



City of Leavenworth  
100 N. 5<sup>th</sup> Street  
Leavenworth, Kansas 66048

CITY COMMISSION REGULAR MEETING  
COMMISSION CHAMBERS  
TUESDAY, JULY 12, 2022 6:00 P.M.

Welcome to your City Commission Meeting – Please turn off or silence all cell phones during the meeting  
Meetings are televised everyday on Channel 2 at 6 p.m. and midnight and available for viewing on YouTube

**CALL TO ORDER** – Pledge of Allegiance Followed by Silent Meditation

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**PROCLAMATION:**

1. Parks and Recreation Month (pg. 02)

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

2. Minutes from June 28, 2022 Regular Meeting **Action:** Motion (pg. 03)

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**NEW BUSINESS:**

**Public Comment:** (i.e. Items not listed on the agenda or receipt of petitions)-Public comment is limited to 2-3 minutes and no action will be taken by the Commission on public comment items - Please state your name and address. A signup sheet will be provided in the commission chambers for anyone wishing to speak.

**General Items:**

3. 2022 Edward Byrne Memorial Justice Assistance Grant Application **Action:** Motion (pg. 08)

**Resolutions:**

4. Resolution B-2315 Resolution Providing for a Notice of Public Hearing Exceeding Revenue Neutral Rate  
**Action:** Motion (pg. 13)

**Bids, Contracts and Agreements:**

5. Consider 2022 Police Radio Encryption **Action:** Motion (pg. 16)  
6. Consider Approval of Bid for 2<sup>nd</sup> & Chestnut Stone Arch Replacement Project **Action:** Motion (pg. 30)  
7. Consider Approval of Bid for 2022 Pavement Management Project (Mill & Overlay Program)  
**Action:** Motion (pg. 34)

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**Consent Agenda:**

Claims for June 25, 2022, through July 8, 2022, in the amount of \$1,330,901.58; Net amount for Payroll #13 effective July 1, 2022 in the amount of \$370,913.82 (No Police & Fire Pension).

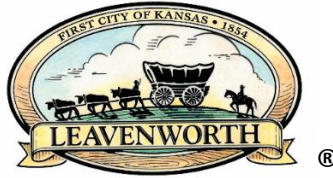
**Action:** Motion

**Other:**

**Adjournment**

**Action:** Motion

# City of Leavenworth, Kansas



## Proclamation

**WHEREAS,** *our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the mental and emotional health of all citizens, and contributing to the economic and environmental well-being of a community and region; they build active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled; and*

**WHEREAS,** *parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and*

**WHEREAS,** *parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and*

**WHEREAS,** *our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature; and*

**WHEREAS,** *the U.S. House of Representatives has designated July as Parks and Recreation Month; and*

**WHEREAS,** *the City of Leavenworth recognizes the benefits derived from parks and recreation resources.*

**NOW, THEREFORE,** *I, Camalla M. Leonhard, Mayor of the City of Leavenworth, Kansas do hereby proclaim the month of July 2022 as:*

## Parks & Recreation Month

*in the City of Leavenworth and I call upon all citizens and civic organizations of Leavenworth to observe this month, as sanctioned by the U.S. Congress, with appropriate ceremonies and activities.*

**IN WITNESS WHEREOF,** *I set my hand and have affixed the Great Seal of the City of Leavenworth, Kansas this twelfth day of July in the year of two-thousand and twenty-two.*

\_\_\_\_\_  
Camalla M. Leonhard, Mayor

ATTEST:

\_\_\_\_\_  
Sarah Bodensteiner, CMC, City Clerk



**CALL TO ORDER** - The Governing Body met for a regular meeting and the following commission members were present in the commission chambers: Mayor Camalla Leonhard, Mayor Pro-Tem Jermaine Wilson, Commissioners Nancy Bauder, Edd Hingula and Griff Martin (via telephone call-in).

**Staff members present:** City Manager Paul Kramer, Assistant City Manager Penny Holler, Chief Building Inspector Harold Burdette, Finance Director Roberta Beier, Parks and Recreation Director Steve Grant, Parks and Recreation Superintendent Brian Bailey, Deputy Public Works Director Earl Wilkinson, City Attorney David E. Waters and City Clerk Sarah Bodensteiner.

Mayor Leonhard asked everyone to stand for the pledge of allegiance followed by silent meditation.

#### **OLD BUSINESS:**

##### **Consideration of Previous Meeting Minutes:**

Commissioner Wilson moved to accept the minutes from the June 14, 2022 regular meeting. Commissioner Hingula seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

##### **Second Consideration Ordinance:**

**Second Consideration Ordinance No. 8188 Regarding Speed Limits Along 4<sup>th</sup> Street Between Eisenhower and Metropolitan**— City Manager Paul Kramer reviewed the Ordinance. There have been no changes since first introduced at the June 14, 2022 meeting.

Mayor Leonhard called the roll and Ordinance No. 8188 was unanimously approved.

##### **Public Comment:** (*Public comment on non-agenda items or receipt of petitions- limited to 2-3 minutes*)

Janet Klasinski, Leavenworth County Clerk:

- Upcoming August 2<sup>nd</sup> primary election
- Everyone will have the ability to vote
- Includes federal, local, and state races
- Also include constitutional amendment
- Projecting a high voter turnout for this primary election
- Advanced voting begins July 13th at the County Courthouse and goes until noon on August 1<sup>st</sup>
- Voter registration is open until July 12th
- Links on the County website to help with registration and advanced/mail in ballot requests
- Drop boxes are still up and available for ballot drop off
- Redistricting occurred this year and Leavenworth County had a lot of changes, and as such, new/updated voter registration cards were mailed out to registered voters
- Cards included information as to districts/precincts, information on requesting advanced ballots

- 3 ballots are available, so you do not have to have declared a party affiliation to vote in the primary
- At the time of voting an unaffiliated voter can declare if they so choose and would then get the corresponding ballot
- All party changes must have occurred by June 10th, as there is a deadline to change your party

### **General Items:**

**Update for Unsafe Structure 717 Spruce Street** – Chief Building Inspector Harold Burdette provided the following background information: On November 13, 2021 the structure was damaged by fire; City received a check from insurance proceeds for \$15,000. The Commission adopted Resolution B-2311, directing the owners to commence repairs and the City Commission would review the status of the project after 90 days. There was little to no damage to the exterior of the building but there is a window on the south side on the second floor that is broken and should be repaired. Interior repairs are nearly complete, except that there is no furnace at this time. The 2018 International Residential Code requires a heating facility in habitable rooms. Staff does not recommend releasing the funds until the window has been repaired and a heat source has been installed.

Commissioner Hingula moved to allow up to another 90 days for repairs to be made to 717 Spruce Street, to include a heating source and window repair. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Request for Partial Reimbursement of Speculative Building Incentive Loan** – City Manager Paul Kramer presented that starting in mid-2021 the Leavenworth County Development Corporation, Leavenworth County Port Authority (LCPA), Leavenworth County and the City of Leavenworth started working with 21<sup>st</sup> Century Management LLC on a project to bring the headquarters of MAPS Inc., to the Gary Carlson Business Park in Leavenworth. As part of those efforts, the entities explored the first use of the LCPA Speculative Building Loan Program. The matter before the Commission is the request by the LCPA for repayment of the City’s portion of the \$200,000 loan given by the LCPA to MAPS Inc., which facilitated the company’s move to the City of Leavenworth. The City’s portion of the loan provided totals \$49,239.65.

Dan Gutshall Leavenworth County Port Authority Speculative Building Loan Committee Chairperson:

- In early 2018 a committee was created to provide options to perspective business partners to get companies to come to Leavenworth County
- Wanted to lower the hurdle for small business to get started with industrial construction
- Goal is to expand the industrial tax base
- Program was approved in November of 2018
- The \$200,000 loan provided the capital to construct the building
- Loan is a zero percent interest loan and will take approximately 24 months for the borrower to pay off the loan, with re-payment beginning in 2032
- Reviewed formulas for determining total funding and breakdown by entity
- Requesting reimbursement from the City to partially refund the investment by LCPA
- Reviewed return on investment projections for the City of Leavenworth
- Reviewed photos of the building progress of this particular project

Mr. Kramer:

- Source of funds for the City's portion is from the Economic Development Fund
- The City sets aside 15% of the Countywide sales tax monies and dedicates that to economic development efforts
- There are funds available to reimburse the Port Authority
- Dan's work has been instrumental in getting this project and company to Leavenworth

Commissioner Bauder moved to authorize reimbursement of payment of the City's portion of the loan provided to 21<sup>st</sup> Century Management LLC in the amount not to exceed \$49,239.65 to the Leavenworth County Port Authority. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

### **Bids, Contracts and Agreements:**

**Consider Purchase and Installation of Stubby Park Restroom Facility** – Parks and Recreation Director Steve Grant presented for consideration the purchase and installation of the restroom facility at Stubby Park. In 2020, the playground equipment at Stubby Park was replaced. The overall footprint was widely expanded to multiple play features and composite play structures. The parking lot was also expanded along with additional access walkways installed. This expansion has made the site a destination playground, making it readily apparent for the need of a permanent restroom. After considering purchasing options, staff elected to utilize Sourcewell Cooperative Purchasing contract with BKM Construction, LLC to construct the restroom at the site. The restroom will be of block construction very similar materials and layout of the restroom facility at Hawthorn Park. This purchasing contract allows for the purchase and installation of a restroom facility that meets our needs by a qualified contractor. The City issued Temporary Notes in the amount of \$800,000 to fund parks projects in 2022 and the final contract amount for the Stubby Park restroom project can be accommodated within this budget.

