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Welcome To Your City Commission Meeting - Please turn off or silence all cell phones during the commission meeting.  
Meetings are televised everyday on Channel 2 at 7 p.m. and midnight and available for viewing on YouTube

**Call to Order – Pledge of Allegiance Followed by Silent Meditation**

**PROCLAMATION:**

1. Leavenworth Public Schools Foundation Week September 30-October 4, 2019 (pg. 2)

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

2. Minutes from September 10, 2019 Regular Meeting **Action:** Motion (pg. 3)

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**NEW BUSINESS:**

**Citizen Participation:** *(i.e. Items not listed on the agenda or receipt of petitions- Please state your name and address)*

**General Items**

3. Request for Parking Lot Closure NE Corner of Cherokee St and South 2<sup>nd</sup> St **Action:** Motion (pg. 6)
4. Consider Transient Merchant License for Gypsy Aces (Haymarket Square) **Action:** Motion (pg. 9)
5. Approve Purchasing Policy **Action:** Motion (pg. 12)

**Resolutions:**

6. Resolution B-2234 Consolidated Annual Performance & Evaluation for CDBG **Action:** Motion (pg. 56)
7. Resolution B-2235 2019 Capital Fund Program Grant – Planters II **Action:** Motion (pg. 58)
8. Resolution B-2236 Capital Fund Program 5 Year Action Plan & 2020 Capital Fund Annual Statement Performance and Evaluation Report – Planters II **Action:** Motion (pg. 62)
9. Resolution B-2237 Section 8 Administrative Plan **Action:** Motion (pg. 80)

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**Consent Agenda:**

Claims for September 7, 2019 through September 20, 2019, in the amount of \$1,072,133.02; Net amount for Payroll #19 effective September 13, 2019, in the amount of \$347,361.41; (No Police & Fire Pension). **Action:** Motion

**Other:**

**Adjourn**

**Action:** Motion

# City of Leavenworth, Kansas



## Proclamation

**WHEREAS,** *the Leavenworth Public Schools Education Foundation believes that all parents and community members can participate with the school district to enrich public education; and*

**WHEREAS,** *the Foundation seeks to encourage all students to work to their highest potential by providing opportunities for unique educational experiences; and*

**WHEREAS,** *the Foundation encourages Leavenworth Unified School District No. 453 teachers to implement innovative instructional strategies by funding original programs and projects; and*

**WHEREAS,** *the Foundation is resolved, through the administration of its gifts, to support education in the Leavenworth Unified School District No. 453.*

**NOW, THEREFORE,** *I, Jermaine Wilson, Mayor of the City of Leavenworth, Kansas hereby proclaim the week of September 30 – October 4, 2019 as:*

## Leavenworth Public Schools Education Foundation Week

*and call upon all citizens to join me in recognizing the valuable work of the Leavenworth Public School Education Foundation and in working with them to support the staff and students of the Leavenworth Unified School District No. 453.*

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

\_\_\_\_\_  
*Jermaine Wilson, Mayor*

ATTEST:

\_\_\_\_\_  
*Carla K. Williamson, CMC, City Clerk*



**CALL TO ORDER** - The Governing Body met in regular session and the following commission members were present: Mayor Jermaine Wilson, Commissioners Nancy Bauder and Larry Dedeke. Mayor Pro-Tem Myron J. (Mike) Griswold was present via phone call. Absent: Commissioner Mark Preisinger

**Others present:** City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Public Works Director Mike McDonald, Operations Superintendent Curtis Marks, Sr., Finance Director Ruby Maline, Public Information Officer Melissa Bower, City Attorney David E. Waters and Deputy City Clerk Cary L. Collins.

Mayor Jermaine Wilson opened the meeting with the pledge of allegiance followed by silent meditation.

**PROCLAMATIONS:**

**Constitution Week September 17-23, 2019** - Barb Kempf was present to accept the Proclamation.

**Mayor's Award** – Bob Euler was presented the Mayor's Award for serving on the City's Stormwater Advisory Board and for being a charter member of the Sidewalk Committee for which he served more than 10 years.

**OLD BUSINESS:**

**Consideration of Previous Meeting Minutes:**

Commissioner Dedeke moved to approve the minutes from the August 27, 2019 regular meeting as presented. Commissioner Bauder seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

**NEW BUSINESS:**

**Citizen Participation:** None

**General Items:**

**Review 400 N 5<sup>th</sup> St – Property on Demolition List** – City Manager Paul Kramer reviewed the property on the demolition list. The City Commission reviewed this property on August 27, 2019. The City Commission approved another extension of 14 days for the owner to provide the signed Remediation Agreement to staff. Staff received the property owner signed copy of the remediation agreement and recommends that an extension be granted to October 22, 2019 to complete repairs.

Commissioner Bauder moved to grant an extension to October 22, 2019 to complete repairs. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.



**CAMP Leavenworth Festival Update** – Assistant City Manager Tylour Tedder presented an update on CAMP Leavenworth, a city festival scheduled for September 20<sup>th</sup> and 21<sup>st</sup>. Mr. Tedder opened a PowerPoint presentation; the slides included the look of the entrance gates, merchandise that will be available, and an event map. Mr. Tedder opened the [www.campleavenworth.com](http://www.campleavenworth.com) website and gave an overview of the camp activities, food vendors, fireworks, and entertainment.

Mr. Kramer stated that paid security will be at the railroad tracks and at the event entrances. Community greeters will also be at the entrances.

Mr. Tedder stated that anyone interested in volunteering can do so through the [www.campleavenworth.com](http://www.campleavenworth.com) website or contact him directly.

#### **Resolutions:**

**Resolution B-2232 Set Public Hearing – North Gateway Redevelopment District Area 3** – City Manager Paul Kramer presented for consideration a resolution to set a public hearing for October 22, 2019 for the North Gateway Redevelopment District – Project Area 3.

Commissioner Bauder moved to approve Resolution B-2232 to set a public hearing for October 22, 2019 for the North Gateway Redevelopment District – Project Area 3. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

**Resolution B-2233 Set Public Hearing – Creation of a Community Improvement District (CID) North Gateway Redevelopment District Project Area 3** – City Manager Kramer presented for consideration a resolution to set a public hearing for October 22, 2019 for the creation of a Community Improvement District (CID) North Gateway Redevelopment District – Project Area 3.

Commissioner Bauder moved to approve Resolution B-2233 to set a public hearing for October 22, 2019 for the creation of a Community Improvement District North Gateway Redevelopment District – Project Area 3. Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

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

**Consider award of the 2019/2020 Salt Bid** – Operations Superintendent Curtis Marks, Sr. presented for consideration bids for de-icing rock salt for the 2019-2020 season. Leavenworth County solicits bids each year for salt and allows all other cities in the county to purchase salt at their bid price. The County bid opening was held on August 20, 2019 and the County Commission approved the low bid by Independent Salt Company at \$62.38 per ton. The City estimates it will purchase 1200 tons of salt for a total not to exceed \$74,856.00.

Commissioner Bauder moved to approve the bid from Independent Salt Company at \$62.38 per ton for 1200 tons of salt not to exceed \$74,856.00. Commissioner Dedeke seconded the motion and was unanimously approved. The Mayor then declared the motion carried 4-0.



**CONSENT AGENDA:**

Commissioner Bauder moved to approve claims for August 24, 2019 through September 6, 2019, in the amount of \$1,545,737.42; Net amount for Payroll #18 effective August 30, 2019, in the amount of \$346,331.38; (No Police & Fire Pension). Commissioner Dedeke seconded the motion and the motion was unanimously approved. The Mayor declared the motion carried 4-0.

**Other:**

**Commissioner Bauder:** Attended Transportation Meeting; great support from Mary Dwyer, Community Development Coordinator and Julie Hurley, Planning and Community Development Director.

**Commissioner Griswold:** Board of County Commissioners will discuss the Mental Health Task Force report at their meeting on Wednesday, September 11, 2019 at 9 a.m.

**Adjourn:**

Commissioner Dedeke moved to adjourn the meeting. Commissioner Bauder seconded the motion and the motion was unanimously approved.

Time Meeting Adjourned 7:25 p.m.

Minutes taken by Deputy City Clerk Cary L. Collins, CMC


**POLICY REPORT**  
**SPECIAL EVENT – LEAVENWORTH CRUISERS CAR SHOW– SATURDAY, OCTOBER 26, 2019**  
**CONSIDER PARTIAL PARKING LOT CLOSURE**

September 24, 2019

Prepared by:

  
\_\_\_\_\_  
Mariah Lietzen,  
Receivable/License Coordinator

Reviewed by:

  
\_\_\_\_\_  
Carla K. Williamson, CMC  
City Clerk

Reviewed by:

  
\_\_\_\_\_  
Paul Kramer,  
City Manager

**ISSUES:**

Consider a partial municipal parking lot closure at the Northeast corner of Cherokee St. and South 2<sup>nd</sup> St. behind 203 Delaware Street. The closure will take up the east half portion of the parking lot from Friday, October 25, 2019 at 8 p.m. to Saturday, October 26, 2019 to 5 p.m. for the Leavenworth Cruisers Car Show.

**BACKGROUND:**

A Special Event application has been submitted for the car show. It is scheduled for Saturday, October 26, 2019 from 2 p.m. - 4 p.m. Mike Herzog, the event coordinator, requests that the parking lot be closed Friday, October 25, 2019 at 8 p.m. to prevent any overnight parking in the desired closure location to guarantee parking for cars participating in the event.

**ACTIONS:**

Approve or deny closing a portion of the parking lot at the Northeast corner Cherokee St. and South 2<sup>nd</sup> St. from 8 p.m. Friday, October 25, 2019 to 5 p.m. Saturday, October 26, 2019.

Attachments:

- Special Event Application
- Parking Lot Closure Map (highlighted area indicates the closure perimeter)



# SPECIAL EVENT APPLICATION

## Parades, Walks, Runs, Races, Street and/or Parking Lot Use/Closure

City of Leavenworth

Office of the City Clerk  
100 N 5<sup>th</sup> Street  
Leavenworth KS 66048

Phone: 913-682-9201  
Fax: 913-651-7143  
City Code Chapter 102

Fee: \$25.00 (non-refundable)

Parade     
  Walk/Race/Run     
  Bike Race     
  Other: Car show

Applications shall be filed with the City Clerk eight (8) weeks prior to the time of the event

Name of event: Leavenworth Cruisers

Location of Event: 203 Delaware A

Date(s) of Event: 10-26-19

Time of event: 2pm - 4pm

Event Coordinator: Mike Herzog

Address: 203 Delaware A Leav. KS 66048

Daytime Phone: 913-240-6396

Email: info@1stwine.com

Event Route (attach map): \_\_\_\_\_

Event will require <sup>Parking lot</sup> street closure      
 Event will include food vendors      
 (Include temporary food service applications)

Estimated number of People, Vehicles and/or Bikes participating in event: \_\_\_\_\_

Event will include amusement rides or bounce house(s)  (Valid permit issued by the State of Kansas required)

No Candy, Gum, or other items shall be thrown, tossed or otherwise distributed from vehicles or individuals in a parade

**Liability Insurance Information:**

The applications for street, sidewalk or public property use shall be accompanied by a Certificate of Insurance listing the City of Leavenworth as a co-insured in the amount of \$500,000 for liability insurance coverage for property damage, personal injury or death. No application will be considered unless accompanied by said Certificate of Insurance.

Name of Insurance Company: Reilly      Policy No. EU55622

*Certificate shall be of standard form as required by the State of Kansas, and carry a uniform endorsement providing for the actual notice to the City of any changes thereof. The insurance certificate cannot be canceled without giving ten (10) days written notice to the city clerk. The certificate shall be retained by the city clerk. (an example of certificate will be provided)*

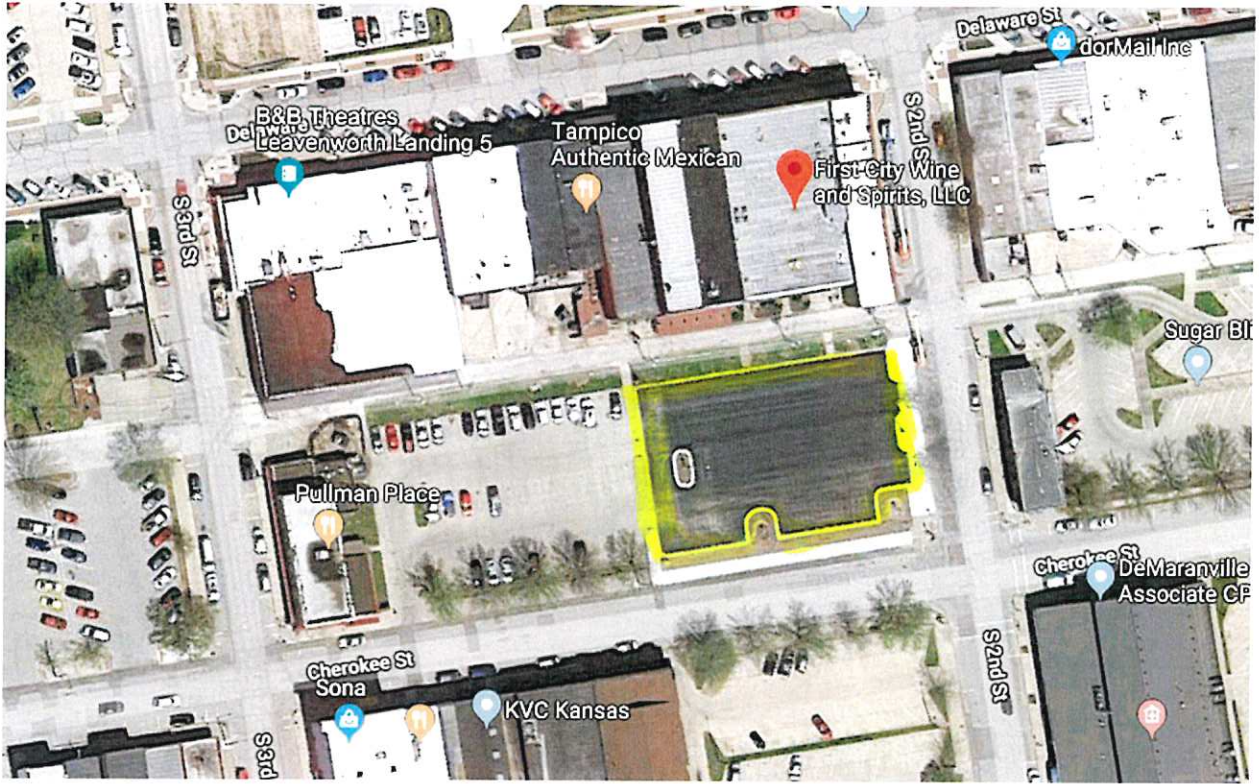
The above information is true and correct to the best of knowledge, and I realize that making a false application will automatically void my privilege to this permit. I understand the City Ordinance /Regulations that govern the event for which I am applying:

