

AGENDA
SHAWNEE MUNICIPAL AUTHORITY
July 6, 2015 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

All motions will be made in the affirmative. The fact that a commissioner makes or offers a second to a motion does not mean that the commissioner must vote in favor of passage.

1. Consider approval of Consent Agenda:
 - a. Minutes from the June 15, 2015 meeting.
 - b. Approve renewal of Sanitary Sewer Rehab Project Contract, Contract No. SMA-15-01, with Jordan Contractors, Inc.
 - c. Accept Public Works Backup Generator Project, Contract No. SMA-15-04, and place Maintenance Bonds into effect.

2. New Business

(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

3. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

Shawnee Municipal Authority

1. a.

Meeting Date: 07/06/2015

SMA minutes 06/15/15

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the June 15, 2015 meeting.

Attachments

SMA minutes 06/15/15

THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN REGULAR SCHEDULED SESSION IN THE COMMISSION CHAMBERS AT CITY HALL, 9TH AND BROADWAY, SHAWNEE, OKLAHOMA, MONDAY, JUNE 15, 2015, DURING THE BOARD OF CITY COMMISSIONERS MEETING AT 6:30 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. UPON ROLL CALL, A QUORUM WAS DECLARED WITH THE FOLLOWING MEMBERS IN ATTENDANCE:

PRESENT: Agee, Harrod, Mainord, Hall, Shaw, Dykstra

ABSENT: None

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1: Consider approval of Consent Agenda

a. Minutes from the June 1, 2015 meeting.

A motion was made by Trustee Harrod, seconded by Trustee Shaw, to approve Consent Agenda item No. 1(a). Motion carried 4-0.

AYE: Harrod, Shaw, Agee, Mainord

NAY: None

AGENDA ITEM NO. 2: Consider Bids:

a. Raw Water Valve Motor Operator for Twin Lakes 1, Twin Lakes 2 and Wes Watkins, Contract No. SMA-15-06 (Award)

Steve Nelms, Utility Director, announced that three bids were received and after review and consideration it was staff's recommendation to award the bid to Ruby Box & Associates Inc. of Norman, Oklahoma in the total amount of \$68,700.00.

A motion was made by Trustee Harrod, seconded by Trustee Shaw, to accept staff's recommendation and award the bid to Ruby Box & Associates Inc. in the total amount of \$68,700.00. Motion carried 4-0.

AYE: Harrod, Shaw, Agee, Mainord

NAY: None

AGENDA ITEM NO. 3:

New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 4:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:47 p.m.)

WES MAINORD
CHAIRMAN

ATTEST:

PHYLLIS LOFTIS, CMC, SECRETARY

Shawnee Municipal Authority

1. b.

Meeting Date: 07/06/2015

sewer rehab renewal

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Approve renewal of Sanitary Sewer Rehab Project Contract, Contract No. SMA-15-01, with Jordan Contractors, Inc.

Attachments

sewer rehab memo

sewer rehab contract

Steve Nelms
Utility Director
405-273-1960

Lyndsay Pickens
Administrative Assistant
Phone: 405-273-1960
Fax: 405-878-1550

Mayor
WES MAINORD



111 S. Kickapoo, Shawnee, OK 74801

Brad Schmidt
Deputy Director
405-878-1513

Commissioners
Ward 1 Vacant
Linda Agee
James Harrod
Keith Hall
Lesha Shaw
Micheal Dykstra

M E M O R A N D U M

To: Justin Erickson, City Manager.
From: Steve Nelms, Utility Director
CC: Mayor, and City Commission. Cindy Sementelli, Finance Director
Date: 7/06/2015
Re: Re-Award Annual Sewer Rehab Maintenance Contract to Jordan Contractor

Nature of the Request: Staff is respectfully requesting authorization from the city commission to extend, and re-award the annual sanitary sewer rehab maintenance contract SMA-15-01 to Jordan Contractors. The sanitary sewer rehab is an annual maintenance contract with the option of being extended if agreed to by contractor and owner. (See attached contract) If approved by the city commission staff will increase the current quantities of the contract an estimated twelve to fifteen thousand linear feet.

