"Cedar Rapids is a vibrant urban hometown – a beacon for people and businesses invested in building a greater community now and for the next generation."

NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, May 10, 2016 at 12:00 PM in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices*.)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations
  - ❖ Proclamation – Xavier Boys Basketball Team Day (Ryan Luerhsmann)
  - ❖ Proclamation – Building Safety Month (Kevin Ciabatti)
  - ❖ Presentation – Redesigned City Website (Nic Roberts)

PUBLIC HEARINGS

1. A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to the property described as an 80-foot wide strip of excess City-owned right-of-way described as D Avenue NE northeasterly from College Drive NE and 14th Street NE between E Avenue NE and D Avenue NE as requested by Coe College (Rita Rasmussen). CIP/DID #ROWV-022497-2016

   a. First Reading: Ordinance vacating public ways and grounds described as an 80-foot wide strip of excess City-owned right-of-way described as D Avenue NE northeasterly from College Drive NE and 14th Street NE between E Avenue NE and D Avenue NE as requested by Coe College.

2. A public hearing will be held to consider granting a change of zone for property at 420, 470 and 550 French Court SW from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District, as requested by Caledonia Haulers, Inc. (Johnny Alcivar). CIP/DID #RZNE-022848-2016

   a. First Reading: Ordinance granting a change of zone for property at 420, 470 and 550 French Court SW from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District, as requested by Caledonia Haulers, Inc.

3. A public hearing will be held to consider granting a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District, to R-3D, Two Family Zone District as requested by Abode Construction, Inc. and Phyllis M. Rausch (Dave Houg). CIP/DID #RZNE-022776-2016

   a. First Reading: Ordinance granting a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District, to R-3D, Two Family Zone District for as requested by Abode Construction, Inc. and Phyllis M. Rausch.

4. A public hearing will be held to consider granting a change of zone for property at 1004 11th Street NE from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District for as requested by David J. and Teresa M. Wilford (Dave Houg). CIP/DID #RZNE-022654-2016

   a. First Reading: Ordinance granting a change of zone for property at 1004 11th Street NE from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District for as requested by David J. and Teresa M. Wilford.

5. A public hearing will be held to consider amending Chapter 37 of the Municipal Code, Fire Code, by repealing Section 37.1 therefrom and enacting in lieu thereof a new Section 37.1 regarding the adoption of the International Fire Code, 2015 edition as amended (Chief Mark English). CIP/DID #BSD006-15

   a. First Reading: Ordinance amending Chapter 37 of the Municipal Code, Fire Code, by repealing Section 37.1 therefrom and enacting in lieu thereof a new Section 37.1 regarding the adoption of the International Fire Code, 2015 edition as amended.

6. A public hearing will be held to consider the Resolution of Necessity (Proposed) for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project (Doug Wilson). **(Paving for Progress)** CIP/DID #3012127-00

   a. Resolution with respect to the adoption of the Resolution of Necessity (Proposed) for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project.

7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the McCarthy Road SE from west of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project (estimated cost is $1,048,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012131-03

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the McCarthy Road SE from west of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project.

8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project (estimated cost is $265,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #305130-02

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project.

9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants, Valves and Blow Off Completes FY17 project (estimated cost is $84,380) (Steve Hershner). CIP/DID #2017037-01

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants, Valves, and Blow Off Completes FY17 project.

PUBLIC COMMENT

This is an opportunity for the public to address the City Council on any subject pertaining to Council action scheduled for today. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.

MOTION TO APPROVE AGENDA

CONSENT AGENDA

These are routine items, some of which are old business and some of which are new business. They will be approved by one motion without individual discussion unless Council requests that an item be removed for separate consideration.

10. Motion to approve minutes.

11. Resolution of Support for the Parks and Recreation Department to submit a letter to the Iowa Department of Natural Resources requesting assistance with the 2016 goose roundup including the processing of captured adult geese. CIP/DID #PKS007-16

12. Resolution of Support for Workforce Housing Tax Credits with Rowell Hardware Development, LLC for the renovation of the former Rowell Hardware building at 120 3rd Avenue SW and providing local match funds under the City's Historic Preservation Economic Development program. CIP/DID #OB803706

13. Resolution waiving objection to proposed annexation for properties on the north side of East Robins Road and west of Alburnett Road as requested by the City of Marion. CIP/DID #ANNX-022891-2016

14. Resolution authorizing the establishment of an advisory group for the Mount Vernon Road Corridor Action Plan. CIP/DID #CD-0018-2016

15. Resolution authorizing the use of four internal streets within the Westdale project area as approved lot street frontage. CIP/DID #ASDP-008018-2014

16. Preliminary Resolution for the construction of sidewalk improvements and the removal and replacement of bituminous fiber (Orangeburg) sanitary sewer services for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012008-00

17. Resolution referring to the Linn County Compensation Commission for the total acquisition of property located at 65 20th Avenue SW, owned by Maria L. Ortega, in connection with the Cedar Rapids Flood Control System project. CIP/DID #3313200-00

18. Resolution establishing "No Parking Anytime" on the north side of 5th Avenue SE from 150 feet east of 10th Street SE to 250 feet east of 10th Street SE. CIP/DID #PARK-022970-2016

19. Resolution to adopt the revised Procurement Manual. CIP/DID #OB341805

20. Resolution granting a second 30-day extension through June 8, 2016, for the Going Out of Business License issued to Cellar Door, 2900 1st Avenue NE. CIP/DID #BUS002432-03-2016

21. Resolution authorizing a Database Analyst to attend Oracle University Database Administration Workshop in Schaumburg, IL from May 15 – 20, 2016 for an estimated total amount of $5,207.66. CIP/DID #IT2016-006

22. Resolution authorizing the Civil Rights Commission Executive Director to participate in the Certified Public Management Program on a monthly basis in Des Moines, IA from July 2016 – December 2018 for an estimated total amount of $5,874. CIP/DID #CVR-2016-05BTR

