1930 South Germantown Road • Germantown, Tennessee 38138-2815 Phone (901)757-7200 Fax (901)757-7292 www.germantown-tn.gov

# **Board of Mayor and Aldermen Meeting**

Monday, November 24, 2014 – 6:00 p.m. Council Chambers – Municipal Building

- 1. Call To Order
- 2. Invocation
- 3. Pledge of Allegiance
- 4. Approval of Agenda
- 5. Approval of Minutes
- 6. Recognition of Service
- 7. Youth Excellence Award
- 8. Teacher of Month
- 9. Beautification Commission Business Award
- 10. Recognition of Donation Farm Park
- 11. Citizens to be Heard

#### **BEER BOARD**

12. Beer Permit – On Premise – Maui Brick Oven – 6000 Poplar Ave., Suite 400

#### **BOARD OF MAYOR AND ALDERMEN**

- 13. Landscape Alterations and New Signage
- 14. Wolf River Blvd. Fuel Escalation Change Order
- 15. Resolution 14R18 Approval of Additional Building for Shops of Saddle Creek
- 16. Pour In place Playground at Cone Park Construction
- 17. Competitive Sealed Proposal Authorization Small Area Plan Development
- 18. CONSENT
  - a. Street Sweeping Contract Extension
  - b. Fire Truck Transmission Replacement F149
  - c. Employee Gift Cards
- 19. Special Recognitions

The City of Germantown complies with the American with Disabilities Act. Should you need accommodations for this meeting, please call 757-7200 at least 48 hours in advance of the meeting.



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

**SET AGENDA** 

### **INTRODUCTION:**

The Agenda must be set before the meeting. The Board must agree on the contents of the agenda and make changes to the agenda before the meeting begins.

### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve the agenda (as amended).

BOARD ACTION:	MOTION BY:	SECONDED BY:
DOMIND ACTION.	MOTION DT.	SECONDED D1.

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORTHY	
YES	Yes	Yes	Yes	Yes	Yes	Yes	
NO	No	No	No	No	No	No	
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

**Approval of Minutes** 

# **INTRODUCTION:**

The purpose of this agenda item is to approve the minutes of the Board of Mayor and Aldermen Meeting held November 10, 2014.

### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve the minutes of the Board of Mayor and Aldermen Meeting held November 10, 2014.

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	) OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

**November 2014 Youth Excellence Award** 

The November 2014 Youth Excellence Award winner is Mr. Max Kight, a senior at Germantown High School. He is the son of Mr. and Mrs. David Kight.

Max's nominator describes him as a mature and introspective student who has grown into a leader among his classmates. He holds many positions within the school including Varsity Tennis Captain, President of the National French Honors Society, Beta Club Executive Board Member, Sergeant of Arms for the Model United Nations Club and New Member Officer of the National Art Honors Society. Outside of school, Max serves as a leader in his church and is a leader in training for President of Young Life. He accomplishes all of this while maintaining a 4.0 un-weighted GPA and keeping up with the rigorous International Baccalaureate coursework at GHS.

In recognition of his commitment to excellence, the Germantown Education Commission is proud to present Max Kight with the Germantown Youth Excellence Award.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

**November 24, 2014** 

FROM:

Patrick J. Lawton, City Administrator & U

SUBJECT:

November 2014 Teacher of the Month

The November 2014 Teacher of the Month is Ms. Diane Morales, IB Spanish teacher at Germantown High School.

Ms. Morales is a favorite at GHS according to the 11 letters of support from students. Nominators noted her ability to build a community among students, her role as a counselor to students, endless encouragement, high standards and promptness at reporting grades. Ms. Morales teaches six sessions of IB Spanish, sponsors the National Spanish Honor Society and Knowledge Bowl Team and manages student volunteers who help translate for doctors at a local clinic, conduct a Spanish language story time at Germantown Community Library and tutor at Germantown Middle and Riverdale schools. She has grown the IB Spanish program, and this year a record 40 GHS students will be taking the IB exam. To her credit, every one of her students who have taken the exam have passed.

Ms. Morales, please accept our appreciation for your commitment to Germantown students. Your award is sponsored by 2014 Leadership Germantown Graduate Amber Abney.

PREPARED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator



REPORT TO:

THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

**SUBJECT:** 

BEAUTIFICATION COMMISSION BUSINESS AWARD

#### **INTRODUCTION:**

The purpose of this agenda item is to recognize the Baptist Memorial Rehabilitation Hospital as the recipient of the November Beautification Commission Business Award.

