

IMPORTANT NOTICE

The April 12 Chehalis City Council will be held in-person with some restrictions.

On March 22, Washington State moved to Phase 3 of the Governor's Healthy Washington – Roadmap to Recovery Plan, which means cities may hold limited, in-person meetings in addition to virtual options. The capacity of these meetings is limited to 50% of the posted room capacity or 400 individuals – whichever is fewer (excludes staff). The posted room capacity for the Chehalis Council Chambers is 49, which means 24 members of the public may be in attendance.

Cities must continue to provide the public virtual access to meetings. Options for attending remotely remain the same:

1. Live-Stream

View and listen through live streaming by using the following link –

<https://www.ci.chehalis.wa.us/citycouncil/live-streaming-and-demand-viewing-city-council-meetings>

or

2. Telephone

Dial: 1-253-215-8782

Meeting ID: 822 5811 8879

Passcode: 674890

Citizens wishing to provide public comments in general and on agenda items should submit comments by 4:00 pm on the day of the meeting. All comments received will be acknowledged by the Mayor under the Citizens Business portion of the meeting agenda. Please use the following form to submit comments – <https://www.ci.chehalis.wa.us/contact>. If you do not have computer access or would prefer to submit a comment verbally, please contact Interim City Clerk Kiley Franz at 360-345-1042 or at kfranz@ci.chehalis.wa.us. Citizens Business comments will be limited to five (5) minutes.

If you have any questions about live streaming the meeting or submitting a comment, please contact Interim City Clerk Kiley Franz at kfranz@ci.chehalis.wa.us or 360-345-1042.

**The City truly appreciates the community's cooperation
and patience during this challenging time.**

CHEHALIS CITY COUNCIL AGENDA

CITY HALL
350 N MARKET BLVD | CHEHALIS, WA 98532

Dennis L. Dawes, Position at Large Mayor		
Jerry Lord, District 1 Daryl J. Lund, District 2, Mayor Pro Tem Dr. Isaac S. Pope, District 4		Anthony E. Ketchum Sr., District 3 Robert J. Spahr, Position at Large Michael Bannan, Position at Large

Regular Meeting of Monday, April 12, 2021 5:00 pm

1. <u>Call to Order.</u> (Mayor)
2. <u>Pledge of Allegiance.</u> (Mayor)

ITEM

PROCLAMATIONS / PRESENTATIONS		
3. <u>Proclamation – Administrative Professionals Week.</u> (Mayor Dawes)		

ITEM

ADMINISTRATION
RECOMMENDATION PAGE

SPECIAL BUSINESS		
4. <u>Port of Chehalis Update.</u> (Randy Mueller, CEO)		

CITIZENS BUSINESS

Citizens wishing to provide public comments in general and on agenda items should submit comments by 4:00 pm on the day of the meeting. All comments received will be acknowledged by the Mayor under Citizens Business of this meeting agenda. Please use the following form to submit comments – <https://www.ci.chehalis.wa.us/contact>. If you do not have computer access or would prefer to submit a comment verbally, please contact Interim City Clerk Kiley Franz at 360-345-1042 or at kfranz@ci.chehalis.wa.us. Citizens Business comments will be limited to five (5) minutes.

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16. <u>Councilor Reports/Committee Updates.</u> (City Council)	INFORMATION ONLY	- - -

EXECUTIVE SESSION

17. Pursuant to RCW:

- a. 42.30.110(1)(c) – Sale/Lease of Real Estate
- b. 42.30.110(1)(i) – Litigation/Potential Litigation

**THE CITY COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA.
NEXT REGULAR CITY COUNCIL MEETING IS MONDAY, APRIL 26, 2021.**

Chehalis City Council
Meeting Minutes
March 22, 2021

The Chehalis City Council met in regular session on Monday, March 22, 2021. Mayor Dennis Dawes called the meeting to order at 5:00 pm with the following council members present: Michael Bannan, Tony Ketchum, Jerry Lord, Dr. Isaac Pope, and Bob Spahr. Councilor Daryl Lund participated via Zoom. Staff present included: Jill Anderson, City Manager; Caryn Foley, City Clerk; Kiley Franz, Interim City Clerk; Erin Hillier, City Attorney; Randy Kaut, Interim Police Chief (Zoom); Trent Lougheed, Public Works Director; Brandon Rakes, Airport Operations Coordinator; and Chun Saul, Finance Director. Due to orders from the Governor's office relating to COVID-19 limiting capacity available in the City Council Chambers, members of the public and the press were able to view the meeting via live streaming or Zoom. The public was also provided a process for submitting comments prior to the meeting.

1. **Recognition of Caryn Foley – City Clerk.** Mayor Dawes recognized Caryn Foley, City Clerk, with a proclamation and an inscribed vase with flowers upon her retirement after 34 years of service to the City of Chehalis. Mayor Dawes, on behalf of the City Council, and City Manager Anderson expressed their appreciation for Caryn's outstanding and dedicated service to the citizens of Chehalis.

2. **Citizens Business – Steven Ryan.** Steven Ryan, a resident of the City of Chehalis at 525 SE Hilltop Drive, addressed the City Council with concerns regarding stormwater issues, budgeting, and the lack of a capital improvement plan.

3. **Consent Calendar.** Councilor Spahr moved to approve the consent calendar which included the following items:

- a. Minutes of the regular City Council meeting of March 8, 2021; and
- b. March 15, 2021 Claim Vouchers No. 131299 – 131405 and Electronic Funds Transfer Check Nos. 1182 – 1210 and 1 in the amount of \$409,123.39; and
- c. Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) Grant for Airports through the new Airport Coronavirus Response Grant Program (ACRGP); and
- d. Acceptance and Closeout of the High-Level Pump Station Project;

Councilor Spahr asked if the change orders for the high-level pump station project had been brought before the council for approval. City Manager Anderson explained that the amount for the change orders had been approved in the original contract as part of the contingency budget. He further inquired how many trees were removed. Trent Lougheed explained that seven or eight trees had been removed after they were found to be hazardous.

The motion was seconded by Councilor Lord. The motion passed with all in favor except Councilor Lund, who opposed the motion.

4. **Resolution No. 4-2021, First and Final Reading – Adopting the Amended and Restated Interlocal Agreement of the Southwest Washington Regional Transportation Planning Organization.** Trent Lougheed explained that the updated Interlocal Agreement for the Southwest Washington Regional Transportation Planning Organization (SWRTPO) was being presented to the Council for their approval. The goal of the SWRTPO is to ensure that all jurisdictions are in compliance with the Transportation Improvement Plan requirements. The last two projects that the city has received funding for are the Kresky Avenue Reconstruction Project and the Interstate Avenue Resurfacing Project. He briefly reviewed upcoming projects that could possibly receive grant funding.

Councilor Ketchum made a motion to approve Resolution No. 4-2021 on first and final reading. The motion was seconded by Councilor Lord and carried unanimously.

5. **Consideration of Early Work Agreement for Tract 9 at 1850 NW Louisiana Avenue to O'Brien Auto Team, an Illinois Company.** The Council was asked to consider the addition of an early work agreement that was received after the distribution of agenda packets. The Council determined that it was appropriate to add the early work agreement to Brandon Rakes

informed the Council that the early work agreement was part of the lease agreement for O'Brien Auto Team that was accepted at the March 8, 2021 City Council meeting. The early work agreement would provide O'Brien Auto Team the opportunity to fill and grade the site while they are still under the agreement to lease, but before the ground lease begins.

Councilor Ketchum asked what would happen if O'Brien Auto Team filled the site and then did not proceed with development of the site. Erin Hillier explained that O'Brien Auto Team risked losing any improvements they have made to the property if they did not progress with their lease.

Councilor Spahr moved to approve the acceptance of the early work agreement for Tract 9 at 1850 NW Louisiana Avenue to O'Brien Auto Team and authorized the City Manager to execute the documents. The motion was seconded by Councilor Lord and carried unanimously; Councilor Bannan abstained from the motion.

6. Administration Reports.

a. **City Manager Update.** City Manager Anderson thanked Caryn Foley for her 34 years of service to the City of Chehalis. She also introduced Susan Stayner, the new part-time temporary assistant at City Hall. City Manager Anderson informed the Council that the city may receive additional COVID funding, which would be restricted for eligible uses according to state and federal requirements.

City Manager Anderson explained that she had responded to Mr. Ryan's concerns in a letter. She explained that many projects funded solely by the city, are vetted and approved through the annual budgeting process. She further explained that the plans are strictly plans; many new opportunities and threats may arise that impede the implementation of those plans. Stormwater, water, wastewater, and other restricted fund fees are strictly used for their designated funds.