23. Resolution approving the Business Travel Report for Utilities Director to attend the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference in Denver, Co in July 2016 for an estimated amount of $3,100. CIP/DID #WTR#051016-002

24. Motions setting public hearing dates for:
    a. May 24, 2016 – to consider the Fiscal Year 2016 Budget Amendment. CIP/DID #FIN2016-17
    b. May 24, 2016 – to consider amending Chapter 42 of the Municipal Code, Pushcarts, Peddlers, Solicitors And Transient Merchants, to create a Mobile Food Vending subsection, Chapter 42A, with specific regulations applicable to mobile food vendors. CIP/DID #ZONE-0005-2016
    c. May 24, 2016 – to consider amending Chapter 63 of the Municipal Code by deleting subsection (e) of 63.10A and enacting a new subsection (e) of Section 63.10A in its place allowing the hunting of waterfowl on certain private, undeveloped lands within the city limits under appropriate circumstances, and correcting a scrivener's error. CIP/DID #PKS006-16
    d. May 24, 2016 – to consider granting a change of zone for property at 1400 and 1412 6th Street SW from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by George Elossais. CIP/DID #RZNE-022874-2016
    e. May 24, 2016 – to consider granting a change of zone for property between 1721 and 1803 2nd Street SW from R-3, Single Family Residence Zone District, to R-TN, Traditional Neighborhood Residence Zone District as requested by Scallon Custom Homes, LLC. CIP/DID #RZNE-022098-2015
    f. May 24, 2016 – to consider the disposition of excess City-owned properties located at 2335 16th Street NW, 110 6th Street SW, 112 6th Street SW, 221 4th Avenue SW, 511 2nd Street SW and 0 Vacant Lot SW (GPN 142835100800000) acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for participation in the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257

25. Motions setting public hearing dates, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by publishing notice to bidders, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
    a. May 24, 2016 – 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project, with bid opening May 25, 2016 (estimated cost is $1,330,000). **(Paving for Progress)** CIP/DID #3012126-02
    b. May 24, 2016 – Curb Ramp Repair Project – NW Bid Package No. 2 project, with bid opening June 1, 2016 (estimated cost $929,950). CIP/DID #3016016-05
    c. May 24, 2016 – West Post Road NW from Gordon Avenue NW to Plainview Drive NW Roadway Reconstruction project, with bid opening June 1, 2016 (estimated cost is $1,524,000). **(Paving for Progress)** CIP/DID #3012120-05
    d. May 24, 2016 – FY 2016 Curb Repair Project, with bid opening June 8, 2016 (estimated cost is $305,000). **(Paving for Progress)** CIP/DID #301998-08
    e. May 24, 2016 – Parks and Recreation ADA Facility Improvements project, with bid opening June 14, 2016 (estimate of cost is $653,000). CIP/DID #307303-01
    f. May 24, 2016 – Parks and Recreation ADA Site Improvements project, with bid opening June 14, 2016 (estimate of cost is $1,623,911). CIP/DID #307303-02

26. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
    a. Avacentre – Cedar Rapids, 2121 Bowling Street SW.
    b. Beaver Creek Saloon, 1010 2nd Avenue SW.
    c. Blind Pig, 3325 Center Point Road NE.
    d. Cancun Mexican Grill & Bar, 365 33rd Avenue SW.
    e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre – Cedar Rapids, 475 1st Street SE, on May 20, 2016).
    f. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre – Cedar Rapids, 475 1st Street SE, on May 27, 2016).
    g. Cedar Rapids Moose Lodge #304, 1820 West Post Road SW.
    h. Chrome Horse, 1140 Blairs Ferry Road NE (5-day permit for an event on May 26, 2016 at McGrath Motor Sports, 4645 Center Point Road NE).
    i. Chrome Horse, 1140 Blairs Ferry Road NE (additional outdoor service area for an event on May 27-29, 2016).
    j. Chrome Horse, 1140 Blairs Ferry Road NE (additional outdoor service area for an event on May 19-22, 2016).
    k. Elmcrest Country Club, 1000 36th Street NE.
    l. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Coliseum, 50 2nd Avenue Bridge, on May 21, 2016).
    m. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Armory, 50 2nd Avenue Bridge, on May 14, 2016).
    n. Java Creek Cafe, 588 Boyson Road NE.
    o. JM O'Malley's, 1502 H Avenue NE (outdoor service for an event on June 16-19, 2016).
    p. Mount Mercy University, 1330 Elmhurst Drive NE.
    q. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on May 20, 2016).
    r. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on May 27, 2016).
    s. Olive Garden, 367 Collins Road NE.
    t. Phong Lan Vietnamese Restaurant, 216 8th Street SE.
    u. Red Baron Bar & Dance Club, 62 16th Avenue SW.
    v. Red Lion Lounge, 3970 Center Point Road NE.
    w. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE.
    x. St. Ludmila Catholic Church, 211 21st Avenue SW (5-day beer permit for an event on June 9-11, 2016).
    y. Tobacco Outlet Plus #520, 124 Collins Road NE.
    z. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 19-21, 2016).
    aa. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 26-28, 2016).
    ab. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 12-14, 2016).
    ac. US Cellular Center, 370 1st Avenue NE.
    ad. Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event June 9-11, 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).