#### **BACKGROUND:**

The Baptist Memorial Rehabilitation Hospital located at 1240 South Germantown Road is the newest facility in Baptist healthcare system. The 60,000-square-foot building includes 49 single-occupancy rooms, a specialized dedicated stroke unit and a therapy gym. Large, private rooms are outfitted with lift equipment and have common areas for patients and families. The outdoor mobility garden on the east side of the hospital adds function as well as curb appeal making it the highlight of the property. A beautiful gazebo is situated in the center of this courtyard.

A traditional landscape design was installed to compliment the site which overlooks Nashoba Park. Lush plantings frame the building with trees and flowers incorporated into the parking areas. A diverse selection of over seventy (70) trees including clusters of southern magnolia trees flake the east, west and south corners of the property. The level of landscape detail, maintenance and care of the property demonstrates pride in their appearance and hospital's commitment to helping the City look beautiful. The Beautification Commission is appreciative of their efforts.

#### **DISCUSSION:**

Each month, a designated commission member is responsible for identifying potential award winners and making a recommendation to the Commission. The November commission designee is Sylvia Poll. Alderman Forrest Owens, Beautification Commission liaison, will present the award to LeAnn Davis, Development Director for the hospital.

#### **VISION 2020:**

In keeping with the Vision 2020 goal of Community Vitality, Goal Number 15 recognizes a Beautiful Community as one whose business development and building design is consistent within Germantown's design standards and are environmentally sensitive. It recognizes neighborhoods and businesses that are attractive, well maintained and aesthetically pleasing. This recognition program allows the Commission to acknowledge local businesses who's landscaping and property enhancement efforts have added to the beauty of the Germantown community.

Prepared by: Pam Beasley



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

**SUBJECT:** 

Recognition of Donation -Farm Park

#### **INTRODUCTION:**

The purpose of this agenda item is to recognize a donation to the Farm Park from Methodist Lebonheur Healthcare System to support community events, educational programs and training totaling \$15,000.00.

#### **BACKGROUND:**

The Farm Park provides the community with a unique space to experience and learn about sustainable living. The site is home to the very successful Germantown Community Garden Association which has produced over 8,000 lbs of the food during this season using organic growing methods. During the FY15 first quarter, the gardening organization, other community groups, and citizen volunteers have logged 1,354 volunteer hours at the Farm Park in efforts to promote healthy lifestyles and conservation of our resources. The interest and support of this project continues to grow and expand.

Community partnerships are critical to the long-term success of the Farm Park. The Methodist Lebonheur Healthcare System has demonstrated their commitment to the mission of the project through their generous donation and interest in continued involvement.

#### **DISCUSSION:**

This will be the third year of funding from this Germantown based hospital. Staff and members of the Farm Park Advisory Group have continued an ongoing relationship with key hospital executives in an effort to explore all possibilities for collaboration. Education and outreach are identified as a priority among the entire group. The cash contribution being recognized will support training, community education programs at the farm and with local schools and community special events. 2014 public events, included the "Farm Park Farmer's Market", "Grill Off in the Garden" and the "Fall Harvest Festival". These activities would not be possible without the support and generosity of the Methodist Lebonheur Healthcare System.

The additional funding support for Farm Park project allows the City to provide exceptional quality service.

Page 2 RECOGNITION OF DONATION – FARM PARK NOVEMBER 24, 2014

#### **BUDGET AND STAFFING IMPACT:**

Expected funding for this sponsorship was included in the FY15 budget adoption. No budget adjustment is necessary.

#### **VISION 2020:**

This action supports several guiding principles contained in Vision 2020 Quality of Life section stating that "parks offer choices - wide range of venues for public enjoyment"; and the C.O. Franklin Park and surrounding properties provide "a regional destination park"; the personal wellness of residents - "a healthy lifestyle promoted by activities and events" that will be available in a local agricultural setting and most notably, creating a "sense of place" where the "residents feel connected and engaged".

PREPARED BY: Pam Beasley	
Pam Beasley, Director of Parks and Recreation	
REVIEWED BY: Ralph J. Gabb	
Ralph J. Gabb, Finance Director	

#### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To recognize a donation to the Farm Park from Methodist Lebonheur Healthcare System to support community events, educational programs and training totaling \$15,000.00.

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



**REPORT TO:** 

THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator (1)

SUBJECT:

PUBLIC HEARING - BEER PERMIT APPLICATION - Maui Brick Oven. - 7850 Poplar Ave., Suite 6

### **INTRODUCTION:**

The Board will be sitting as the Beer Board.