Applicant Signature: M. Herzog      Date: 8-26-19

Permit Paid Date: 8/26/19  
Received By: [Signature]

City Use	
✓	Insurance Certificate received
✓	Route Map (if applicable)
N/A	Food Vendors (if applicable)
N/A	Amusement Ride Certificate (if applicable)
N/A	KDOR Packet
a/16/19	Approved Police Chief
a/15/19	Approved Fire Chief
	Approved City Manager






**POLICY REPORT**  
**REQUEST A WAIVER FOR A TRANSIENT MERCHANT PERMIT AT HAYMARKET SQUARE**  
**FOR A MOTORCYCLE SWAP MEET**

**SEPTEMBER 24, 2019**

Prepared by:

  
\_\_\_\_\_  
Mariah Lietzen,  
Receivables/License Coordinator

Reviewed by:

  
\_\_\_\_\_  
Carla K. Williamson, CMC  
City Clerk

Reviewed by:

  
\_\_\_\_\_  
Paul Kramer,  
City Manager

**BACKGROUND:**

Jim Canpton with Gypsy Aces submitted an application that was received in the Office of the City Clerk for the September 29, Motorcycle Swap Meet at Haymarket Square. The swap meet will be held from 6:00 a.m. to 2:00 p.m. All vendors have a Kansas Retail Tax number or the event coordinator will provide the vendors with a tax form to complete and return to the Kansas Department of Revenue. The City reports all events to the Kansas Department of Revenue so they can verify that taxes on admissions, booth fees and any other applicable sales are submitted as required.

The City of Leavenworth Code of Ordinances Chapter 78, Peddlers and Solicitors Sec. 78-40 States:

- A transient merchant permit shall not be issued for use in or on city owned property including rights-of-way, parks or open spaces or the community center; provided, that the governing body of the city may grant in specific cases a waiver of this general prohibition.

The City of Leavenworth Codes of Ordinances Chapter 78, Peddlers and Solicitors Sec. 78-1 Definitions, defines a transient merchant as:

- *Transient merchant* means as any person, whether as owner, agent, consignee or employee, whether a resident of the city or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within such city, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, or public room in hotels, lodging houses, apartments, shops or any street, alley or other place within the city, for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction. Such definition shall not be construed to include any person who, while occupying such temporary location, does not sell from stock, but exhibits samples only for the purpose of securing orders for future delivery only. The person so engaged shall not be relieved from complying with the provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer, or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant or auctioneer. A transient merchant is not a person who has a permanent business presence in Leavenworth and conducts sales or activities similar as described herein on a temporary basis.

The City of Leavenworth Codes of Ordinances Appendix F, Schedule of Fees:

- A Transient Merchant, Itinerant Merchant or Itinerant Vendor Permit fee is \$50.00 per day. The permit is not to exceed 5 days; and no more than two licenses may be issued during a calendar year.

If the City Commission should grant the waiver all applicable fees and insurance requirements would still apply, the waiver just allows the sale to be held on city property. The applicant is also required to provide a certificate of liability insurance prior to the date of the event along with any fees required by the Parks and Recreation Department

**CITY COMMISSION ACTION:**

*Grant* a waiver of a Transient Merchants Permit for use of Haymarket Square for the Motorcycle Swap Meet on September 29, 2019;

Or

*Deny* the request for a Transient Merchant Permit

Attachment:

- Transient Merchant Application





**City of Leavenworth**  
 100 N. 5th Street  
 Leavenworth, KS 66048  
 913-682-9201 Fax: 913-651-7143  
 www.lvks.org

**TRANSIENT MERCHANT  
 (City Owned Property)  
 APPLICATION**

\*Requires City Commission Approval

**Per Day \$50.00**

(No fee due until after approval by City Commission)

Date: 9/18/19

Must be submitted 30 days prior to date of activity

The undersigned hereby makes application for a Transient Merchant Permit in the City of Leavenworth, Kansas under the provisions of the Code of Ordinances, Chapter 78 (Peddlers, Solicitors and Transient Merchants).

Applicant Name: JAMES CAMPTON Phone: (913)605-2900 Email: \_\_\_\_\_

Applicant Address: 2200 S. 16TH TERR. City: LEAV. State: KS. Zip: 66048

Representing Company: GYPSY ACES

Company Address: SANTA-FE TRAIL City: LEAV. State: KS. Zip: 66048

Phone: (913)605-2900 E-mail: \_\_\_\_\_

Kansas Sales Tax I.D. Number: \_\_\_\_\_ or Proof of Exemption \_\_\_\_\_

Brief description of the nature of the business and goods to be sold or services offered: MOTORCYCLE PARTS

City Property Location or Building: HAYMARKET SQ Date/Dates - From: 9/29/19 To: 9/29/19  
(5 Day Maximum; 2 x Per Year)

**INSURANCE REQUIREMENTS FOR TRANSIENT MERCHANT:**

Every Transient Merchant before obtaining any permit as provided herein for use in or on city property, shall cause a certificate of insurance to be posted with the City Clerk of bodily injury liability in the amount of \$1,000,000.00 per incident, and such certificate shall also provide that the policy of insurance shall not be canceled, amended, changed or altered without giving the City Clerk ten days' written notice thereof. Such certificate shall further provide for the indemnification of any person who shall incur damage claimed as a result of use of the public way under the permit issued under this division and hold the City harmless and indemnify the City of any claim for damages as a result of such use.

Please complete the following questions by checking the appropriate box at right.

- |   |  |                                     |
|---|--|-------------------------------------|
| 1. I understand and agree that if a permit is granted, it will not be used or represented in any way as an endorsement by the City or by any department or officer of the City. | YES<br><input checked="" type="checkbox"/> | NO<br><input type="checkbox"/>      |
| 2. I have been given the KDOR Event Packet and understand it is my responsibility to make all vendors aware of the requirement to file state sales tax for this event.          | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |
| 3. Have you ever had a transient merchant permit, license or registration revoked or suspended under the ordinance of the City of Leavenworth or any other city?                | <input type="checkbox"/>                   | <input checked="" type="checkbox"/> |
| 4. Information provided in this application is correct and true and the license will be displayed at all times during the permit period.  | <input checked="" type="checkbox"/>        | <input type="checkbox"/>            |

By signing I agree to comply with the City of Leavenworth Code of Ordinances, Rules, or Regulations pertaining to Transient Merchants that govern the license.

Applicant's Signature: James M. Campton Date: 9/18/19

FOR OFFICE USE ONLY

Copy of Kansas Sales Tax Certificate or Proof of Exemption  Certificate of Insurance

Date scheduled for City Commission: \_\_\_\_\_  Approved  Disapproved

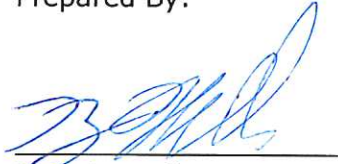
Transient Merchant (SOL/SOL3) Permit # \_\_\_\_\_ Business License Acct. #: \_\_\_\_\_ Bill #: \_\_\_\_\_  Print Permit

Date: \_\_\_\_\_ City Clerk's Office Staff Received by: \_\_\_\_\_

*Policy Report No. FIN-19-04  
Proposed Updates to the Procurement Policy*

*September 24, 2019*

Prepared By:



Brandon Mills  
Deputy Finance Director

Approved By:



Paul Kramer  
City Manager

**Issue:**

Documentation of accounting policies and procedures is an effective method of establishing internal controls. Once policies and procedures are in place, it is necessary to review and update them for relevancy toward current processes and operations.

**Background:**

In September of 2016, the City Commission approved the current purchasing policy, which the City utilizes. Since adoption, there have been changes in operations and purchasing that have made aspects of the policy obsolete. In addition, items previously omitted have been added.

The attached draft policy consolidates purchasing authorities in one location and clearly identifies what those authorities and responsibilities are.

The resulting document represents best practices, staff input, and other local government practices.

The most significant changes include:

- Increasing the threshold for Bid Bonds, Labor and Material Payment Bonds, and Performance Bonds for construction projects.
- The City of Leavenworth will no longer require that Affirmative Action letters be included in packets, but must still be maintained on file in the City Manager's office.
- The addition of a formal policy for Requests for Information (RFI).
- Addition of Procurement Ethics and Conflict of Interest section.
- Added language to allow finance staff to submit and receive notifications, protests, and challenges via email.

**Recommendation:**

After review by the Commission, staff recommends adoption of the purchasing policy.

*Procurement Policies*

*City of Leavenworth, Kansas*



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## *Introduction*

Standardized purchasing provides an opportunity by which the City of Leavenworth may maximize financial resources through the use of sound procurement practices. The City of Leavenworth shall embody the following principles:

- To consider the best interests of the City in all transactions and to carry out its established policies,
- To purchase without prejudice, seeking to obtain the maximum value for each dollar expended in accordance with established City quality standards,
- To strive consistently for knowledge of materials, supplies, and services required for use by the City and to establish practical methods of acquiring them, and
- To foster honesty and truth in buying and to avoid conflicts of interest, unethical practices, and the appearance of the same.

## *Purpose*

The purpose of this policy is to provide guidelines to all City personnel, establishing authority and limits for the purchase of materials, supplies, equipment, and services by the City.

## *Scope*

The City's purchasing policy is based upon Kansas State Statutes and City Ordinances. This policy shall apply to any expenditure of City funds. However, this policy shall not prevent the City from complying with the terms and conditions of any grant, gift, bequest, or cooperative agreement.

On January 26, 2010, the City Commission adopted the HUD (Housing and Urban Development) Program purchasing policies for Planters II expenditures using federal funds; therefore, Planters II is exempt from this policy. A copy of the policy is on file in the Finance office for viewing.



## ***Purchasing Authority***

### **City Commission**

The responsibility for all purchases made by the City of Leavenworth is held by the City Commission. The City Commission shall authorize the City Manager to establish procurement rules and regulations for all City personnel.

### **City Manager**

The City Manager shall establish the rules and regulations for the procurement of all goods and services, which will be applicable to all City employees. The City Manager and City Commission possesses the sole authority for any deviation from procurement regulations. If improper procurement practices occur, the City Manager may invoke disciplinary action upon the individual, department, and or division. Disciplinary action may be in the form of restricted purchasing delegation, restitution, suspension, termination or any other form deemed appropriate by the City Manager.

### **Department Directors**

By authority of the City Manager, Department Directors or their designee shall be delegated procurement authority and responsibility for:

- Ensuring that all personnel in their department are knowledgeable of and fully understand the procurement procedures established by the City Manager.
- Ensuring that purchasing policies are applied uniformly and consistently to all purchases made by their department.
- Ensuring that specifications and requirements submitted for purchases provide for maximum competition among vendors providing goods or services
- Planning purchases in such a manner to allow sufficient time for compliance with purchasing policies and procedures.
- Requesting purchasing cards for their department employees
- Approving their employees purchasing card receipts in a timely manner
- Notifying the vendor and Finance of erroneous, disputed, or returned charges as soon as possible
- Notifying Finance of lost or stolen cards as soon as possible

## **Finance Director**

By authority of the City Manager, the Finance Director shall be delegated procurement authorization and responsibility for:

- Hiring and directing the Purchasing Agent.
- Recommending policies and procedures for purchasing to the City Manager.
- Directing and managing the purchasing processes and operations.
- Reviewing and updating purchasing policies and procedures on a regular basis.
- Extend any time and date requirements designated in the process by one business day.

## **Purchasing Agent**

The Purchasing Agent shall have the authority and responsibility to:

- Ensure compliance with the purchasing policies, statutes, and other purchasing regulations
- Assemble and disseminate bid packets and RFP's
- Provide bid information to the City Clerk for publication in the official City newspaper
- Establish and preside over bid openings
- Manage online vendor registrations
- Manage vendor lists
- Request and issue new purchasing cards; informing cardholders of the appropriate use of purchasing cards
- Review receipts from cardholders to ensure accuracy and appropriateness of purchases
- Reconcile and process monthly purchasing card statements after approval of cardholder and cardholder's supervisor
- Cancel and discard purchasing cards
- Verify card provider has been notified of erroneous, disputed, or returned charges
- Verifying card provider has been notified of lost or stolen cards

**Purchasing Cardholder and other employees designated by Department Directors to have purchasing authority**

The Cardholder and other City employees shall have the authority and responsibility as designated to them by their supervisor to:

- Be familiar and comply with the purchasing policies
- Make purchases within the limitations as established in these policies
- Ensure purchases are used for only City business
- Ensure the security of City purchasing cards
- Obtain and retain itemized receipts
- Notifying supervisor of erroneous charges, disputed items, or returns as soon as possible
- Notifying card provider and supervisor of lost or stolen cards as soon as possible

**Procurement Ethics and Conflict of Interest**

The following policy provides guidance in the ethical and objective practices associated with procuring goods and services on behalf of the City of Leavenworth. All purchases and contracts must be conducted in a manner that utilizes the highest ethical standards. Any purchases or contracts not conducted in compliance with this policy could potentially result in a financial conflict of interest.