27. Resolutions approving:
    a. Payment of bills. CIP/DID #FIN2016-01
    b. Payroll. CIP/DID #FIN2016-02

28. Resolutions appointing and thanking the following individuals:
    a. Appointing Ben Rogers (effective through December 31, 2016) to the Safe, Equitable and Thriving (S.E.T.) Communities Task Force. CIP/DID #CM003-16
    b. Vote of thanks to Linda Langston for serving on the Safe, Equitable and Thriving (S.E.T.) Communities Task Force. CIP/DID #CM003-16

29. Resolutions approving assessment actions:
    a. Intent to assess – Water Division – delinquent municipal utility bills – 29 properties. CIP/DID #WTR051016-001
    b. Intent to assess – Solid Waste & Recycling – clean-up costs – seven properties. CIP/DID #SWM-004-16

30. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
    a. Sanitary sewer in Wexford Heights First Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount $279,178.90. CIP/DID #FLPT 016051-2015
    b. Storm sewer in Wexford Heights First Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of $332,968.80. CIP/DID #FLPT-016051-2015
    c. Portland Cement Concrete in Wexford Heights First Addition and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of $225,000. CIP/DID #FLPT-016051-2015

31. Resolutions approving final plats:
    a. Imperial Acres First Addition for land located at 2901 Old River Road SW. CIP/DID #FLPT-022775-2016
    b. Jackpine First Addition to Cedar Rapids, Linn County, Iowa for land located at 4401 Bowling Street SW. CIP/DID #FLPT-022561-2016
    c. Menards First Addition to Cedar Rapids, Linn County, Iowa for land located at 2800 Wiley Boulevard SW. CIP/DID #FLPT-022608-2016

32. Resolutions authorizing execution of Amendments No. 1 to Development Agreements with Jim Sattler, Inc. for properties participating in the fourth round of the Single Family New Construction program. **(Flood)** CIP/DID #OB540257
    a. 6001 Ridgewood Meadows Lane NE.
    b. 6300 Ridgewood Meadows Lane NE.
    c. 6318 Ridgewood Meadows Lane NE.
    d. 8615 Flatbush Court NE.
    e. 8621 Flatbush Court NE.
    f. 8627 Flatbush Court NE.
    g. 8703 Flatbush Court NE.
    h. 9407 Grand Oaks Drive NE.
    i. 9413 Grand Oaks Drive NE.
    j. 9425 Grand Oaks Drive NE.
    k. 9426 Grand Oaks Drive NE.
    l. 9500 Grand Oaks Drive NE.

33. Resolutions approving actions regarding purchases, contracts and agreements:

a. Amendment No. 2 to the Contract with Recreation Accessibility Consultants, LLC for ADA Compliance Consulting and ILA Services for the City Manager's Office to add additional services to the scope for an amount not to exceed $66,515.50 (original contract amount was $935,120; total contract amount with this amendment is $1,001,635.50). CIP/DID #PUR0415-212

b. Agreement authorizing RSM US LLP to perform annual audits for the fiscal years ending June 30, 2016, 2017, 2018, 2019 and 2020 in the amount of $429,745 and $2,900 for FY2016, $2,900 for FY2017, $3,100 for FY2018, $3,100 for FY2019 and FY2020 and $3,100 per additional major program audits above four major program audits. CIP/DID #PUR0216-156

c. Purchase of National Flood Insurance Program coverage through Selective Insurance Company of America for a one-year period for an amount not to exceed $150,000. CIP/DID #FIN2016-19

d. Contract with Pierce Manufacturing for the purchase of one Velocity Heavy Rescue Truck for the Fire Department in the amount of $722,783.00. CIP/DID #FIR0510-0012

e. Amendment No. 2 to the Contract with Ament Design for Design Services for ADA Compliance at the Cedar Rapids Ice Arena to extend the contract and reflect the additional cost to increase the scope for an amount not to exceed $23,500 (original contract amount was $29,750; total contract amount with this amendment is $53,250). CIP/DID #PUR0715-010

f. Contract with Cedar Service Company for Roofing Services for Facilities Maintenance Services for two years for an annual amount not to exceed $70,000. CIP/DID #PUR0416-175

g. Amendment No. 2 to the contract for Palo Alto Firewalls with Torus Technologies, Inc for the Information Technology Department to add an additional firewall to the contract and to reflect the additional cost for an amount not to exceed $21,967 (original contract amount was $168,030; total contract amount with this amendment is $207,598). CIP/DID #1214-133

h. Contract with Traffic Control Corporation for the Traffic Signal System Software and Controller project for the Traffic Engineering Division for an amount not to exceed $736,044. CIP/DID #PUR0216-154

i. Traffic Engineering Division purchase of 70 Axis PTZ Cameras from Electronic Technology Inc. in the amount of $189,350. CIP/DID #PUR1215-116

j. Amendment No. 6 to the contract with Pro-West & Associates, Inc. for GIS One-Call Utility Locate System for various City departments to extend contract and reflect additional maintenance and support services for an amount not to exceed $10,000 (original contract amount was $43,000; total contract amount with this amendment is $80,050). CIP/DID #1209-125

k. Amendment No. 1 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed $49,149 for professional services in connection with the 1st Avenue E from 27th Street to 40th Street Pavement Rehabilitation, Infrastructure and Trail Improvements Final Design Services project (original contract amount was $420,445; total contract amount with this amendment is $469,594). **(Paving for Progress)** CIP/DID #301240-05

l. Amendment No. 3 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed $189,348 for consulting services in connection with the Cedar Rapids Flood Mitigation System – West Side Phase 1 Consulting Services project (original contract amount was $3,409,543; total contract amount with this amendment is $5,216,350). CIP/DID #331001-01

m. Amendment No. 1 to the Professional Services Agreement with Stanley Consultants, Inc. specifying an increased amount not to exceed $3,714,764 for consulting services in connection with the Cedar Rapids Flood Mitigation System – East Side Phase 1 Consulting Services project (original contract amount was $3,959,599; total contract amount with this amendment is $7,674,363). CIP/DID #331001-02

n. Awarding and approving contract in the amount of $5,950,000 plus Alternate Bid of $0, bond and insurance of Williams Brothers Construction, Inc. for the NewBo/Parking Lot 44 Pump Station at 10th AVE SE project (estimated cost is $7,000,000). CIP/DID #3316510-10

o. Change Order No. 1 in the amount of $5,112.44 with Eastern Iowa Excavating & Concrete, LLC for the 1st Avenue East & 12th Street SE Sidewalk and Curb Repair project (original contract amount was $40,483.00; total contract amount with this amendment is $44,095.44). CIP/DID #301937-00

p. Purchase Agreement in the amount of $8,500 and accepting an Easement for Retaining Wall and a Temporary Grading Easement for construction from Dorothy Beardsley from land located at 1600 11th Street NW in connection with the O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard. **(Paving for Progress)** CIP/DID #3012121-00