The City has received a request from Maui Memphis Operations, LLC, for a permit to sell beer for on-premise consumption at Maui Brick Oven, located at 7850 Poplar Ave., Suite 6

#### **BACKGROUND:**

A copy of the permit application is attached along with a copy of the police department's record check of Michael Tauer the President and CE'O. According to the police report, nothing has been found to discredit the applicant.

### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve (deny) the request from Michael Tauer, the President and CEO of Maui Brick Oven Holdings, LLC, for a permit to sell beer for on-premise consumption at Maui Brick Oven at 7850 Poplar Ave., Suite 6..

**BOARD ACTION:** 

**MOTION BY:** 

**SECONDED BY:** 

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORT	HY
YES	Yes	Yes	Yes	Yes	Yes	Yes	
NO	No	No	No	No	No	No	
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE: November 24, 2014

FROM: Patrick J. Lawton, City Administrator

SUBJECT: LANDSCAPE ALTERATIONS & NEW SIGNAGE - NORTHEAST CORNER OF

GERMANTOWN'S MUNICIPAL CENTER

### **INTRODUCTION:**

The purpose of this agenda item is to consider approval of a construction contract with Barnes & Brower, Inc. in the amount of \$242, 052.00 for Landscape Alterations and New Signage at the northeast corner of Germantown's Municipal Center and approve Budget Adjustment Number 15-28.

#### **BACKGROUND:**

The location of Germantown's Municipal Center fronting on both Germantown Road and Farmington Boulevard makes it very difficult for the general public to locate City Hall and the high grade elevation and the existing landscaping add to the confusion. To correct this situation, a project was approved during the FY15 CIP Budget Process to redesign the landscaping and install new signage that will provide a clear view to City Hall and beautify the intersection and the Municipal Center's grounds.

#### **DISCUSSION:**

In order to get this project under construction in a timely manner and limit design costs, staff contracted separately with several professional disciplines including survey, electrical, structural and landscape. Once all the pertinent data was obtained, Dalhoff Thomas Design Studio, LLC was retained to compile the data and prepare specifications and drawing details for bid.

During the design phase, the project was expanded to include additional signage for Economic & Community Development, the Police Department and rain gardens. The rain gardens will not only be aesthetically pleasing but will decrease the impact of storm water runoff and provide less maintenance. In addition to the base bid, several Alternates were incorporated into the bid document including two additional rain gardens along Farmington Boulevard, one rain garden along Germantown Road near Economic & Community Development and the beautification of the two traffic signal cabinets.

The project was advertised on the City's Website and the specifications were sent to the Plan Houses on September 15, 2014. Twelve Contractors attended the Pre-Bid Meeting on September 20, 2014 and eleven Contractors picked up construction specifications and drawings. Two Contractors submitted bids with Barnes & Brower, Inc. submitting the lowest base bid of \$233,618.00.00.

Several of the alternates came in much higher than anticipated, especially Alternates 3 & 4, the rain gardens along Farmington Boulevard. The City has applied to TDOT for a storm water grant in the amount of \$30,000.00. If the City is successful, these funds can be used to offset a significant portion of the cost of these alternates at a later date. The awards are scheduled to be announced in December.

Page 2 Landscape Alterations & New Signage – Northeast Corner of Germantown's Municipal Center November 24, 2014

However, Staff believes that two of the alternates are reasonable and Staff is recommending accepting the low base bid from Barnes and Brower, Inc. and Alternate 1, the rain garden along Germantown Road near Economic & Community Development and Alternate 7, the beautification of the two traffic signal cabinets for a total cost of \$242,052.00. The bid analysis sheet is attached.

A budget adjustment is necessary to fund the project as bid due to the increase in rain garden construction costs, additional signage and the cost of Alternates 1 & 7.

#### **BUDGET AND STAFFING IMPACT:**

**Source of Funding:** 

			Line Item	<b>Budget*</b>	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditure
CIP	032-0000-400.91-10	General	Land Improv.	\$242,052.00	\$242,052.00
	GG1502	Government	_		-

<sup>\*</sup>Partial funding provided by CIP Contingency Account

Reynold Douglas and Butch Eder will serve as Project Managers.

#### **VISION 2020:**

This project supports the Financial Sustainability Goal 22 of maintaining and upgrading City facilities and the implementation of the 2005-2006 City Facility and Capital Assets Action Strategy.