Mayor Leonhard:

- Asked about the projected completion timeline

Commissioner Wilson:

- Asked if the park will be open during construction

Mr. Grant:

- Goal is to get started in late July with completion around late September or early October, weather and materials dependent
- The park will remain open during construction

Commissioner Hingula:

- Asked if there are any other items that need to be done at this park
- Excited that it's a local company

Mr. Grant

- The expanded parking will not be done as additional parking was added to 3<sup>rd</sup> Street

Commissioner Martin moved to award the proposal from BKM Construction, LLC on the Sourcewell Cooperative Purchasing contract for the construction of the restroom facility at Stubby Park in the amount not to exceed \$183,751.85. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Consider Purchase and Installation of Havens Park Restroom Facility and Parking Area** – Parks and Recreation Director Steve Grant presented for consideration the purchase and installation of the restroom facility and parking area at Havens Park. In 2010, the City developed a master plan for Havens Park. Since that time, usage of the park has grown with the addition of many trails for walking, hiking and mountain biking. Users of the park have often inquired with the City about adding a restroom facility at the park. A restroom was also identified in the master plan as one of the first amenities needed as usage of the park increased. Staff has opted to utilize Sourcewell Cooperative Purchasing contract with Julius Kaaz Construction Company, Inc. to install a pre-fabricated permanent restroom at Havens Park, as well as parking and access walkways to the facility. The pre-fabricated restroom facility will be a CXT Cortex model, consisting of two unisex accessible restrooms. Head-in parking will consist of seven regular parking stalls and one van accessible stall. An accessible walkway will lead from the parking area to the restroom facility. The City issued Temporary Notes in the amount of \$800,000 to fund parks projects in 2022 and the final contract amount for the Havens Park restroom and parking project can be accommodated within this budget.

Mayor Leonhard:

- Likes the location and inclusion of future growth at the park

Commissioner Hingula

- Glad the contractor is local

Commissioner Bauder moved to award the proposal from Julius Kaaz Construction Company, Inc., on the Sourcewell Cooperative Purchasing contract for the construction of the restroom facility and parking area at Havens Park in the amount not to exceed \$330,776.15. Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Consent Agenda:**

Commissioner Martin moved to approve claims for June 11, 2022 through June 24, 2022, in the amount of \$1,268,266.17; Net amount for Payroll #12 effective June 17, 2022 in the amount of \$383,151.49 (Includes Police & Fire Pension in the amount of \$9,888.71). Commissioner Wilson seconded the motion and the motion was unanimously approved. Mayor Leonhard declared the motion carried 5-0.

**Other:**

City Manager Paul Kramer:

- City offices will be closed on July 4<sup>th</sup>
- July 5<sup>th</sup> Study Session will be the proposed 2023 budget and CIP, followed by a day long budget meeting on July 15<sup>th</sup>
- One week left of baseball and softball
- Thanks to all the workers at the ball fields and pool for all their hard work this season

Commissioners Martin and Hingula:

- Have a great week

Commissioner Wilson:

- God bless and happy 4<sup>th</sup>

Commissioner Bauder

- Happy 4<sup>th</sup> of July
- Encourages everyone to visit Havens Park; it is a beautiful park

Mayor Leonhard

- Wished everyone a happy 4th

**Adjournment:**

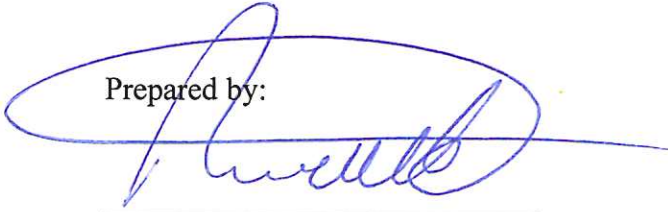
Commissioner Wilson moved to adjourn the meeting. Commission Bauder seconded the motion and the motion was unanimously approved and the meeting was adjourned.

Time Meeting Adjourned 6:54 p.m.

Minutes taken by City Clerk Sarah Bodensteiner, CMC

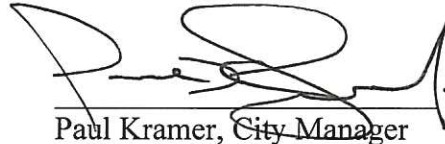
**Policy Report No. 5-2022**  
**2022 Edward Byrne Memorial Justice Assistance Grant Application**  
**July 12, 2022**

Prepared by:



Patrick R. Kitchens, Police Chief

Approved by:



Paul Kramer, City Manager

**ISSUE:**

The Police Department is requesting authority to apply for the 2022 Edward Byrne Memorial Justice Assistance Grant in the amount of \$31,425.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

On June 25, 2022, the U.S. Department of Justice released the annual Edward Byrne Memorial Justice Assistance Grant local solicitation and identified the City of Leavenworth, Kansas as eligible for \$31,425. This is an annual grant made available to law enforcement agencies in the United States and we have experienced great success with these funds. Typically, we have used these funds to purchase police equipment.

This grant application requires the City of Leavenworth to share this allocation with Leavenworth County as they are categorized in the disparate grouping. The allocation is based upon a formula, which provides the City of Leavenworth will receive \$18,425 and Leavenworth County will receive \$13,000. The City of Leavenworth must apply for this grant on behalf of both entities.

The Leavenworth County Sheriff's Office intends to use the funds to purchase law enforcement equipment.

**BUDGET IMPACT:**

No City of Leavenworth funds are necessary for this grant application.



**COMMISSION ACTION:**

Authorize the Police Department to apply for the 2022 Edward Byrne Memorial Justice Assistance Grant in the amount \$31,425 of which \$13,000 will be given to Leavenworth County Sheriff's Office. This action requires the City Manager and City Attorney to sign an Inter-Local agreement with Leavenworth County.

Further, it requires the Mayor to sign an additional document entitled "Certifications and Assurances by the Chief Executive of the Applicant Government."

**2022 Kansas LOCAL JAG ALLOCATIONS**

Listed below are all jurisdictions in the state that are eligible for FY 2022 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the JAG Technical report here: <https://www.bja.gov/Jag/pdfs/JAG-Technical-Report.pdf> and current JAG Frequently Asked Questions here: <https://www.bja.gov/Funding/JAGFAQ.pdf>.

**Finding your jurisdiction:**

- (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county.
- (2) Direct allocations are listed alphabetically below the shaded, disparate groupings.
- (3) Counties that have an asterisk (\*) under the "Direct Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

State	Jurisdiction Name	Government Type	Direct Allocation	Joint Allocation
KS	CRAWFORD COUNTY	County	*	
KS	PITTSBURG CITY	Municipal	\$10,943	\$10,943
KS	DOUGLAS COUNTY	County	*	
KS	LAWRENCE CITY	Municipal	\$30,543	\$30,543
KS	FINNEY COUNTY	County	*	
KS	GARDEN CITY	Municipal	\$13,067	\$13,067
KS	FORD COUNTY	County	*	
KS	DODGE CITY	Municipal	\$11,564	\$11,564
KS	GEARY COUNTY	County	*	
KS	JUNCTION CITY	Municipal	\$15,223	\$15,223
KS	HARVEY COUNTY	County	*	
KS	NEWTON CITY	Municipal	\$10,617	\$10,617
KS	JOHNSON COUNTY	County	*	
KS	OLATHE CITY	Municipal	\$31,229	
KS	OVERLAND PARK CITY	Municipal	\$39,919	
KS	SHAWNEE CITY	Municipal	\$16,399	\$87,547
KS	LEAVENWORTH COUNTY	County	*	
KS	LEAVENWORTH CITY	Municipal	\$31,425	\$31,425
KS	RENO COUNTY	County	*	
KS	HUTCHINSON CITY	Municipal	\$17,085	\$17,085
KS	SALINE COUNTY	County	*	
KS	SALINA CITY	Municipal	\$22,834	\$22,834
KS	SEDGWICK COUNTY	County	\$13,197	

**2022 Kansas LOCAL JAG ALLOCATIONS**

Listed below are all jurisdictions in the state that are eligible for FY 2021 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the JAG Technical report here: <https://www.bja.gov/Jag/pdfs/JAG-Technical-Report.pdf> and current JAG Frequently Asked Questions here: <https://www.bja.gov/Funding/JAGFAQ.pdf>.

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State	Jurisdiction Name	Government Type	Direct Allocation	Joint Allocation
KS	WICHITA CITY	Municipal	\$469,911	\$483,108
KS	SHAWNEE COUNTY	County	*	
KS	TOPEKA CITY	Municipal	\$57,428	\$57,428
KS	RILEY COUNTY	County	\$24,533	
KS	WYANDOTTE COUNTY AND KANSAS CITY UNIFIED GOVERNMENT	Municipal	\$99,209	
	<b>Local total</b>		<b>\$915,126</b>	

## Patrick Kitchens

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**From:** Dedeke, Andrew <adedeke@lvsheriff.org>  
**Sent:** Tuesday, June 28, 2022 6:54 AM  
**To:** Patrick Kitchens  
**Subject:** RE: 2022 Byrne Grant

Thank you.