q. Purchase Agreement in the amount of $2,200 and accepting an Easement for Retaining Wall and a Temporary Grading Easement for Construction from Kevin Rolfs from land located at 1326 O Avenue NW in connection with the O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard. **(Paving for Progress)** CIP/DID #3012121-00

r. Purchase Agreement in the amount of $2,501 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for construction from the Cedar Rapids Community School District from land located at 4343 Marilyn Drive NE in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project. **(Paving for Progress)** CIP/DID #3012092-00

s. Total Real Estate Acquisition Purchase Agreement in the amount of $141,000 plus an amount estimated to be $46,000 in relocation benefits to Juan M. Trevino, Jr. and Holly L. Trevino, and accepting a Warranty Deed for property located at 4509 C Avenue NE, in connection with the Collins Road (IA 100) from Council Street NE to 1st Avenue project. CIP/DID #301446-00

t. Development Agreement and Special Warranty Deed with Scallon Custom Homes, L.L.C. for City-owned property at 211 10th Avenue SW participating in the fourth round of the Single Family New Construction program. **(Flood)** CIP/DID #OB540257

u. Development Agreements with NewBo Development Group LLC for properties at 2204, 2206, 2208, 2210 and 2212 Tranquil Court NW participating in the third round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257

v. Development Agreements with NewBo Development Group LLC for properties at 2214, 2216, 2218, 2220 and 2222 Tranquil Court NW participating in the fourth round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257

REGULAR AGENDA

34. Report on bids for the Beverly Road SW Culvert Replacement project (estimated cost is $206,000) (Dave Wallace). CIP/DID #304421-02

    a. Resolution awarding and approving contract in the amount of $155,005 plus incentive up to $4,000, bond and insurance of Ricklefs Excavating, Ltd. for the Beverly Road SW Culvert Replacement project.

35. Report on bids for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project (estimated cost is $1,400,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012111-04

    a. Resolution awarding and approving contract in the amount of $1,174,134.65, plus incentive up to $50,000, bond and insurance of Dave Schmitt Construction Company, Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project.

36. Report on bids for the 1st Avenue Bridge Over Cedar River Repair project (estimated cost is $1,765,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #305132-02

    a. Resolution awarding and approving contract in the amount of $1,844,713.03, plus incentive up to $85,000, bond and insurance of Peterson Contractors, Inc. for the 1st Avenue Bridge Over Cedar River Repair Project.

37. Discussion and Resolution of Support authorizing City participation in the Grand Living Senior Housing Project proposed by Ryan Companies, Inc. located south and west of 1st Avenue and Collins Road SE (Caleb Mason). CIP/DID #TIF-0006-2016

38. Report on the receipt of bids for General Obligation Bonds, Series 2016A; Taxable General Obligation Bonds, Series 2016B; Sewer Revenue Bonds, Series 2016C; and Water Revenue Bonds, Series 2016D (Michele Tamerius and Jon Burmeister, PFM).
    a. Resolution directing the sale of $39,615,000 (subject to adjustment per terms of offering) General Obligation Bonds, Series 2016A. CIP/DID #FIN2016-16
    b. Resolution directing the sale of $1,635,000 (subject to adjustment per terms of offering) Taxable General Obligation Bonds, Series 2016B. CIP/DID #FIN2016-16
    c. Resolution directing the sale of $5,135,000 (subject to adjustment per terms of offering) Sewer Revenue Bonds, Series 2016C. CIP/DID #FIN2016-16
    d. Resolution directing the sale of $14,935,000 (subject to adjustment per terms of offering) Waster Revenue Bonds, Series 2016D. CIP/DID #FIN2016-16
    e. Resolution authorizing the redemption of outstanding General Obligation Refunding Bonds, Series 2007A, dated April 1, 2007, directing that notice be given, and approving anticipatory remedial action. CIP/DID #FIN2016-16
    f. Resolution authorizing the redemption of outstanding General Obligation Bonds, Series 2008A, dated May 1, 2008, and directing that notice be given. CIP/DID #FIN2016-16

ORDINANCES

Third Reading

39. Ordinance granting a change of zone for property at 4200 C Street SW from I-2, General Industrial Zone District, to I-1, Light Industrial Zone District as requested by Hill's Maple Crest Farms Partnership. CIP/DID #RZNE-022666-2016

40. Ordinance establishing the IGD Industries, Inc. Urban Revitalization Area designation at 4200 C Street SW. CIP/DID #URTE-0009-2016

Second and Possible Third Readings

41. Ordinance granting a change of zone for property at 1140 Lincoln Avenue NE and 1135 Weare Avenue NE from R-3, Single Family Residence Zone District, to I-1, Light Industrial Zone District as requested by Randy Oxley and Ruth Cadwallader. CIP/DID #RZNE-022675-2016

42. Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to fix scriveners errors, allows projecting signage on multi-family buildings within a Design Review Overlay District, and update definitions. CIP/DID #ZONE-0003-2016

First Reading

43. Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, revising the stormwater utility fee structure and incentives (Sandy Pumphrey). CIP/DID #43-16-061

PUBLIC INPUT

This is an opportunity for the public to address the City Council on any subject pertaining to Council business. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.

CITY MANAGER COMMUNICATIONS AND DISCUSSIONS

COUNCIL COMMUNICATIONS AND DISCUSSION

During this portion of the meeting, Council members may bring forward communications, concerns and reports on various matters and may discuss the items specifically listed.

1. Mayor Corbett
2. Council member Gulick
3. Council member Olson
4. Council member Overland
5. Council member Poe
6. Council member Russell
7. Council member Shey
8. Council member Shields
9. Council member Weinacht

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City Council public meeting, should contact the City Clerk's Office at (319) 286-5060 or email cityclerk@cedar-rapids.org as soon as possible but no later than 48 hours before the event.