7. Councilor Reports/Committee Updates.

a. **Councilor Lund.** Councilor Lund informed the Council that the eagle scout working on the basement at the lodge appreciated the help provided by Andrew Hunziker and the facilities crew. He thanked Mr. Ryan for taking the time to express his concerns and hoped that the issues would be addressed appropriately.

b. **Councilor Spahr.** Councilor Spahr attended an EDC meeting. He informed the Council that the EDC would be rebranding and reviewing what they will be involved with in the future.

c. **Councilor Pope.** Councilor Pope thanked Mr. Ryan for his research. He inquired if any planning would be completed for stormwater. City Manager Anderson explained that a master plan for stormwater was on the list of projects that the city would like to accomplish and updates to the Comprehensive Plan will be made later in the year. Councilor Pope suggested a citizen's committee to assist the process and asked Mr. Ryan if he would be willing to participate if such a committee was created. Mr. Ryan indicated that he would.

d. **Mayor Dawes.** Mayor Dawes attended a .09 committee meeting. Mayor Dawes thanked Mr. Ryan for taking the time to speak to the council and expressed his confidence in staff to address the issues. Councilor Spahr asked if the stormwater issue on Mr. Ryan's property had been resolved. Mr. Ryan informed the Council that he was not looking for special treatment regarding this issue and would like to see upgrades made across the city through the Comprehensive Plan.

8. **Executive Session.** Mayor Dawes announced the council would take a short recess and then be in executive session pursuant to RCW 42.30.110(1)(c) – Sale/Lease of Real Estate, not to exceed 6:45 pm and there would be no action following conclusion of the executive session. Mayor Dawes closed the regular meeting at 6:15 pm. The executive session began at 6:17 pm. Following conclusion of the executive session, the regular meeting was reopened at 6:45 pm and immediately adjourned.

Dennis L. Dawes, Mayor

Kiley Franz, Interim City Clerk

Approved:

Initials: _____

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Chun Saul, Finance Director
Michelle White, Accounting Tech II

MEETING OF: April 12, 2021

SUBJECT: Vouchers and Transfers – Accounts Payable in the Amount of \$688,001.84

ISSUE

City Council approval is requested for Vouchers and Transfers dated March 31, 2021.

DISCUSSION

The March 31, 2021 claim vouchers have been reviewed by a committee of three councilors prior to the release of payments. The administration is requesting City Council approval for Claim Vouchers No. 131406 – 131506 and Electronic Funds Transfer Check Nos. 1211 – 1235, 2, 3 and 4 in the amount of \$688,179.84 dated March 31, 2021 and voided Check No. 131231 in the amount of \$178.00 for the net total of \$688,001.84 as follows:

- \$ 186,764.80 from the General Fund
 - \$ 8,369.27 from the Dedicated Street Fund – 4% Sales Tax
 - \$ 63,601.30 from the Transportation Benefit District Fund
 - \$ 2,951.25 from the LEOFF 1 OPEB Reserve Fund
 - \$ 65,309.20 from the G. O. Bond Fund
 - \$ 190,552.23 from the Public Facilities Reserve Fund
 - \$ 66,510.22 from the Wastewater Fund
 - \$ 25,580.88 from the Water Fund
 - \$ 448.77 from the Storm & Surface Water Utility Fund
 - \$ 77,500.38 from the Airport Fund
 - \$ 429.54 from the Firemen’s Pension Fund
 - \$ 162.00 from the Custodial Other Agency Fund
- \$ 688,179.84 Total Vouchers for March 31, 2021
\$ <178.00> Voided check for February 26, 2021
\$ 688,001.84 Net Total Transfers

RECOMMENDATION

It is recommended that the City Council approve the March 31, 2021 Claim Vouchers No. 131406 – 131506 and Electronic Funds Transfer Check Nos. 1211 – 1235, 2, 3, and 4 in the amount of \$688,179.84 and voided Check No. 131231 in the amount of \$178.00 for the net total transfer of \$688,001.84.

SUGGESTED MOTION

I move that the City Council approve the March 31, 2021 Claim Vouchers No. 131406 – 131506 and Electronic Funds Transfer Check Nos. 1211 – 1235, 2, 3, and 4 in the amount of \$688,179.84 and voided Check No. 131231 in the amount of \$178.00 for the net total transfer of \$688,001.84.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Chun Saul, Finance Director
Betty Brooks, Payroll Accountant

MEETING OF: April 12, 2021

SUBJECT: Vouchers and Transfers – Payroll in the Amount of \$857,798.36

ISSUE

City Council approval is requested for Payroll Vouchers and Transfers dated March 31, 2021.

DISCUSSION

The administration requests City Council approval for Payroll Vouchers No. 41604-41632, Direct Deposit Payroll Vouchers No. 13218-13222, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 335-338 dated March 31, 2021 in the amount of \$857,798.36, which include the transfer of:

- \$574,297.41 from the General Fund
- \$4,858.41 from the Arterial Street Fund
- \$5,197.50 from the LEOFF1 OPEB Reserve Fund
- \$115,918.65 from the Wastewater Fund
- \$104,798.97 from the Water Fund
- \$19,406.53 from the Storm & Surface Water Utility Fund
- \$33,320.89 from the Airport Fund

RECOMMENDATION

It is recommended that the City Council approve the March 31, 2021 Payroll Vouchers No. 41604-41632, Direct Deposit Payroll Vouchers No. 13218-13222, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 335-338 in the amount of \$857,798.36.

SUGGESTED MOTION

I move that the City Council approve the March 31, 2021, Payroll Vouchers No. 41604-41632, Direct Deposit Payroll Vouchers No. 13218-13222, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 335-338 in the amount of \$857,798.36.

**CITY OF CHEHALIS
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Trent Lougheed, Public Works Director
Devlan Pool, Wastewater Superintendent

MEETING OF: April 26, 2021

SUBJECT: Lease of City Property to PAMCO, LLC for Agricultural Land

ISSUE

The City has leased two pieces of property totaling approximately 50 acres to PAMCO, LLC for agricultural use since 2009. A new lease is being presented for the Council's review and approval.

DISCUSSION

The City owns approximately 330 acres about 2 miles west of town on SR 6 which was purchased for the poplar tree plantation (PTP). Of that property, approximately 276 acres is fenced as the PTP. The remaining acreage encompasses two parcels. One between Scheuber Rd. and the PTP that is unusable for trees due to the proximity of BPA power lines and the other on the south side of SR 6 that is not currently needed for the PTP. The existing lease with lessor expired on March 1, 2021. The lessor would like to renew the lease for another 3 years.

In 2009 the City negotiated a lease with PAMCO for agricultural use of these two parcels. The first lease was in 2009 and was for 5 years at \$3,750 per year. A 3-year renewal was exercised in 2018 for \$4000. A new renewal lease is being presented for your consideration. It is for 3 years with a 3% increase to \$4,120 per year. Another lease or renewal will have to be negotiated after that time. The lease will go month to month if it has not been terminated by either party.

FISCAL IMPACT

The proposed lease will result in \$4,120 per year in revenue for the Wastewater Utility.

RECOMMENDATION

The administration recommends the Council approve the Farm and Pasture Lease with PAMCO, LLC and authorize the City manager to execute it on behalf of the City.

SUGGESTED MOTION

I move that the Council approve the Farm and Pasture Lease with PAMCO, LLC and authorize the City manager to execute it on behalf of the City.

FARM AND PASTURE LEASE

THIS FARM AND PASTURE LEASE is made and entered into this 26th day of April, 2021 by and between **CITY OF CHEHALIS, WASHINGTON**, a municipal corporation, hereinafter referred to as "Lessor", and **PAMCO, LLC**, a Washington limited liability company, hereinafter referred to as "Lessee".

WITNESSETH:

WHEREAS, Lessor and Lessee are desirous of entering into a farm and pasture lease, whereby Lessor leases to Lessee certain property located in Lewis County, Washington, for the purposes of haying and grazing rights and other miscellaneous activity to said rights to be conducted thereon; and

WHEREAS, it is the desire of the parties to reduce their agreement to writing; now, therefore,

IN CONSIDERATION of the above-referenced recitals and other good and valuable consideration, the parties agree as follows:

1. **Description of Premises.** Lessor does hereby let, lease, and demise unto Lessee, who agrees to accept the premises in the lease, the following described real property commonly known as approximately fifty (50) acres of farm property located north and south of Highway 6, south and east of Scheuber Road, and north of the Chehalis River, generally described in Exhibit "A" attached hereto and incorporated herein by this reference.

2. **Purpose.** The land described in Paragraph 1 above is being leased by Lessor to Lessee for use for farming purposes, including haying and grazing rights, and shall be used for no other purpose without the written consent of Lessor.

3. **Term.** The term of this Lease shall be for a period of three (3) years from March 1, 2021, through February 28, 2024. The lease will continue from month to month if it has not been terminated by either party.