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

----- Original message -----

**From:** Patrick Kitchens <pkitchens@firstcity.org>  
**Date:** 6/28/22 6:01 AM (GMT-06:00)  
**To:** "Dedeke, Andrew" <adedeke@lvsheriff.org>  
**Cc:** Dan Nicodemus <dnicodemus@firstcity.org>, "jshirley@lvsheriff.org" <jshirley@lvsheriff.org>  
**Subject:** 2022 Byrne Grant

*Notice:* This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Sheriff,

I received the annual Byrne Grant notification for the amount of \$31,425. Using our standard formula of 60/40 split we will move forward with the following amounts:

LVPD - \$,18425  
LVSO - \$13,000

Pat

### FY 2022 Local JAG Allocations list

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\*\*\* THIS EMAIL CAME FROM AN EXTERNAL SOURCE. PLEASE BE CAUTIOUS WHEN CLICKING ON LINKS OR ATTACHMENTS.

**Policy Report**  
Resolution Providing for a Notice of Public Hearing  
Exceeding Revenue Neutral Rate  
July 12, 2022

Prepared by:

A handwritten signature in black ink, appearing to read 'Paul Kramer', written over a horizontal line.

Paul Kramer  
City Manager

**Issue:**

The City of Leavenworth intends to exceed the revenue neutral rate for the 2023 budget year. As required by state statute referenced in the attached resolution, the City must hold a public hearing related to this issue.

The attached resolution comprises all of the elements required by K.S.A. 79-2988 (b) in regards to public hearing requirements. The public hearing date is scheduled for August 23, 2022 for the consideration of exceeding the revenue neutral rate.

**Attachments:**

Resolution No. B-2315

## RESOLUTION NO. B-2315

### A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS, OF THE CITY'S INTENT TO EXCEED ITS "REVENUE NEUTRAL RATE", ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING.

**WHEREAS**, pursuant to K.S.A. 79-2988 (the "Act"), the Clerk of Leavenworth County, Kansas, has calculated and notified the City of Leavenworth, Kansas (the "City") that, for the City's 2023 budget year, the City's "revenue neutral rate" (as such term is defined by the Act) is 27.892 mills (for informational purposes only, one mill is equal to 1/1000th of a Dollar of assessed value);

**WHEREAS**, the Act further provides that no tax rate in excess of the revenue neutral rate shall be levied by the Governing Body of the City except in accordance with procedures established under the Act; and

**WHEREAS**, it is the intent of the Governing Body to exceed the revenue neutral rate, and the City desires to call and conduct a public hearing under the provisions of the Act and to provide notice of the City's proposed tax rate.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:**

**Section 1. Intent to Exceed Revenue Neutral Rate; Proposed Tax Rate.** Pursuant to K.S.A. 79-2988(b), the City, by and through its Governing Body, hereby declares its intent to exceed the revenue neutral rate. The City's proposed tax/mill levy rate for the 2023 budget year is 30.141 mills.

**Section 2. Public Hearing.** Notice is hereby given that a public hearing will be held by the Governing Body to consider exceeding the revenue neutral rate on August 23, 2022, at Leavenworth City Hall, 100 N. 5th Street, Leavenworth, Kansas, 66048, the public hearing to commence at 6:00 p.m. or as soon thereafter as the Governing Body can hear the matter. At the public hearing, the Governing Body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment.

**Section 3. Notice of Public Hearing—County.** The City Clerk is hereby authorized and directed to notify the Leavenworth County Clerk, on or before July 20, 2022, of the City's proposed intent to exceed the revenue neutral rate and to provide the date, time, and location of the public hearing. The Leavenworth County Clerk shall transmit such notice in accordance with the procedures set forth in the Act.

**Section 4. Notice of Public Hearing—City.** The City Clerk is further hereby authorized and directed to publish notice of the City's proposed intent to exceed the revenue neutral rate by publishing notice at least ten (10) days in advance of the public hearing:

(A) on the website of the City; and

(B) in a weekly or daily newspaper of Leavenworth County, Kansas, having a general circulation therein.

Such notice published by the City Clerk shall include, but not be limited to, the City's proposed tax rate (as set forth in this Resolution), its revenue neutral rate, and the date, time, and location of the

public hearing.

**Section 5. Further Action.** The Mayor, City Manager, Finance Director, City Clerk and other officials and employees of the City, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

**Section 6. Effective Date.** This resolution shall be effective upon its adoption by the Governing Body of the City of Leavenworth, Kansas.

**ADOPTED** this 12th day of July, 2022.

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Camalla M. Leonhard, Mayor

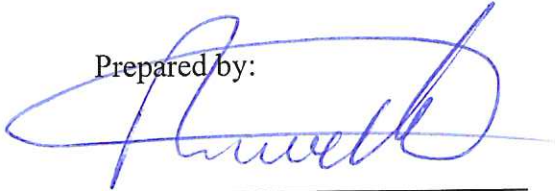
**ATTEST:**

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Sarah Bodensteiner, CMC, City Clerk

**Policy Report No. 6-2022  
2022 Police Radio Encryption  
July 12, 2022**

Prepared by:



Patrick R. Kitchens, Police Chief

Approved by:



Paul Kramer, City Manager

**ISSUE:**

The Police Department is requesting authority to purchase software and equipment to provide encrypted radio communications.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BACKGROUND:**

The Leavenworth Police Department operates our communication system using the Metropolitan Area Regional Radio System (MARRS), which is overseen by the MARRS Council. The council has representation throughout the Kansas City Metropolitan Area from Kansas and Missouri and sets the policy.

Encryption of police communication would mean the public would no longer be able to listen to or monitor general police communications with a police scanner.

There have been ongoing discussions about encryption of radio communications since January of 2018. (Council minutes attached) However, there was a lot of debate and no sense of a mandate until recently. Over the last couple of years, there have been several high profile incidents, here in Kansas City, and across the country, of civil unrest. During the after action review of those incidents, agencies discovered that participants in the civil unrest were monitoring police communications which made it more difficult to get those situations under control.

It was based on these incidents that the mandate to encryption was issued. (Letter attached) \*Please take note of the date changing several times.

The police department has 27 mobile police radios in the police fleet and none of them are encrypted. We have 75 portable radios used by individual officers and a number of



those are encrypted. The radios with encryption are used by the SWAT Team, Narcotics Unit, and Command Staff because of the sensitive nature of their mission.

**BUDGET IMPACT:**

Staff recommends using ARPA funds for this allocation.

**COMMISSION ACTION:**

Authorize the police department to purchase the software and equipment from Motorola Solutions, in the amount of \$42,876.64 for encryption of police communications of mobile and portable radios.

It will also be necessary to encrypt the consoles in the dispatch facility and that will be a separate purchase that will be funded by 9-1-1 funds.

Billing Address:  
 LEAVENWORTH, CITY OF  
 100 N FIFTH ST  
 LEAVENWORTH, KS 66048  
 US

Shipping Address:  
 MIDWEST MOBILE RADIO  
 SERVICE INC  
 812 S 10TH ST  
 SAINT JOSEPH, MO 64501  
 US

Quote Date:06/27/2022  
 Expiration Date:09/25/2022  
 Quote Created By:  
 Paul Stickler  
 Sales Manager  
 pauls@mw-radio.com  
 18167528146

End Customer:  
 LEAVENWORTH, CITY OF  
 Pat Kitchens, Chief  
 pkitchens@firstcity.org  
 913-758-2970

End Customer Address:  
 LEAVENWORTH - POLICE  
 DEPARTMENT, CITY OF  
 601 S THIRD ST  
 LEAVENWORTH, KS 66048  
 US

Contract: 21810 - JOHNSON COUNTY  
 (KS)  
 Payment Terms:30 NET

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	FLASHport Series	APX4500FLASHPORT				
1	T8012A	9600 OR 3600 SINGLE SYSTEM DIGITAL TRUNKING	1	\$417.00	\$302.33	\$7,255.92
1a	W969BL	ENH: MULTIKEY OPERATION	24			
	After Market Encryption Upgrades					
2	T7936A	APX UCM UPGRADE CD	1	\$753.50	\$562.10	\$12,167.90
2a	CA00182AR	ADD: AES ENCRYPTION SOFTWARE	24			

**Grand Total** **\$19,423.82(USD)**

**Notes:**



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, the Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800



812 S. 10th St.  
St. Joseph, MO 64501  
Phone: (816) 279-2065

**QUOTATION**  
**202000711**

Page 1

**Bill To:**  
CITY OF LEAVENWORTH POLICE  
CITY HALL  
601 S 3rd Street, Suite 2055  
LEAVENWORTH, KS 66048-1970

**Ship To:**  
CITY OF LEAVENWORTH POLICE  
CITY HALL  
601 S 3rd Street, Suite 2055  
LEAVENWORTH, KS 66048-1970

**Contact:** Arianne Burgoon  
**Contact #:** 913-680-2504  
**Email:** aburgoon@firstcity.org

**Contact:** Pat Kitchens  
**Contact #:** 913-651-2260  
**Email:** pkitchens@firstcity.org

*Programming 24-APX4500 with AES & MultiKey.*

Date: 06/27/2022		Customer #: R1906		Customer Rep: PAS	
Qty	Item	Description	Unit Price	Extended	
24	KS-Programming	Programming Programming 24-APX4500 Radios with AES & MultiKey Upgrades at Leavenworth PD Location	105.00	2,520.00	
3	KS-Travel	Travel	123.00	369.00	
1	Description	The radios must have a minimum of ADP already in the radios to be programmed in the field. If a Minimum of ADP is not in the radios, they will have to be sent to Motorola for the upgrades which would nullify this quote.	0.00	0.00	

Terms: DUR 1.5% Finance after 30 Days

This quotation is valid for 60 days. Prices are subject to change without notice.

