grant contract No. 16802 CDBG-ED 16, for water and wastewater infrastructure improvements to serve the CMC Steel Oklahoma, LLC facility located at 584 Old Highway 70 - Durant, OK.

No demolition or conversion of low / moderate-income dwelling units is anticipated by the **City of Durant** in conjunction with the activities assisted with these funds. Under Section 104 (d) of the Housing and Community Development Act of 1974, as amended (the Act), if such demolition occurs, before obligating or expending funds that will directly result in such demolition or conversion, the **City of Durant** will make public and submit to the Oklahoma Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;
2. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low / moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The location on a map and number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low / moderate-income dwelling unit for at least 10 years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low / moderate-income household in the jurisdiction.

If displacement of low / moderate-income households occurs in conjunction with the public infrastructure improvements funded with CDBG funds, the **City of Durant** will provide relocation assistance, as described in 570.496 (b) (2) to each low / moderate-income household displaced by the demolition of housing or by the conversion of a low / moderate-income dwelling to another use as a direct result of assisted activities.

Adopted this 21st_ day of October 2016.

City of Durant, A Municipal Corporation

ATTEST

Cynthia Price, City Clerk

Stewart Hoffman, Mayor

STATEMENT OF COMPLIANCE

AS REQUIRED BY THE 2016 OKLAHOMA DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT - ECONOMIC DEVELOPMENT INFRASTRUCTURE FINANCE (CDBG-EDIF) CONTRACT NO. 16802 CDBG ED 16 SPECIAL CONDITIONS

It is the determination and decision of the City of Durant, Oklahoma that:

1. The City of Durant has and will comply with all Federal and Oklahoma Procurement Procedures requirements for all professional service contracts (including administration and engineering contracts) and public infrastructure construction contracts funded either in part or in whole by the **16802 CDBG ED 16** grant contract.
2. The City of Durant has not and will not use the funds from the **16802 CDBG ED 16** grant contract to reimburse the City for ineligible costs incurred prior to or after the release of funds date as determined by the Oklahoma Department of Commerce. The City of Durant has not and will not start construction of the **16802 CDBG ED 16** grant contract funded components with other funds and then reimburse those funds when the 2016 CDBG-EDIF assistance begins. The City of Durant has not and will not use **16802 CDBG ED 16** grant contract funds for force account work.
3. The City of Durant has all easements, right-of-ways and real property required for the construction of the public infrastructure as identified in the **16802 CDBG ED 16** grant contract and related documents.
4. The City of Durant will comply with all items listed in the Specific Terms and Special Conditions of the **16802 CDBG ED 16** grant contract.

CERTIFIED THIS **21st DAY OF OCTOBER 2016** AT A SPECIAL CITY COUNCIL MEETING.

Stewart Hoffman, Mayor

ATTEST:

Cynthia Price, City Clerk

RESOLUTION No. 2016 - 24

**A RESOLUTION FOR PROVIDING JOB TRACKING TO SUPPORT THE 2016 COMMUNITY
DEVELOPMENT BLOCK GRANT – ECONOMIC DEVELOPMENT INFRASTRUCTURE
FINANCING GRANT IN THE AMOUNT OF \$1,000,000**

WHEREAS, on Friday, October 21, 2016 the City of Durant City Council accepted grant contract 16802 CDBG ED 16 from the Oklahoma Department of Commerce for funding to assist with the water and wastewater infrastructure improvements benefitting the CMC Steel Oklahoma, LLC project for new job creations; and

WHEREAS, the Oklahoma Department of Commerce requires the City of Durant to track jobs created by CMC Steel Oklahoma, LLC . as beneficiary of the 2016 CDBG-EDIF funded infrastructure improvements within the time limit and under grant conditions. For all other beneficiaries of the infrastructure improvement, the City of Durant job tracking requirements will be for a period of time starting with the date the state awarded the 16802 CDBG-EDIF 16 funds and ending one year after the physical completion of the infrastructure improvements project.