4. **Payment.** The annual rent shall be the sum of Four Thousand and no/100 Dollars (\$4,120.00) per year, with the first payment being due retroactively on March 1, 2021.

5. **Real Property Taxes.** Lessor shall be responsible for the payment of all leasehold excise taxes assessed against the premises during the term of this Lease.

6. **Costs and Expenses of Farming.** Lessee agrees to pay all costs and expenses of farming said land and to be responsible for any and all costs in connection therewith, including fencing costs, seed costs, harvesting costs, and any other expenses associated therewith. Lessee further agrees to hold Lessor harmless from any and all expense and liability for the operation of the farm and shall not permit any encumbrance to be placed against said property as a result of said activities. The imposition of any lien against said property shall constitute a breach of this Lease.

7. **Liability Insurance.** In addition to indemnifying and holding Lessor harmless from any and all liabilities arising out of the operation on the property, Lessee agrees to indemnify and save Lessor harmless from any and all liability arising out of any and all operations conducted upon the premises during the term of this Lease by Lessee, and to furnish to Lessor a certificate of insurance showing that the policy is in effect for the protection of Lessee in amounts not less than Two Hundred Thousand and no/100 Dollars (\$200,000.00), which policy shall name Lessor as an additional insured.

8. **Maintenance of Pastures.** It is understood and agreed that Lessee will be using the demised premises for purposes of raising crops and occasional grazing upon the premises. It is the agreement of the parties hereto that Lessee shall not over graze or abuse the pasture lands. Lessee shall be responsible for operating the farm in a good and husband like manner and in compliance with all local, state, and federal regulations pertaining thereto.

9. **Noxious Weeds.** It shall be the duty of Lessee to control any and all noxious weeds which may grow upon the premises to the satisfaction of the Lewis County Weed Control Board and to hold Lessor harmless therefor.

10. **Chemicals.** Lessee agrees not to use any chemical additives or sprays during the term of this Lease which will inhibit the growth of or in any way have a negative effect upon the establishment of pasture after the term of this Lease.

11. **Hazardous Substances.** Lessees shall keep the leased real property and personal property free of hazardous materials, wastes, or substances as the same are now defined or regulated by the Environmental Protection Agency or the Washington State Department of Ecology, and Lessee agrees to save, defend, indemnify, and hold harmless Lessor from any and all claims for investigation, damages, or cleanup of industrial wastes or hazardous materials, wastes, or substances located upon the leased real property or personal property other than any such materials or substances as may be in existence as of the commencement of the lease term. This indemnification shall include the payment of all investigation and response costs, as well as all other costs incurred by Lessor, including, but not limited to, attorney fees.

12. **Hunting Rights.** Lessee is granted all hunting rights which are attributable to the property being leased hereunder, and Lessee shall not be authorized to extend hunting rights to anyone without the express written consent of Lessor.

13. **Access to Property.** Lessee agrees that Lessor shall have access rights to said property for crossing over to maintain Lessor's property adjacent to the leased property. Additionally, BPA has certain rights to the property which are superior to the rights of Lessee. Lessee is bound to all BPA regulations governing the leased premises. These easements are paramount to the rights of Lessee, and Lessee's rights are subject to the easement rights either created or to be created by Lessor.

14. **Condition of Premises Upon Termination of Lease.** Lessee agrees that upon termination of this Lease, the premises will be left in the following condition:

a. All fields which have been farmed during the term of this Lease shall have either been properly prepared and ready for seeding to pasture or left as pasture/hay in farmable condition.

15. **Default.** It is hereby agreed that in the event of default by Lessee in any covenants or conditions of this Lease, Lessor may, by notice in writing, declare its intent to terminate this Lease. If Lessee shall remain in default for a period of ten (10) days thereafter, Lessor may, at Lessor's option, immediately declare the Lease to be terminated and shall have the right to re-take possession of the premises. In the event of the declaration of intention to terminate this Lease, Lessee agrees to quietly and peaceably surrender said property and to remove all of its equipment, animals, or other personal property from the same by the termination date.

16. **Notices.** All notices to be sent to the parties hereto shall be sent as follows:

To Lessor: City of Chehalis
350 N Market Boulevard
Chehalis, Washington 98532

To Lessee: Pamco, LLC
282 Pattee Road
Chehalis, Washington 98532

17. **Binding Effect.** All covenants, terms, and conditions of this Lease shall extend to apply to, and bind the heirs, executors, administrators, assigns, and successors-in-interest of the respective parties hereto.

18. **Assignment.** This Lease shall be non-assignable without the express written consent of all parties.

19. **Attorney's Fees.** In the event it shall become necessary for either party to enforce the provisions of this Lease, the prevailing party shall be entitled to reimbursement of a reasonable sum as and for their attorney' s fees, together with all costs and expenses incurred.

EXECUTED IN DUPLICATE on the date and year first above written.

CITY OF CHEHALIS, WASHINGTON

PAMCO, LLC

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

LESSOR

LESSEE

STATE OF WASHINGTON)

:SS

COUNTY OF L E W I S

On this _____ day of _____, 2021, before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared.

_____, to me known to the _____ of the **City of Chehalis, Washington**, a municipal corporation, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the state of
Washington residing at: _____
My name is (printed): _____
My appointment expires: _____

STATE OF WASHINGTON)

:SS

COUNTY OF L E W I S

On this _____ day of _____, 2021, before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared

_____, to me known to the _____ of the **Pamco, LLC, a Washington Limited Liability Corporation**, who was known to me as the person and member described in and who executed the foregoing instrument on behalf of said company, and who acknowledged the signed said instrument on behalf of the company by proper authority, and the instrument was the act of the company for the purpose herein stated.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal on the day and year first last aforesaid.

Notary Public in and for the state of
Washington residing at: _____
My name is (printed): _____
My appointment expires: _____

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council
FROM: Jill Anderson, City Manager
BY: Trent Lougheed, Public Works Director
MEETING OF: April 12, 2021
SUBJECT: Bid Award – NW Pacific Avenue Reconstruction Project

ISSUE

The administration recently bid the NW Pacific Avenue Reconstruction Project. The bids were opened on March 10, 2021 and six (6) bids were received. The results of the bidding and a recommendation to award a contract have been prepared for the City Council’s consideration.

DISCUSSION

Reconstruction of Pacific Avenue from Park Street to Main Street is one of the top priority projects for the city to address failing stormwater mains and aging water mains within the project limits. RB Engineering was selected from the city’s engineering roster to provide design, bidding, and construction services for the project.

This project is a complete reconstruction of the right-of-way, stormwater, and water improvements from Park Street to Main Street. The Scope of Work includes erosion control, traffic control, removal of existing roadway, curb & gutter, street lights, sidewalks, storm sewer and water main, and installation of a new asphalt roadway section, new curb & gutter, new sidewalk including ADA ramps, new street lights, and other such related improvements.

This project was advertised on February 4th, bids were opened on March 10th, and six bids were received as shown in the following table:

Bidder	Amount
Barcott Construction	\$1,336,271.08
Rognlin’s Construction	\$1,384,960.00
Lee Contractors	\$1,617,590.00
NW Cascade	\$1,657,216.09
Midway Underground	\$1,785,300.00
ACI	\$1,893,893.00

After the bid opening, Rognlin’s Construction, through their attorney’s office, claimed that the bid submitted by Barcott Construction should be deemed non-responsive, and that the City should award the contract to the lowest responsive bidder, Rognlin’s Inc.

The City requested that legal counsel make a determination as to the responsiveness of Barcott

Construction's Bid, and they indicated that they agree with Rognlin's Inc.'s legal counsel that the bid is considered non-responsive by submitting an incomplete Subcontractor's list as required by RCW 39.30.060. Legal counsel for this project was provided by Allen Unzelman of Vander Stoep, Blinks, Jones & Unzelman; and Zak Tomlinson of Pacifica Law Group, who specializes in construction related contracts.

Rognlin's Inc. appears to be able to complete the job and is the lowest "responsive" bidder, with a bid of \$1,384,960.00. The administration recommends they be awarded the contract to complete the work.

FISCAL IMPACT

This project will be paid for by Stormwater, Water, and TBD Funds. Based on previous engineer's estimates, the costs will be approximately 42% TBD, 25% Storm, and 33% Water. The exact breakdown cannot be determined until a schedule of values is provided by the Contractor after award as the project was bid on a lump sum basis.

With a recommended 10% contingency (\$138,496.00) for unanticipated change orders, the total cost would be authorized for a not-to exceed budget of \$1,523,456.00 (rounded to \$1,523,500).