The information in this quotation is PROPRIETARY AND CONFIDENTIAL between Midwest Mobile Radio Service Inc. and the customer referenced above.

Subtotal : \$2,889.00  
Tax : \$0.00  
Total Quote : \$2,889.00

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.



<b>Purchase Order Checklist</b>	
<b>Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this)</b>	
<b>PO Number/ Contract Number</b>	
<b>PO Date</b>	
<b>Vendor = Motorola Solutions, Inc.</b>	
<b>Payment (Billing) Terms/ State Contract Number</b>	
<b>Bill-To Name on PO must be equal to the <i>Legal</i> Bill-To Name</b>	
<b>Bill-To Address</b>	
<b>Ship-To Address (If we are shipping to a MR location, it must be documented on PO)</b>	
<b>Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO )</b>	
<b>PO Amount must be equal to or greater than Order Total</b>	
<b>Non-Editable Format (Word/ Excel templates cannot be accepted)</b>	
<b>Bill To Contact Name &amp; Phone # and EMAIL for customer accounts payable dept</b>	
<b>Ship To Contact Name &amp; Phone #</b>	
<b>Tax Exemption Status</b>	
<b>Signatures (As required)</b>	

Billing Address:  
 LEAVENWORTH, CITY OF  
 100 N FIFTH ST  
 LEAVENWORTH, KS 66048  
 US

Shipping Address:  
 MIDWEST MOBILE RADIO  
 SERVICE INC  
 812 S 10TH ST  
 SAINT JOSEPH, MO 64501  
 US

Quote Date:06/28/2022  
 Expiration Date:09/26/2022  
 Quote Created By:  
 Paul Stickler  
 Sales Manager  
 pauls@mw-radio.com  
 18167528146

End Customer:  
 LEAVENWORTH, CITY OF  
 Pat Kitchens, Chief  
 pkitchens@firstcity.org  
 913-758-2970

End Customer Address:  
 LEAVENWORTH - POLICE  
 DEPARTMENT, CITY OF  
 601 S THIRD ST  
 LEAVENWORTH, KS 66048  
 US

Contract: 21810 - JOHNSON COUNTY  
 (KS)  
 Payment Terms:30 NET

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	FLASHport Series	APX4000FLASHPORT				
1	T7907A	9600 OR 3600 SINGLE SYSTEM DIGITAL TRUNKING*	1	\$417.00	\$302.33	\$7,255.92
1a	H869CC	ENH: MULTIKEY	24			
	After Market Encryption Upgrades					
2	T7936A	APX UCM UPGRADE CD	1	\$753.50	\$562.10	\$12,167.90
2a	CA00182AR	ADD: AES ENCRYPTION SOFTWARE	24			

**Grand Total** **\$19,423.82(USD)**

**Notes:**



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, the Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.  
 Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800



812 S. 10th St.  
St. Joseph, MO 64501  
Phone: (816) 279-2065

**QUOTATION**  
**202000712**

Page 1

**Bill To:**  
CITY OF LEAVENWORTH POLICE  
CITY HALL  
601 S 3rd Street, Suite 2055  
LEAVENWORTH, KS 66048-1970

**Ship To:**  
CITY OF LEAVENWORTH POLICE  
CITY HALL  
601 S 3rd Street, Suite 2055  
LEAVENWORTH, KS 66048-1970

**Contact:** Arianne Burgoon  
**Contact #:** 913-680-2504  
**Email:** aburgoon@firstcity.org

**Contact:** Arianne Burgoon  
**Contact #:** 913-680-2504  
**Email:** aburgoon@firstcity.org

*Includes programming AES & MultiKey upgrades in 24-APX4000 radios at the MMRS Shop.*

Date: 06/28/2022		Customer #: R1906	Customer Rep: PAS	
Qty	Item	Description	Unit Price	Extended
19	MO-Sales MR Program	Programming MR Radios Includes programming AES & MultiKey upgrades in 24-APX4000 radios at the MMRS Shop.	60.00	1,140.00

Terms: DUR 1.5% Finance after 30 Days

This quotation is valid for 60 days. Prices are subject to change without notice.

The information in this quotation is PROPRIETARY AND CONFIDENTIAL between Midwest Mobile Radio Service Inc. and the customer referenced above.

Subtotal : \$1,140.00  
Tax : \$0.00  
Total Quote : \$1,140.00

- Additional information is required for one or more items on the quote for an order.
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.





<b>Purchase Order Checklist</b>	
<b>Marked as PO/ Contract/ Notice to Proceed on Company Letterhead (PO will not be processed without this)</b>	
<b>PO Number/ Contract Number</b>	
<b>PO Date</b>	
<b>Vendor = Motorola Solutions, Inc.</b>	
<b>Payment (Billing) Terms/ State Contract Number</b>	
<b>Bill-To Name on PO must be equal to the <i>Legal</i> Bill-To Name</b>	
<b>Bill-To Address</b>	
<b>Ship-To Address (If we are shipping to a MR location, it must be documented on PO)</b>	
<b>Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO )</b>	
<b>PO Amount must be equal to or greater than Order Total</b>	
<b>Non-Editable Format (Word/ Excel templates cannot be accepted)</b>	
<b>Bill To Contact Name &amp; Phone # and EMAIL for customer accounts payable dept</b>	
<b>Ship To Contact Name &amp; Phone #</b>	
<b>Tax Exemption Status</b>	
<b>Signatures (As required)</b>	



## Metropolitan Area Regional Radio System

February 23, 2022

MARRS Users,

The MARRS Management Council took action on February 23, 2022 to formally move the **AES encryption transition to June 21, 2022**. This was in part due to delays in receiving equipment as well as the volume of radios that need to be reprogrammed.

The MARRS Management Council is not responsible for what public safety agency talkgroups are encrypted other than the Regional talkgroups where we manage policy and use. With this transition, three key changes in the regional zones:

- An additional Regional zone will be programmed into radios to allow for one encrypted and one unencrypted Regional talkgroup zone
- Primary and two back-up pursuit channels will be added to the new encrypted zone – RegCom28E will be primary with RegCom27E as the secondary and RegCom26E as the third back-up
- No MARCER talkgroups will be encrypted

It is important for all public safety agencies to understand what talkgroups are encrypted in your respective areas of service. If there are agencies that are encrypting talkgroups that previously haven't been encrypted, the Public Safety agency and/or the Host or Prime site owner should be notifying those affected. Again, this transition only applies to radios used by public safety agencies.

If you have questions, please direct those questions to any of the following individuals:

Worth Hunsinger – Johnson County, Kansas      [whunsinger@jocogov.org](mailto:whunsinger@jocogov.org)

Jeff Brame – Kansas City, Missouri      [Jeffrey.brame@kcpd.org](mailto:Jeffrey.brame@kcpd.org)

Respectfully,

MARRS Management Council Co-Chairs

Ellen Wernicke  
Johnson County, Kansas

Timothy Hernandez  
Kansas City, Missouri

**Metropolitan Area Regional Radio System  
Management Council Meeting  
January 18, 2018**

**ATTENDEES:**

Gordon Abraham, Pleasant Valley Police Department  
Michelle Angell, Kansas City Kansas Police Department  
Marie Athearn, Johnson County Emergency Management and Communications  
Tony Avery, Platte County Sheriff's Office  
Jon Bazzano, Clay County Emergency Management  
Summer Boone, Johnson County Missouri  
James Brafford, Raytown Police Department  
Ed Brundage, Kansas City, Mo Police Department  
Kevin Cauley, Leawood Police Department  
David Evans, City of Kansas City, Missouri  
Travis Forbes, Lee's Summit Police Department  
Daniel Gates, Kansas City Missouri Police Department  
Jeff Grote, Central Jackson County Fire Protection District  
Dean Hart, Tusa Consulting  
Worth Hunsinger, Johnson County Emergency Communications  
Ken Jarnagin, Independence Police Department  
Tony Kosiba, Motorola Solutions  
Mark Liebig, Lee's Summit Police Department  
Larry Niederschulte, Jackson County Parks and Recreation  
Chris Skinrod, Riverside Public Safety  
Jamie Taylor, Lee's Summit Police Department  
Mark Taylor, Lee's Summit Police Department  
Robin Tieman, Cass County Emergency Services Board  
Mark Trosen, Jackson County (attending for Gary Panethiere)  
Ellen Wernicke, Johnson County Emergency Management and Communications  
Kevin Whittaker, Motorola, Inc.  
Sonta Wilburn, Overland Park Kansas Police Department

**MARC STAFF:**

Eric Winebrenner  
Adam Geffert

Dan Gates welcomed the group and introductions were made. A motion to approve the June 20, 2017 meeting summary was made by Jeff Grote and seconded by Robin Tieman. The motion was approved without objection.