Agendas and minutes for Cedar Rapids City Council meetings can be viewed at www.cedar-rapids.org

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen **Phone Number/Extension:** 5807
E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Carol Morgan **Phone Number/Extension:** 5092
E-mail Address: c.morgan@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to the property described as an 80-foot wide strip of excess City-owned right-of-way described as D Avenue NE northeasterly from College Drive NE and 14th Street NE between E Avenue NE and D Avenue NE as requested by Coe College.

First Reading: Ordinance vacating public ways and grounds described as an 80-foot wide strip of excess City-owned right-of-way described as D Avenue NE northeasterly from College Drive NE and 14th Street NE between E Avenue NE and D Avenue NE as requested by Coe College.
CIP/DID #ROWV-022497-2016

EnvisionCR Element/Goal: InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

Background: Coe College has requested the vacation and disposition of a portion of D Avenue and 14th Street NE in order to construct a parking lot for the Eby Fieldhouse building addition at this location. A public access and utility easement is being established over this vacated right-of-way to accommodate existing utilities, and Coe is paying $39,500, plus standard 5% closing costs of $1,975, for this right-of-way.

Action/Recommendation: The Public Works Department recommends holding the first reading of the ordinance to vacate this excess right-of-way.

Alternative Recommendation: If the Council does not vote to vacate this excess City-owned right of way, the alternative is require Coe College to revise the site plans for their new building addition and parking lot.

Time Sensitivity: Normal
Resolution Date: Proposed timeline as follows:
Public Hearing Date: May 10, 2016
1st reading of Ordinance: May 10, 2016
2nd reading of Ordinance, possible 3rd reading and possible resolution passing: May 24, 2016
Budget Information: NA
Local Preference Policy: NA
Explanation: This does not fit the criteria outlined in the policy and, therefore, does not apply.
Recommended by Council Committee: NA
Explanation: NA

ENG
ASR
RCR
TRS
CD
TED
BSD
STR
IT
ROWV-022497-2016

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE VACATING PUBLIC WAYS AND GROUNDS REGARDING PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That the public ways and grounds in and to the property hereafter described is permanently vacated:

> An 80-foot wide strip of City-owned right-of-way described as D Avenue NE northeasterly from College Drive NE and 14th Street NE between E Avenue NE and D Avenue NE (also known as Plat of Survey No. 2040 Parcel A as shown in Book 9507, Page 145 and recorded on April 8, 2016 at the Office of the Linn County Recorder)

Section 2. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 10th day of May, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons

PLAT OF SURVEY No. 2040
RIGHT-OF-WAY VACATION
D AVENUE AND 14TH STREET NE

N

0 FEET 300

ROWV-022497-2016

Cadd File Name: W:\PROJECTS\Non-CIP\2016\4116 ROW Mgmt\VACATIONS 2016 - ENERGOV\ROWV-022497-2016 Cox College\ROWV-022497-2016 Council Map.dwg

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Johnny Alcivar **Phone Number/Ext.:** 319 286-5132
E-mail Address: j.alcivar@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext.:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider granting a change of zone for property at 420, 470, and 550 French Court SW from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District, as requested by Caledonia Haulers Inc.
CIP/DID #RZNE-022848-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The request for a Rezoning was reviewed by the City Planning Commission on April 21, 2016 and was approved by a vote of 7 to 0. A portion of the minutes are included below.

This is a request to rezone 10.3 acres to the I-1 Zoning District to allow for the potential development of a truck wash facility. The property is currently zoned C-3, where the proposed use is not permitted. The site plan shows a two-story 23,112 SF building with 63 parking spaces. The property is identified as “Urban-Medium Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

Application Process/Next Steps:

Actions	Comments
City staff review	• City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	• The City Planning Commission reviewed the application on April 21, 2016 and recommended approval by a vote of 7 to 0.
City Council consideration	• A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for May 10, 2016. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends holding the public hearing and approval of a possible First Reading.

Alternative Recommendation: City Council may table and request further information.

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map

City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, April 21, 2016 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Jim Halverson, Chair
Richard Pankey, Vice Chair
Carletta Knox-Seymour
Virginia Wilts
Samantha Dahlby
Kim King
Dominique Blank
Anthony Brown

Members Absent: Bill Hunse

DSD Staff: Joe Mailander, Manager
Dave Houg, Plats & Zoning Conditions Coordinator

CD Staff: Seth Gunnerson, Planner
William Micheel, Assistant Director
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

Call Meeting to Order

The meeting was called to order at 3:00 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll Call

Roll call was answered with eight (8) Commissioners present.

A. Approval of the Minutes

Commissioner Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the March 31, 2016. Minutes stand approved.

B. Adoption of the Agenda

Commissioner Halverson called for any additions or corrections to the agenda. Commissioner Halverson stated with no additions or corrections, the agenda stands approved.

C. Action Items

Case Name: 420, 470 and 550 French Court SW (Rezoning with a Preliminary Site Development Plan)

Consideration of a change of zone from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District with a Preliminary Site Development Plan as requested by Caledonia Haulers, Inc. (Applicant/Titleholder)
Case No. RZNE-022848-2016; Case Manager: Johnny Alcivar

A Public Hearing was presented for a Rezoning with a Preliminary Site Development Plan. The applicant is requesting rezoning from I-2, General Industrial Zone District to I-1, Light Industrial Zone District from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District with a Preliminary Site Development Plan of 10.3 acres to allow for the potential development of a truck wash facility. This site has not been previously developed. Mr. Mailander presented General Information, Aerial, Zoning, Site Plan and Street View. Mr. Mailander stated that the City Council will hear this rezoning at their May 10, 2016 meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Knox-Seymour made a motion to approve the change of zone from I-2, General Industrial Zone District to I-1, Light Industrial Zone District. Commissioner Pankey seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:41 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning Department

	DSD
WTR	BSD
ENG	STR
FIR	TED
CLK	PKS
	RCR

RZNE-022848-2016

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA, BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

Lots 1, 2, and 3, Roger L. French Addition to the City of Cedar Rapids, Linn County, Iowa.

and located at 550 French Court SW, now zoned C-3, Regional Commercial Zone District, and as shown on the "District Map," be rezoned and changed to I-1, Light Industrial Zone District, and that the property be used for such purposes as outlined in the I-1, Light Industrial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the conditions which have been agreed to and accepted prior to the passage of this Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the owners, successors, heirs, and assigns, as follows:

1. Any construction will require FAA approval.
2. Said lots must be combined as a single zoning lot and tax parcel.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 10th day of May, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO. _____

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 26th day of APRIL, 2016.