This project was included in the adopted 2021 budget for all three funds.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the City Council:

- Award the NW Pacific Avenue Reconstruction Project to Rognlin's Construction in the amount of \$1,384,960.00;
- Authorize a 10% contingency budget of \$138,540.00; and
- Authorize the City Manager to execute all project related documents, including change orders, that do not exceed a total project cost of \$1,523,500.00.

SUGGESTED MOTION

I move that the City Council:

- Award the NW Pacific Avenue Reconstruction Project to Rognlin's Construction in the amount of \$1,384,960.00;
- Authorize a 10% contingency budget of \$138,540.00; and
- Authorize the City Manager to execute all project related documents, including change orders, that do not exceed a total project cost of \$1,523,500.00.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council
FROM: Jill Anderson, City Manager
BY: Trent Lougheed, Public Works Director
MEETING OF: April 12, 2021
SUBJECT: Bid Award – Snively Avenue Road and Utility Improvement Project

ISSUE

The City requested bid the Snively Avenue Road and Utility Improvement Project. The bids were opened on March 31, 2021 and seven (7) bids were received. The results of the bidding and a recommendation to award a contract have been prepared for the City Council's consideration and action

DISCUSSION

The concrete sewer main that serves Snively Avenue between 16th Street and the Railroad was estimated to be built in the 1950's. Two sewer mains serve this section of roadway, each flowing away from the crown of the street near 1500 Snively Avenue, then flowing in both directions towards the intersection of 16th Street and at the railroad tracks. Sewer main depths range between eight and ten feet.

This section of the sewer system appears on the infiltration and inflow strategic plan from 2010, which recommended rehabilitation or replacement. The following are the issues current to the sewer mains:

- 727 16th Street was previously dug up and reconnected to the main sewer line
- 1475, 1441, and 1481 Snively Avenue are known to be in need of rehabilitated sewer connections
- 1500, 1520, 1542, 1531, 1553, 1562 Snively Avenue are expected to have complaints of failing sewer connections to the main sewer line in the near future
- Collection crews routinely flush the main sewer lines out to keep them operational
- Manholes are old brick and mortar structures in need of replacement

The ground is clayey soil with an oiled chip seal mat roadway surface. The curb & gutter is separating from roadway, which is allowing stormwater to drain into sewer lines connections. The project will include replacement of the curb & gutter and driveway approaches between the curb and sidewalk.

In this area of the water system, we have 8” and 6” cast iron pipe installed in 1960. The City has been required to repair the watermains in this area many times. The pipe material is called Universal and is unfortunately a type of pipe where there is no give or flex because of the two bolt machined end with no type of pipe gaskets. Usually after a very cold winter, the City will have main breaks due to movement with ground thawing. Since the sewer is in need of replacement, it is recommended that the watermain be replaced as well, which will result in the need for a new roadway surface.

This project was advertised on February 19th, bids were opened on March 31st, and seven bids were received as shown in the following table:

Bidder	Amount
Rognlin’s Construction	\$465,260.00
South Sound Contractors	\$496,670.81
Lee Contractors	\$508,540.00
AES	\$646,989.47
Midway Underground	\$679,766.50
Clark & Sons	\$705,055.00
Nova Contracting	\$787,046.80

Since Rognlin’s Construction appears to be able to complete the job and is the lowest bidder, with a bid \$31,410.81 lower than the 2nd low bidder, the administration recommends they be awarded the contract to complete the work.

FISCAL IMPACT

This project will be paid for by Water, Sewer, and TBD Funds. Based on previous engineer’s estimates, the costs will be approximately 18% TBD, 28% Sewer, and 54% Water. The exact breakdown cannot be determined until a schedule of values is provided by the Contractor after award as the project was bid on a lump sum basis.

With a recommended 10% contingency (\$46,526.00) for unanticipated change orders, the total cost would be authorized for a not-to exceed budget of \$511,786.00 (rounded to \$511,800).

This project was included in the adopted 2021 budget for all three funds.

RECOMMENDATION

The administration recommends that the City Council:

- Award the Snively Avenue Road and Utility Improvement Project to Rognlin’s Construction in the amount of \$465,260.00;
- Authorize a 10% contingency budget of \$46,540.00; and
- Authorize the City Manager to execute all project related documents, including change orders, for a not exceed a total construction project cost of \$511,800.00.

SUGGESTED MOTION

I move that the City Council:

- Award the Snively Avenue Road and Utility Improvement Project to Roglin's Construction in the amount of \$465,260.00;
- Authorize a 10% contingency budget of \$46,540.00; and
- Authorize the City Manager to execute all project related documents, including change orders, for a not exceed a total construction project cost of \$511,800.00.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council
FROM: Jill Anderson, City Manager
BY: Trent Lougheed, Public Works Director
MEETING OF: April 12, 2021
SUBJECT: Bid Award – Main Street Resurfacing Project

ISSUE

The administration recently bid the Main Street Resurfacing Project after the State Transportation Improvement Board (TIB) authorized the City to proceed with the project. Originally planned for 2020, the TIB funding for the construction of the project was delayed due to Covid-19 State budget impacts. The bids were opened on March 18, 2020 and seven (7) bids were received. The results of the bidding and a recommendation to award a contract have been prepared for the City Council’s consideration.

DISCUSSION

The City submitted an application in August 2019 to the TIB Arterial Preservation Program (APP) for Main Street. The APP was established to address declining street conditions in cities, and is intended to offer critical preservation assistance, and is therefore limited to overlay projects.

This project is intended to resurface Main Street from Market Boulevard to the BNSF railroad tracks by the process of grinding the existing pavement and inlaying with new asphalt concrete pavement. The resurfacing project includes pavement and curb ramp and sidewalk removal, new hot-mix asphalt, utility adjustments, new ADA ramps, new concrete sidewalk (some; not all are being replaced), replacing traffic signal loops, plastic striping, and traffic control.

While all of Main Street is in need of pavement restoration, APP funding restraints dictate that we complete these repairs in segments. We plan to pursue funding for the remaining section between the BNSF railroad and I-5 in the next funding cycle.

In late November 2019, the City was notified that we had been successful in our pursuit of the Arterial Preservation Grant in the amount of \$707,535 (including engineering). The total project cost was estimated at \$786,150. The difference between the total project cost and the grant amount is a local match requirement of 10%, or \$78,615. The administration proposed to provide funding for the local match from the City’s Transportation Benefit District Fund.

This project was advertised on March 4th, and bids were opened on March 18th and seven bids were received as shown in the following table:

Bidder	Amount
Barcott Construction	\$459,271.70
Clark & Sons Construction	\$540,995.00
Nova Contracting	\$542,200.00
Lee Contractors	\$567,095.00
Rognlin's Construction	\$576,330.00
AES	\$579,502.00
Granite Construction	\$705,391.05

Since Barcott Construction appears to be able to complete the job and is the lowest bidder, with a bid \$132,728.30 lower than the engineers estimate (\$592,000.00 provided by Gibbs & Olson Engineering), the Engineer (see attached letter) and the administration recommends they be awarded the contract to complete the work. TIB has also review the bid results and gave an authorization to Award on March 24th (see attached letter).

FISCAL IMPACT

The city received a TIB grant, which requires a 10% local match. Based on the low bid of \$459,271.70, the grant will pay \$413,344.53 (90%) and the City's portion of the construction costs will be \$45,927.17.

The grant match is to be funded by the Transportation Benefit District Fund.

With a recommended 10% contingency (\$45,927.17) for unanticipated change orders, the total cost would be authorized for a not-to exceed budget of \$505,198.87 (rounded to \$505,200).

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the City Council:

- Award the Main Street Resurfacing Project to Barcott Construction in the amount of \$459,271.70;
- Authorize a 10% contingency budget of \$45,928.30; and
- Authorize the City Manager to execute all project related documents, including change orders, do not exceed a total project cost of \$505,200.00.

SUGGESTED MOTION

I move that the City Council:

- Award the Main Street Resurfacing Project to Barcott Construction in the amount of \$459,271.70;
- Authorize a 10% contingency budget of \$45,928.30; and
- Authorize the City Manager to execute all project related documents, including change orders, do not exceed a total project cost of \$505,200.00.



Washington State Transportation Improvement Board

TIB Members

Chair
Councilmember Sam Low
Snohomish County

Vice Chair
Mayor Glenn Johnson
City of Pullman

Amy Asher
RiverCities Transit

Aaron Butters, P.E.
HW Lochner Inc.