**System Security**

Ed Brundage noted that the security groups for subscribers have been set up to make sorting easier. Brundage has contacted Motorola, who has offered help system owners set up user account groups.

### **Lee's Summit Update**

Eric Winebrenner stated that Lee's Summit has begun the process of joining the system. The city council has approved the radio project and signed an agreement with Kansas City. The goal is to be live by the end of the year. Dean Hart added that it will be an eight channel, Phase 2, four site geo-redundant prime system. There will be redundant links through both Independence and Kansas City.

Hart noted that if a regional event occurred, there could be channel loading issues on the Lee's Summit system. At this point, only heavy use of the regional talkgroups could cause that to happen. Channel capacity will be added to help accommodate heavy usage. If other organizations join the Lee's Summit infrastructure, they will have to manage their access due to channel loading. Hart doesn't anticipate Phase 2 issues being a problem, but details will be worked out during fleet map discussions. Hart added that the Lee's Summit system does have AES multi-key encryption.

### **Setting Standard Meeting Dates**

Eric Winebrenner stated that a request was received from a regional partner to have standard dates set so that meetings are easier to attend. After some discussion, a decision was made to meet at 1:00 p.m. on the third Tuesday of each January and July.

### **Excelsior Springs Joining System**

Dean Hart shared that Excelsior Springs met with Motorola last week and are in the process of finalizing system pricing and layout, which should be accomplished in the next few weeks. Eric Winebrenner added that MARC is working on a 911 microwave link to Excelsior Springs that will also be used for radio traffic. Hart noted that the city will have a four channel system with six talk paths.

A motion was made by Tony Avery to allow Excelsior Springs to join the system, which was seconded by Ken Jarnagin. All were in favor, none opposed.

### **Federal Reserve Bank Access to System**

Kevin Cauley stated that the Users Committee was contacted by the Federal Reserve Bank, which occasionally has dignitary response in the region. The Bank would like to have access to the regional common talkgroups on the system. This is the same request that was made by the U.S Marshal Service as well as others.

Ellen Wernicke shared that site owners need to be mindful of issues related to licensing. Ed Brundage added that these agencies should pay the licensing fees for each radio they bring on the system. In this case, the Federal Reserve has very few agents with radios.

Wernicke made a motion to allow the Federal Reserve Bank access to the regional channels, with the condition that the site owners will develop a license fee structure which will be assessed on every radio the Bank adds to the system. This motion was seconded by Robin Tieman. All were in favor, none opposed.

### **Common Encryption Date**

Ellen Wernicke stated that previously, the Management Council adopted the plan to move toward a common AES encryption scheme for newly purchased radios as well as other additional features. A date needs to be set to determine when all radios will move to this encryption. The date that has been proposed is December 31, 2021. Ed Brundage added that the state of Missouri has agreed to move to AES by the same date.

Brundage noted this will not prevent agencies that don't switch to AES from using the system. The change will not affect day-to-day home talkgroups. Instead, it is for interoperable talkgroups and key management. A key management facility for the entire region will need to be developed.

A motion to set a common encryption date of December 31, 2021 was made by Chris Skinrood, and seconded by Kevin Cauley. All were in favor, none opposed.

#### **Open Discussion**

A discussion was held about which agencies and groups should be allowed to join the system or have access to the regional common channels. The list of entities that are connected continues to grow, and in some cases, such as with MARCER, the number of radios accessing the system are very large. This has caused issues in Johnson County, which is currently out of space to record any additional groups. A site owner meeting will be set within the next month to discuss this issue further and determine a fee structure.

Ellen Wernicke noted that there are some vacancies on the council which need to be addressed. The vacancies are on the Kansas side, so Wernicke will engage necessary committees to select members. There are no specific rules about how members are added in the MARRS MOU. The agreement is silent on a number of other items as well, and likely needs to be updated. Wernicke suggested that site owners craft updates to the MOU and come back with recommendations to the Management Council. Once a draft is developed, it can be reviewed by agency attorneys. MARC will coordinate a meeting between site owners to discuss changes.

Eric Winebrenner asked if anyone had been approached by AT&T in regard to FirstNet. Wernicke stated that a meeting had been held in Johnson County with AT&T. The county is in the process of deploying test devices in both rural fire districts as well as suburban communities. Aircards for MDTs and phones will be deployed. Wernicke added that Randy Burns from AT&T has stated that three Missouri agencies have already joined FirstNet. Wernicke believes the region should have negotiating power to get common pricing. Winebrenner will schedule a meeting with AT&T to discuss testing devices and start negotiating prices.

Kevin Whittaker added the system will be upgraded to version 7.18 during the third quarter of 2018. Ed Brundage has asked for an overview of features prior to the upgrade.

#### **Next Meeting Date**

The next meeting will take place on Tuesday, July 17<sup>th</sup> at 1:00 p.m.

With no further discussion, Dan Gates adjourned the meeting.

POLICY REPORT PWD NO. 22-32

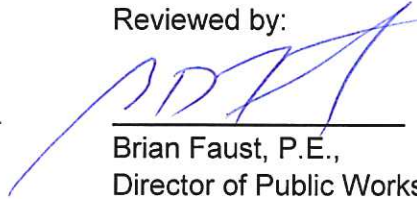
CONSIDER APPROVAL OF LOW BID FOR  
THE 2<sup>nd</sup> & CHESTNUT STONE ARCH REPLACEMENT PROJECT  
City Project 2018-895

July 12, 2022

Prepared by:

  
Michael Stephan,  
Project Manager

Reviewed by:

  
Brian Faust, P.E.,  
Director of Public Works

  
Paul Kramer,  
City Manager

**ISSUE:**

Consider bids received and possible award of the 2<sup>nd</sup> & Chestnut Stone Arch Replacement Project.

**BACKGROUND:**

On February 12, 2020, the City Commission approved a design contract with Wilson & Company Engineers for the design of the 2<sup>nd</sup> & Chestnut Stone Arch Replacement Project.

The project is necessary due to multiple failures in the old system that has created sinkholes (marked by orange fencing) along the project limits. These failures continue to worsen and are coming closer to an occupied structure. This location is near the bottom of the drainage basin so a significant amount of water is captured from upstream and conveyed through this area. This results in larger piping and structure sizes to accommodate the volume of storm water that flows through the area and dumps into the MO River just downstream of this project.



Sinkhole Undercutting the Street



Sinkhole Near Apartments

The 2<sup>nd</sup> & Chestnut Stone Arch Replacement Project includes upsizing/replacement of the storm water conveyance system from 2<sup>nd</sup> & Chestnut to the alley Northeast of 4<sup>th</sup> & Spruce. With the extensive excavations along the project, there is a substantial amount to street reconstruction, sanitary line and manhole replacement and other work required to complete this project. The project location and limits are highlighted on the attached map.

The project plans were prepared by Wilson & Company Engineers and the project was advertised for bid in the Leavenworth Times and at Drexel Technologies. A mandatory pre-bid meeting was held on June 15<sup>th</sup> and bids were opened on July 6<sup>th</sup>, 2022. Bid results are shown below and in the attached bid tabulation. Inspection will be by City Staff.

LEXECO was the low bidder and met all bidding requirements. The company has done a number of projects in Leavenworth and has the experience to satisfactorily perform this work.

Company	City	Base Bid
LEXECO, Inc.	Leavenworth, KS	\$3,534,012.80
Linaweaver Construction	Lansing, KS	\$3,555,998.25
Engineer's Estimate		\$3,616,155.00

**BUDGET IMPACT:**

The initial estimate for the project (February 2021) was \$2.3M. Since that estimate was created, all sectors of the economy are seeing significant increases in costs. The construction industry is no exception. Over the past several months, the City and Wilson & Company have worked to streamline the design to reduce costs where possible. Even with this effort, the project cost has increased roughly 53% over the last 1.5 years.

Currently there is funding available to complete this project. This includes \$1.9M in General Obligation Bonds that were issued for the project back in 2020. Storm water impact fee funds are available to cover the difference.