NOW THEREFORE, BE IT RESOLVED, the City of Durant City Council does hereby approve and commit to assist with the conditions established by the Oklahoma Department of Commerce until the infrastructure improvements are complete and upon the project being closed out. The beneficiaries of the project shall be required to provide job tracking information to the City of Durant for the periods of time beginning with the date the State of Oklahoma awarded the 2016 CDBG-EDIF funds to the City of Durant and ending one year after the physical completion of the roadway improvements.

PASSED AND APPROVED by the Mayor and City Council of the City of Durant, Oklahoma, during a special city council meeting, on this **21st day of October 2016**.

Stewart Hoffman, Mayor

ATTEST

Cynthia Price, City Clerk

ORDINANCE NO. 1811

AN ORDINANCE RELATING TO ECONOMIC DEVELOPMENT WITHIN THE CITY OF DURANT, OKLAHOMA, PROVIDING FOR MANDATORY PROVISION OF EMPLOYMENT AND BENEFICIARY INFORMATION TO BE FURNISHED BY ANY ENTITY USING COMMUNITY DEVELOPMENT BLOCK (CDBG) FUNDED INFRASTRUCTURE IMPROVEMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURANT, OKLAHOMA, THAT:

SECTION 1. The Community Development Block Grant – Economic Development Infrastructure Financing (CDBG-EDIF) funds are intended to provide assistance to support the establishment and operation of new and expanding business ventures. Any entity using infrastructure improvements financed by CDBG-EDIF funds must agree to, and shall provide employment and beneficiary information as required by the specific terms and contract conditions.

SECTION 2. The employment and beneficiary information shall be provided on a monthly basis during a period of time beginning with the date the Oklahoma Department of Commerce, on behalf of the State of Oklahoma **16802 CDBG ED 16** awarded grant contract to the City of Durant, Oklahoma, and ending one (1) year after the physical completion of the CDBG-EDIF funded infrastructure improvement and closeout of the project.

SECTION 3. For the immediate preservation of the peace, health, and safety of the City of Durant, Oklahoma and the inhabitants thereof, it is necessary that this Ordinance shall become operative and go into effect immediately upon its approval.

APPROVED this **21st day of October 2016** by the Mayor and City Council of the City of Durant, at a special city council meeting.

Stewart Hoffman, Mayor

ATTEST

Cynthia Price, City Clerk

SPEND/CNTRCT#
INCODE PROJ #631
RFAP#2016-102 CONST

REQUEST FOR AUTHORIZATION TO PURCHASE

Ref: 11 O.S. §10:114 (B) and 61 O.S. §103 (D) and & City of Durant Code: § 37.003-37.010