#### **ATTACHMENTS:**

Bid Analysis Budget Adjustment 15-28 Photos

PREPARED BY: Butch Eder

Butch Eder, CIP Manager

**REVIEWED BY: Reynold Douglas** 

Reynold Douglas, General Services Director

**REVIEWED BY: Lisa A. Piefer** 

Lisa A. Piefer, Procurement Director

REVIEWED BY: Ralph J. Gabb

Ralph J. Gabb, Finance Director

#### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To authorize the Mayor to enter into a contract with Barnes & Brower, Inc. in the amount of \$242, 052.00 for Landscape Alterations and New Signage at the northeast corner of Germantown's Municipal Center and approve Budget Adjustment Number 15-28.

#### **BOARD ACTION: MOTION BY:**

SE	C	UN	D	ED	В	Y	:

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

WOLF RIVER BOULEVARD CONSTRUCTION - CHANGE ORDER NO. 4

#### **INTRODUCTION:**

The purpose of this agenda item is to consider approval of Change Order No. 4 in the amount of \$52,356.20 to the contract with Acuff Enterprises d.b.a. Scott Contractors increasing the contract amount from \$19,615,667.38 to 19,668.023.58 for construction of the Wolf River Boulevard Project and to approve Budget Adjustment No. 15-30.

#### **BACKGROUND:**

On January 24, 2011 the City entered into a construction contract for Wolf River Boulevard (WRB) between Kimbrough Road and Farmington Boulevard. Construction began in March of 2011. The project involved construction of approximately two (2) miles of four (4) lane median divided roadway through an environmentally sensitive area. The typical roadway cross-section included two (2) twelve (12) feet wide travel lanes in each direction, a fourteen (14) feet wide raised median landscaped with native plants, and a four (4) feet wide bike lane in each direction. Two (2) signalized intersections, two (2) vehicular bridges, nine (9) major drainage culverts and a pedestrian tunnel were included in the project. By far this was the largest public project the City had ever undertaken and was substantially completed and opened to traffic on August 20, 2013. This project was funded through Local Surface Transportation Program (STP) funds. The City has been reimbursed 80% of construction expenditures. The original construction contract was in the amount of \$18,763,430.24.

Various issues during the more than 2 ½ years of construction caused the project to go over the original contract amount. The single largest item that increased project cost was fuel escalation. Other items, such as irrigation of the medians and sod, were added to the project at the City's request after construction began. Some quantities in the contract overran, some under-ran. To date accounting of the project is summarized below:

Description	Approval Date	Amount	
Original Contract Amount	January 24, 2011	\$18,763,430.24	
Change Order No. 1	September 9, 2013	\$160,700.00	
Change Order No. 2	October 14, 2013	\$678,490.00	
Change Order No. 3	April 28, 2014	\$13,047.14	

To Date Total Approved Amount and Paid \$19,	615,667.38*

<sup>\*</sup>The City has received 80% reimbursement

Page 2 Wolf River Boulevard - Construction Change Order No. 4 November 24, 2014

#### **DISCUSSION:**

Due to the length of construction time on this project, approximately 2 ½ years, a special condition in the construction contract allowed for Fuel and Bituminous (asphalt) Adjustments to reflect the fluctuations of fuel costs over the construction period. The fuel/bituminous adjustments were paid monthly with each pay estimate. However, a recent review of the July and August 2013 pay estimates revealed errors. The July pay estimate contained math errors that resulted in underpayment to the contractor. The August 2013 pay estimate omitted fuel/bituminous adjustments altogether. As in previous pay estimates, the contractor submitted all necessary paperwork for proper payment for those months, however, our CE&I firm miscalculated the amount due the contractor. I, the City Engineer, reviewed and signed those pay estimates, so I am ultimately responsible for the underpayment to the contractor.

Staff regrets the errors and respectfully recommends approval of Change Order No. 4. This amount is 80% reimbursable. Therefore, the City's 20% share equals \$10,471.24.

#### **VISION 2020:**

This project supports the Vision 2020 objective of well planned, designed, constructed and maintained infrastructure and promotes safe and efficient mobility.