Barbara Chamberlain
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City of Sumner

Sue Dreier
Pierce Transit

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Ruth Robertson
Budget Assistant of the Governor

Peter Rogalsky, P.E.
City of Richland

Councilmember Jan Schuette
City of Arlington

Jennifer Walker
Thurston County

Ashley Probart
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
Fax: 360-586-1165

March 24, 2021

Mr. Trent Lougheed
Public Works Director
City of Chehalis
2007 NE Kresky
Chehalis WA 98532

Dear Mr. Lougheed:

Based on your Updated Cost Estimate for the FY 2021 Overlay Project, TIB # 3-W-193(003)-1, your authorized TIB funds are \$537,348, which reflects a decrease of \$170,187.

You may now award the construction contract.

We would be happy to assist you with any questions. You can contact Chris Langhoff, TIB Project Engineer, at (360) 586-1157 or via e-mail at ChrisL@TIB.wa.gov.

Sincerely,

Ashley Probart
Executive Director



March 23, 2021

City Manager, T. Jill Anderson
City of Chehalis
350 North Market Blvd.
Chehalis, WA 98532

RE: Main Street Improvements – Construction Contract Award
Recommendation

City Manager Anderson:

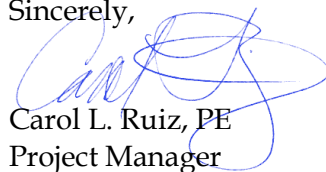
On March 18, 2021 at 10:00 am, seven bids were opened and publicly read for the above referenced project. The low bid was submitted by Barcott Construction, LLC of Chehalis, Washington in the amount of \$459,271.70. The bids ranged from \$459,271.70 to \$705,391.05. Please see the attached bidder's tabulation. The Engineer's estimate for construction was \$592,000.00.

Gibbs & Olson reviewed the bids and found that Barcott Construction, LLC correctly completed the required forms included in the Bid Package. Gibbs & Olson has verified that Barcott Construction, LLC has an active contractor's license and has no summons or complaints against them. Gibbs & Olson called two project references for Barcott Construction, LLC. These references indicated that Barcott Construction is capable of successfully completing the project.

Gibbs & Olson recommends that the City of Chehalis award a contract in the amount of \$459,271.70 to Barcott Construction, LLC of Chehalis, Washington for the Main Street Improvements project, pending TIB concurrence. We also recommend that you consult with your attorney to verify concurrence with our recommendation for the contract award.

Please contact me at your convenience if you have any questions regarding the above information or Gibbs & Olson's recommendation.

Sincerely,



Carol L. Ruiz, PE
Project Manager

Attachment: Bid Tabulation
File: 0155.1081

City of Chehalis
Main Street Improvements
Bidder's Tabulation
Bid Opening: March 18, 2021, 10:00 a.m.



Item No.	Item	Qty	Unit	Barcott		Clark & Sons		Nova Contracting		Lee Contractors		Rognlin's		AES		Granite Construction	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	1	LS	\$ 26,000.00	\$ 26,000.00	\$ 46,000.00	\$ 46,000.00	\$ 56,000.00	\$ 56,000.00	\$ 130,000.00	\$ 130,000.00	\$ 50,000.00	\$ 50,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,650.00	\$ 55,650.00
2	Project Temporary Traffic Control	1	LS	\$ 22,000.00	\$ 22,000.00	\$ 18,600.00	\$ 18,600.00	\$ 45,400.00	\$ 45,400.00	\$ 120,000.00	\$ 120,000.00	\$ 70,000.00	\$ 70,000.00	\$ 37,000.00	\$ 37,000.00	\$ 143,000.00	\$ 143,000.00
3	Removal of Structures and Obstructions	1	LS	\$ 27,000.00	\$ 27,000.00	\$ 40,371.00	\$ 40,371.00	\$ 50,000.00	\$ 50,000.00	\$ 10,000.00	\$ 10,000.00	\$ 65,000.00	\$ 65,000.00	\$ 41,000.00	\$ 41,000.00	\$ 1,400.00	\$ 1,400.00
4	Roadway Excavation Incl. Haul	210	CY	\$ 142.00	\$ 29,820.00	\$ 56.00	\$ 11,760.00	\$ 50.00	\$ 10,500.00	\$ 75.00	\$ 15,750.00	\$ 50.00	\$ 10,500.00	\$ 220.00	\$ 46,200.00	\$ 156.00	\$ 32,760.00
5	Crushed Surfacing Top Course	80	TN	\$ 20.00	\$ 1,600.00	\$ 76.00	\$ 6,080.00	\$ 70.00	\$ 5,600.00	\$ 80.00	\$ 6,400.00	\$ 100.00	\$ 8,000.00	\$ 67.00	\$ 5,360.00	\$ 24.00	\$ 1,920.00
6	Crushed Surfacing Base Course	120	TN	\$ 20.00	\$ 2,400.00	\$ 93.00	\$ 11,160.00	\$ 60.00	\$ 7,200.00	\$ 70.00	\$ 8,400.00	\$ 65.00	\$ 7,800.00	\$ 55.00	\$ 6,600.00	\$ 24.00	\$ 2,880.00
7	Planing Bituminous Pavement	10,100	SY	\$ 3.30	\$ 33,330.00	\$ 2.80	\$ 28,280.00	\$ 4.00	\$ 40,400.00	\$ 1.50	\$ 15,150.00	\$ 2.50	\$ 25,250.00	\$ 2.80	\$ 28,280.00	\$ 4.00	\$ 40,400.00
8	HMA CL. 1/2 IN. PG 58H-22	1,200	TN	\$ 121.00	\$ 145,200.00	\$ 123.00	\$ 147,600.00	\$ 130.00	\$ 156,000.00	\$ 120.00	\$ 144,000.00	\$ 145.00	\$ 174,000.00	\$ 108.00	\$ 129,600.00	\$ 161.00	\$ 193,200.00
9	Erosion Control and Water Pollution Prevention	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 5,100.00	\$ 5,100.00	\$ 325.00	\$ 325.00	\$ 5,000.00	\$ 5,000.00	\$ 800.00	\$ 800.00	\$ 3,500.00	\$ 3,500.00	\$ 2,100.00	\$ 2,100.00
10	Inlet Protection	17	EA	\$ 50.00	\$ 850.00	\$ 50.00	\$ 850.00	\$ 100.00	\$ 1,700.00	\$ 60.00	\$ 1,020.00	\$ 65.00	\$ 1,105.00	\$ 180.00	\$ 3,060.00	\$ 101.00	\$ 1,717.00
11	Cement Conc. Traffic Curb and Gutter	750	LF	\$ 35.00	\$ 26,250.00	\$ 48.50	\$ 36,375.00	\$ 40.00	\$ 30,000.00	\$ 20.00	\$ 15,000.00	\$ 30.00	\$ 22,500.00	\$ 41.00	\$ 30,750.00	\$ 32.00	\$ 24,000.00
12	Cement Conc. Pedestrian Curb	370	LF	\$ 24.00	\$ 8,880.00	\$ 42.50	\$ 15,725.00	\$ 40.00	\$ 14,800.00	\$ 20.00	\$ 7,400.00	\$ 25.00	\$ 9,250.00	\$ 43.00	\$ 15,910.00	\$ 50.00	\$ 18,500.00
13	Raised Pavement Marker Type 2	0.95	HUND	\$ 526.00	\$ 499.70	\$ 520.00	\$ 494.00	\$ 500.00	\$ 475.00	\$ 500.00	\$ 475.00	\$ 500.00	\$ 475.00	\$ 460.00	\$ 437.00	\$ 844.00	\$ 801.80
14	Adjust Monument Case and Cover	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 250.00	\$ 250.00	\$ 1,000.00	\$ 1,000.00	\$ 750.00	\$ 750.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 750.00	\$ 800.00	\$ 800.00
15	Cement Conc. Sidewalk	350	SY	\$ 68.00	\$ 23,800.00	\$ 142.00	\$ 49,700.00	\$ 50.00	\$ 17,500.00	\$ 20.00	\$ 7,000.00	\$ 115.00	\$ 40,250.00	\$ 98.00	\$ 34,300.00	\$ 95.00	\$ 33,250.00
16	Cement Conc. Curb Ramp Type Perpendicular	70	SY	\$ 143.00	\$ 10,010.00	\$ 150.00	\$ 10,500.00	\$ 100.00	\$ 7,000.00	\$ 20.00	\$ 1,400.00	\$ 110.00	\$ 7,700.00	\$ 365.00	\$ 25,550.00	\$ 245.00	\$ 17,150.00
17	Cement Conc. Curb Ramp Type Parallel	170	SY	\$ 135.00	\$ 22,950.00	\$ 150.00	\$ 25,500.00	\$ 100.00	\$ 17,000.00	\$ 20.00	\$ 3,400.00	\$ 110.00	\$ 18,700.00	\$ 245.00	\$ 41,650.00	\$ 245.00	\$ 41,650.00
18	Detectable Warning Surface	300	SF	\$ 43.00	\$ 12,900.00	\$ 25.00	\$ 7,500.00	\$ 50.00	\$ 15,000.00	\$ 20.00	\$ 6,000.00	\$ 35.00	\$ 10,500.00	\$ 30.00	\$ 9,000.00	\$ 49.00	\$ 14,700.00
19	Traffic Signal Detection Reinstallation	10	EA	\$ 2,300.00	\$ 23,000.00	\$ 4,255.00	\$ 42,550.00	\$ 3,000.00	\$ 30,000.00	\$ 4,000.00	\$ 40,000.00	\$ 2,000.00	\$ 20,000.00	\$ 3,050.00	\$ 30,500.00	\$ 4,200.00	\$ 42,000.00
20	Accessible Pedestrian Push Button	1	EA	\$ 6,300.00	\$ 6,300.00	\$ 4,370.00	\$ 4,370.00	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,600.00	\$ 5,600.00	\$ 4,300.00	\$ 4,300.00
21	Adjust Pedestrian Push Button	6	EA	\$ 630.00	\$ 3,780.00	\$ 592.00	\$ 3,552.00	\$ 600.00	\$ 3,600.00	\$ 500.00	\$ 3,000.00	\$ 600.00	\$ 3,600.00	\$ 560.00	\$ 3,360.00	\$ 577.00	\$ 3,462.00
22	Permanent Signing	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 1,100.00	\$ 1,100.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,800.00	\$ 1,800.00	\$ 3,100.00	\$ 3,100.00
23	Plastic Line	4,800	LF	\$ 2.25	\$ 10,800.00	\$ 2.30	\$ 11,040.00	\$ 2.00	\$ 9,600.00	\$ 1.50	\$ 7,200.00	\$ 2.00	\$ 9,600.00	\$ 2.05	\$ 9,840.00	\$ 1.50	\$ 7,200.00
24	Plastic Wide Lane Line	500	LF	\$ 3.00	\$ 1,500.00	\$ 2.90	\$ 1,450.00	\$ 3.00	\$ 1,500.00	\$ 1.50	\$ 750.00	\$ 2.50	\$ 1,250.00	\$ 2.56	\$ 1,280.00	\$ 2.50	\$ 1,250.00
25	Plastic Stop Line	330	LF	\$ 6.00	\$ 1,980.00	\$ 5.80	\$ 1,914.00	\$ 5.00	\$ 1,650.00	\$ 5.00	\$ 1,650.00	\$ 5.00	\$ 1,650.00	\$ 5.00	\$ 1,650.00	\$ 8.50	\$ 2,805.00
26	Plastic Crosswalk Line	1,450	SF	\$ 5.00	\$ 7,250.00	\$ 5.80	\$ 8,410.00	\$ 5.00	\$ 7,250.00	\$ 5.00	\$ 7,250.00	\$ 5.00	\$ 7,250.00	\$ 5.00	\$ 7,250.00	\$ 6.50	\$ 9,425.00
27	Plastic Bicycle Lane Symbol	17	EA	\$ 176.00	\$ 2,992.00	\$ 173.00	\$ 2,941.00	\$ 200.00	\$ 3,400.00	\$ 150.00	\$ 2,550.00	\$ 150.00	\$ 2,550.00	\$ 155.00	\$ 2,635.00	\$ 206.25	\$ 3,506.25
28	Plastic Traffic Arrow	8	EA	\$ 110.00	\$ 880.00	\$ 115.00	\$ 920.00	\$ 200.00	\$ 1,600.00	\$ 100.00	\$ 800.00	\$ 100.00	\$ 800.00	\$ 105.00	\$ 840.00	\$ 206.25	\$ 1,650.00
29	Plastic Railroad Crossing Symbol	1	EA	\$ 800.00	\$ 800.00	\$ 863.00	\$ 863.00	\$ 900.00	\$ 900.00	\$ 750.00	\$ 750.00	\$ 800.00	\$ 800.00	\$ 800.00	\$ 800.00	\$ 814.00	\$ 814.00
Schedule A Total				\$ 459,271.70		\$ 540,955.00		\$ 542,400.00		\$ 567,095.00		\$ 576,330.00		\$ 579,502.00		\$ 705,391.05	