- No member of the City Commission, City employee, or business in which any commissioner, City employee, or spouse of councilmember or City employee has a 50% or more proprietary interest shall engage in any of the following:
- selling, buying, leasing property, real or personal, to or from the City;
- contracting with the City; or
- buying or bartering for or engaging in any bonds, warrants, or other evidence of indebtedness of the City.



***Purchasing Authority Limitations***

<b>Dollar Purchase Range</b>	<b>Who makes this purchase</b>	<b>Process</b>
<b>\$1-\$4,999</b>	<b>All City employees as delegated by Department Director</b>	<b>Purchasing card/PO</b>
<b>\$5,000-\$9,999</b>	<b>All City employees as delegated by Department Director</b>	<b>3 Verbal Quotes (documented)</b>
<b>\$10,000-\$24,999</b>	<b>Department Director or Designee with City Manager approval</b>	<b>3 Written Quotes</b>
<b>\$25,000 and over</b>	<b>Purchasing Agent via Department Director request &amp; City Manager Authorization &amp; City Commission Approval</b>	<b>Formal Sealed Bids/RFP's</b>

Purchases of an aggregate cost of less than \$5,000 may be made, without competition, on the open market, upon authorization of the Department Director.

For non-emergency purchases exceeding \$5,000 but not exceeding \$10,000, the Department Director shall make every effort to secure at least three (3) verbal price quotes. The quotes may be documented by the Department Director and accompany the purchase requisition as an attachment in the financial system.

Those purchases exceeding \$10,000 but not exceeding \$25,000 requires three (3) written quotes must be authorized by the Department Director and approved by the City Manager or designee. The three (3) written quotes must accompany the purchase requisition.

All purchases exceeding \$25,000 require formal bids/RFP's conducted by the Purchasing Agent. The City Manager or designee shall approve a Request to Bid prior to initiating the bid process.

All purchases of professional services exceeding \$25,000 require formal RFP's conducted by the Purchasing Agent. The City Manager or designee shall approve a Request to Bid prior to initiating the bid process.

All bid/RFP awards shall be approved by the City Commission prior to issuing a contract. Once the contract has been approved, a requisition must be completed and the request to bid, bid results, contract copy, and commission minutes showing approval shall be attached to the file before the requisition is converted to Purchase Order.

For purchases less than \$25,000, the City Manager reserves the right to determine the competitive process used to obtain goods or services.

**Purchases shall not be split in order to avoid the bid process.**

#### *Exceptions to Purchasing Limitations*

The City makes certain purchases and transactions which may not be readily adaptable to competitive procurement procedures, but require the issuance of a purchase order for vendor authorization and budgetary requirements. These transactions will be exceptions to the competitive procurement policies described elsewhere in this manual, but may be subject to the same dollar amount, contract and change order approval limitations contained herein.

The following are exceptions to the City competitive procurement process:

- Approved sole source procurements in accordance with the policies contained herein.
- Emergency purchases made in accordance with the policies contained herein.
- Purchase of local utility services for City owned or operated facilities.
- Utility relocation payments negotiated in accordance with resolutions and ordinances adopted by the City Commission.

- Procurement of goods and services for joint projects authorized by intergovernmental agreement with another governmental entity or entities when such other governmental entity which is party to the intergovernmental agreement is administering the project.
- Procurement of goods in which pricing is so volatile that vendors decline from participating in the sealed bid process, for example, asphalt or other oil-based products. These products may be obtained through written quotes.
- Purchases made through cooperative agreements, as defined on page 26 of this manual.
- Seminar and training registrations and professional membership dues and fees.
- Postage expenses.
- Legal and classified advertising in the official City newspaper as designated by the City Commission, or other newspaper, magazine or publication determined necessary and appropriate for such publication by the department.
- Sale of temporary notes and bonds.
- Purchase of land, land rights, or existing real property.
- Employee compensation, employee reimbursements, and employee benefits, including but not limited to premiums for health, life or disability insurance, payments to pension or deferred compensation plans, employment or payroll taxes.
- Insurance claims, losses and loss adjustment expenses, including payments for policy deductibles, retained losses. Fees for services paid to agents, brokers or third-party administrators, however, are not exempt.
- Interfund and operating transfers and reimbursements, including payments to Internal Service Funds.
- Other purchases as authorized, in writing, by the City Manager or City Commission.

***Public Improvements***

The purchase of goods and/or services related to public improvement projects shall be governed by K.S.A. 13-1017, as amended by City ordinances.

K.S.A. 13-1017 States:

“Before undertaking the construction or reconstruction of any sidewalk, curb, gutter, bridge, pavement, sewer or any other public improvement of any street, highway, public grounds or public building or facility, or any other kind of public improvement in any city of the first class is commenced or ordered by the governing body, or under its authority, a detailed estimate of the cost of the improvements shall be made under oath by the city engineer (or some other competent person, appointed for such purposes by the governing body). Such estimate shall be submitted to the governing body for its action thereon. In all cases where the estimated cost of the contemplated building, facility or other improvement amounts to more than ~~\$2,000~~, **\$25,000.00**\* sealed proposals for the improvement shall be invited by advertisement, published by the city clerk once in the official city paper.”.....”This section shall not be construed to include any repair or maintenance work not amounting to substantial alteration, addition or change in any structure, street or facility. "Public improvement" as used herein shall not include the making of repairs or the maintenance of any building, street, sidewalk or other public facility in such cities by employees of such cities or the making of any expenditure from the city budget for such purposes.”

**Charter Ordinance 40 was passed May 27, 1997, Exempting the City of Leavenworth from the \$2,000 dollar limit and allows the city to make future changes by simple Ordinance.**

\*By City ordinance, the \$2,000 threshold has been changed to **\$25,000.00**.

Given the technical nature of such improvement projects, the City of Leavenworth has determined that the City Engineer shall be responsible for adhering to applicable state and federal purchasing requirements and shall be responsible for conducting the appropriate formal proposal processes.



### ***Preference to Vendors Domiciled within City Limits***

When the City of Leavenworth solicits quotations or bids for the purchase of goods or services, it is common to receive responses from vendors domiciled both within and outside the Leavenworth city limits.

In such circumstances, if the low quotation or bid is submitted by a vendor domiciled outside the Leavenworth city limits, then the vendor domiciled within the Leavenworth city limits may nevertheless be deemed the preferred vendor and awarded the contract, provided that:

- The goods or services quoted or bid by the vendor domiciled within the Leavenworth city limits meets the specifications of the procurement;
- The amount of the quotation or bid of the vendor domiciled within the Leavenworth city limits is not more than 1% greater than the amount of the low quotation or bid; and
- The vendor domiciled within the Leavenworth city limits agrees to meet the low quotation or bid by filing a written agreement to that effect within 72 hours after receiving notification of being deemed the preferred vendor.

This section shall not apply to the procurement of goods or services that relate to public improvements governed by K.S.A. 13-1017 as described in the Public Improvements section.

For the purpose of this section, "vendor domiciled within the Leavenworth city limits" is defined as a vendor who:

- Maintains a permanent place of business within the Leavenworth city limits, and
- Has a valid State sales tax registration certificate.

### ***Quotations***

A Request for Quotation is either a written or verbal statement of prices, terms of sale, and description of goods or services offered to the City by a prospective vendor.

Verbal quotes are required for all purchases with an aggregate cost of at least \$5,000 but less than \$10,000. Quotations may also be used for purchases less than \$5,000 at the discretion of the appropriate Department Director or Division Superintendent.

Written quotes are required for all purchases with an aggregate cost of \$10,000 but less than \$25,000.

### ***Departmental Authority***

Departments may, in the aforementioned circumstances, contact potential contractors, obtain quotes, document the competition by completing a standard City quotation form, then attach the quotation and any other documentation to the requisition entered into the financial system. The requisition will be approved by the appropriate individual(s) and, if approved, converted to a purchase order.

### ***Obtaining Verbal Quotations***

Soliciting verbal quotations by telephone requires preparation and the proper recording of prices, delivery information, and credit terms. The following steps are applicable to soliciting verbal quotations.

1. Have the quotation form available. Make sure the form is complete as to the item(s) to be quoted, the quantity required and the unit of measure of the item(s) as well as any special conditions or requirements, i.e., warranty, ongoing maintenance, etc..
2. Decide in advance what firms or individuals represent a possible source of supply and add their names to the quotation form.
3. Contact a person authorized to quote for the firm.
4. When that person has been contacted:
  - a. Identify the City representative by name.
  - b. Inform the contact that the City representative represents the City of Leavenworth (name of department) and is soliciting competitive verbal quotations.
  - c. Provide the date by which the quoted item(s) must be delivered to the City receiving point.
  - d. Provide the quantity, unit of measure, a complete description of the item(s) that require pricing and any special considerations and/or requirements that pertain to the procurement.
  - e. Request firm pricing for the required item(s) and ask what credit terms will be extended to the City if an order is placed with their firm.
  - f. Ensure that all contacts are furnishing quotations on equivalent goods or services.

- g. Utilize the quotation form to record the results of the conversation including the name of the person that quoted the prices and the date the prices were quoted.
  - h. Thank the contact for their quotation and inform them their firm will be notified by an official City purchase order if their quotation is the lowest price fully meeting the requirements of the quotation.
5. Contact no fewer than three (3) potential contractors.
  6. Tally the quotation form and mark the selection of the most competitive quotation. The most competitive quotation is the lowest total price that meets or exceeds the requirements of the quotation, subject to the provisions of the local vendor preference policy as articulated on page 9 of this manual.

#### ***When Verbal Quotations Are Not Appropriate***

Verbal (telephone) quotations can be used to accomplish the large majority of procurements of goods and services of an aggregate cost more than \$1,000 but less than \$5,000. Verbal quotations are convenient but do not lend themselves to all such purchases. Under the following circumstances, it is generally desirable to obtain written quotations:

1. Special specifications or technical problems are involved in the purchase which is difficult to describe verbally.
2. A large number of separate items are involved in the quotation.
3. Potential customers are located outside the local trade area.
4. It is not economical or possible to secure verbal quotes.
5. When the dollar amount exceeds the limit for verbal quotes.

#### ***Obtaining Written Quotations***

Written quotations are obtained in the same manner as verbal quotations except it is necessary to predetermine and inform the contact of the date by which a written quotation must be received. If the proposed purchase is of a technical nature, it may also be necessary to furnish the contact with drawings and/or written specifications.

### ***Formal Bids***

Formal bids are written documents issued by the Purchasing Agent inviting potential contractors to submit sealed, written pricing for specific goods and services in conformance with specifications, terms, conditions and other requirements described in the bid document.

Formal bids require public notice (legal publication), public bid opening at a time and place designated in the bid document, and a minimum of ten working days between the distribution of the bid document and the public opening.

Formal bids are utilized for procurements of goods and services other than professional services whose estimated aggregate cost is \$25,000 or greater. Formal bids may also be used for purchases less than \$25,000 at the discretion of the appropriate Department Director or at the direction of the City Manager.

### ***Initiation of Formal Bid Process***

Formal bids are initiated by submission of a completed Request to Bid form which has been properly authorized by the City Manager or designee with attached specifications and descriptive literature to the Purchasing Agent.

### ***Preparation of Formal Bids***

Upon receipt of a completed Request to Bid form signed by the City Manager or designee, the Purchasing Agent will prepare the bid document in cooperation with the requesting department.

### ***Contents of Formal Bidding Document***

The bidding document shall include:

1. A cover sheet detailing bid title, bid number, bid opening date and time, and location of the bid opening.
2. City's Standard Terms and Conditions describing the procedures and requirements for responding to the bid.
3. An Affirmative Action certification signed by the City Manager.
4. Special Terms and Conditions governing subsequent contractual provisions between the successful bidder and the City (includes insurance and bonds), if necessary.



5. Open and competitive specifications (provided by the department requesting the bid) that describe with reasonable minuteness the physical and/or functional requirements of the goods or services required.
6. Bid sheets to be filled in, signed and dated by bidders on which they offer prices for the goods or services listed on the bid sheet(s).
7. Other forms or attachments if applicable: bond forms, drawings, non-collusion affidavit, etc.

### ***Pre-Specification Conference***

If required, the Purchasing Agent reserves the right to convene pre-specification conferences to assist in the drafting of open and competitive bidding specifications. Such conferences are attended by potential bidders, appropriate departmental personnel involved in the proposed procurement, and the Purchasing Agent.

### ***Approval of the Bidding Document***

The requesting department shall review and approve the bidder's list and initial the bid document after its preparation by the Purchasing Agent but prior to the publication (legal notice) and distribution of the bid document.

### ***Publication Notice***

The Purchasing Agent will provide a publication notice (legal notice) to the City Clerk for each City formal bid to be published in the official City newspaper a minimum of 10 working days prior to the bid's opening date or as otherwise required by Kansas statute. Bid documents shall not be distributed until the notice is published.

Additional publications may be utilized and selected by the Purchasing Agent on the basis of need and suitability for any particular proposed procurement.

The publication notice will invite prospective bidders to submit sealed bids for the particular proposed procurement and will also list the bid number, bid title, date, time and place of the bid opening, where copies of the bid document may be obtained and will contain verbiage signifying the City is an Equal Opportunity Employer. If a pre-bid conference is contemplated, the time, date and location of such conference shall be included in the publication notice. A requirement for mandatory attendance at a pre-bid conference shall also be included in the publication notice.