Item #

- | | | |
|----|---|--------------------|
| 1 | Item planned for spending (provide details): | |
| | CMC WATER AND WASTEWATER CONSTRUCTION | |
| 2 | Department requesting authorization: | |
| | GRANTS DEPARTMENT | |
| 3 | Bidding recommendation (award or reject along with name and contact information of vendor): | |
| | CD BROWN CONSTRUCTION, INC. | |
| 4 | Estimated Purchase Date (M/D/Y): (Once ODOC has approved Release of Funds) | October 30, 2016 |
| 5 | What are the financing or lease purchase terms (APR %, length of financing, payments, etc.) | |
| 6 | Is this item included in the current FY budget (Yes/No) | Yes |
| 7 | GL account code: | #250-133-596-60-01 |
| 8 | Spending / purchase request details (complete below blanks): | |
| 8a | Amount requested to spend | \$880,055.00 |
| 8b | Item (new or replacement, if a capital item complete fixed asset form)? | New |
| 8c | Old Item to be Traded-In (Yes / No). Note: if a capital item complete fixed asset form? | No |
| | <i>If a Replacement Item, give description, age and condition of item to be replaced (including model & serial or VIN, trade allowance)</i> | |
| 8d | Is a contractor written agreement involved (Yes / No), if yes include a copy of the contract after City Attorney Review | No |
| 8e | Does the purchase involve Grant Funding (Yes or No) (16802-CDBG-ED 16) | Yes |
| 8f | What is the City Cash Match for the Grant | \$ |
| 8g | What other match or financial obligation is involved with the City accepting this Grant (explain with details) | |
| 9 | Purchase is Planned By (complete appropriate item(s) below): | |
| 9a | Informal Quotes – Purchases of \$2000-\$15,000 City Manager approval required. Purchases with an estimated cost over \$15,000 use formal bids. Specifications & at least 3 quotes must be attached for items over \$5,000 (city manager can require quotes for below \$5,000): | |
| 9b | Formal Bids – Purchases with an estimated cost over \$15,000 Council approval required. Attach complete specifications and a bidders list with at least 3 bidders. Include bidder name, address, phone number, fax number and email address of recommended vendor: | |
| | COMPLETITIVE BIDDING RFB 2016-102A | |
| 9c | State Contract – Purchases of \$2,000-\$15,000 City Manager approval required. Purchases over \$15,000 Council approval required. Include name, address, phone number, fax number, email address of state contract vendor and state contract number: | |

9d **Buy Board** – Purchases of \$2,000-\$15,000 City Manager approval required. Purchases more than \$15,000 Council approval required. Include name, address, phone number, fax number, email address of Buy Board:

9e **Professional Services Agreement** – Purchases over \$2,000 and less than \$15,000 via an engineering, surveying, architect, computer services, janitorial, etc. firm covered by a council approved professional services agreement, City Manager approval required.

9f **Emergency Purchase** – To be utilized only when immediate action must be taken to protect the public health or safety or to prevent damage to property, prior council approval not required. Notify the City Manager immediately that an emergency purchase is needed.

9g **Sole Source Purchase** – Purchases of \$2,000-\$15,000 City Manager approval required. Purchases with an estimated cost over \$15,000 Council approval required in addition to City Manager approval. Attach to this request a memo detailing the nature of the Sole source designation, that is explain how this purchase fulfills the requirements to be considered a sole source purchase:

10 Signature & date blocks (complete appropriate sections):

10a	Signature of Grants Administrator (if applicable)	date (M/D/Y):
-----	---	---------------

10b	Signature Department Head	date (M/D/Y):
-----	---------------------------	---------------

10c	Signature of Division Head	date (M/D/Y):
-----	----------------------------	---------------

10d	Signature of Budget Administrator	date (M/D/Y):
-----	-----------------------------------	---------------

10e	Signature of Finance Manager	date (M/D/Y):
-----	------------------------------	---------------

10f	Signature of City Manager (only over \$2,000)	date (M/D/Y):
-----	---	---------------

10g	Signature of City Treasurer (date)	date (M/D/Y):
-----	------------------------------------	---------------

11h City Manager Comments:

City of Durant - Proposed Industrial Utility Extensions Bid Tabulation September 20, 2016 2:00 p.m.										
#	Pay Item, including, but not limited to, the following for a complete system / installation	Unit	Quantity	CD Brown Construction Inc. Sulphur, OK	Goodwin & Goodwin, Inc. Fort Smith, AR	Carstensen Contracting Inc. Pipestone, MN	Harrison, Walker & Harper Paris, TX	Steve Bean Construction, Inc. Ardmore, OK	Wee Construction Washington, OK	Young Contracting, LLC OKC, OK
1	Mobilization, Bonding, Insurance & Incidentals	LS	1							
				\$25,000.00	\$40,000.00	\$125,000.00	\$55,538.00	\$60,000.00	\$38,000.00	\$46,900.00
2	SWPPP and Erosion Control w/ maintenance until grow-in of permanent erosion control	LS	1							
				\$5,000.00	\$20,000.00	\$10,100.00	\$7,562.00	\$5,000.00	\$80,000.00	\$10,600.00
3	Traffic Control and signing	LS	1							
				\$3,000.00	\$10,000.00	\$7,100.00	\$4,806.00	\$7,200.00	\$5,500.00	\$11,000.00
4	Clearing, Grubbing and Miscellaneous Incidental Removals of Structures and Obstructions	LS	1							
				\$3,000.00	\$10,000.00	\$5,454.00	\$8,345.00	\$34,000.00	\$8,000.00	\$29,000.00
5	Construction survey by registered professional land surveyor	LS	1							
				\$4,000.00	\$15,000.00	\$10,100.00	\$11,600.00	\$8,400.00	\$19,600.00	\$8,800.00
6	Construction materials testing by licenced testing laboratory	LS	1							
				\$3,500.00	\$8,000.00	\$5,740.00	\$11,600.00	\$10,000.00	\$8,500.00	\$28,780.00
7	Furnish and Install 10" C900 PVC Water Main	LF	5,337							
				\$160,110.00	\$133,425.00	\$94,998.60	\$106,206.30	\$117,414.00	\$128,088.00	\$160,110.00
8	Furnish and Install Imported Bedding Material for 10" C900 PVC Water Main	LF	5,337							
				\$10,674.00	\$10,674.00	\$45,364.50	\$26,685.00	\$21,348.00	\$8,005.50	\$33,089.40
9	Furnish and Install 8" SDR-21 PVC Water Main	LF	3,242							
				\$74,566.00	\$64,840.00	\$48,630.00	\$52,844.60	\$42,146.00	\$58,356.00	\$85,588.80
10	Furnish and Install Imported Bedding Material for 8" SDR-21 PVC Water Main	LF	3,242							
				\$6,484.00	\$6,484.00	\$22,694.00	\$16,210.00	\$12,968.00	\$4,863.00	\$19,127.80
11	Furnish and Install 6" SDR-21 PVC Force Main	LF	4,954							
				\$84,218.00	\$89,172.00	\$64,402.00	\$66,879.00	\$54,494.00	\$79,264.00	\$112,951.20
12	Furnish and Install Imported Bedding Material for 6" SDR-21 PVC Force Main	LF	4,954							
				\$9,908.00	\$9,908.00	\$32,201.00	\$16,348.20	\$19,816.00	\$7,431.00	\$27,742.40
13	Furnish and Install 3" C900 PVC Water Main	LF	2,168							
				\$19,512.00	\$32,520.00	\$20,162.40	\$24,715.20	\$15,176.00	\$30,352.00	\$35,772.00
14	Furnish and Install Imported Bedding Material for 3" C900 PVC Water Main	LF	2,168							
				\$4,336.00	\$4,336.00	\$13,008.00	\$5,636.80	\$8,672.00	\$3,252.00	\$7,371.20
15	Furnish and Install 10" Resilient Seated Gate Valve	EA	5							