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Trent Lougheed, Public Works Director

MEETING OF: April 12, 2021

SUBJECT: Consultant Supplemental Agreement for Engineering Services with Gibbs and Olson for the Main Street Resurfacing Project

ISSUE

The Main Street Resurfacing Project has now bid and is in the award phase. A Supplemental Agreement for construction engineering services with Gibbs and Olson for the Main Street Resurfacing Project is being presented for City Council's review and consideration.

DISCUSSION

The City Council approved Gibbs and Olson to provide the engineering (design and bid call) services for the Main Street Resurfacing Project at the January 13, 2020 Council meeting. A contract supplemental Agreement is being presented which will provide for the construction engineering services required to meet funding requirements, and all tasks necessary to complete the project.

FISCAL IMPACT

The proposed cost for the construction engineering services supplemental agreement is \$47,782 and will not be exceeded without permission from the city. The city received Transportation Improvement Board (TIB) funds for this project, and the construction engineering costs are a qualifying expense. This expense was included in the grant budget.

Based on the 10% match for this grant, the total cost to the City will be \$4,778.20. It is proposed that TBD funds be used for the local match.

RECOMMENDATION

It is recommended that the City Council approve the Supplemental Agreement for Engineering Services with Gibbs and Olson for an amount not to exceed \$47,782 for construction engineering services of the Main Street Resurfacing Project and authorize the related expenditures, including the use of TBD funds for the local match.

SUGGESTED MOTION

I move that the City Council approve the Supplemental Agreement for Engineering Services with Gibbs and Olson for an amount not to exceed \$47,782 for construction engineering services of the Main Street Resurfacing Project and authorize the related expenditures, including the use of TBD funds for the local match.



Transportation Improvement Board
Consultant Supplemental Agreement

Agency City of Chehalis

Project Number 3-W-193(003)-1

Project Name Main Street Improvements

Consulting Firm Gibbs & Olson, Inc.

Supplement Phase Supplement for Construction Phase Services

The Local Agency of City of Chehalis desires to supplement the agreement entered into with Gibbs & Olson, Inc. and executed on January 16th, 2020.

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

Section II, **SCOPE OF WORK**, is hereby amended to include the additional scope of work presented in Attachment No. 1 – Construction Phase Scope of Work.

Section IV, **TIME FOR BEGINNING AND COMPLETION**, is amended to change the Completion Date

SUPPLEMENTAL COMPLETION DATE December 31, 2021

Section V, **PAYMENT**, shall be amended as follows as set forth in Exhibit A

MAXIMUM AMOUNT PAYABLE \$137,782.00

EXHIBIT A			
	Original Agreement	Supplement	Total
Direct Salary Cost	\$30,592	\$14,840	\$45,432
Overhead (including Salary Additives)	\$48,166	\$23,129	\$71,295
Fixed Fee	\$9,177	\$4,452	\$13,629
Reimbursables	\$2,065	\$5,361	\$7,426
Subconsultant Cost	\$0	\$0	\$0
Total	\$90,000	\$47,782	\$137,782

If you concur with this supplement and agree to the changes as stated above, please sign and date in the appropriate spaces below.

Agency Signature	Date
Consultant Signature <i>Richard A. ...</i>	Date April 6, 2021

**SUPPLEMENTAL AGREEMENT
ATTACHMENT NO. 1
CONSTRUCTION PHASE SCOPE OF WORK
MAIN STREET IMPROVEMENTS
CITY OF CHEHALIS, WASHINGTON**

SCOPE OF WORK

Consultant shall provide construction phase services for the Main Street Improvements project as described below.

Construction Phase Engineering Services

During the project's construction phase, Consultant shall within the limits of the construction phase budget in Exhibit B:

- 1) Consult with and advise the Agency and provide clarification of the intent of the design plans and specifications as requested.
- 2) Consultant will provide construction staking control for use by Contractor. A maximum of four trips and 40 hours have been budgeted for construction survey. Additional survey trips and/or time will be considered out of scope work and will be billed at Consultant's standard rates on a time and materials basis.
- 3) Visits to Site and Observation of Construction. In connection with observations of the work of the Contractor(s) while it is in progress:
 - a) The Consultant shall visit the site periodically to observe the prosecution of the work and determine if such work is proceeding in accordance with the Contract Documents within the limits of the construction phase budget. Consultant shall issue necessary interpretations and clarifications of the Contract Documents and in connection therewith prepare work directive changes and change orders as required.
 - b) Provide the services of a Resident Project Representative (RPR) and any assistants to be the Consultant's agent or employee under the Consultant's supervision. RPR's onsite observation and documentation is anticipated to be approximately 60% of full-time during construction. It is anticipated the RPR will typically be onsite 2-3 days per week.
 - c) The purpose of Consultant's visits to and representation by the RPR (and assistants, if any) at the site will be to enable Consultant to better carry out the duties and responsibilities assigned to and undertaken by Consultant during the Construction Phase, and, in addition, by exercise of Consultant's efforts as an experienced and qualified design professional, to provide for the Agency a greater degree of confidence that the completed work of Contractor(s) will conform generally to the Contract Documents and that the integrity of the design concept as reflected in the Contract Documents has been implemented and preserved by Contractor(s). On the other hand, Consultant shall not, during such visits or as a result of such observations of Contractor(s)' work in progress, supervise, direct or have control over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by Contractor(s), for safety precautions and programs incident to the work of the Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes, or orders applicable to Contractor(s) furnishing and performing their work. Accordingly, Consultant can neither guarantee the performance of the

construction contracts by Contractor(s) nor assume responsibility for Contractor(s)' failure to furnish and perform their work in accordance with the Contract Documents.