CALEDONIA HAULERS, INC.

Dennis J Gavin
Signature

DENNIS J GAVIN
Printed name

PRESIDENT CEO
Printed title

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: David Houg **Phone Number/Ext.:** 319 286-5168
E-mail Address: daveh@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext.:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider granting a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District, to R-3D, Two Family Zone District for as requested by Abode Construction, Inc. and Phyllis M. Rausch.
CIP/DID #RZNE-022776-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The request for a Rezoning with a Preliminary Site Development Plan was reviewed by the City Planning Commission on April 21, 2016. A portion of the minutes are included below.

This is a request to rezone 16.58 acres to allow for development of single family and 2-family owner-occupied units. The property is currently undeveloped and is part of an overall development that includes single-family detached, two-family attached and four-family attached housing structures. The property is identified as "Urban Low-Intensity" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan.

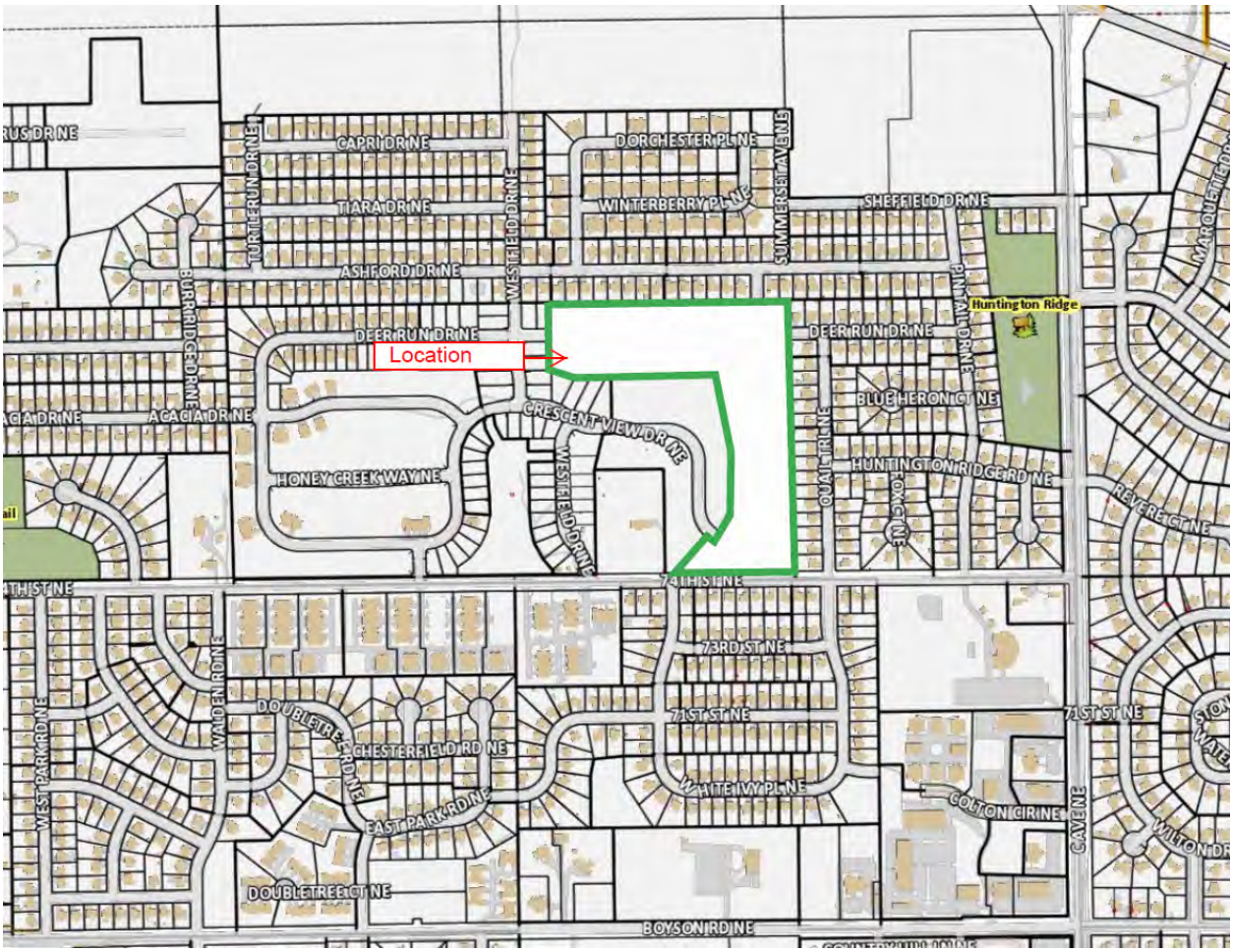
Application Process/Next Steps:

Actions	Comments
City staff review	• City staff reviewed the application and recommends holding a Public Hearing and possible approval of the First Reading.
City Planning Commission review	• The City Planning Commission reviewed the application on April 21, 2016 and recommended approval by a vote of 8 to 0.
City Council consideration	• A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for May 10, 2016. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends holding the public hearing and possible approval of the First Reading.

Alternative Recommendation: City Council may table and request further information.
Time Sensitivity: NA
Resolution Date: NA
Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

Location Map



City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, April 21, 2016 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present:	Jim Halverson, Chair Richard Pankey, Vice Chair Carletta Knox-Seymour Virginia Wilts Samantha Dahlby Kim King Dominique Blank Anthony Brown
Members Absent:	Bill Hunse
DSD Staff:	Joe Mailander, Manager Dave Houg, Plats & Zoning Conditions Coordinator
CD Staff:	Seth Gunnerson, Planner William Micheel, Assistant Director Betty Sheets, Administrative Assistant
City Council Liaison:	Justin Shields

Call Meeting to Order

The meeting was called to order at 3:00 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll Call

Roll call was answered with eight (8) Commissioners present.