All publication notices shall be issued by or through the Purchasing Agent. All costs related to the publication shall be borne by the requesting department.

### ***Pre-Bid Conference***

If required, the Purchasing Agent reserves the right to convene a pre-bid conference for the purpose of reviewing and clarifying the published specifications and answering potential bidder's questions about the bid project. Such conferences are attended by potential bidders, appropriate departmental personnel involved in the proposed procurement, and the Purchasing Agent.

All pre-bid conferences will be open to the public, and all potential bidders will be encouraged to attend. The Purchasing Agent also reserves the right to require mandatory attendance of potential bidders at the pre-bid conference.

The date, time and place of any such pre-bid conference will be included both in the bid document and notice of publication if such a conference is contemplated.

### ***Addenda***

Any and all changes, modifications or clarifications to the distributed bid document will be issued by the Purchasing Agent in the form of a written addendum distributed to all potential bidders of record.

Without providing an extension of the bid submission date, addenda shall not be issued within timeframes so close to the bid submission date as to present potential bidders with insufficient time to properly complete and submit their bid.

After their issuance, addenda become a part of the bid document.

### ***Cancellation of Bids Prior to Bid Opening***

The City reserves the right to cancel distributed bids prior to the date and time of the bid opening.

### ***Withdrawal of Bid or Submission of a Corrected Bid***

Bidders may withdraw their bids, for any reason, prior to the time and date of the bid opening. Such withdrawal shall be requested in writing by an authorized agent of the bidder.

Bidders may submit a corrected bid any time prior to the time and date of the bid opening.

### ***Public Bid Opening***

Prior to the opening, the Purchasing Agent will confirm with the City Manager's Office that each respondent has a copy of its Affirmative Action letter on file.

All bids received in accordance with instructions specified in the bidding document will be publicly opened and read aloud immediately following the time and date designated in the bidding document.

A minimum of two City representatives shall be present at bid openings to open and record the bids.

Bids received after the time and date designated in the bidding document shall not be opened or considered for award. Such bids will be returned unopened to the bidder if a return address is furnished on the bid envelope.

***Modification or Withdrawal of Bids after the Bid Opening***

Bids may not be modified after the public bid opening.

Negotiations with bidders after the receipt and opening of bids are not allowed.

Bids may be withdrawn without prejudice after the public bid opening upon written request of the bidder only if it can be proven to the satisfaction of the Finance Director that an error of sufficient magnitude occurred in the preparation of the bid that so damaged the bid that the City's acceptance of the bid would be unconscionable.

Minor clerical or mechanical errors in a bid shall not confer to any bidder the right of bid withdrawal.

Bids withdrawn in opposition of the procedure subject the bidder to forfeiture of any required bid security and debarment or suspension as outlined above.

***Rights Reserved by the City***

The City reserves the right to reject any and all bids and any part of a bid, to waive informalities, technical defects and minor informalities in bids received.

In the event of a tie, the city reserves the right to select the responsive bidder that provides the best value to the city.

***Public Access to Bid Documents***

After bids have been publicly opened, the bids become public information and will be available for inspection by the general public in accordance with the Kansas Open Records Act. Generally, information contained in the bid that discloses proprietary or financial information is not available to the general public.

***Bid Award for Contract Under \$25,000***

Bids shall be awarded to the lowest responsive and responsible bidder(s) whose bid meets or exceeds the published specifications and all other bid requirements, subject to the provisions of the local vendor preference policy as articulated in this manual.

In the event of a tie, the city reserves the right to select the responsive bidder that provides the best value to the city.

Bid awards shall not be arbitrary or capricious.

***Bid Award for Contract Over \$25,000***

After a complete bid evaluation, the requesting department shall furnish a written Policy Report under the signature of the appropriate Departmental Director and the Finance Director recommending the bid award. If the departmental recommendation is to other than the lowest responsive and responsible bidder - subject to the provisions of the local vendor preference policy as articulated in this manual - the Policy Report shall note the specific reasoning behind such recommendation.

In the event of a tie, the city reserves the right to select the responsive bidder that provides the best value to the city.

The Policy Report shall be submitted to the City Manager for approval and submission to the City Commission for consideration.

***Failure to Enter into Contract***

If the successful bidder(s) fails to enter into a contract as provided for in the bid document, the bid will be awarded to the next lowest responsive and responsible bidder(s) or the proposed procurement will be rebid.

A successful bidder that fails to enter into a contract as provided for in the bid document is subject to debarment or suspension, and forfeiture of any applicable bid bond.

***Notification of Award***

Successful bidders will be notified by Purchasing of bid award via an official City purchase order. The purchase order serves as the official contract document between the City and the contractor.

Other contractual documents may be issued to supplement the purchase order if deemed to be in the best interest of the City by the City's Legal Counsel.



### ***Challenges***

A challenge is defined as a written objection by a participating bidder regarding a bid, proposal, or quote specifications. The Department Director or designee shall investigate the written challenge and any evidence or documentation submitted with the challenge and issue a written decision. The decision rendered by the City is final.

The written challenge of the bid specifications must be filed with the City Clerk, at least five (5) business days before the bid opening due date and time listed on the bid documents. Any challenge received after the five (5) days deadline shall not be considered. The written challenge is to include the name, address, e-mail address, and telephone number of the challenging party, along with the identification of the bid and project title, a detailed statement of the reason for the challenge, supporting evidence or documentation to substantiate any challenges and the form of relief requested (e.g. the proposed addition, substitution, or modification to the specifications.)

### ***Protests***

A valid protest can only be filed by a bidder which can show that it would be awarded the contract if the protest were successful. Suppliers or subcontractors to a bidder or proposer cannot file a valid protest. The written protest must be filed with the City Clerk prior to 5:00 p.m. on the fifth (5<sup>th</sup>) business day following the day of issuing written notification of award. A written protest related to the award received after the five (5) business days shall be invalid and not considered.

The written protest is to include the name, address, e-mail address and telephone number of the bidder, identification of the bid and project title, a detailed statement of the reason for the protest, supporting evidence or documentation to substantiate the protest and concise statement of the form of relief requested (e.g. reconsideration of the bid award.) All of the above information must be included when the protest is submitted. Incomplete protests shall be rejected without consideration.

The decision of the City, based on the review of the written protest and information available from City sources, shall be rendered within ten (10) business days after receipt of the protest, recite the reasons for the decision, and be provided to the bidder in writing.

### ***Specifications***

Specifications are a written description of what the City seeks to purchase and, consequently, what a bidder must be responsive to in order to be considered for award of a City contract. Specifications identify the minimum acceptable requirements of any proposed procurement thereby assuring that the required quality level is procured. A specification may be a description of the physical (design specification) or functional (performance specification) characteristics of an item or a combination of physical and functional characteristics of an item.

It is the responsibility of requesting departments to provide the Purchasing Agent with open, competitive and non-restrictive specifications. It is also the responsibility of requesting departments to assure that specifications contain essential requirements relating directly to the aspects of proper quality levels.

The specifications should provide procurements that are able to perform as necessary and are as durable as needed. They should not, however, provide procurements that include unessential frills or status features.

To avoid organizational conflicts of interest and to assure objective specifications, potential contractors for any given procurement should not prepare or assist in the preparation of specifications for that procurement except as a participant in a Pre-Specification Conference.

City policy dictates open competition, and it is essential for requesting departments to furnish Purchasing with complete, open, and non-restrictive specifications. Specifications that attempt to limit the proposed procurement to a specific product or service must be justified in writing by the requester and approved by the appropriate Department Director, Finance Director, and City Manager. After review by the Purchasing Agent, if departmentally supplied specifications do not lend themselves to the open and competitive procurement process, the specifications will be returned to the department for revision.

The Finance Director is ultimately responsible for ensuring that specifications are complete, competitive and non-restrictive before a bidding document is published and distributed. Finance will not unilaterally alter departmentally supplied specifications. Specifications will only be changed with the concurrence of the requesting department.

### ***Non-collusion Affidavit***

In some instances, the City may require bidders to provide a non-collusion affidavit in the bid response. The bidders must complete the affidavit in accordance with the instructions included in the packet.

### ***Affirmative Action Letter***

The City requires an Affirmative Action certification letter signed by the City Manager to be on file with the City. This can be obtained by contacting the Affirmative Action Officer in the City Manager's office at (913) 680-2604 or at 100 5th St. Leavenworth, Ks 66048.

### ***Bidders List***

The Purchasing Agent shall be responsible for seeking open and competitive competition for formal and informal bids and requests for proposals (RFPs). To this end, the Purchasing Agent maintains listings of potential contractors of City required goods and services.

Any potential contractor may request the Purchasing Agent to place their firm on the City's bidder's lists.

Bidder's lists for specific procurements will be compiled by the Purchasing Agent from those listings and also from firms and/or individuals known to the requesting department that have expressed an interest in supplying the specific goods or services for the proposed procurement.

### ***Requests for Proposals (RFP)***

Requests for proposals (RFPs) are written documents issued by the Purchasing Agent inviting potential contractors to submit sealed proposals for specific professional services in conformance with scope of services, terms, conditions and other requirements described in the proposal document.

Professional services are defined as infrequent, technical and/or unique functions or work product performed or furnished by independent contractors whose occupation is the rendering of such services. Although not limited to licentiates, such services are generally considered professional.

Examples of professional services include medicine and the medical arts, architectural and engineering services, management and systems consultation, and research. Examples of services not deemed professional services would include landscaping, electrical and plumbing related services and the like.

The City's RFP process is a two-step process consisting of an initial ranking of all responsive proposals received followed by interviews with shortlisted (finalist) firms only.

RFPs require public notice (legal publication) and public proposal opening at a time and place designated in the proposal document.

RFPs are utilized for procurements of professional services whose estimated aggregate cost is \$25,000 or greater.

### ***Selection Committee***

The City's RFP process requires the formation of a selection committee to evaluate all respondent's initial proposal submittals and to assist in contract negotiations with the successful respondent.

The selection committee will be comprised of at least three City employees familiar with the services being proposed and qualified to perform the requisite review and evaluation. Of the selection committee, a minimum of two City employees shall be selected from the requesting department. Other individuals, including City Commissioners and citizens, may also serve on a selection committee.

### ***Initiation of RFP Process***

RFP's are initiated by submission of a completed Request to Bid form which has been properly authorized by the City Manager or designee with attached specifications and descriptive literature to the Purchasing Agent.

### ***Preparation of RFP's***

Upon receipt of a completed Request to Bid form signed by the City Manager, the Purchasing Agent will prepare the RFP document in cooperation with the requesting department. The Request to Bid form must be accompanied by the Introduction, Scope of Services and City Will Supply sections, if applicable, to the Purchasing Agent. Proposed selection committee members are submitted to the Purchasing Agent at this point.

### ***Contents of Formal Proposal Document***

The proposal document includes:

1. A cover sheet detailing RFP title, RFP number, proposal submittal date and time, and location of the proposal submittal.
2. General Conditions describing the procedures and requirements for responding to the proposal.
3. Special Conditions governing subsequent contractual provisions between the successful respondent and the City (includes insurance and bonds).



4. Introductory Section supplied by the requesting department providing an overview of the proposed project including a narrative of the historical and present circumstances and future considerations bearing on the services required, the problem to be solved, and a general description of the actual services required.
5. Scope of Services section supplied by the requesting department providing the detailed tasks, work products, and time lines required for the project.
6. City Will Provide section supplied by the requesting department providing a listing of assistance, materials, supplies, drawings, etc. the City will supply at no charge to the successful respondent to utilize in completing the City's project.
7. Instruction for Responding to the RFP section in which potential respondents are instructed to utilize the City supplied Proposal Forms and how many copies of their proposal must be submitted in response to the RFP.
8. City Affirmative Action requirements and Minority Business Enterprise Utilization Plan
9. Non-Collusion affidavit
10. Proposal section, including:
  - a. Firm Profile requiring specific, defined information on the firm or joint-venture submitting the proposal.
  - b. List of Outside Key Consultants/Associates that will be used for the City's project requiring specific, defined information on any consultants/associates that shall be used on the proposed project by the firm submitting the proposal that are not employees of or joint ventures with that firm.
  - c. Resumes requiring specific defined professional information on and project responsibility assignments for individuals that would be involved on the City's project.
  - d. Illustrative Work requiring specific, defined information on projects on which the submitting firm's or joint venture's employees that would be involved with the City's project have worked on that best establishes the firm's collective and/or individual qualifications.
  - e. Additional Information allowing the submitting firm or joint venture to list additional information or describe resources supporting their qualifications.
11. Other forms or attachments such as drawings, maps, etc., if applicable.

### ***Approval of the Proposed Document***

The requesting department shall review and approve the bidder's list and proposal document after its preparation by the Purchasing Agent but prior to the publication (legal notice) and distribution of the proposal document.

### ***Publication Notice***

The Purchasing Agent will provide a publication notice (legal notice) to the City Clerk for each City RFP to be published in the official City newspaper a minimum of 10 working days prior to the RFP's submission date or as otherwise required by Kansas statute. Proposal documents shall not be distributed until the notice is published.

Additional publications may be utilized and selected by the Purchasing Agent on the basis of need and suitability for any particular proposed procurement.

The publication notice will invite prospective respondents to submit sealed proposals for the particular proposed procurement and will also list the RFP number, RFP title, date, time and place of the RFP submission, where copies of the proposal document may be obtained and will contain verbiage signifying the City is an Equal Opportunity Employer. If a pre-proposal conference is contemplated, the time, date and location of such conference shall be included in the publication notice. A requirement for mandatory attendance at a pre-proposal conference shall also be included in the publication notice.

All publication notices shall be issued by or through the Purchasing Agent. All costs related to the publication shall be borne by the requesting department.