- b) Shop Drawings. Consultant shall review and take appropriate action in respect of Shop Drawings, samples and other data, which Contractor(s) are required to submit for compliance with the Contract Documents. Such reviews and approvals or other action shall not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto.
 - c) Substitutes. Consultant shall evaluate and determine the acceptability of substitute materials and equipment proposed by Contractor(s).
 - d) Inspections and Tests. Consultant shall receive and review all certificates of inspections, testing and approvals required by laws, regulations, ordinances, codes, orders or the Contract Documents but only to determine generally that their content complies with the requirements of, and the results certified indicate compliance with, the Contract documents.
 - e) Applications for Payment. Based on Consultant's on-site observations as an experienced and qualified design professional, on information provided by the Resident Project Representative and on review of applications for payment and the accompanying data and schedules, Consultant shall review Contractor pay requests and make recommendations to Agency regarding payment.
 - f) Contractor(s)' Completion Documents. Consultant shall receive and review maintenance and operation instructions, schedules, guarantees, bonds and certificates of inspection, tests and approvals which are to be assembled by Contractor(s) in accordance with the Contract Documents (but such review will only be to determine that their content complies with the requirements of, and in the case of certificates, tests and approvals the results certified indicate compliance with, the Contract Documents); and shall transmit them to Agency with written comments.
 - g) Limitations of Responsibility. Consultant shall not be responsible for the acts or omissions of any Contractor, or of any subcontractor or supplier, or any of the Contractor(s)' or subcontractor's or supplier's agents or employees or any other persons (except Consultant's own employees and agents) at the site or otherwise furnishing or performing any of the Contractor(s)' work; however, nothing contained above, shall be construed to release Consultant from liability for failure to properly perform duties and responsibilities assumed by Consultant in the Contract Documents.
- 4) Prepare a set of reproducible Record Drawings showing those significant changes made during the construction process, based on the marked-up prints, drawings, testing data and other data furnished by the Contractor and Agency to Consultant.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Trent Lougheed, Public Works Director
Brandon Rakes, Airport Operations Coordinator

MEETING OF: April 12, 2021

SUBJECT: Approval to Submit Federal Aviation Administration Grant Application for Airfield Pavement Rehabilitation Project

ISSUE

The Chehalis-Centralia Airport would like to apply for and accept a Federal Aviation Administration (FAA) grant. These grant funds would be used for an Airfield Pavement Rehabilitation Project as identified in the Airport's Capital Improvement Plan with the FAA, and in the State Capital Improvement Plan with the WSDOT.

DISCUSSION

Under the Airport Improvement Program (AIP), the FAA generally pays for 90% of approved project costs, with the remaining 10% split between the state and the sponsor. However, due to federal assistance recently provided, the FAA will be paying a 100% federal share of the costs for AIP grants awarded in 2021. Therefore, for the upcoming Airfield Pavement Rehabilitation Project, the Airport's share of the project after reimbursement by the FAA would be zero dollars.

This grant requires approval by the City of Chehalis as Sponsors/Owners of the Airport for the application and acceptance of the funding.

This planned AIP project would provide maintenance to the Airport's runway and taxiways. Rehabilitation of the airfield pavements will help prevent accelerated deterioration of the pavement and reduce overall life cycle rehabilitation costs. In addition, rehabilitation of the pavements is necessary to ensure continued service and prevent the pavement's failure.

The major elements eligible under this grant include preliminary planning, design services, site preparation, and construction.

If the grant is approved by the FAA, and all indications are that it will be, the pavement rehabilitation project could potentially start late this summer.

FISCAL IMPACT

This grant would provide funding up to \$874,000 for use on the Airfield Pavement Rehabilitation Project. This amount is anticipated to cover all costs for this project, resulting in no costs to the City.

RECOMMENDATION

It is recommended the City Council:

- Approve the application;
- Authorize acceptance of the grant funds upon award;
- Authorize the City Manager to execute all documents necessary to apply for and accept the grant;
and
- Designate that these funds be used for the Airfield Pavement Rehabilitation Project.

SUGGESTED MOTION

I move that the City Council:

- Approve the application;
- Authorize acceptance of the grant funds upon award;
- Authorize the City Manager to execute all documents necessary to apply for and accept the grant;
and
- Designate that these funds be used for the Airfield Pavement Rehabilitation Project.

**CHEHALIS CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Tedd Hendershot, Fire Chief

MEETING OF: April 12, 2021

SUBJECT: Resolution No. 5-2021 and Resolution No. 6-2021 – Emergency Medical Services (EMS) Levy Renewal

ISSUE

The Emergency Medical Services (EMS) levy expires at the end of 2021. The voters approved the current EMS levy in November of 2015 at a rate of \$0.50 per \$1,000 of assessed value for a period of 6 years. This funding source is restricted for use on the provision of emergency medical services and is used to fund Fire Department operations, including personnel, equipment, and supplies.

INTRODUCTION

On February 8, 2021, the City Council directed the administration to prepare a resolution for placing the renewal of the EMS Levy on the August 3, 2021 primary election ballot. The deadline for submitting this resolution to Lewis County is May 14, 2021.

Due to the importance of this funding source, there was also a discussion about how to place this before the voters in November if it should not be approved in August. The deadline for submitting the resolution for the November 2, 2021 general election is August 3, 2021, which is the date of the primary election. Therefore, the results of the August election would not be known until after the deadline to submit a ballot measure for the November election. In order to address this conflict, the City Council directed that a second resolution be drafted to place the measure before the voters in November as a precautionary measure.

According to the Lewis County Elections Office, the City can adopt both resolutions in advance and if the measure is approved by a majority of the voters in August, the City can withdraw the resolution that applies to the November election. On the other hand, if the EMS Levy is not approved by the voters in August, the City will have met the statutory deadlines to place the measure before the voters a second time at the November election.

RESOLUTIONS

Two resolutions have been prepared for City Council consideration. The first, Resolution No. 5-2021 is the resolution to place the EMS levy on the August 3, 2021 ballot. The second, Resolution No. 6-2021, would be for the November 2, 2021 election. The only difference between the two resolutions are the dates.

Both resolutions would ask for the continuation of the existing tax authorization up to the maximum fifty cents (\$0.50) per one thousand dollars (\$1,000.00) assessed value, like the expiring levy.

The levy would be considered approved with a simple majority vote. A levy that has been previously approved by the voters requires only a simple majority vote and there are no validation requirements, meaning that a certain number of people would have to vote to make the election valid.

HISTORY OF THE EMS LEVY

The Emergency Medical Services Levy was initially approved by the citizens of Chehalis in 1989. Since that time, the EMS levy has been resubmitted and approved by the voters in 1993, 1999 (10 year), 2009, and 2015 at a rate of \$0.50 per \$1,000 of assessed value. This levy is legally restricted and can only be used for expenditures related to providing emergency medical services, including personnel, equipment, and supplies.

FISCAL IMPACT TO THE CITY

The 2021 EMS Levy is estimated to generate \$336,409 in revenue in 2021. If it is approved by the voters for another 6 years, (2022- 2027) the levy is estimated to generate \$412,165 in 2022.

<i>City of Chehalis (02)</i>	<i>Assessed Value</i>	<i>2021 EMS collection Rate</i>	<i>2021 EMS Tax Levy Revenue Estimate</i>	<i>If EMS rate Approved at .50</i>	<i>EMS Tax Levy</i>	<i>Increase (for year 2022)</i>
Total Tax	\$824,330,209	\$0.408100086988	\$336,409.23	\$0.50	\$412,165.10	\$75,755.87

If the levy renewal is not approved, the City would have to reduce Fire Department expenditures by over \$300,000 in 2022 or generate revenues in another way to make up the difference. Since the City’s ability to raise ongoing revenues is limited, maintaining the current level of emergency medical service for the community would be very difficult without the ongoing revenue associated with the levy.