Staff Analysis, Considerations: Staff is pleased with the work Jordan Contractors has completed thus far, and believes the current contract prices are competitive. Jordan Contractors has agreed to extend the current contract with the current quantities pricing.

Recommendation: Staff is respectfully requesting that the city commission approve the request.

Budget Consideration:

Budgeted Amount: \$1,000,000
Estimated Cost: \$980,000

CONSTRUCTION AGREEMENT

THIS AGREEMENT, made this 15th day of September, 2014.

by and between THE SHAWNEE MUNICIPAL AUTHORITY/CITY OF SHAWNEE BENEFICIARY
_____, (name of owner or individual)
Hereinafter called

"OWNER" and, Jordan Contractors, Inc., doing business as an
(contractor name)

individual, or a partnership, or a corporation hereinafter called "CONTRACTOR":

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the following:

**CONTRACT NO. SMA-15-01
SANITARY SEWER REHAB PROJECT
(VARIOUS LOCATIONS)**

2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the project described herein.
3. The CONTRACTOR agrees that the work under the terms of this contract is an annual maintenance contract for the items of work let for bids, and that the contract may be extended for one additional year period if agreed upon by both the CONTRACTOR and the OWNER. Maintenance work governed by this contract will occur at various locations throughout the City of Shawnee as directed by the Engineer, and once CONTRACTOR is directed to perform a task at a specified location, then, he/she shall have two weeks to schedule the activity accordingly and is expected to be onsite within two weeks of notification to initiate the repair work.
4. The CONTRACTOR agrees to perform all of the work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$ 908,790.00 or as shown in the Bid Schedule.

The term "CONTRACT DOCUMENTS" means and includes the following:

- A. Notice to Bidders
- B. Information to Bidders
- C. Bid form and Schedule
- D. Bid Bond
- E. Construction Agreement
- F. Performance Bond
- G. Statutory Bond
- H. Maintenance Bond
- I. Drawings prepared by Shawnee Municipal Authority/City of Shawnee Beneficiary.
- J. Specifications prepared or issued by Shawnee Municipal Authority/City of Shawnee

Beneficiary.

K. Addenda No. _____ Dated _____

5. The OWNER will pay the CONTRACTOR in partial payments as work is performed with final payment to be made upon the acceptance of the project by the Board of Trustees of the Shawnee Municipal Authority/City of Shawnee Beneficiary or Board of Commissioners of the City of Shawnee.
6. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns. IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in three (3) copies each of which shall be deemed an original on the date first above written.

OWNER:

SHAWNEE MUNICIPAL AUTHORITY/
CITY OF SHAWNEE, BENEFICIARY



PHYLLIS LOFTIS, SECRETARY

BY

NAME

TITLE

BRIAN E. MCDUGAL

GENERAL MANAGER

(SEAL)

ATTEST:

BY

NAME

TITLE

Sheila Jordan

(typed)

Treasurer

(Secretary/Treasurer)

CONTRACTOR:

Jordan Contractors, INC.

(name of firm)

BY

NAME

TITLE

Jimmy N. Jordan

(typed)

President

(President/Vice President)

ADDRESS

123 S. Broadway St.

Tecumseh, OK 74873

Shawnee Municipal Authority

1. c.

Meeting Date: 07/06/2015

SMA generator bond

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Accept Public Works Backup Generator Project, Contract No. SMA-15-04, and place Maintenance Bonds into effect.

Attachments

gen bond memo

gen bond

Steve Nelms
Utility Director
405-273-1960

Lyndsay Pickens
Administrative Assistant
Phone: 405-273-1960
Fax: 405-878-1550

Mayor
WES MAINORD



111 S. Kickapoo, Shawnee, OK 74801

Brad Schmidt
Deputy Director
405-878-1513

Commissioners
Ward 1 Vacant
Linda Agee
James Harrod
Keith Hall
Lesha Shaw
Micheal Dykstra

M E M O R A N D U M

To: Justin Erickson, City Manager.
From: Steve Nelms, Utility Director
CC: Mayor, and City Commission. Cindy Sementelli, Finance Director
Date: 7/6/2015
Re: Project SMA-15-04 Maintenance Bond

Nature of the Request: Staff is requesting that the City Commission accept one maintenance bond, and place it into effect.