				\$10,000.00	\$12,500.00	\$11,600.00	\$8,885.00	\$11,000.00	\$9,325.00	\$12,460.50
16	Furnish and Install 8" Resilient Seated Gate Valve	EA	5							
				\$7,000.00	\$10,000.00	\$7,950.00	\$5,545.00	\$8,500.00	\$6,000.00	\$8,435.50
17	Furnish and Install 6" Plug Valve	EA	2							
				\$3,400.00	\$4,000.00	\$2,880.00	\$2,920.00	\$3,400.00	\$3,200.00	\$2,784.60
18	Furnish and Install 3" Resilient Seated Gate Valve	EA	2							
				\$1,700.00	\$2,000.00	\$1,440.00	\$1,212.00	\$2,200.00	\$1,400.00	\$1,657.60
19	Combination Air/Vac Valve	EA	10							
				\$25,000.00	\$30,000.00	\$16,400.00	\$50,720.00	\$22,000.00	\$27,750.00	\$23,330.00
20	Construct 12" Bore including Encasement Pipe, Casing Spacers, fittings, and 6" DR-11 HDPE Water Main carrier pipe and appurtenances	LF	200							
				\$28,000.00	\$18,000.00	\$19,700.00	\$30,000.00	\$25,000.00	\$29,800.00	\$39,260.00
21	Construct 16" Steel Encasement with casing spacer and appurtenances	LF	310							
				\$26,350.00	\$24,800.00	\$14,725.00	\$15,500.00	\$24,800.00	\$19,840.00	\$71,548.00
22	Construct 18" Steel Encasement with casing spacer and appurtenances	LF	175							
				\$17,500.00	\$15,750.00	\$9,887.50	\$9,275.00	\$15,750.00	\$13,300.00	\$46,637.50
23	Construct 12" Steel Encasement with casing spacer and appurtenances	LF	200							
				\$15,000.00	\$12,000.00	\$7,800.00	\$8,400.00	\$14,000.00	\$9,600.00	\$36,460.00
24	Construct 3" Steel Encasement with casing spacer and appurtenances	LF	150							
				\$4,500.00	\$6,000.00	\$3,000.00	\$2,550.00	\$6,000.00	\$3,750.00	\$8,640.00
25	Furnish and Install Post Hydrant Assembly	EA	1							
				\$2,600.00	\$3,000.00	\$1,500.00	\$5,059.00	\$1,800.00	\$2,575.00	\$1,400.00
26	Connect to Existing 10" Water Main	EA	1							
				\$1,000.00	\$8,000.00	\$2,380.00	\$2,485.00	\$1,200.00	\$3,500.00	\$4,000.00
27	Connect to Existing 8" Water Main	EA	3							
				\$4,200.00	\$18,000.00	\$5,070.00	\$2,760.00	\$3,300.00	\$9,600.00	\$12,214.80
28	Connect to Existing 6" Water Main	EA	1							
				\$2,500.00	\$5,000.00	\$1,430.00	\$2,340.00	\$1,000.00	\$3,000.00	\$2,877.00
29	Connect to Existing Manhole	EA	1							
				\$600.00	\$4,000.00	\$1,070.00	\$2,215.00	\$1,000.00	\$1,800.00	\$1,800.00
30	Remove and replace existing gravel surface	LF	150							
				\$1,500.00	\$4,500.00	\$2,895.00	\$6,000.00	\$4,500.00	\$3,000.00	\$1,170.00
31	Saw Cut, Remove and Replace Existing Asphalt Surface w/ Concrete	LF	2,500							
				\$62,500.00	\$162,500.00	\$160,000.00	\$170,000.00	\$175,000.00	\$88,750.00	\$177,000.00
32	Furnish and Install service connection	EA	1							
				\$1,200.00	\$1,500.00	\$600.00	\$2,476.00	\$2,000.00	\$800.00	\$678.00
33	Cut and Plug Existing 8" Water Main	EA	1							
				\$750.00	\$1,000.00	\$660.00	\$2,288.00	\$350.00	\$700.00	\$1,400.00
34	Construct Meter Vault	LS	1							
				\$26,000.00	\$25,600.00	\$26,000.00	\$22,850.00	\$40,000.00	\$100,300.00	\$28,900.00