### ***Pre-Proposal Conference***

If required, the Purchasing Agent reserves the right to convene a pre-proposal conference for the purpose of reviewing and clarifying the published proposal document and answering potential respondent's questions about the proposed project. Such conferences are attended by potential respondents, appropriate departmental personnel involved in the proposed procurement, and the Purchasing Agent.

All pre-proposal conferences will be open to the public, and all potential respondents will be encouraged to attend. The Purchasing Agent also reserves the right to require mandatory attendance of potential respondents at the pre-proposal conference.

The date, time and place of any such pre-proposal conference will be included both in the proposal document and notice of publication if such a conference is contemplated.

### ***Addenda***

Any and all changes, modifications or clarifications to the distributed proposal document will be issued by the Purchasing Agent in the form of a written addendum distributed to all potential respondents of record.

Without providing an extension of the proposal submission date, addenda shall not be issued within timeframes so close to the proposal submission date as to present potential respondents with insufficient time to properly complete and submit their proposal.

After their issuance, addenda become a part of the proposal document.

### ***Cancellation of RFP Prior to RFP Submission***

The City reserves the right to cancel a distributed RFP prior to the date and time of the RFP submission.

### ***Withdrawal of Proposal or Submission of a Corrected Proposal***

Bidders may withdraw their RFP, for any reason, prior to the time and date of the RFP submission. Such withdrawal shall be requested in writing by an authorized agent of the respondent.

Bidders may submit a corrected RFP any time prior to the time and date of the RFP submission.

### ***Public RFP Opening***

The Purchasing Agent will confirm with the City Manager's Office that each responsive bidder has a copy of its Affirmative Action letter on file.

All RFPs received in accordance with instructions specified in the proposal document will be publicly opened and accepted for consideration immediately following the time and date designated in the proposal document.

A minimum of two City representatives shall be present at RFP openings to open and record the RFPs.

RFPs received after the time and date designated in the proposal document shall not be opened or considered for award. Such RFPs will be returned unopened to the respondent if a return address is furnished on the RFP envelope.

### ***Modification or Withdrawal of Proposals After the Proposal Opening***

RFPs may not be modified after the public bid opening.

Negotiations with respondents after the receipt and opening of RFPs are not allowed.

RFPs may be withdrawn without prejudice after the public RFP opening upon written request of the respondent only if it can be proven to the satisfaction of the Finance Director that an error of sufficient magnitude occurred in the preparation of the RFP that so damaged the proposal that the City's acceptance of the proposal would be unconscionable.

Minor clerical or mechanical errors in an RFP shall not confer to any respondent the right of RFP withdrawal.

RFPs withdrawn in opposition of the procedure subject the respondent to forfeiture of any required RFP security and debarment or suspension as outlined above.

#### ***Rights Reserved by the City***

The City reserves the right to reject any and all proposals and any part of a proposal, to waive informalities, technical defects and minor informalities in proposals received.

In the event of a tie, the city reserves the right to select the responsive bidder that provides the best value of the city.

#### ***Public Access to Proposal Documents***

After RFPs have been publicly opened, the proposals become public information and will be available for inspection by the general public in accordance with the Kansas Open Records Act. Generally, information contained in the proposal that discloses proprietary or financial information is not available to the general public.

#### ***RFP Award***

After a complete proposal evaluation, the selection committee will negotiate the cost proposal with the highest ranking firm. If the selection committee cannot negotiate a mutually agreeable contract with the successful firm, the selection committee will then enter into contract negotiations with the next highest ranked firm, and so on until a mutually agreeable contract can be negotiated.

A successful bidder that fails to enter into a contract as provided for in the bid document is subject to debarment or suspension, and forfeiture of any applicable bid bond.

Upon completion of negotiations, the requesting department shall furnish a written Policy Report under signature of the appropriate Departmental Director and the Finance Director recommending the proposal award. The Policy Report shall be submitted to the City Manager for approval and submission to the City Commission for consideration.



### *Notification of Award*

Successful respondents will be notified by Purchasing of RFP award via an official City purchase order. The purchase order serves as the official contract document between the City and the contractor.

Other contractual documents may be issued to supplement the purchase order if deemed to be in the best interest of the City by the City's Legal Counsel.

### *Scope of Services*

A Scope of Services is a section of a Request for Proposal (RFP) in which the specific needs of the requesting department are outlined along with how those needs can be met.

The Scope of Services, as written, must detail with reasonable minuteness the specific individual and collective work tasks to be performed, specific work products to be furnished, and the required timeframes for performance that must be met by the successful respondent to the RFP to complete the proposed project.

The Scope of Services must be as clear and detailed as possible to assure a consistency of response to the RFP from potential contractors. Without such responses, respondent's proposals cannot be fairly evaluated nor can the required cost proposals submitted by the finalist firms be equitably evaluated.

Requesting departments are responsible for supplying a complete and detailed Scope of Services section along with the Request to Bid form to the Purchasing Agent to initiate the RFP process.

### **Request for Information (RFI)**

A Request for Information (RFI) is a solicitation sent to a broad base of potential vendors for the purpose of gathering information used in developing and identifying strategic options, analyzing lower cost alternatives, cost reduction opportunities or for building a database which will be useful in later solicitations. RFIs are also used to gather information to help decide what step to take next before embarking on negotiations. An RFI is usually the first step in a process which may lead to the issuance of a formal solicitation, such as RFQs and Bids. The City of Leavenworth may use RFIs to include a detailed list of products/services for which pricing is requested. The pricing will only be used for comparative purposes for later negotiation, rather than the basis for sourcing.

Upon receipt of a completed Request to Bid form signed by the City Manager, the Purchasing Agent will prepare the RFI document in cooperation with the requesting department. The Request to Bid form must be accompanied by the Introduction, Scope of Services and City Will Supply sections, if applicable, to the Purchasing Agent. Proposed selection committee members are submitted to the Purchasing Agent at this point.

## Contents of Formal Document

The proposal document includes:

1. A cover sheet detailing RFI title, RFI number, proposal submittal date and time, and location of the proposal submittal.
2. General Conditions describing the procedures and requirements for responding to the proposal.
3. Special Conditions governing subsequent contractual provisions between the successful respondent and the City (includes insurance and bonds).
4. Introductory Section supplied by the requesting department providing an overview of the proposed project including a narrative of the historical and present circumstances and future considerations bearing on the services required, the problem to be solved, and a general description of the actual services required.
5. Scope of Services section supplied by the requesting department providing the detailed tasks, work products and timelines required for the project.
6. The City will provide section supplied by the requesting department providing a listing of assistance, materials, supplies, drawings, etc. the City will supply at no charge to the successful respondent to utilize in completing the City's project.
7. Instruction for Responding to the RFI section in which potential respondents are instructed to utilize the City supplied forms and how many copies of their proposal must be submitted in response to the RFI.
8. City Affirmative Action requirements and Minority Business Enterprise Utilization Plan
9. Non-Collusion affidavit
10. Informational section, including:
  - a. Firm Profile requiring specific, defined information on the firm or joint-venture submitting the proposal.
  - b. List of Outside Key Consultants/Associates that will be used for the City's project requiring specific, defined information on any consultants/associates that shall be used on the proposed project by the firm submitting the proposal that are not employees of or joint ventures with that firm.

- c. Resumes requiring specific defined professional information on and project responsibility assignments for individuals that would be involved in the City's project.
  - d. Illustrative Work requiring specific, defined information on projects on which the submitting firm or joint venture's employees that would be involved with the City's project have worked on that best establishes the firm's collective and/or individual qualifications.
  - e. Additional Information allowing the submitting firm or joint venture to list additional information or describe resources supporting their qualifications.
11. Other forms or attachments such as drawings, maps, etc., if applicable.

#### Approval of the Proposed Document

The requesting department shall review and approve the bidder's list and proposal document after its preparation by the Purchasing Agent but prior to the publication (legal notice) and distribution of the proposal document.

#### Publication Notice

The Purchasing Agent will provide a publication notice (legal notice) to the City Clerk for each City RFI to be published in the official City newspaper a minimum of 10 working days prior to the RFI's submission date or as otherwise required by Kansas statute. Documents shall not be distributed until the notice is published.

Additional publications may be utilized and selected by the Purchasing Agent on the basis of need and suitability for any particular proposed procurement.

The publication notice will invite prospective respondents to submit sealed proposals for the particular proposed procurement and will also list the RFI number, RFI title, date, time and place of the RFI submission, where copies of the proposal document may be obtained and will contain verbiage signifying the City is an Equal Opportunity Employer. If a preproposal conference is contemplated, the time, date and location of such conference shall be included in the publication notice. A requirement for mandatory attendance at a preproposal conference shall also be included in the publication notice.

All publication notices shall be issued by or through the Purchasing Agent. All costs related to the publication shall be borne by the requesting department.

#### ***Public RFI Opening***

Before the opening, the Purchasing Agent will confirm with the City Manager's Office that each respondent has a copy of its Affirmative Action letter on file.

All RFI's received in accordance with instructions specified in the proposal document will be publicly opened and accepted for consideration immediately following the time and date designated in the proposal document.

A minimum of two City representatives shall be present at RFI openings to open and record the RFIs.

RFIs received after the time and date designated in the proposal document shall not be opened or considered for award. Such RFIs will be returned unopened to the respondent if a return address is furnished on the RFI envelope.

### ***Modification or Withdrawal of Submissions After the Opening***

RFI's may not be modified after the public opening.

RFIs may be withdrawn without prejudice after the public RFIs opening upon written request of the respondent only if it can be proven to the satisfaction of the Finance Director that an error of sufficient magnitude occurred in the preparation of the RFI that so damaged the submission that the City's acceptance of the proposal would be unconscionable.

Minor clerical or mechanical errors in an RFI shall not confer to any respondent the right of RFI withdrawal.

### ***Cooperative Purchasing***

K.S.A. 12-2901 authorizes local governments to participate purchasing cooperatives. Cooperative purchasing is a process by which two or more jurisdictions cooperate to purchase items from the same vendor. It has the benefit of reducing administrative costs, eliminating duplication of effort, lowering prices, sharing information, and taking advantage of expertise and information that may be available in only one of the jurisdictions.

The Purchasing Agent is authorized to participate in, sponsor, conduct, or administer a cooperative agreement with one or more public entities in order to combine requirements, increase efficiency, or reduce administrative expenses. Participation in cooperative purchasing as described in this section is exempted from the competitive bidding and advertising requirements.

The Purchasing Agent is authorized to use the Kansas Division of Procurement or political subdivisions of the State of Kansas, other governmental agencies, and or public procurement cooperatives (i.e. Western States Contracting Alliance, US Commodities, Kansas City Regional Purchasing Cooperative, etc.) in the purchase of supplies, materials, or equipment when such actions serve the best interests of the City.



### ***Lease Agreements and Lease Purchase Agreements***

Lease agreements and lease purchase agreements must contain a non-appropriation clause pursuant to Kansas cash-basis law in accordance with K.S.A. 10-1116b and K.S.A. 10-1116c. All litigation and arbitration venues must be in Leavenworth County Kansas. Lease agreements shall not be in conflict with Kansas Statutes and City Policies. All lease agreements shall be reviewed by the Department Director, Purchasing Agent, and City Attorney for approval.

The City Commission appropriates annual lease payments and/or lease purchase payments unless it chooses not to appropriate under Kansas cash basis law. If lease payments and/or lease purchase payments are not appropriated, ownership of the property remains with the leasing party. At the conclusion of the lease term, the City either receives unencumbered ownership of the asset or receives an option to purchase the asset at a pre-determined price.

### ***Change Order Authority***

Changes during the performance of a contract are usually accomplished by issuance of a change order, modification, stop-work or termination notice, or by renewal or extension of a contract.

Change orders should be reviewed carefully to determine whether or not the subject of the change order is something that should have been or was thought to be covered in the original contract. Questions could arise about whether a vendor intentionally lowered the pricing of the bid with the intent to increase it at a later date through change orders.

A project change order is a written order negotiated by the City with a contractor covering changes in the plans, quantities, time, or work items, within or beyond the scope of the original contract and/or bid documents and establishing the basis of payment and time adjustments for the work affected by the change.

The City utilizes a purchase order form authorizing a vendor to deliver goods and services as specified and within the terms and conditions contained thereon. A change order to a project, therefore, also requires a change order to a purchase order.

The following approval limits apply to project change:

- Change orders on contracts may be approved by the City Manager for amounts less than \$25,000 as long as the amount of change doesn't exceed 10% of the original contract.
- Change orders that seek to revise the amount of the contract more than \$25,000 or an amount that exceeds 10% of the original contract shall be approved by the City Commission.

It is the responsibility of user departments to fully and completely justify all requested change orders.

### ***Sole Source Purchases***

The following are the criteria used for determining sole source:

- The Vendor is the original equipment provider and required parts or equipment are unavailable from another vendor.
- The compatibility or conformity with City-owned equipment, parts, materials, or expertise in which non-conformance would cause additional expenditures.
- No other equipment is available that shall meet the specialized needs of the department or perform the intended function.
- Detailed justification is available which reasonably establishes that the vendor is the only source feasibly available to provide the item or service required.
- Written justification is provided which reasonably and feasibly establishes that the selection of the sole source vendor is in the best interest of the City

It is the responsibility of user departments to fully and completely justify all requested sole source procurements.

- The Finance Director shall approve sole source requests of an aggregate cost of less than \$5,000.
- The City Manager or Assistant City Manager shall approve sole source requests of an aggregate cost of between \$5,000 and \$25,000.
- The City Commission shall approve sole source requests of an aggregate cost of more than \$25,000.

For any and all approved sole sources, the Finance Director reserves the right to require references from the approved vendor.