The City’s 2021 Budget includes \$17,000 for election services for the scheduled election for the three at large City Council positions. It is possible that a supplemental appropriation will be needed; however, formal election cost estimates from the Lewis County Elections office will not be available until later in the year.

ESTIMATED COST TO TYPICAL PROPERTY OWNERS

If the EMS levy is renewed, the estimated increases for the average property have been calculated and provided in the chart below. It is important to note that the City only receives a portion of the property tax paid by property owners each year. In 2020, the City received just under 23%, including the EMS levy, of the property tax assessed to property owners in Lewis County. The rest is distributed to the State, County, School District, Port of Chehalis, and the Library District.

As the chart below demonstrates, the increase from 2020 to 2021 for a property with an assessed value of \$250,000 would **be just under \$23.00 a year.**

Examples for Individual Properties

	Assessed Value	2021 EMS collection Rate	2021 EMS Tax Levy	If EMS rate Increase to Max	EMS Tax Levy 2022	Increase (for year 2022)
A	\$150,000	\$0.408100086988	\$61.22	\$0.50	\$75.00	\$13.78
B	\$200,000	\$0.408100086988	\$81.62	\$0.50	\$100.00	\$18.38
C	\$250,000	\$0.408100086988	\$102.03	\$0.50	\$125.00	\$22.97
D	\$300,000	\$0.408100086988	\$122.43	\$0.50	\$150.00	\$27.57
E	\$350,000	\$0.408100086988	\$142.84	\$0.50	\$175.00	\$32.16

CURRENT STATUS

The EMS levy expires in 2021 and in order to maintain the current level of service provided by the Fire Department, the City Council is being asked to approve a resolution to place the renewal of the EMS levy on the August 3, 2021 primary election ballot. In addition, the City Council is being asked to consider a second resolution to place a measure before the voters on the ballot for the November 2, 2021 general election. Both resolutions, which are attached, set forth that the levy be renewed for a six (6) year period at a maximum rate of up to fifty cents (\$.050) per one thousand dollars (\$1,000.00) of assessed valuation by State Law.

RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 5-2021 and Resolution No. 6-2021 on first and final readings, authorizing the submission of ballot propositions for the August 3, 2021 primary election and the November 2, 2021 general election to provide Chehalis voters the opportunity to consider renewal of the existing Emergency Medical Services (EMS) Levy.

SUGGESTED MOTION

I move that the City Council adopt Resolution No. 5-2021 and Resolution No. 6-2021 on first and final readings, authorizing the submission of ballot propositions for the August 3, 2021 primary election and the November 2, 2021 general election to provide Chehalis voters the opportunity to consider renewal of the City's existing Emergency Medical Services (EMS) Levy.

Resolution No. 5-2021

**A RESOLUTION OF THE CITY OF CHEHALIS,
WASHINGTON, AUTHORIZING THE SUBMISSION
OF A BALLOT PROPOSITION FOR AN EMERGENCY
MEDICAL SERVICES LEVY TO THE
VOTERS OF CHEHALIS.**

WHEREAS, the City of Chehalis, Washington, is in need of reliable and ongoing funding for personnel and equipment related expenses for EMS (Emergency Medical Services); and

WHEREAS, the City desires to maintain and improve the level of EMS now available through the City; and

WHEREAS, RCW 84.52.069 authorizes a taxing district such as the City to collect an additional regular property tax levy for the EMS in an amount up to Fifty Cents (\$0.50) per One Thousand Dollars (\$1,000.00) of assessed value of property in the taxing district in each year for six (6) consecutive years upon obtaining voter approval as specific therein; and

WHEREAS, if such levy is authorized, the fund shall be used only for the provision of emergency medical care or emergency medical services as described in RCW 84.52.069; and

WHEREAS, it is in the public interest to seek such voter approval so that these vital services may continue; now, therefore,

THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. For the purpose of providing funds for EMS, including related personnel costs, equipment, supplies, apparatus, and structures needed for the provision of EMS, the City of Chehalis, Washington, shall levy a tax of up to Fifty Cents (\$0.50) per One Thousand Dollars (\$1,000.00) of assessed value of property in the City of Chehalis, Washington, each year for the years 2022, 2023, 2024, 2025, 2026 and 2027, with said levy to be in addition to the maximum levy provided by law, and such levy to be first collected in 2022.

Section 2. The proposition shall be submitted to the qualified electors of the City of Chehalis, Washington, for their approval at the election to be held on August 3, 2021, during the voting period provided by law.

Section 3. The ballot measure shall be in substantially the following form or as amended by the Lewis County Prosecutor to meet the ballot space needs of the Lewis County Auditor.

TAX LEVY FOR EMERGENCY MEDICAL CARE OR SERVICES

On April 12, 2021 the City of Chehalis, Washington, adopted Resolution No. 5-2021 concerning a proposition to replace an expiring levy. This proposition would authorize a levy for Emergency Medical Services (EMS) of up to Fifty Cents (\$0.50) per One Thousand Dollars (\$1,000.00) of assessed value of property with collection beginning in the year 2022 and continuing through the next five (5) years (2023 through 2027). Should this proposition be approved?

Yes _____

No _____

Section 4. The City Clerk shall be, and is hereby, authorized and directed to provide a copy of this resolution to the Lewis County Auditor on or before May 14, 2021; and to perform such duties as are necessary and required by law, to the end that the question of whether such levy shall be made as herein provided shall be submitted to the voters of the City of Chehalis, Washington, at the August 3, 2021 election.

ADOPTED by the City Council of the City of Chehalis, Washington and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof on the 12th day of April, 2021.

Dennis L. Dawes, Mayor

Attest:

City Clerk

Approves as to form and content:

City Attorney

Resolution No. 6-2021

**A RESOLUTION OF THE CITY OF CHEHALIS,
WASHINGTON, AUTHORIZING THE SUBMISSION
OF A BALLOT PROPOSITION FOR AN EMERGENCY
MEDICAL SERVICES LEVY TO THE
VOTERS OF CHEHALIS.**

WHEREAS, the City of Chehalis, Washington, is in need of reliable and ongoing funding for personnel and equipment related expenses for EMS (Emergency Medical Services); and

WHEREAS, the City desires to maintain and improve the level of EMS now available through the City; and

WHEREAS, RCW 84.52.069 authorizes a taxing district such as the City to collect an additional regular property tax levy for EMS in an amount up to Fifty Cents (\$0.50) per One Thousand Dollars (\$1,000.00) of assessed value of property in the taxing district in each year for six (6) consecutive years upon obtaining voter approval as specific therein; and

WHEREAS, if such levy is authorized, the funds shall be used only for the provision of emergency medical care or emergency medical services as described in RCW 84.52.069; and

WHEREAS, it is in the public interest to seek such voter approval so that these vital services may continue; now, therefore,

THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. For the purpose of providing funds for EMS, including related personnel costs, equipment, supplies, apparatus, and structures needed for the provision of EMS, the City of Chehalis, Washington, shall levy a tax of up to Fifty Cents (\$0.50) per One Thousand Dollars (\$1,000.00) of assessed value of property in the City of Chehalis, Washington, each year for the years 2022, 2023, 2024, 2025, 2026 and 2027, with said levy to be in addition to the maximum levy provided by law, and such levy to be first collected in 2022.

Section 2. The proposition shall be submitted to the qualified electors of the City of Chehalis, Washington, for their approval at the election to be held on November 2, 2021, during the voting period provided by law.

Section 3. The ballot measure shall be in substantially the following form or as amended by the Lewis County Prosecutor to meet the ballot space needs of the Lewis County Auditor.

TAX LEVY FOR EMERGENCY MEDICAL CARE OR SERVICES

On April 12, 2021 City of Chehalis, Washington, adopted Resolution No. 6-2021 concerning a proposition to replace an expiring levy. This proposition would authorize a levy for Emergency Medical Services (EMS) of up to Fifty Cents (\$0.50) per One Thousand Dollars (\$1,000.00) of assessed value of property with collection beginning in the year 2022 and continuing through the next five (5) years (2023 through 2027). Should this proposition be approved?

Yes _____

No _____

Section 4. The City Clerk shall be and is hereby authorized and directed to provide a copy of this resolution to the Lewis County Auditor on or before August 3, 2021; and to perform such duties as are necessary and required by law, to the end that the question of whether such levy shall be made as herein provided shall be submitted to the voters of the City of Chehalis, Washington, at the election on November 2, 2021.

ADOPTED by the City Council of the City of Chehalis, Washington and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof on the 12th day of April, 2021.

Dennis L. Dawes, Mayor

Attest:

City Clerk

Approves as to form and content:

City Attorney