#### **ATTACHMENTS:**

- 1). Budget Adjustment No. 15-30
- 2). Pay Estimate Summary

#### **BUDGET & STAFFING:**

Source of Funding:

			Line Item	Budget**	Recommended
<b>Fund</b>	Line Item No.	Dept.	Description	Balance	Expenditure
CIP	030-0000-400.93-01	Major Roads	Other	\$52,357.00	\$52,356.20*
	MR1405		Improvements		

<sup>\*\*</sup>Funding provided by CIP Contingency Account

<sup>\*80%</sup> Reimbursable

PREPARED BY: Tim Gwaltney
Tim Gwaltney, City Engineer
REVIEWED BY: Butch Eder
Butch Eder, CIP Manager
REVIEWED BY: Lisa Piefer
Lisa Piefer, Procurement Director

REVIEWED BY: Ralph Gabb

Ralph Gabb, Finance Director

### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve Change Order No. 4 in the amount of \$52,356.20 to the Construction Contract with Acuff Enterprises d.b.a. Scott Contractors increasing the contract amount from 19,615,667.38 to 19,668.023.58 for the Wolf River Boulevard Project and to approve Budget Adjustment No. 15-30.

## **BOARD ACTION: MOTION BY:**

### **SECONDED BY:**

| YES     |
|---------|---------|---------|---------|---------|---------|---------|
| NO      |
| ABSTAIN |



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

RESOLUTION 14R18 - APPROVAL OF AN ADDITIONAL BUILDING FOR THE

SHOPS OF SADDLE CREEK

<u>INTRODUCTION:</u> The specific action requested by the Board is to approve an additional building at the Shops of Saddle Creek PUD, on the northeast corner of Poplar Ave. and West Farmington Blvd, as recommended by the Planning Commission.

BACKGROUND: The Shops of Saddle Creek shopping center was originally approved by the Planning Commission and Board of Mayor and Aldermen in 1987. The Planning Commission approved the Shops of Saddle Creek PUD on November 4, 2014, which consists of an additional 5,418 sq. ft. retail building situated in the area currently occupied by parking spaces and the Saddle Creek fountain, and the addition of 12 parking spaces along West Farmington Blvd.

<u>DISCUSSION:</u> Approval of the PUD will allow the construction of a 5,418 sq. ft., single story retail building on the corner of Poplar and West Farmington Blvd., and the reconfiguration of the parking area in the vicinity. The development is proposed as a PUD because it involves the following variances from the standard development regulations:

- 1. The proposed building is located 12 feet (at the closest point) from Poplar Ave. and West Farmington Blvd., where the standard minimum setback from both streets is 40 feet.
- 2. The proposed building is located 11 feet from the east property line, where the standard rear yard setback is 20 ft.
- 3. The plan proposes a total of 447 parking spaces, where the SC-1 district requires a minimum of 452 parking spaces for the total floor area of all buildings within the Shops of Saddle Creek center.

**BUDGET AND STAFFING IMPACT:** Approval of the PUD will not immediately affect the City's budget or time and effort commitments of City staff. The developer and their consultants will be able to file construction drawings for the actual development of the site. City staff will devote time to the review of those plans and the inspection of the construction work, which will be at least partially offset by the fees paid with the development contracts.

GERMANTOWN VISION 2020: The proposed PUD is consistent with the Germantown Vision 2020 goal for redevelopment in the heart of Germantown, including Goal 13 which supports "redevelopment and reuse of older commercial and residential buildings".

#### **ATTACHMENTS:**

- 1. Vicinity Map
- 2. Proposed Site Plan
- 3. Planning Commission Minutes
- 4. PUD Application and ownership disclosure
- 5. Letter from Design Consultant
- 6. Resolution 14R18
- 7. Building Elevation Plan, filed for Design Review Commission approval

Board of Mayor and Aldermen, November 24, 2014 Shops of Saddle Creek PUD - Page 2

Pre	pai	red	by:	Wade	Morgan	
**1		7 A		<b>~</b> 1.	CDI	

Reviewed by: Cameron Ross

Wade Morgan, Chief Planner

Cameron Ross, Director of Economic and **Community Development** 

PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:
To approve Resolution 14R18, which will allow an additional building at the Shops of Saddle Creek Planned Unit Development

VOTE/TOTAL	L MARCOM	DRINNON	PALAZZOI	O OWENS	JANDA	GOLDSWO	RTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes	
NO	No	No	No	No	No	No	
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

**SUBJECT:** 

Pour In Place Playground at Cone Park - Construction

#### **INTRODUCTION:**

The purpose of this agenda item is to consider approval of a construction contract with Miracle Recreation in the amount of \$111,557.00 for construction of turf type poured-in-place safety surface and playground structure at Cone Park.

#### **BACKGROUND:**

Cone Park is located at 8831 Poplar Pike. The Public Works Department submitted this Infrastructure Replacement Project as part of the FY15 Budget process to replace the existing wood chip safety surfacing and playground structure with a turf type poured-in-place safety surface. The existing wood chips require constant replenishment and raking due to decay and displacement. This playground structure is the original structure installed in February 1994 by Gametime and no longer meets safety standards according to ASTM.