### ***Emergency Purchases***

An emergency situation is defined as a circumstance in which:

1. The functioning of the City government is at risk.
2. The health or safety of any person is at risk.
3. The preservation or protection of property, machinery, or equipment is at risk

An emergency purchase may be made with or without benefit of the competitive procurement process.

The City Commission or City Manager can declare an emergency during the hours of the City's normal work week. Department Directors can declare an emergency outside the hours of the City's normal work week as long as the situation meets the criteria outlined above. Emergencies which require a purchase order outside the hours of the City's normal work week may be made by authorized departmental personnel and followed-up immediately by the submission of a confirming requisition.

- The Finance Director shall approve emergency purchase requests of an aggregate cost of less than \$5,000.
- The City Manager or Assistant City Manager shall approve emergency purchase requests of an aggregate cost of between \$5,000 and \$25,000.
- The City Commission shall approve emergency purchase requests of an aggregate cost of more than \$25,000.

This procedure shall not be substituted for lack of proper planning (including the potential loss of year-end funds) by user departments nor used to circumvent the competitive purchasing process in the absence of a bona fide emergency as defined above.

### ***Debarment or Suspension***

After consultation with the City's Legal Counsel, the City Manager is authorized to suspend a firm or person from consideration for award of contracts if there is probable cause to believe that the firm or person has engaged in any activity, which might lead to debarment. The suspension shall be for a period not to exceed twelve (12) months.

After reasonable notice to the firm or person involved and after reasonable opportunity for that firm or person to be heard, the City Manager, after consultation with the City's Legal Counsel, is authorized to debar a firm or person for cause from consideration for award of contracts. The debarment shall be for a period of not more than three (3) years.

The causes for debarment include:

1. Conviction of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.
2. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a City vendor.
3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.
4. Violation of contract provisions, as set forth below, of a character which is regarded by the Finance Director to be so serious as to justify debarment action:
  - a. Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or
  - b. A recent record of failure to perform or unsatisfactory performance in accordance with the terms of one (1) or more contracts, provided that failure to perform or unsatisfactory performance was caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment.
5. Any other cause the City Manager determines to be so serious and compelling as to affect responsibility as a City vendor, including debarment by another governmental entity for any cause listed herein.

When the decision has been reached to debar or suspend, the City Manager shall issue a written decision concerning the matter. The written decision shall state the reasons for the action taken and inform the debarred or suspended firm or person involved of its rights concerning judicial or administrative review. The decision shall be mailed or otherwise furnished immediately to the debarred or suspended firm or person and shall constitute issuance thereof.

### ***Insurance***

Certificates of insurance shall be provided by the successful bidder or proposer to assure that the City's insurance program will not be called upon to respond to losses from and that the contractor is financially capable of responding to, claims resulting from the contractor's operations, products, activities, or services for the City.

Construction and service contractors should provide evidence of commercial general liability, workers' compensation, and automobile liability coverage.



Professional services and environmental contractors should provide evidence of professional liability, commercial general liability, workers' compensation, and automobile liability coverage.

The certificate of insurance shall be issued to:

The City of Leavenworth  
c/o City Clerk  
City Hall  
100 North 5th Street  
Leavenworth, Kansas 66048

The certificate should evidence a thirty (30) day cancellation clause and the inclusion of the City Commissioners, City of Leavenworth, its officers, commissions, agents, employees, and volunteers as additional insured.

Depending upon the services requested in the procurement, additional or specialty coverage or specific limits of coverage may be required. The amounts and types of insurance required will be detailed in the bidding or proposal document.

### ***Bonds***

There are three major types of bonds used by the City in the competitive procurement process.

1. Bid Bonds are used when bid security is required to ensure that a firm or individual awarded a contract will subsequently enter into contract with the City.
2. Performance Bonds are used when a guarantee is required to ensure that a firm or individual that has entered into contract with the City will complete the project within the terms of the agreement.
3. Labor and Material Payment Bonds (Statutory Bonds) are used for all contracts exceeding \$25,000 entered into by the City for the purpose of making public improvements, constructing any public building or making repairs on same. The bonds are required by K.S.A. 60-1111 and insure the payment of all indebtedness incurred for labor furnished, materials, equipment, or supplies used or consumed in connection with, or in or about, the construction, improvements or repairs. These bonds are issued in favor of the State of Kansas and are filed with the Clerk of the District Court.

The above bonds require the appointment of a Kansas resident agent and must be issued by an acceptable bonding company licensed to do business in the state of Kansas.

Checks or other security deposits shall not be accepted in lieu of the above bonds unless specifically approved by the City Clerk prior to the publication and distribution of the bidding documents.

Bid bonds, when required, are generally written in an amount equal to five percent (5%) of the total amount bid while performance and labor and material payments bonds are normally written in an amount equal to one hundred percent (100%) of the awarded contract.

Construction projects estimated to cost \$25,000 or more require all of the above bonds. Bid security for other purchases may be required by applicable statute or at the discretion of the City Clerk.

### ***Annual Purchase Orders***

An Annual Purchase Order is a purchase order that is issued for specified goods with a limit on the period of time the order is valid and the maximum amount of money which may be expended during the period of the order. Annual purchase orders facilitate departmental order placement and reduce the administrative overhead inherent in repetitive price comparison and order placement.

Annual purchase orders should be used when departments purchase repetitive, specified goods, or categories of goods, from the same vendor that require numerous orders and/or shipments over specified periods. Annual purchase orders may not be issued for periods extending past the fiscal year in which they are issued.

Annual purchase orders are issued by the Purchasing Agent - subject to proper authorizations upon request of user departments. Once issued, the department may place orders against the purchase order until either the dollar limit is reached or the time has expired. An increase in expenditure authority of the purchase order may be requested by user departments by furnishing a change order request to the Purchasing Agent.

The following information is required to initiate Annual purchase orders:

1. A completed and properly authorized requisition.
2. A description of the goods required, or a description of the categories of goods required.
3. The maximum dollar amount authorized.
4. The maximum quantities authorized (if applicable).

### ***Freight***

F.O.B. is a transportation term meaning "free on board." Legally, the term is used to determine where the title to a shipment passes from the contractor to the buyer (City) and whether the contractor or the buyer pays the freight charges to the common carrier. All shipments to the City shall be accomplished F.O.B. Destination.

F.O.B. Destination implies that the City takes legal possession (title) to the shipment only when the shipment is delivered to the City's receiving location and that the vendor pays the shipping charges to the common carrier. F.O.B. Destination also implies that the vendor files and pursues all freight claims for missing or damaged shipments.

The City shall not contract for shipments on an F.O.B. Origin basis. F.O.B. Origin implies that the City takes legal possession (title) to the shipment when the vendor delivers the shipment to the common carrier and that the City pays all freight charges. F.O.B. Origin also implies that the City files and pursues all freight claims for missing or damaged shipments.

### ***Receiving Shipments***

As shipments arrive at the City's receiving locations, they should be properly received and inspected without delay. A thorough and prompt inspection of received goods is often necessary to preserve the City's legal rights if goods arrive at the receiving location in a damaged or other irregular condition.

All shortages, overages, evidence of damage or other inconsistency between the order and the shipment must be clearly noted and outlined by the City's receiving personnel on the carrier's bill of lading or other delivery document.

If time does not permit a thorough and timely receiving process, the carrier's bill of lading or other delivery document must be marked "Received subject to the City's inspection, count and testing." It is good practice to note such verbiage on all received shipments whether or not a complete inspection was accomplished.

### ***Forms and Procedures***

For purchases of less than \$5,000 and for invoices received by the department associated with existing purchase orders, the invoice should be scanned and attached to the request for payment in the financial system.

By approving the electronic payment request, the Department Director or Division Superintendent indicates agreement with the invoice, specifies that the goods and services were required for the proper operation of their department and that the goods or services procured are verified as having been received by the department.

After all approvers of the invoice have approved it for payment, the Purchasing Agent/Accounts Payable staff processes the invoice for payment.

### ***Requisition***

A requisition is a departmental request seeking authorization to initiate a purchase. Upon authorization, the Purchasing Agent creates a purchase order. It is the sole responsibility of requesting departments to assure that requisitions are submitted with adequate lead time to allow the approval process to be completed by all approvers before making the purchase.

By approving the electronic requisition, the Department Director or Division Superintendent indicates agreement with the contents of the requisition, specifies that the goods and services are required for the proper operation of their department, and that sufficient funds exist to pay for the procurement.

After approval of the requisition by the Department Director or Division Superintendent, the requisition approved by the Finance Director or City Manager depending on the amount of the requisition, prior to the creation of a purchase order.

### ***Quotation Form***

Verbal quotations are required for all purchases with an aggregate cost of at least \$5,000 but less than \$10,000. The Quotation form is designed to assist the department in obtaining and documenting the competitive procurement process in these circumstances.

The department completes the verbal quote process and documents it on the form. The Department Director or Division Superintendent signs and dates the form. By affixing their signature to the quotation form, the Department Director or Division Superintendent indicates agreement with the contents of the quotation form, and that the competitive procurement process has been conducted in compliance with City policies and procedures.

Information detailing the results of the quotation is attached to the electronic requisition.

## Glossary

Addendum	An addition or supplement to a document.
Best Value	A selection of a product or service that was based on both price and qualitative components of a bid and the award is not necessarily to the lowest bidder, but rather on the offer deemed most advantageous and of greatest value to the City. Qualitative considerations include items such as technical design, technical approach, quality of proposed personnel, and or management plan.
Bid	A written offer to perform a contract to provide goods or services to the City in response to a bid opportunity.
Challenge	A written objection by a participating bidder regarding a bid, proposal, or quote.
Collusion	When two or more parties act together secretly to achieve a fraudulent or unlawful acts such as unlawful activities impacting competitive bidding. This may inhibit free and open competition in violation of antitrust laws.
Contract	Any written instrument or electronic document containing elements of offer, acceptance, and consideration to which the City is a part.
Contractor	An individual, company, corporation, firm, or combination thereof in which the City enters into a contract for procuring goods or services.
Cooperative Purchasing	A process by which two or more jurisdictions cooperate to purchase from the same vendor.
Design-Build	A project delivery method in which the City contracts with a single entity for both the design and construction/implementation of a project.
Designee	A duly authorized representative of a Department Director

Glossary (cont'd)



Emergency Purchases	A purchase made when a lack of which would threaten: <ol style="list-style-type: none"> <li>1) The functioning of the City government</li> <li>2) The preservation or protection of property, machinery, or equipment</li> <li>3) The health or safety of any person</li> </ol>
Informal Solicitations	Purchases under a certain dollar threshold may be made by either verbal or written quotes.
Invitation for bids (IFB)	All documents used to solicit competitive or multi-step bids.
Lease Agreements	A contract by which one party (lessee) enters into an agreement with a second party (lessor) for the possession and use of property (equipment) for a specified amount of time and at a predetermined cost.
Lease Purchase Agreements	A lease in which the lease payments are applied, in whole or in part, as installment payments for equity or ownership upon receipt of full payment.
May	Denotes the permissive
Protest	A written objection to a proposed award, or the award of a contract, with the intention of receiving a remedial result.
Purchasing Agent	City employee assigned to the Finance office designated with the authority and responsibility for purchasing
Request for Information	A solicitation document, whether attached or incorporated by reference, utilized for soliciting input from interested parties for an upcoming solicitation. Pricing is not requested during this process, and no award is made.
Request for Proposal (RFP)	A document used to solicit proposals from potential providers for goods and services

## Glossary (cont'd)

Request for Qualifications	Refers to the pre-qualification stage of the procurement process. Only those proponents who successfully respond to the RFQ and meet the qualification criteria will be included in the subsequent Request for Proposals (RFP) solicitation process.
Request for Quotes	A request made to vendors for non-repetitive purchases below a certain dollar amount may be either a verbal or written quote depending on the dollar threshold.
Requisition	An internal purchasing document with a detailed request to purchase goods or services, replenish inventory, or obtain materials for specific projects.
Responsible Bidder	A contractor, business entity, or individual, who is fully capable of meeting all of the requirements of the solicitation and subsequent contract, including financial and technical requirements. Must be able to fully document the ability to provide good faith performance.
Responsive Bidder	A contractor, business entity, or individual who has submitted a bid or proposal that fully conforms in all material respects to the solicitation and all of its requirements, including all form and substance.
Sealed Bids	A sealed bid is a document enclosed in a sealed envelope and is submitted in response to an invitation to bid.
Shall/Must	Denotes the imperative
Specification	A precise description of the physical or functional characteristics of a product, goods, or services the purchaser is seeking to buy and what a bidder must do to be responsive in order to be awarded a contract. Specifications generally fall under the following categories: design, performance, qualified products list, and samples. May also be known as a purchasing description.

Vendor

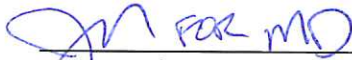
A supplier/seller of goods and services. A reference to a provider of product or service.

**POLICY REPORT**

**Community Development Block Grant**

**Consolidated Annual Performance and Evaluation Report (CAPER)**

**Sept. 24, 2019**



**Prepared By:**  
Mary Dwyer  
Community Development  
Coordinator



**Reviewed By:**  
Julie Hurley  
City Planner



**Reviewed By:**  
Paul Kramer  
City Manager

**DISCUSSION**

Each year HUD requires a Consolidated Annual Performance and Evaluation Report (CAPER) to show the accomplishments of the current program year, reflect the implementation of the Consolidated Plan, and illustrate the compliance with National Objectives set by Congress.

As a brief summary for grant year 2018-19, our efforts this year provided 26 homeowners with home rehabilitation assistance and five first time home buyers with financial assistance to purchase their home. In neighborhood stabilization, the city demolished four unsafe, blighted residential structures to eliminate hazardous condition in our residential communities.