**POLICY:**

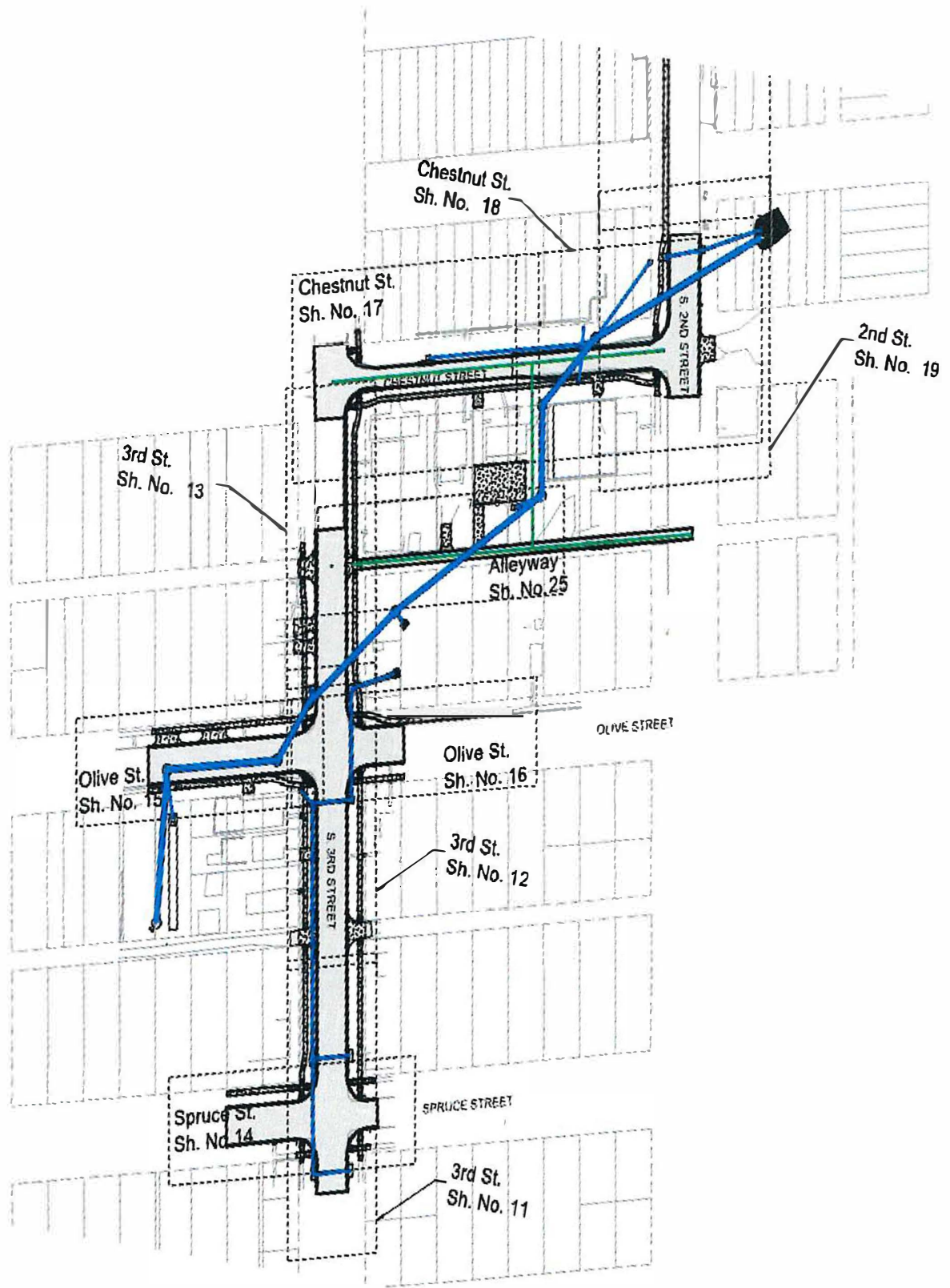
The City Commission generally awards a contract to the lowest bidder if the bid is less than the Engineer's estimate and whose evaluation by the City indicates that the award will be in the best interest of the City. LEXECO's bid was under the engineer's estimate and the contractor is extremely well qualified for this work.

**RECOMMENDATION:**

Staff recommends that the City Commission award the 2<sup>nd</sup> & Chestnut Stone Arch Replacement Project to LEXECO for the amount of \$3,534,012.80.

**ATTACHMENTS:**

- Project Location Map
- Bid Tab



2<sup>nd</sup> and Chestnut Project Overview





**CITY OF LEAVENWORTH**  
**Project No. 2018-895**  
**2nd & Chestnut Stone Arch Replacement**  
**July 6, 2022**

**BASE BID**

Item	Description	Unit	Quantity	Engineer's Estimate		LEXECO, Inc.		Linaweaver Construction	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization	LS	1	\$30,000.00	\$30,000.00	\$262,300.00	\$262,300.00	\$150,000.00	\$150,000.00
2	Construction Furnished Staking	LS	1	\$10,000.00	\$10,000.00	\$22,890.00	\$22,890.00	\$25,000.00	\$25,000.00
3	Clearing & Grubbing	LS	1	\$25,000.00	\$25,000.00	\$2,490.00	\$2,490.00	\$200,000.00	\$200,000.00
4	Tree Removal	EA	28	\$500.00	\$14,000.00	\$635.00	\$17,780.00	\$1,500.00	\$42,000.00
5	Existing Stone Arch Excavation & Removal	LS	1	\$80,000.00	\$80,000.00	\$164,540.00	\$164,540.00	\$110,000.00	\$110,000.00
6	Unclassified Excavation	CY	4,410	\$10.00	\$44,100.00	\$42.00	\$185,220.00	\$30.00	\$132,300.00
7	Embankment	CY	3,370	\$15.00	\$50,550.00	\$10.00	\$33,700.00	\$8.00	\$26,960.00
8	Asphaltic Concrete, Surface (2") (KDOT SR12.5a Superpave)*	TON	767	\$180.00	\$138,060.00	\$115.00	\$88,205.00	\$114.00	\$87,438.00
9	Asphaltic Concrete, Base (6") (KDOT SR12.5a Superpave)*	TON	2,007	\$150.00	\$301,050.00	\$107.00	\$214,749.00	\$105.00	\$210,735.00
10	Asphaltic Concrete, Surface (4") (KDOT SR12.5a Superpave)*	TON	101	\$180.00	\$18,180.00	\$232.00	\$23,432.00	\$227.00	\$22,927.00
11	Aggregate Base (6") (AB-3)	SY	7,493	\$20.00	\$149,860.00	\$15.50	\$116,141.50	\$8.25	\$61,817.25
12	Geogrid Reinforcement for Base	SY	7,493	\$10.00	\$74,930.00	\$2.85	\$21,355.05	\$3.00	\$22,479.00
13	Curb & Gutter, CG-1	LF	2,481	\$60.00	\$148,860.00	\$39.30	\$97,503.30	\$30.00	\$74,430.00
14	Curb & Gutter, CG-1, Dry	LF	259	\$60.00	\$15,540.00	\$56.10	\$14,529.90	\$33.00	\$8,547.00
15	Curb & Gutter, C-1	LF	10	\$60.00	\$600.00	\$140.00	\$1,400.00	\$40.00	\$400.00
16	Sidewalk Ramps	EA	33	\$2,500.00	\$82,500.00	\$2,020.00	\$66,660.00	\$2,750.00	\$90,750.00
17	Concrete Driveway (6")	SY	630	\$120.00	\$75,600.00	\$87.00	\$54,810.00	\$90.00	\$56,700.00
18	Concrete Sidewalk (4")	SF	15,700	\$12.00	\$188,400.00	\$5.05	\$79,285.00	\$8.00	\$125,600.00
19	Flowable Fill	CY	55	\$150.00	\$8,250.00	\$158.35	\$8,709.25	\$250.00	\$13,750.00
20	Connect to Existing Storm Sewer	EA	3	\$2,000.00	\$6,000.00	\$246.60	\$739.80	\$2,000.00	\$6,000.00
21	5' Standard Storm Manhole	EA	2	\$20,000.00	\$40,000.00	\$8,435.00	\$16,870.00	\$10,000.00	\$20,000.00
22	10' Standard Storm manhole	EA	8	\$75,000.00	\$600,000.00	\$39,425.00	\$315,400.00	\$38,000.00	\$304,000.00
23	Setback Curb Inlet, Type 2 (5'x4')	EA	2	\$15,000.00	\$30,000.00	\$8,250.00	\$17,650.00	\$8,500.00	\$17,000.00
24	Setback Curb Inlet, Type 2 (6'x4')	EA	2	\$15,000.00	\$30,000.00	\$9,100.00	\$18,200.00	\$10,000.00	\$20,000.00
25	Setback Curb Inlet, Type 2 (6'x4')(Special)	EA	1	\$18,000.00	\$18,000.00	\$15,715.00	\$15,715.00	\$10,000.00	\$10,000.00
26	Setback Curb Inlet, Type 2 (6'x6')(Special)	EA	3	\$20,000.00	\$60,000.00	\$15,601.00	\$46,803.00	\$20,000.00	\$60,000.00
27	Setback Curb Inlet, Type 2 (7'x6')(Special)	EA	1	\$25,000.00	\$25,000.00	\$17,085.00	\$17,085.00	\$24,000.00	\$24,000.00
28	Setback Curb Inlet, Type 2 (12'x4')	EA	3	\$20,000.00	\$60,000.00	\$15,285.00	\$45,855.00	\$15,000.00	\$45,000.00
29	Setback Curb Inlet, Type 2 (12'x6')	EA	1	\$22,000.00	\$22,000.00	\$16,875.00	\$16,875.00	\$18,000.00	\$18,000.00
30	Area Inlet, 2 Sides Open (4'x4')	EA	3	\$10,000.00	\$30,000.00	\$6,235.00	\$18,705.00	\$7,500.00	\$22,500.00
31	Storm Sewer Pipe (15" RCP)	LF	320	\$75.00	\$24,000.00	\$101.00	\$32,320.00	\$175.00	\$56,000.00
32	Storm Sewer Pipe (18" RCP)	LF	17	\$85.00	\$1,445.00	\$137.00	\$2,329.00	\$185.00	\$3,145.00
33	Storm Sewer Pipe (24" RCP)	LF	158	\$100.00	\$15,800.00	\$167.00	\$26,386.00	\$225.00	\$35,550.00
34	Storm Sewer Pipe (30" RCP)	LF	260	\$150.00	\$39,000.00	\$185.00	\$48,100.00	\$250.00	\$65,000.00
35	Storm Sewer Pipe (36" RCP)	LF	298	\$175.00	\$52,150.00	\$214.00	\$63,772.00	\$285.00	\$84,930.00
36	Storm Sewer Pipe (42" RCP)	LF	114	\$200.00	\$22,800.00	\$278.00	\$31,692.00	\$350.00	\$39,900.00
37	Storm Sewer Pipe (48" RCP)	LF	40	\$250.00	\$10,000.00	\$289.00	\$11,560.00	\$400.00	\$16,000.00
38	Storm Sewer Pipe (72" RCP)	LF	1,034	\$750.00	\$775,500.00	\$890.00	\$920,260.00	\$865.00	\$894,410.00
39	End Section (72" RCP)	EA	1	\$15,000.00	\$15,000.00	\$6,905.00	\$6,905.00	\$7,500.00	\$7,500.00
40	End Section (48" RCP)	EA	1	\$7,500.00	\$7,500.00	\$3,500.00	\$3,500.00	\$3,000.00	\$3,000.00
41	End Section (36" RCP)	EA	1	\$5,000.00	\$5,000.00	\$2,799.00	\$2,799.00	\$2,100.00	\$2,100.00
42	End Section (30" RCP)	EA	1	\$4,000.00	\$4,000.00	\$2,218.00	\$2,218.00	\$1,350.00	\$1,350.00
43	Sanitary Sewer Manhole (4' Diameter)	EA	4	\$10,000.00	\$40,000.00	\$7,913.00	\$31,652.00	\$8,500.00	\$34,000.00
44	Sanitary Sewer Pipe (8" SDR-26 PVC)	LF	620	\$100.00	\$62,000.00	\$169.00	\$104,780.00	\$175.00	\$108,500.00
45	Sanitary Sewer Pipe (10" SDR-26 PVC)	LF	418	\$160.00	\$66,880.00	\$187.00	\$78,166.00	\$185.00	\$77,330.00
46	Sanitary Service Connection	Ea	4	\$2,500.00	\$10,000.00	\$1,020.00	\$4,080.00	\$800.00	\$3,200.00
47	Sanitary Sewer Cleanout	EA	1	\$2,000.00	\$2,000.00	\$1,530.00	\$1,530.00	\$1,200.00	\$1,200.00
48	Rip Rap (18")	SY	2	\$500.00	\$1,000.00	\$670.00	\$1,340.00	\$250.00	\$500.00
49	Rip Rap (24")	SY	160	\$120.00	\$19,200.00	\$140.00	\$22,400.00	\$115.00	\$18,400.00
50	Granular Filter	SY	160	\$30.00	\$4,800.00	\$15.95	\$2,552.00	\$15.00	\$2,400.00
51	6' Wood Privacy Fence	LF	110	\$100.00	\$11,000.00	\$58.45	\$6,429.50	\$65.00	\$7,150.00
52	Chainlink Fence	LF	10	\$60.00	\$600.00	\$58.45	\$584.50	\$60.00	\$600.00
53	Erosion Control	LS	1	\$12,000.00	\$12,000.00	\$10,860.00	\$10,860.00	\$15,000.00	\$15,000.00
54	Hydroseeding (R/W & City owned Property)	AC	4	\$5,000.00	\$20,000.00	\$3,665.00	\$14,660.00	\$6,000.00	\$24,000.00
55	Sodding & Restoration (Private Property)	AC	1	\$10,000.00	\$10,000.00	\$7,680.00	\$7,680.00	\$35,000.00	\$35,000.00
56	Temporary Traffic Control	LS	1	\$8,000.00	\$8,000.00	\$20,860.00	\$20,860.00	\$11,500.00	\$11,500.00
57	Asphalt Oil Price Adjustment	LS	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
* computed at a rate of 145 lbs/CF				<b>TOTAL BASE BID:</b>	<b>\$3,616,155.00</b>	<b>\$3,534,012.80</b>		<b>\$3,555,998.25</b>	