#### **DISCUSSION:**

In the past, the City has entered into contract for poured-in-place safety surfacing through the Cooperative Purchasing Agreement. The turf type poured-in-place safety surface being installed is recommended in open areas such as Cone Park due to the amount of direct sunlight to the playground. This turf type surfacing has a heat reduction of 40 degrees compared to regular poured-in-place surfaces and meets all National Playground Safety Standards as a fall protection for playground uses. The price of \$111,557.00 includes the removal and disposal of the existing playground structure and wood chip surfacing. Two separate playground structures will be installed at this location along with a two bay arch swing. The turf type poured-in-place safety surface consists of 4" of crushed stone sub base and 4,358 square feet of poured-in-place rubberized surface with turf installed over the rubber surface. This price was obtained through the National Joint Powers Alliance (NJPA) of which the City of Germantown is a participating partner. The price through NJPA is 25% off the list price. NJPA membership provides access to competitively bid national cooperative contracts, procured by a national municipal contracting agency. These contracts leverage national volume pricing and provide NJPA members with the desired vendor choices. Procurement Staff has reviewed the contract requirements to ensure the pricing and contract terms which are acceptable.

The goal is to apply this rubberized type surface to a playground each year until all are complete. Cone playground will be out of service about four weeks while this project is completed.

### **BUDGET AND STAFFING IMPACT:**

Source of Funding:

			Line Item	Budget	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditure
IRP	010-3010-430.94-90	Public	Pour in Place	\$115,000.00	\$111,557.00
	PR1531	Works	Playground Surface		
			at Cone Park		

Robert Childs, Contract Administrator, will serve as Project Manager.

### **VISION 2020:**

ATTACHMENTS:

This contract complies with Vision 2020 as stated in Quality of Life Goal 18, Objective 7 – Parks offering choices: passive and active, variety of playground equipment, range of venues for public use and enjoyment.

Quotation	
PREPARED BY: Robert Childs	
Robert Childs, Contract Administrator	
REVIEWED BY: Bo Mills	
Bo Mills, Public Services Director	
REVIEWED BY: Lisa A. Piefer	
Lisa A. Piefer, Procurement Director	

#### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To authorize the Mayor to enter into a contract with Miracle Recreation in the amount of \$111,557.00 for the construction of turf type poured-in-place safety surface and playground structure at Cone Park.

VOTE/TOTA	L MARCOM	DRINNON	PALAZZOLO	) OWENS	JANDA	<b>GOLDSWORTHY</b>
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

SUBJECT:

COMPETITIVE SEALED PROPOSAL AUTHORIZATION – SMALL AREA PLAN DEVELOPMENT AND PUBLIC ADMINISTRATION SOFTWARE SUITE

#### **INTRODUCTION:**

The purpose of this agenda item is for the Board of Mayor and Aldermen to authorize the City to use of the competitive sealed proposal process for procuring a small area plan development and public administration software suite.

#### **BACKGROUND:**

The City of Germantown's procurement policies and practices require the use of competitive sealed bids for the purchase of most goods and services. In some cases, the competitive sealed bid process may be either impracticable or not otherwise advantageous to the City due to the complexity of certain technological products or the unique nature of certain services. In such cases, the Board may authorize the use of the competitive sealed proposal process. These cases include purchases where qualifications, experience, or competence are considered more important than just the price in the overall process. Likewise, if there is more than one solution to meet the bid or purchase requirements, a competitive sealed proposal may be used to select the best overall solution by taking into account the variety of factors. Finally, if there is no readily identifiable (or defined) solution for a proposed purchase, the competitive sealed proposal will allow the submittal of vendor or supplier solutions that may not have been fully considered by City staff.

#### **DISCUSSION:**

#### **Small Area Plan Development:**

The Economic and Community Development Department has requested the use of the Request for Proposal process to procure a consulting firm to conduct a Charrette and prepare a Small Area Plan Development. The Charrette will include public meetings, initial stakeholder reviews and concept development. The request for proposal process will provide staff the ability to review proposals, interview firms and make a selection based on key personnel, experience and cost. Therefore, staff recommends the use of this process for selecting a consulting firm for this service.