CDBG funds also provided rent or utility assistance for seven social service agencies, which serve lower income persons, disadvantage families and the homeless. This year the agencies served 7,292 households. Funds also provide landlord/tenant resolution to support decent, safe and sanitary housing conditions for Leavenworth residents.

As an effort toward our local Fair Housing goals, we continue to pursue public transportation for residents. Cooperative negotiation is needed to move the plan forward. The regional Affirmative Fair Housing consortium, which the City of Leavenworth is a member, addressed additional regional Fair Housing goals.

Our expended amount this year was \$258,257. The CAPER report will be presented to the Community Development Advisory Board at a public meeting on Sept 23, 2019 for approval before presentation to the commission.

**RECOMMENDED ACTION**

Motion to consider and approve the resolution approving the CAPER 2018-19 for submittal to the Department of Housing and Urban Development.

**RESOLUTION NO. B-2234**

**CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT**

**BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION, LEAVENWORTH, KANSAS,** as follows:

**Section 1.** The Consolidated Annual Performance and Evaluation Report (CAPER) for the period July 1, 2018, through June 30, 2019, is approved and shall be submitted to the US Department of Housing & Urban Development (HUD) on or before September 30, 2019.

**Section 2.** The report shows completion of projects or contractual obligations of all funds available to the City through the Community Development Block Grant program for the report year as well as those projects completed during the year from prior program authorizations.

**Section 3.** The Community Development Advisory Board (CDAB) advertised a public hearing on September 6, 2019 and held the hearing on September 23, 2019, to provide opportunity for public response to the report. An executive summary was published and available prior to the hearing date.

**Section 4.** The CDAB recommends the City Commission approve the report and submit to HUD.

**Section 5.** This resolution shall take effect and be effective from and after its passage as provided by law.

**Passed and approved** this 24<sup>th</sup> day of September 2019.

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Jermaine Wilson, Mayor

ATTEST:

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City Clerk Carla Williamson, CMC



**POLICY REPORT  
RESOLUTION TO ACCEPT THE 2019 CFP GRANT FOR PLANTERS II  
September 24, 2019**

**PREPARED BY:**



Andrea Cheatom, Housing Manager  
Leavenworth Housing Authority

**REVIEWED BY:**



Julie Hurley, Executive Director  
Director of Planning and Community  
Development

**APPROVED BY:**



Paul Kramer  
City Manager

**ISSUE:**

Consider a resolution accepting the 2019 Capital Fund Program (CFP) grant (Grant# KS01P06850119) for Planters II in the amount of \$146,091.

**RESOLUTION:**

The resolution is required by the U.S. Department of Housing and Urban Development (HUD). The CFP grant must be accepted annually by the City Commission.

**COMMISSION ACTION:**

Motion to adopt the attached resolution accepting the 2019 CFP grant for Planters II.

**RESOLUTION NO. B-2235**

**BE IT RESOLVED BY THE LEAVENWORTH CITY COMMISSION ACTING AS THE LEAVENWORTH HOUSING AUTHORITY COMMISSION, CITY OF LEAVENWORTH, KANSAS, AS FOLLOWS:**

**Section 1.** The Leavenworth City Commission is the legal Housing Authority for the City of Leavenworth, Kansas.

**Section 2.** The 2019 Capital Fund Program Grant (Grant # KS01P06850119) in the amount of \$146,091.00 is specifically approved as a part of the approval process.

**Section 3.** The Capital Fund Program Grant has been appropriately adopted by Resolution of the Leavenworth City Commission on file and available for public inspection in the Leavenworth Housing Authority Office, 200 Shawnee Street, Leavenworth, Kansas.

**Section 4.** This Resolution shall be effective from and after its passage as provided by law.

**PASSED AND APPROVED** this 24<sup>th</sup> day of September 2019.

\_\_\_\_\_  
Jermaine Wilson, Mayor

[Seal]

ATTEST:

\_\_\_\_\_  
Carla K. Williamson, CMC, City Clerk

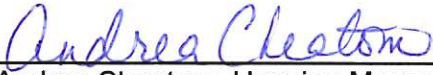
Field Office Name	PHA Name	PHA Code	Grant Number	Grant Amount	Effective Date
WASHINGTON STATE OFFICE	Alaska Housing Finance Corporation	AK001	AK01P00150119	\$2,941,459.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the Birmingham District	AL001	AL09P00150119	\$11,647,858.00	16-Apr-19
ALABAMA STATE OFFICE	MOBILE HOUSING BOARD	AL002	AL09P00250119	\$6,638,805.00	16-Apr-19
ALABAMA STATE OFFICE	ANNISTON HA	AL004	AL09P00450119	\$1,695,804.00	16-Apr-19
ALABAMA STATE OFFICE	PHENIX CITY HOUSING AUTHORITY	AL005	AL09P00550119	\$1,610,909.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Montgomery	AL006	AL09P00650119	\$3,930,806.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Dothan	AL007	AL09P00750119	\$1,552,289.00	16-Apr-19
ALABAMA STATE OFFICE	Selma Housing Authority	AL008	AL09P00850119	\$1,300,055.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Attalla	AL009	AL09P00950119	\$206,808.00	16-Apr-19
ALABAMA STATE OFFICE	Fairfield Housing Authority	AL010	AL09P01050119	\$702,428.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Fort Payne	AL011	AL09P01150119	\$609,435.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Jasper	AL012	AL09P01250119	\$633,808.00	16-Apr-19
ALABAMA STATE OFFICE	Tarrant Housing Authority	AL013	AL09P01350119	\$176,951.00	16-Apr-19
ALABAMA STATE OFFICE	The Guntersville Housing Authority	AL014	AL09P01450119	\$738,819.00	16-Apr-19
ALABAMA STATE OFFICE	The Housing Authority of the City of Huntsville	AL047	AL09P04750119	\$4,125,417.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Decatur	AL048	AL09P04850119	\$1,212,925.00	16-Apr-19
ALABAMA STATE OFFICE	Greater Gadsden	AL049	AL09P04950119	\$2,275,345.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of Red Bay	AL051	AL09P05150119	\$345,135.00	16-Apr-19
ALABAMA STATE OFFICE	HA CULLMAN	AL052	AL09P05250119	\$768,750.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of Hamilton, Alabama	AL053	AL09P05350119	\$1,078,494.00	16-Apr-19
ALABAMA STATE OFFICE	HA CORDOVA	AL055	AL09P05550119	\$129,480.00	16-Apr-19
ALABAMA STATE OFFICE	Haleyville Housing Authority	AL056	AL09P05650119	\$579,854.00	16-Apr-19
ALABAMA STATE OFFICE	Sylacauga Housing Authority	AL057	AL09P05750119	\$1,127,916.00	16-Apr-19
ALABAMA STATE OFFICE	Winfield Housing Authority	AL058	AL09P05850119	\$272,516.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Tuscumbia	AL059	AL09P05950119	\$405,235.00	16-Apr-19
ALABAMA STATE OFFICE	HA RUSSELLVILLE	AL060	AL09P06050119	\$404,758.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Lanett, AL	AL062	AL09P06250119	\$821,586.00	16-Apr-19
ALABAMA STATE OFFICE	H A ONEONTA	AL063	AL09P06350119	\$310,971.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Carbon Hill	AL064	AL09P06450119	\$225,720.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Roanoke, AL	AL065	AL09P06550119	\$99,969.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of Reform	AL066	AL09P06650119	\$121,228.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the City of Athens, AL	AL067	AL09P06750119	\$415,556.00	16-Apr-19
ALABAMA STATE OFFICE	Sheffield Housing Authority	AL068	AL09P06850119	\$882,311.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of Guin, Alabama	AL071	AL09P07150119	\$356,969.00	16-Apr-19
ALABAMA STATE OFFICE	HOUSING AUTHORITY OF THE CITY OF OZARK	AL073	AL09P07350119	\$921,625.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of Boston	AL074	AL09P07450119	\$166,458.00	16-Apr-19
ALABAMA STATE OFFICE	BOAZ HOUSING AUTHORITY	AL075	AL09P07550119	\$1,043,957.00	16-Apr-19
ALABAMA STATE OFFICE	HACKLEBURG HOUSING AUTHORITY	AL076	AL09P07650119	\$129,868.00	16-Apr-19
ALABAMA STATE OFFICE	HA TUSCALOOSA	AL077	AL09P07750119	\$2,915,354.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the Town of Berry	AL078	AL09P07850119	\$127,958.00	16-Apr-19
ALABAMA STATE OFFICE	Housing Authority of the Town of Montevallo	AL079	AL09P07950119	\$128,594.00	16-Apr-19



KANSAS/MISSOURI STATE OFFICE	Wamego Housing Authority	KS042	KS01P04250119	\$50,117.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Olathe Housing Authority	KS043	KS01P04350119	\$216,742.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Parsons Housing Authority	KS044	KS01P04450119	\$207,507.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Galena Housing Authority	KS045	KS01P04550119	\$75,553.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Jetmore Housing Authority	KS047	KS01P04750119	\$30,624.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Iola Housing Authority	KS049	KS01P04950119	\$303,824.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Agra Housing Authority	KS050	KS01P05050119	\$21,452.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Gaylord Housing Authority	KS051	KS01P05150119	\$17,114.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Pleasanton Housing Authority	KS052	KS01P05250119	\$88,025.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Lawrence/Douglas County Housing Authority	KS053	KS01P05350119	\$863,726.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Sabetha Housing Authority	KS054	KS01P05450119	\$24,995.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Housing Authority of the City of Goodland	KS055	KS01P05550119	\$142,435.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Valley Falls Housing Authority	KS056	KS01P05650119	\$40,184.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Housing Authority of Medicine Lodge	KS057	KS01P05750119	\$59,930.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Ulysses Housing Authority	KS058	KS01P05850119	\$78,877.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Moundridge Housing Authority	KS059	KS01P05950119	\$88,386.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Waterville Housing Authority	KS060	KS01P06050119	\$25,602.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Humboldt Housing Authority	KS061	KS01P06150119	\$87,465.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Chanute Housing Authority	KS062	KS01P06250119	\$228,261.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Manhattan Housing Authority	KS063	KS01P06350119	\$411,573.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Lindsborg Housing Authority	KS065	KS01P06550119	\$116,500.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Sedgwick Housing Authority	KS066	KS01P06650119	\$28,064.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Leavenworth Housing Authority	KS068	KS01P06850119	\$146,091.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Neodesha Housing Authority	KS069	KS01P06950119	\$103,905.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Strong City Housing Authority	KS070	KS01P07050119	\$34,255.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Garden City Housing Authority	KS071	KS01P07150119	\$178,412.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Liberal Housing Authority	KS072	KS01P07250119	\$125,825.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Newton Housing Authority	KS073	KS01P07350119	\$175,608.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	St. Francis Housing Authority	KS076	KS01P07650119	\$32,486.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Girard Housing Authority	KS077	KS01P07750119	\$37,433.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Burrton Housing Authority	KS078	KS01P07850119	\$22,304.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Howard Housing Authority	KS079	KS01P07950119	\$82,528.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Housing Authority of the City of Hoxie	KS080	KS01P08050119	\$48,771.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Nicodemus Housing Authority	KS081	KS01P08150119	\$13,985.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Hill City Housing Authority	KS082	KS01P08250119	\$43,077.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Greenleaf Housing Authority	KS083	KS01P08350119	\$29,396.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Downs Housing Authority	KS086	KS01P08650119	\$55,743.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Hays Housing Authority	KS091	KS01P09150119	\$56,883.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Florence Housing Authority	KS094	KS01P09450119	\$41,406.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Belleville Housing Authority	KS095	KS01P09550119	\$38,916.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Hillsboro Housing Authority	KS096	KS01P09650119	\$36,069.00	16-Apr-19
KANSAS/MISSOURI STATE OFFICE	Junction City Housing Authority	KS105	KS01P10550119	\$230,997.00	16-Apr-19

**POLICY REPORT**  
**RESOLUTION SUBMITTING 2019-2023 CAPITAL FUND PROGRAM FIVE-YEAR**  
**ACTION PLAN AND THE CAPITAL FUND ANNUAL STATEMENT/PERFORMANCE**  
**AND EVALUATION REPORT**  
**September 24, 2019**

**PREPARED BY:**

  
Andrea Cheatom, Housing Manager  
Leavenworth Housing Authority

**REVIEWED BY:**

  
Julie Hurley, Executive Director  
Director of Planning and Community  
Development

**APPROVED BY:**

  
Paul Kramer  
City Manager

**ISSUE:**

Consider a resolution adopting and submitting the 2019-2023 Capital Fund Program Five-Year Action Plan and the Capital Fund Program Annual Statement/Performance and Evaluation Report for the Leavenworth Housing Authority to the U.S. Department of Housing & Urban Development for the operation of Planters II and Section 8.

**PLAN:**

The 2019-2023 Capital Fund Program Five-Year Action Plan and the Capital Fund Program Annual Statement/Performance and Evaluation Report will be electronically submitted to the U.S. Department of HUD. A paper copy of the CFP Annual Statement/Performance and Evaluation Report and the 2019-2023 Capital Fund Program Five-Year Action Plan are available at the Leavenworth Housing Authority office.

The plan is standard HUD format. It makes no changes to the operation of either Planters II or the Section 8 (Housing Choice Voucher) programs. Plan approval and submission to the U.S. Department of Housing & Urban Development is required annually. We currently enjoy a favorable status for both programs.

The Leavenworth Housing Authority was declared a High Performer in FY 2018.

**COMMISSION ACTION:**

Motion to approve the plan (by adoption of resolution) and authorize its submission to HUD.