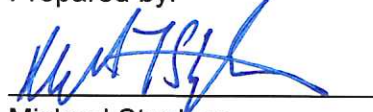
**POLICY REPORT PWD NO. 22-31**

**CONSIDER APPROVAL OF LOW BID FOR  
THE 2022 PAVEMENT MANAGEMENT PROJECT  
(MILL & OVERLAY PROGRAM)**

**City Project 2021-966**

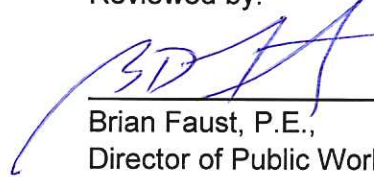
**July 12, 2022**

Prepared by:



Michael Stephan,  
Project Manager

Reviewed by:



Brian Faust, P.E.,  
Director of Public Works



Paul Kramer,  
City Manager

**ISSUE:**

Consider bids received and possible award of the 2022 Pavement Management – Mill & Overlay Program.

**BACKGROUND:**

On November 9, 2021, the City Commission approved a design contract with Alfred Benesch & Company for the design of the 2022 Pavement Management Program.

For 2022, the City Commission authorized a combination of General Obligation Bonds and Sales Tax for the annual maintenance of public streets. The components of the 2022 program include mill and overlay, parking lot upgrades, micro-surfacing, and major repair and maintenance work beyond the scope of the Streets Division. The funding for 2022 covers project design, construction of the various components, a detailed evaluation of the pavement condition (previously completed in 2016 and 2019) along with the next phase of a Comprehensive Pavement Management Program. Inspection will be by City Staff.

The Mill & Overlay Program for 2022 includes the following (highlighted on the attached map):

- Vilas Street between 10<sup>th</sup> and 15<sup>th</sup>
- 7<sup>th</sup> Street between Metropolitan and Dakota
- 5<sup>th</sup> Street between Shawnee and Oak
- Several smaller street segments (Garland south of Rees and Johnson Street)
- Library parking lot

There were several 'alternate bids' including:

- Cherokee between Broadway and 4<sup>th</sup>
- Delaware between 6<sup>th</sup> and Esplanade
- 2<sup>nd</sup> Street between Choctaw and Seneca

The project plans were prepared by Alfred Benesch & Company and the project was advertised for bid in the Leavenworth Times and at Drexel Technologies. A pre-bid meeting was held on June 16<sup>th</sup> and bids were opened on June 30<sup>th</sup>, 2022. Bid results are shown below and in the attached bid tabulation.

J. M. Fahey was the low bidder and has met all bidding requirements. J. M. Fahey has completed the mill & overlay program for the City in previous years and prior work was completed within the required timeframe and specifications. The company has done numerous

mill & overlay projects for other cities in Kansas and Missouri and has the experience to satisfactorily perform this work for the City of Leavenworth.

Company	City	Base Bid
J. M. Fahey Construction Co.	Grandview, MO	\$832,682.50
Little Joe's Asphalt, Inc.	Bonner Springs, KS	\$848,937.10
Engineer's Estimate		\$958,988.00

Work is expected to begin in late summer and be completed by November.

**BUDGET IMPACT:**

The 2022 budget included \$2M for the Pavement Management Program. In addition, there was unused funding in 2021 that brings the total available to \$2.5M.

2022 Cost Summary

<b>Mill/Overlay (Base Bid):</b>	<b>\$ 832,682.50</b>
<b>Mill/Overlay (Cherokee Alternate):</b>	<b>\$ 211,785.30</b>
Micro-surfacing - awarded June 14 <sup>th</sup> (Base Bid):	\$ 777,487.64
(addition of 3 alternate streets):	\$ 58,149.22
MSC and Cody Park Parking Lots:	\$ 200,000.00
2022 Pavement Evaluation (estimate):	\$ 100,000.00
<u>Next phase of the Comprehensive Plan (2023 and beyond – estimate):</u>	<u>\$ 125,000.00</u>
<b>Total Cost Estimate (2022 Pavement Management):</b>	<b>\$2,305,104.66</b>

The mill/overlay project was bid with an Asphalt Oil Price Adjustment. This means that the actual project cost will vary slightly depending on changes to oil prices at the time the asphalt is purchased. If the price decreases, the project will cost less – if oil prices increase, the overall project cost will increase. With the uncertainty in the market, bidding with an Asphalt Oil Price Adjustment helps protect both the contractor and the city.

**POLICY:**

The City Commission generally awards a contract to the lowest bidder if the bid is less than the Engineer's estimate and whose evaluation by the City indicates that the award will be in the best interest of the City. J. M. Fahey's bid was under the engineer's estimate and the contractor is extremely well qualified for this work.