### **Public Administration Software Suite:**

Staff has requested the use of the Request for Proposal process to procure an integrated public administration software suite to be used throughout the City to manage departmental operations such as HR, Payroll, Finance, Code Enforcement, Utilities, Taxes and Work Orders. The City invested in SunGard Public Sector, Inc. during 1999 in anticipation of Y2K issues with the system in use at the time.

# COMPETITIVE SEALED PROPOSAL AUTHORIZATION – SMALL AREA PLAN & PUBLIC ADMINISTRATION SOFTWARE SUITE

November 24, 2014

The initial system was a premise based AS400 system housed in the City's data center. Since implementation the City has added modules to assist City staff in providing not only accounting services but also utility billing, payroll and purchasing. The Board approved an upgrade to the system in 2009 that brought all users under the Naviline ASP (Application Services Provider) hosted environment and included the implementation of additional module, hardware and support staff for day-to-day service as well as all aspects of maintenance upgrades in addition to disaster recovery services. Staff has been actively reviewing an upgrade to a new platform within the existing software and monies have been approved in the FY15.

In keeping with the City's procurement ordinances, a competitive process needs to be completed. Through this process, staff will be able to examine costs of the upgrade versus a new system to determine what best meets the City's needs.

#### **VISION 2020:**

The use of the competitive sealed proposal process is in keeping with the Germantown Vision 2020 goal of financial sustainability with taking the responsibility for managing resources in a prudent manner, and the goal of services delivered in the most cost effective manner with actual costs of delivering the service defined and evaluated along with services delivered in a manner consistent with our core beliefs.

### **ATTACHMENTS:**

N/A

PREPARED BY: Lisa A. Piefer
Lisa A. Piefer, Procurement Director
REVIEWED BY: Cameron Ross
Cameron Ross, ECD Director
REVIEWED BY: Tony Fischer
Tony Fischer, IT Director

### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To authorize the use of the competitive sealed proposal process to procure small area plan and public administration software suite.

VOTE/TOTA	L MARCOM	DRINNON	PALAZZOLO	O JANDA	OWENS	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

**SUBJECT:** 

**Contract Street Sweeping Extension** 

#### **INTRODUCTION:**

The purpose of this agenda item is to authorize the Mayor to enter into the second option year of the five year contract with Sweeper Corporation of America for sweeping services in an amount not to exceed \$203,106.00.

#### **BACKGROUND:**

In September of 2010, the Board approved a three year contract with two one year options for sweeping services. The final year of the three year agreement ended on October 31, 2013 and the Board of Mayor and Alderman approved the first option year of the contract on October 28 of last year. This agenda item will exercise the second option year of the contract and represents a 3% price increase from last year's agreement. The original contract was conveyed by the Board of Mayor and Alderman action to Sweeper Corporation of America on May 9, 2011 after the purchase of Simmons Sweeping Company by Sweeper Corporation of America. The sweeping services for the past two years have met all the original contract requirements.

#### **DISCUSSION:**

The contract will continue to provide contract sweeping service on a weekly basis for commercial routes, bi-weekly for high volume traffic corridors, monthly for major collector routes and six times annually for designated residential areas that are heavily wooded or potentially flood prone areas. In addition, this contract will continue city wide sweeps for a maximum of three times per year or as the seasons dictate the need. This service provides for aesthetic roadways, extended surface life of each street and the reduction of storm water inlet stoppages and pollution run off. The Storm Water Operations Budget will provide the funding for this contract.

#### **BUDGET AND STAFFING IMPACT:**

**Source of Funding:** 

			Line Item	Budget	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditure
Storm	045-4910-551.26-70	Public	Contract Street	\$203,106.00	Not to exceed
Water		Works	Maintenance		\$203,106.00

#### **VISION 2020:**

This contract supports the Vision 2020 objective for funding a well designed and well maintained streets and one of the Best Management Practices for NPDES Phase II Compliance.

#### **ATTACHMENTS:**

Renewal Agreement Letter

PREPARED BY: Bruce Tillman

Bruce Tillman, Assistant Director of Public Works

REVIEWED BY: Bo Mills

Bo Mills, Director of Public Works

REVIEWED BY: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

#### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To enter into the second option year of the five year contract with Sweeper Corporation of America for sweeping services in the amount not to exceed \$203,106.00.

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	O OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

Agenda No. 18. b



# **CITY OF GERMANTOWN**

REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

UBJECT:

FIRE TRUCK TRANSMISSION REPLACEMENT

#### INTRODUCTION:

The purpose of this agenda item is to request the Board's authorization for G & W Diesel to replace the transmission case and completely overhaul the transmission in F-149 in the amount not to exceed \$12,500.00.