1. P.W Backup Generator Project SMA-15-04.

Staff Analysis, Considerations: This Project was completed as of June 17, 2015. City staff, and Smith, Roberts Baldischwiler Engineers met, and completed the final inspection on June 17th. Staff is pleased with the project.

Recommendation: Staff respectfully recommends that the City Commission accept the project, and place the maintenance bond in to effect. If there is a problem with any of this project the acceptance of the maintenance bonds will alleviate and offset the repair cost, 100% of the cost will be covered with in the 1st year and 10% of the total project cost will be covered with in the 2nd year of the maintenance bond.

Budget Consideration:

Budgeted Cost: \$150,000
Actual Cost: \$83,864

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS: we, the undersigned
All Phase Electric, Inc as Principal, and
National American Insurance Company a corporation organized
under the laws of the State Oklahoma and authorized to transact business
in the State of Oklahoma, as Surety, are hereby held and firmly bound unto the
SHAWNEE MUNICIPAL AUTHORITY/CITY OF SHAWNEE, BENEFICIARY,
SHAWNEE, OKLAHOMA, as OWNER
in the penal sum of Seventy Eight Thousand Six Hundred and Sixty-Four Dollars and
No Cents (\$78,664.00) for the payment of which,
well and truly to be made, we hereby jointly and severally bind ourselves,
successors and assigns, by these presents.

The condition of this obligation is such that:

WHEREAS, said Principal entered into a written CONTRACT with the SHAWNEE
MUNICIPAL AUTHORITY/CITY OF SHAWNEE, BENEFICIARY, SHAWNEE,
OKLAHOMA, dated March 3rd, 2015, for CONTRACT NO. SMA-15-04, EMERGENCY
GENERATOR PROJECTS.
all in compliance with the plans and specifications therefore, made a part of said
CONTRACT and on file in the office of the City Clerk, City of Shawnee, 16 W. 9th Street, P.
O. Box 1448, Shawnee, OK, 74802-1448.

NOW, THEREFORE, if said Principal shall pay or cause to be paid to the Shawnee Municipal
Authority/City of Shawnee, Beneficiary all damages, loss, and expense which may result by
reason of defective materials and/or workmanship in connection with said work, occurring
within a period of **two (2) years (one hundred percent (100%) for first year, then ten
percent (10%) for each year thereafter, of total contract price for all projects for the
construction of utilities)** from and after acceptance of said project by Shawnee Municipal
Authority/City of Shawnee, Beneficiary; and if Principal shall pay or cause to be paid all labor
and materials, including the prime contractor and all subcontractors; and if principal shall save
and hold Shawnee Municipal Authority/City of Shawnee, Beneficiary harmless from all
damages, loss and expense occasioned by or resulting from any failure whatsoever of said
Principal, then this obligation shall be null and void, otherwise to be and remain in full force
and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations
in said Contract and no deviations from the plan or mode of procedure herein fixed shall have
the effect of releasing the sureties, or any of them, from the obligations of this BOND.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in his
name and its corporate seal to be hereunto affixed by its duly authorized officers, and the said
Surety has caused these presents to be executed in its name and its corporate seal to be hereunto
affixed by its attorney-in-fact, duly authorized so to do.

Signed, this 6th day of March, 2015.

ATTEST:

Cathy A. [Signature]
Secretary

Seal (If Corporation)

[Signature]
Witness (To Principal)

ATTEST:

[Signature]
Secretary (Surety)

Seal

Diana Plachemey
Witness (To Surety)
1010 Marvel Avenue
Chandler, OK 74834
Address

[Signature]
Principal
901 N Hobson Shawnee, OK
Address

1010 Marvel Avenue
Chandler, OK 74834

Address

National American Insurance Company

Surety

[Signature]
Barbara M. Paske Attorney-in-fact
1010 Marvel Avenue Chandler, OK 74834
Address

NOTE:

Date of BOND must not be prior to date of Contract. If
CONTRACTOR is Partnership, all partners should execute BOND.

IMPORTANT:

Surety companies executing BONDS must appear on the Treasury
Department's most current list (Circular 570 as amended) and be
authorized to transact business in the state where the PROJECT is
located.