City of Durant - Proposed Industrial Utility Extensions
Bid Tabulation
September 20, 2016 2:00 p.m.

#	Pay Item, including, but not limited to, the following for a complete system / installation	Unit	Quantity	CD Brown Construction Inc. Sulphur, OK	Goodwin & Goodwin, Inc. Fort Smith, AR	Carstensen Contracting Inc. Pipestone, MN	Harrison, Walker & Harper Paris, TX	Steve Bean Construction, Inc. Ardmore, OK	Wee Construction Washington, OK	Young Contracting, LLC OKC, OK
35	Construct Meter Vault including 13'-0"x8'-8" concrete vaults, fittings, piping, valves, meters, excavation, backfill, compaction, misc concrete, drains, and appurtenances.	LS	1	\$60,000.00	\$55,400.00	\$38,800.00	\$50,858.00	\$72,000.00	\$66,690.00	\$41,600.00
36	Construct Meter Vault including 9'-0"x5'-4" concrete vaults, fittings, piping, valves, meters, excavation, backfill, compaction, misc concrete, drains, and appurtenances.	LS	1	\$24,000.00	\$20,500.00	\$22,700.00	\$20,974.00	\$40,000.00	\$62,195.00	\$28,600.00
37	Abandon existing watermain in place	LS	1	\$500.00	\$3,000.00	\$2,000.00	\$7,212.00	\$500.00	\$2,000.00	\$9,500.00
38	Topsoil, fertilizer, hydromulch, and watering until established	SY	14,700	\$29,400.00	\$14,700.00	\$11,760.00	\$47,040.00	\$28,518.00	\$29,400.00	\$30,870.00
39	Topsoil, fertilizer, solid slab sod, and watering until established	SY	1,500	\$9,000.00	\$6,000.00	\$6,300.00	\$14,250.00	\$5,505.00	\$5,250.00	\$10,800.00
40	Provide testing and sterilization of all Water Main & Sewer Main construction	LS	1	\$1,800.00	\$10,000.00	\$18,800.00	\$8,548.00	\$2,500.00	\$6,000.00	\$17,450.00
41	Construction 300 GPM Lift Station	LS	1	\$210,000.00	\$95,677.00	\$132,000.00	\$114,053.00	\$300,000.00	\$290,630.00	\$140,000.00
42	Furnish 40KW diesel backup generator	EA	1	\$31,000.00	\$40,000.00	\$26,100.00	\$58,363.00	\$35,000.00	\$29,900.00	\$30,000.00
43	Bypass pumping from wetwell through quick coupling connection with a float controlled 20 gpm temporary pump in the installed wetwell. Pumping shall be provided from installation of wetwell to lift station startup.	Days	90	\$4,500.00	\$18,000.00	\$30,600.00	\$54,990.00	\$12,060.00	\$27,000.00	\$27,000.00
44	Electrical Subcontracting Allowance	LS	1	\$54,560.00	\$54,560.00	\$54,560.00	\$54,560.00	\$54,560.00	\$54,560.00	\$54,560.00
45	Bonus for completion of 8" watermain, 6" force main, 3" watermain, lift station wet well, and quick disconnect bypass pump connection prior to December 16, 2016.	Day	22	\$44,000.00	\$44,000.00	\$44,000.00	\$44,000.00	\$44,000.00	\$44,000.00	\$44,000.00
Total Bid Price				\$1,123,368.00	\$1,184,346.00	\$1,189,562.00	\$1,243,304.10 **	\$1,374,077.00	\$1,434,826.50	\$1,533,866.30

** Denotes an Error Corrected by Wall Engineering.

CERTIFIED AS TRUE AND CORRECT:



Wall Engineering, LLC
Brandon Wall, P.E.



The City of Durant

Office of City Clerk

Memorandum

Date: 10/18/2016
To: Mayor and City Council
From: Cynthia J. Price, City Clerk
Re: Consider Entering into Executive Session as Authorized by Title 25, Section 307 B(4) of the Oklahoma State Statutes, to Confidentially Discuss with Attorney Pending Litigation, Charles Calhoun and Jim Thorpe v. City of Durant, District Court Case No. CV -2016-79

Council Information / Action Requested

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



The City of Durant

Office of City Clerk

Memorandum

Date: 10/18/2016
To: Mayor and City Council
From: Cynthia J. Price, City Clerk
Re: Consider Action Pursuant to 2(a) Above

Council Information / Action Requested

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