#### **BACKGROUND:**

F-149 is a 2000 Spartan Aerial Platform with 7,809 operating hours which indicates approximately 468,540 miles. The transmission started leaking an excessive amount of fluid and staff determined the transmission case was possibly cracked. This repair will require the transmission case to be replaced and completely rebuilt replacing all excessively worn parts.

#### **DISCUSSION:**

The apparatus was sent to G & W Diesel, an authorized Allison transmission and Pierce Fire apparatus dealer who are very familiar with operations and engineering of all types of fire apparatus. The diagnosis required partial disassembly of the transmission to locate the exact spot of case failure. Due to the amount of operating hours and the excessive wear on some of the internal components a complete overhaul is required to bring this unit back to proper operational specifications. The transmission will have a two year unlimited miles/hour warranty.

#### **BUDGET AND STAFFING IMPACT:**

Source of Funding:

			Line Item	Budget	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditure
Internal	051-5510-481-26.01	Fleet Service	es Transmisson	\$56,500.00	\$12,500.00

#### **VISION 2020:**

This purchase supports Goal 22 Financial Sustainability by investment in maintaining and upgrading the City's facilities and infrastructure.

#### **ATTACHMENTS:**

Vendor Quote

PREPARED BY: Eddie Johnson	
Eddie Johnson, Fleet Services Manager	
REVIEWED BY: Reynold Douglas	
Reynold Douglas, General Service Director	
REVIEWED BY: Lisa A. Piefer	

Lisa Piefer, Procurement Director

# PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To authorize G & W Diesel to replace the transmission case and completely overhaul the transmission in F-149 in the amount not to exceed \$12,500.00.

| NO      |
|---------|---------|---------|---------|---------|---------|---------|
| ABSTAIN |



REPORT TO: THE BOARD OF MAYOR AND ALDERMEN

DATE:

November 24, 2014

FROM:

Patrick J. Lawton, City Administrator

**SUBJECT:** 

**EMPLOYEE GIFT CARDS** 

#### **INTRODUCTION:**

The purpose of this agenda item is to request the Board's authorization to purchase 377 \$50 gift cards from Kroger in the amount of \$18,248.50.

#### **BACKGROUND:**

The City reviews budgets each year to see if monies are available to provide for employees during the holidays. In 2010, the Board of Mayor and Alderman approved the purchase of 360 \$50 gift cards in the amount of \$17,280.00 from Kroger and Schnucks.

### **DISCUSSION:**

Procurement staff was directed to secure pricing for gift cards for full-time employees to purchase Food and/or Turkeys for the holidays. In securing the gift cards, it was determined that Kroger would be selected because of the following:

- Kroger is the only local traditional grocery store in metropolitan area.
- Kroger is common to all of the City's full-time employees who live in various locations throughout the Mid-South.

In reviewing the City's Procurement Ordinances, Procurement Staff recommends this purchase as a sole source. As a result, a sole source letter with pricing for the gift cards was requested and received from the Delta Division of Kroger, which includes the Germantown store. The City received a three percent discount of \$565.50 or \$1.50 per gift card. The sole source letter with pricing and department breakdowns are attached.

Page 2 EMPLOYEE HOLIDAY GIFT CARDS November 24, 2014

### **BUDGET AND STAFFING IMPACT:**

Source of Funding:

			Line Item	Budget	Recommended
Fund	Line Item No.	Dept.	Description	Balance	Expenditure
General Fund	See Attached	All	Wages	N/A	See attached

The City's Finance staff will distribute the actual costs to each departments wage line item. Please see attached cost breakdown.

#### **VISION 2020:**

This purchase supports the Vision 2020 City Services and Finances goal of providing service excellence to citizens by taking care of our employees.

#### **ATTACHMENTS**:

Sole source letter with pricing Department breakdown

#### PREPARED BY: Lisa A. Piefer

Lisa A. Piefer, Procurement Director

#### REVIEWED BY: Stacey Ewell

Stacey Ewell, Assistant to the City Administrator

#### REVIEWED BY: Ralph Gabb

Ralph Gabb, Finance Director

### PROPOSED MOTION(S), RESOLUTION(S), OTHER ACTION:

To approve the purchase of 377 \$50 gift cards from Kroger in the amount of \$18,248.50.

### **BOARD ACTION: MOTION BY:**

VOTE/TOTAL	MARCOM	DRINNON	PALAZZOLO	OWENS	JANDA	GOLDSWORTHY
YES	Yes	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

**SECONDED BY:**