**RECOMMENDATION:**

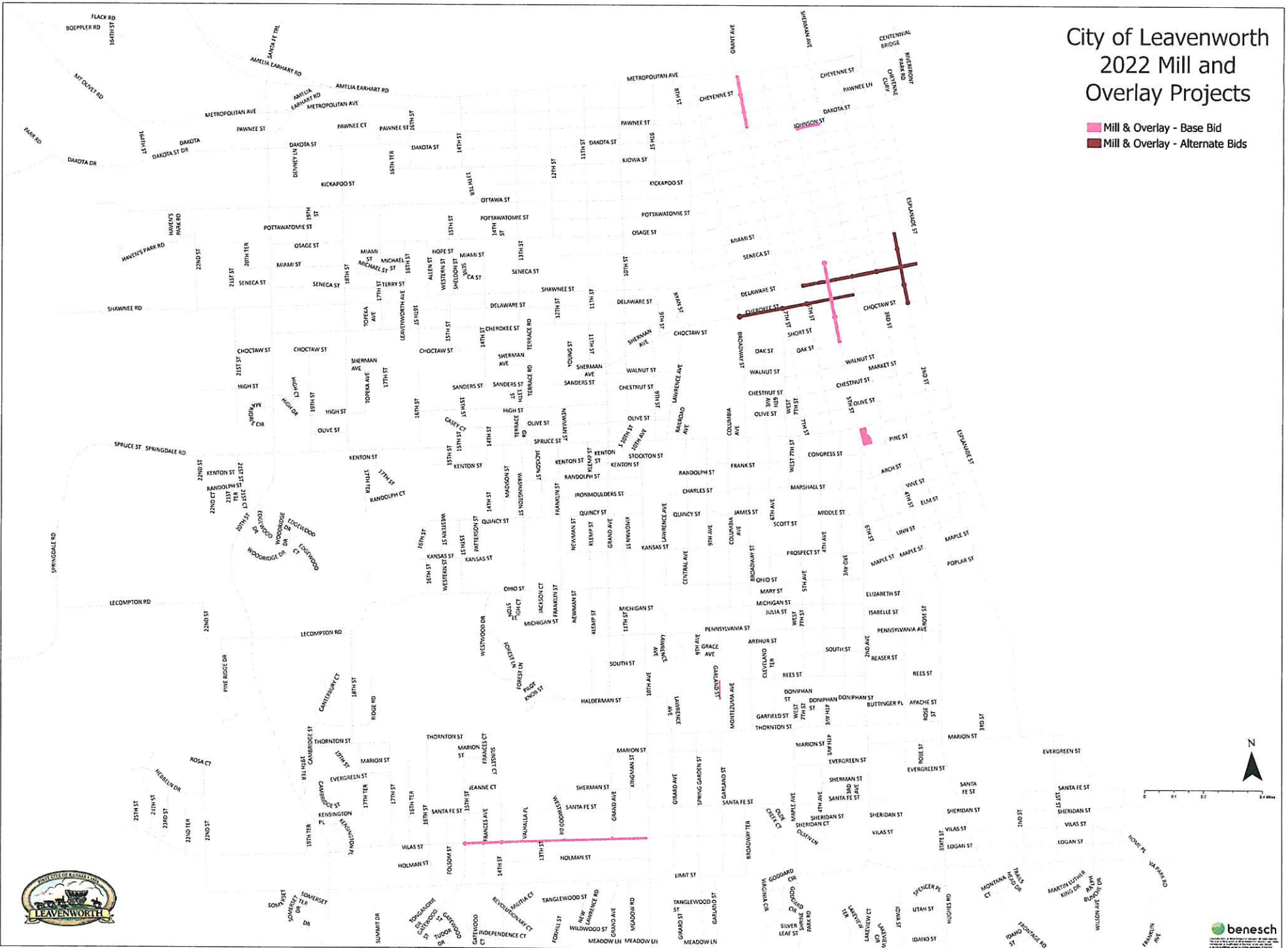
Staff recommends that the City Commission award the 2022 Pavement Management – Mill & Overlay Program to J. M. Fahey for the base bid amount of \$832,682.50 and authorize the Public Works Director to add Cherokee Street (between Broadway and 4<sup>th</sup>) for \$211,785.30, as funding permits, with the approval of the City Manager.

**ATTACHMENTS:**

Project Street Map  
Bid Tab

# City of Leavenworth 2022 Mill and Overlay Projects

- Mill & Overlay - Base Bid
- Mill & Overlay - Alternate Bids





**CITY OF LEAVENWORTH**  
**Project No. 2021-966**  
**2022 PMP - Mill & Overlay**  
**June 30, 2022**

BASE BID				Engineer's Estimate		JM FAHEY		LITTLE JOE'S ASPHALT	
Item	Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Mobilization	LS	1	\$50,000.00	\$50,000.00	\$25,500.00	\$25,500.00	\$36,000.00	\$36,000.00
2	Traffic Control	LS	1	\$50,000.00	\$50,000.00	\$5,200.00	\$5,200.00	\$13,000.00	\$13,000.00
3	Removal of Existing Structures	LS	1	\$6,000.00	\$6,000.00	\$40,000.00	\$40,000.00	\$36,500.00	\$36,500.00
4	Milling (Full Width Cut)	SY	20,779	\$5.00	\$103,895.00	\$2.50	\$51,947.50	\$2.90	\$60,259.10
5	Milling (Headers)	LF	770	\$50.00	\$38,500.00	\$4.75	\$3,657.50	\$8.00	\$6,160.00
6	Concrete Joint Sealing	LF	114	\$5.00	\$570.00	\$9.00	\$1,026.00	\$35.00	\$3,990.00
7	8" Reinforced Concrete Pavement (R&R)	SY	447	\$180.00	\$80,460.00	\$190.00	\$84,930.00	\$130.00	\$58,110.00
8	8" Concrete Patch & Joint Repair	SY	42	\$400.00	\$16,800.00	\$250.00	\$10,500.00	\$200.00	\$8,400.00
9	Inlet Top (R&R)	EA	1	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00	\$6,500.00	\$6,500.00
10	2" Asphaltic Concrete Surface Course KDOT Superpave Performance	TON	2,631	\$120.00	\$315,720.00	\$91.50	\$240,736.50	\$93.00	\$244,683.00
11	Asphaltic Base Courses KDOT Superpave Performance	TON	672	\$110.00	\$73,920.00	\$146.00	\$98,112.00	\$182.00	\$122,304.00
12	6" Granular Subbase, AB-3 Compacted	SY	3,005	\$15.00	\$45,075.00	\$14.01	\$42,100.05	\$20.00	\$60,100.00
13	Curb & Gutter (R&R)	LF	629	\$50.00	\$31,450.00	\$80.25	\$50,477.25	\$60.00	\$37,740.00
14	4" Concrete Sidewalk (R&R)	SF	3,895	\$10.00	\$38,950.00	\$15.00	\$58,425.00	\$11.00	\$42,845.00
15	ADA Ramps (R&R)	SY	192	\$175.00	\$33,600.00	\$250.00	\$48,000.00	\$165.00	\$31,680.00
16	Regrade Manholes	EA	5	\$3,000.00	\$15,000.00	\$2,200.00	\$11,000.00	\$1,500.00	\$7,500.00
17	Traffic Signal Detecton Loops (Quadrapole)	EA	2	\$7,500.00	\$15,000.00	\$3,800.00	\$7,600.00	\$3,400.00	\$6,800.00
18	Permanent Pavement Markings, 4" Solid White Line (Multi-Component Epoxy)	LF	1,004	\$3.00	\$3,012.00	\$7.10	\$7,128.40	\$8.00	\$8,032.00
19	Permanent Pavement Markings, 4" Solid Yellow Line (Multi-Component Epoxy)	LF	1,768	\$2.00	\$3,536.00	\$7.10	\$12,552.80	\$8.00	\$14,144.00
20	Permanent Pavement Markings, 12" Solid White Line (Multi-Component Epoxy)	LF	120	\$15.00	\$1,800.00	\$16.00	\$1,920.00	\$18.00	\$2,160.00
21	Permanent Pavement Markings, 24" Solid White Line (Multi-Component Epoxy)	LF	310	\$20.00	\$6,200.00	\$30.25	\$9,377.50	\$33.00	\$10,230.00
22	Permanent Pavement Markings, 48"x48" Handicap Symbol White on Blue (PTP)	EA	7	\$1,000.00	\$7,000.00	\$756.00	\$5,292.00	\$900.00	\$6,300.00
23	Asphalt Oil Price Adjustment	LS	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
24	Mobilization (Per Each Alternate Location)	EA	1	\$7,500.00	\$7,500.00	\$9,000.00	\$9,000.00	\$19,000.00	\$19,000.00
25	Traffic Control (Per Each Alternate Locaton)	EA	1	\$10,000.00	\$10,000.00	\$4,200.00	\$4,200.00	\$6,500.00	\$6,500.00
				<b>TOTAL BASE BID:</b>	<b>\$958,988.00</b>		<b>\$832,682.50</b>		<b>\$848,937.10</b>