**RESOLUTION NO. B-2236**

**BE IT RESOLVED BY THE LEAVENWORTH CITY COMMISSION ACTING AS THE LEAVENWORTH HOUSING AUTHORITY COMMISSION, CITY OF LEAVENWORTH, KANSAS, AS FOLLOWS:**

**Section 1.** The Leavenworth City Commission is the legal Housing Authority for the City of Leavenworth, Kansas.

**Section 2.** The Leavenworth Housing Authority 2019-2023 Capital Fund Program Five-Year Action Plan and the Capital Fund Program Annual Statement/Performance and Evaluation Report, including all attachments and certifications are hereby approved and authorized for submission to the U.S. Department of Housing & Urban Development.

**Section 3.** Policies and procedures identified in the plan have been appropriately adopted by Resolution of the Leavenworth City Commission on file and available for public inspection in the Leavenworth Housing Authority Office, 200 Shawnee Street, Leavenworth, Kansas.

**Section 4.** This Resolution shall be effective from and after its passage as provided by law.

**PASSED AND APPROVED** this 24<sup>th</sup> day of September 2019.

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Jermaine Wilson, Mayor

[Seal]

ATTEST:

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Carla K. Williamson, CMC, City Clerk

Capital Fund Program - Five-Year Action Plan

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 2577-0274  
 07/31/2017

Status: Approved

Approval Date: 09/04/2019

Approved By: CLEARY, FRANCES

<b>Part I: Summary</b>						
PHA Name : Leavenworth Housing Authority		Locality (City/County & State)				
PHA Number: KS068		<input checked="" type="checkbox"/> Original 5-Year Plan		<input type="checkbox"/> Revised 5-Year Plan (Revision No: )		
A.	Development Number and Name	Work Statement for Year 1 2019	Work Statement for Year 2 2020	Work Statement for Year 3 2021	Work Statement for Year 4 2022	Work Statement for Year 5 2023
	PLANTERS II (KS068000001)	\$146,091.00	\$146,091.00	\$146,091.00	\$146,091.00	\$146,091.00

Part II: Supporting Pages - Physical Needs Work Statements (s)				
Work Statement for Year 1 2019				
Identifier	Development Number/Name	General Description of Major Work Categories	Quantity	Estimated Cost
	PLANTERS II (KS068000001)			\$146,091.00
ID0001	Replace Waste Stacks and Drain Lines(Dwelling Unit-Interior (1480)-Plumbing)	Replace all waste stacks and drain lines with PVC		\$146,091.00
	Subtotal of Estimated Cost			\$146,091.00

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>				
<b>Work Statement for Year 2 2020</b>				
<b>Identifier</b>	<b>Development Number/Name</b>	<b>General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
	PLANTERS II (KS068000001)			\$146,091.00
ID0002	Replace Waste Stacks and Drain Lines(Dwelling Unit-Interior (1480)-Plumbing)	Replace all waste stacks and drain lines with PVC		\$146,091.00
	Subtotal of Estimated Cost			\$146,091.00

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>				
<b>Work Statement for Year</b> 3		2021		
<b>Identifier</b>	<b>Development Number/Name</b>	<b>General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
	PLANTERS II (KS068000001)			\$146,091.00
ID0003	Replace Waste Stacks and Drain Lines(Dwelling Unit-Interior (1480)-Plumbing)	Replace all waste stacks and drain lines with PVC.		\$146,091.00
	Subtotal of Estimated Cost			\$146,091.00



<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>				
<b>Work Statement for Year 4 2022</b>				
<b>Identifier</b>	<b>Development Number/Name</b>	<b>General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
	PLANTERS II (KS068000001)			\$146,091.00
ID0004	Replace Waste Lines and Drain Lines(Dwelling Unit-Interior (1480)-Plumbing)	Replace all waste lines and drain lines with PVC.		\$146,091.00
	Subtotal of Estimated Cost			\$146,091.00

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>				
<b>Work Statement for Year 5 2023</b>				
<b>Identifier</b>	<b>Development Number/Name</b>	<b>General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
	PLANTERS II (KS068000001)			\$146,091.00
ID0005	Replace Generator(Non-Dwelling Construction - Mechanical (1480)-Generator)	upgrade generator system		\$146,091.00
	Subtotal of Estimated Cost			\$146,091.00

<b>Part I: Summary</b>					
<b>PHA Name:</b> Leavenworth Housing Authority		<b>Grant Type and Number</b> Capital Fund Program Grant No. KS01P06850119 Replacement Housing Factor Grant No. Date of CFFP:		<b>FFY of Grant:</b> <b>FFY of Grant Approval:</b>	
<b>Type of Grant</b>					
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (Revision No:                      )					
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>(1)</sup>	
		Original	Revised <sup>(2)</sup>	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 20)(3)				
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 20)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment-Nonexpendable				

(1) To be completed for the Performance and Evaluation Report

(2) To be completed for the Performance and Evaluation Report or a Revised Annual Statement

(3) PHAs with under 250 units in management may use 100% of CFP Grants for operations

(4) RHF funds shall be include here

<b>Part I: Summary</b>					
<b>PHA Name:</b> Leavenworth Housing Authority		<b>Grant Type and Number</b> Capital Fund Program Grant No. KS01P06850119 Replacement Housing Factor Grant No. Date of CFFP:		<b>FFY of Grant:</b> <b>FFY of Grant Approval:</b>	
<b>Type of Grant</b>					
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (Revision No:                      ) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>(1)</sup>	
		Original	Revised <sup>(2)</sup>	Obligated	Expended
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling equipment				
14	1480 General Capital Fund	\$146,091.00			
15	1485 Demolition				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18a	1499 Development Activities (4)				
18ba	1501 Collateralization or Debt Service paid by the PHA				
19	9000 Collateralization or Debt Service paid via System of Direct Payment				
20	1502 Contingency (may not exceed 8% of line 20)				
21	Amount of Annual Grant: (sum of lines 2-20)	\$146,091.00			

(1) To be completed for the Performance and Evaluation Report  
 (2) To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 (3) PHAs with under 250 units in management may use 100% of CFP Grants for operations  
 (4) RHF funds shall be include here

<b>Part I: Summary</b>					
<b>PHA Name:</b> Leavenworth Housing Authority		<b>Grant Type and Number</b> Capital Fund Program Grant No. KS01P06850119 Replacement Housing Factor Grant No. Date of CFFP:		<b>FFY of Grant:</b> <b>FFY of Grant Approval:</b>	
<b>Type of Grant</b>					
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (Revision No:                      ) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>(1)</sup>	
		Original	Revised <sup>(2)</sup>	Obligated	Expended
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Activities				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

<b>Signature of Executive Director</b> /S/ MYR882	<b>Date</b> 09/04/2019	<b>Signature of Public Housing Director</b>	<b>Date</b>
---	------------------------	---	-------------

(1) To be completed for the Performance and Evaluation Report  
 (2) To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 (3) PHAs with under 250 units in management may use 100% of CFP Grants for operations  
 (4) RHF funds shall be include here



Part II: Supporting Pages								
PHA Name: Leavenworth Housing Authority		Grant Type and Number Capital Fund Program Grant No. KS01P06850119 Replacement Housing Factor Grant No. CFFP(Yes/No):				Federal FFY of Grant:		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost <sup>(2)</sup>		Status of Work
				Original	Revised <sup>(1)</sup>	Funds Obligated	Funds Expended	
KS068000001 - PLANTERS II	Replace Waste Stacks and Drain Lines ( Dwelling Unit-Interior (1480) )	1480		\$146,091.00				
	Total:			\$146,091.00				

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement

(2) To be completed for the Performance and Evaluation Report

<b>Part III: Implementation Schedule for Capital Fund Financing Program</b>					
<b>PHA Name:</b> Leavenworth Housing Authority					<b>Federal FFY of Grant:</b>
<b>Development Number Name/PHA-Wide Activities</b>	<b>All Fund Obligated (Quarter Ending Date)</b>		<b>All Funds Expended (Quarter Ending Date)</b>		<b>Reasons for Revised Target Dates <sup>(1)</sup></b>
	<b>Original Obligation End Date</b>	<b>Actual Obligation End Date</b>	<b>Original Expenditure End Date</b>	<b>Actual Expenditure End Date</b>	

(1) Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

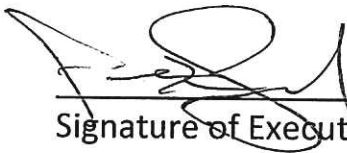


Criteria for Significant Amendment or Modification to the CFP 5-Year Action Plan

The following additions to the CFP 5-Year Action Plan shall constitute a significant amendment or modification: Demolition, disposition, homeownership, Capital Fund financing, conventional development or mixed-finance development.

PAUL KRAMER

\_\_\_\_\_  
Name of Executive Director



\_\_\_\_\_  
Signature of Executive Director

5-15-2019

\_\_\_\_\_  
Date

**Civil Rights Certification**  
**(Qualified PHAs)**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB Approval No. 2577-0226  
Expires 02/29/2016

**Civil Rights Certification**

**Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official, I approve the submission of the 5-Year PHA Plan for the PHA of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the public housing program of the agency and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those program, addressing those impediments in a reasonable fashion in view of the resources available and working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.

Leavenworth Housing Authority  
PHA Name

KS068  
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

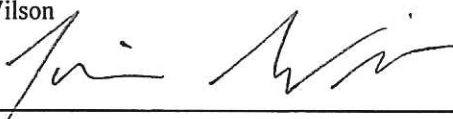
Name of Authorized Official

Title

Jermaine Wilson

Mayor

Signature

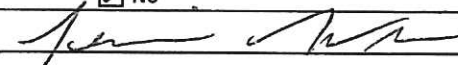


Date 5-15-19

## DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure.)

Approved by OMB  
0348-0046

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  <b>Congressional District, if known:</b>		<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>  N/A  <b>Congressional District, if known:</b>
<b>6. Federal Department/Agency:</b>  N/A	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: <u>N/A</u>	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b>  \$	
<b>10. a. Name and Address of Lobbying Entity</b> <i>(if individual, last name, first name, MI):</i>  N/A		<b>b. Individuals Performing Services</b> <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>  N/A
<i>(attach Continuation Sheet(s) SF-LLLA, if necessary)</i>		
<b>11. Amount of Payment (check all that apply):</b> \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	<b>13. Type of Payment (check all that apply):</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____	
<b>12. Form of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
<b>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:</b>          <i>(attach Continuation Sheet(s) SF-LLLA, if necessary)</i>		
<b>15. Continuation Sheet(s) SF-LLLA attached:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>16.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature: <u></u> Print Name: <u>Jermaine Wilson</u> Title: <u>Mayor</u> Telephone No.: <u>913-682-9201</u> Date: <u>9/5/2019</u>
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)





The Leavenworth Housing Authority conducted a public hearing pursuant to 24 CFR Part 905 reference to the 2018 Capital Fund Program grant on Monday, August 26, 2018 at 9:00 a.m.

All documents pertaining to the 2018 Capital Fund Program grant were available for public viewing.

The Public Hearing was held to answer questions pertaining to the 2018 CFP grant and to accept comments.

  
\_\_\_\_\_  
Julie Hurley, Executive Director

9/4/19  
\_\_\_\_\_  
Date

# Certification of Payments to Influence Federal Transactions

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing

OMB Approval No. 2577-0157 (Exp. 03/31/2020)

Applicant Name

Leavenworth Housing Authority

Program/Activity Receiving Federal Grant Funding

Planters II/City of Leavenworth

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

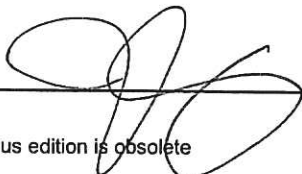
Name of Authorized Official

Julie Hurley

Title

Executive Director

Signature



Date (mm/dd/yyyy)

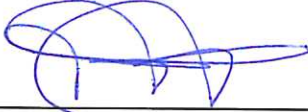
9/4/19

Previous edition is obsolete

form HUD 50071 (01/14)  
ref. Handbooks 7417.1, 7475.13, 7485.1, & 7485.3

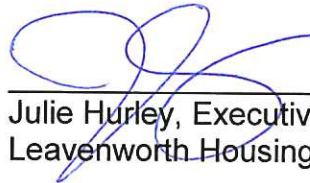
**Policy Report  
Section 8 Administrative Plan  
September 24, 2019**

**PREPARED BY:**



Patrick Tooley, Section 8 Coordinator  
Leavenworth Housing Authority

**REVIEWED BY:**



Julie Hurley, Executive Director  
Leavenworth Housing Authority

**APPROVED BY:**



Paul Kramer  
City Manager

**ISSUE:**

Adoption of Section 8 Administrative Plan.

**DISCUSSION:**

The Administrative Plan is a combination of HUD regulations and our local housing policies combined into one document. These policies regulate the administration of the Leavenworth Housing Choice Voucher program and VASH program. There are no major rule or regulation changes in the Administrative Plan. It has been 10 years since the plan was last formally adopted, and there have been numerous minor wording changes during that time. No substantive changes are proposed as part of this update. The update is being requested in order to formally adopt the minor changes that have been made and put into practice during the past 10 years.

**COMMISSION ACTION:**

Approve Resolution B-2237 adopting the Section 8 Administrative Plan

**RESOLUTION B-2237**

**A RESOLUTION APPROVING THE REVISED SECTION EIGHT  
MANAGEMENT ADMINISTRATIVE PLAN, LEAVENWORTH,  
KANSAS.**

**BE IT RESOLVED** by the Mayor and City Commission, acting as the Public Housing Authority (PHA) for Leavenworth, Kansas, as follows:

**Section 1.** The revised Section Eight Administrative Plan is hereby approved.

**PASSED AND APPROVED** this 24<sup>th</sup> day of September 2019.

\_\_\_\_\_  
Jermaine Wilson, Mayor

{SEAL}

ATTEST:

\_\_\_\_\_  
Carla K. Williamson, City Clerk, CMC