A. Approval of the Minutes

Commissioner Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the March 31, 2016. Minutes stand approved.

B. Adoption of the Agenda

Commissioner Halverson called for any additions or corrections to the agenda. Commissioner Halverson stated with no additions or corrections, the agenda stands approved.

C. Action Items

1. Case Name: North of 74th Street NE and east of Crescent View Drive NE / Crescent View 5th Addition (Rezoning and Major Preliminary Plat)

    a. Consideration of a change of zone from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District as requested by Abode Construction, Inc. (Applicant) and Phyllis M. Rausch (Titleholder)
    Case No. RZNE-022776-2016; Case Manager: Dave Houg

    b. Consideration of a Major Preliminary Plat in an R-3D, Two Family Residence Zone District as requested by Abode Construction, Inc. (Applicant) and Phyllis M. Rausch (Titleholder)
    Case No. PRPT-022777-2016; Case Manager: Dave Houg

A Public Hearing was presented for a Rezoning and a Major Preliminary Plat. The applicant is requesting rezoning from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District of 16.58 acres to allow for development of single-family and two-family owner-occupied units. The property is currently undeveloped and was initially rezoned to the R-3 Zoning District in 2010 for single-family detached homes. The area is part of an overall development that includes single-family detached, two-family attached and four-family attached housing structures. Since this is a request for rezoning for single and two-family homes, no site plan is required at this time. Detailed site plans will be submitted on a lot by lot basis at the time of application for building permits. A preliminary plat has been submitted for City Planning Commission review. Approval of the plat will be contingent upon future City Council approval of the rezoning request. Mr. Houg presented a Location and Zoning Map, Aerial View, Preliminary Plat as well as renderings. Mr. Houg stated that one written objection had been received. Mr. Houg stated that the City Council will hear this rezoning at their May 10, 2016 meeting.

Following discussion and hearing from one objector, Commissioner Halverson called for a motion. Commissioner Pankey made a motion to approve the change of zone from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District Commissioner Blank seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

Commissioner Halverson then called for a motion on the Major Preliminary Plat. Commissioner Wilts made a motion to approve the Major Preliminary Plat in an R-3D, Two Family Residence Zone District. Commissioner Brown seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:41 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning Department

	DSD
WTR	BSD
ENG	STR
FIR	TED
CLK	PKS
	RCR

RZNE-022776-2016

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA, BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 27, TOWNSHIP 84
NORTH, RANGE 7 WEST OF THE 5TH PRINCIPAL MERIDIAN, CEDAR RAPIDS, LINN COUNTY, IOWA EXCEPT CRESCENT VIEW THIRD ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA AND EXCEPT CRESCENT VIEW FOURTH ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

SAID PARCEL CONTAINING 16.58 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

and located at North of 74th Street NE and east of Crescent View Drive NE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to R-3D, Two Family Residence Zone District, and that the property be used for such purposes as outlined in the R-3D, Two Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the conditions which have been agreed to and accepted prior to the passage of this Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the owners, successors, heirs, and assigns, as follows:

1. Subject property shall be platted per State and City platting regulations.
2. When this area is platted, it must comply with dimensional standard requirements for the R-3D Zone District as set forth in the Zoning Ordinance.
3. The site and building design will need to comply with the Zoning Ordinance Multi-Family Residential Design Standards, Subsection 32. 05.030.D.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 10th day of May, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: David Houg **Phone Number/Ext.:** 319 286-5168
E-mail Address: daveh@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext.:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider granting a change of zone for property at 1004 11th Street NE from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District for as requested by David J. and Teresa M. Wilford.
CIP/DID #RZNE-022654-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The request for a Rezoning with a Preliminary Site Development Plan will be reviewed by the City Planning Commission on April 21, 2016. A portion of the minutes are included below.

This is a request to rezone a 11,340 s.f lot to the I-1 Zone District to allow for redevelopment. The property is currently zoned R-3, Single Family Residence Zone District and the proposal is to replace 2 dwellings with 2 warehouse-type structures. The property is identified as "Urban Medium-Intensity" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan.

Application Process/Next Steps:

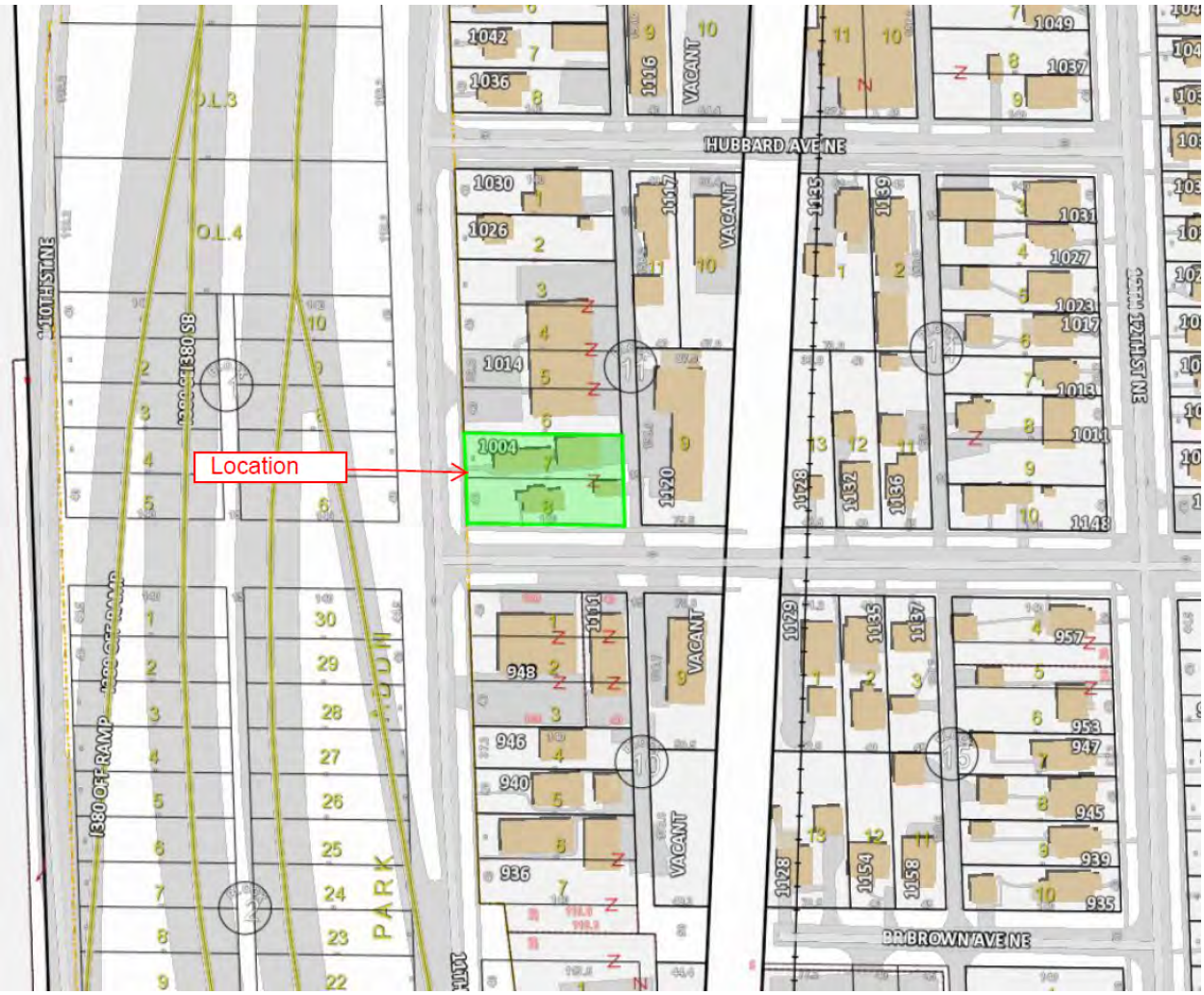
Actions	Comments
City staff review	• City staff reviewed the application and recommends holding a Public Hearing and possible approval of the First Reading.
City Planning Commission review	• The City Planning Commission reviewed the application on April 21, 2016 and recommended approval by a vote of 8 to 0.
City Council consideration	• A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for May 10, 2016. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends holding the Public Hearing and possible approval of the First Reading.

Alternative Recommendation: City Council may table and request further information.

Time Sensitivity: NA
Resolution Date: NA
Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

Location Map



City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, April 21, 2016 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present:	Jim Halverson, Chair Richard Pankey, Vice Chair Carletta Knox-Seymour Virginia Wilts Samantha Dahlby Kim King Dominique Blank Anthony Brown
Members Absent:	Bill Hunse
DSD Staff:	Joe Mailander, Manager Dave Houg, Plats & Zoning Conditions Coordinator
CD Staff:	Seth Gunnerson, Planner William Micheel, Assistant Director Betty Sheets, Administrative Assistant
City Council Liaison:	Justin Shields

Call Meeting to Order

The meeting was called to order at 3:00 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll Call

Roll call was answered with eight (8) Commissioners present.

A. Approval of the Minutes

Commissioner Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the March 31, 2016. Minutes stand approved.

B. Adoption of the Agenda

Commissioner Halverson called for any additions or corrections to the agenda. Commissioner Halverson stated with no additions or corrections, the agenda stands approved.

C. Action Items

1. Case Name: 1004 11th Street NE (Rezoning with a Preliminary Site Development Plan)

Consideration of a change of zone from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District with a Preliminary Site Development Plan as requested by David J. and Teresa M. Wilford (Applicant/Titleholders)
Case No. RZNE-022654-2016; Case Manager: **Dave Houg**

A Public Hearing was presented for a Rezoning with a Preliminary Site Development Plan. The applicant is requesting rezoning from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District to allow for redevelopment to replace 2 dwellings with 2 warehouse-type structures. Mr. Houg presented a Location and Zoning Map, views of the previous conditions, a Site Plan, photo of a new warehouse as well as a photo of the house that will be demolished. Mr. Houg stated that the City Council will hear this rezoning at their May 10, 2016 meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Brown made a motion to approve the change of zone from R-3 Single Family Residence Zone District to I-1, Light Industrial Zone District. Commissioner King seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 6:41 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning Department

	DSD
WTR	BSD
ENG	STR
FIR	TED
CLK	PKS
	RCR

RZNE-022654-2016

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA, BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

COLLEGE PARK LOTS 7 & 8 BLK 11

and located at 1004 11th Street NE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to I-1, Light Industrial Zone District, and that the property be used for such purposes as outlined in the I-1, Light Industrial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the conditions which have been agreed to and accepted prior to the passage of this Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the owners, successors, heirs, and assigns, as follows:

1. The existing structures must be removed under appropriate permit and inspections conducted and approved. Historic Preservation Commission review for structures 50-years old or older proposed for demolition is required subject to Chapter 18 of the City's Municipal Code, Subsection 18.10.
2. Any outdoor storage shall be effectively screened by a solid wall or fence, including solid entrance and exit gates, not less than 6 feet nor more than 8 feet in height.
3. Setbacks within the 1-1 District include 15' side and 25' corner side yards, or variances must be obtained.
4. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
5. That required off-street parking be provided per provisions of the Zoning Ordinance or a variance be obtained.
6. All parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 10th day of May, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO. _____

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 25th day of APRIL, 2016.

DAVID J. WILFORD

David Wilford
Signature

DAVID WILFORD
Printed name

OWNER
Printed title

TERESA M. WILFORD

Teresa Wilford
Signature

TERESA WILFORD
Printed name

OWNER
Printed title

Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Mark A. English **Phone Number/Ext.:** 286-5220
E-mail Address: m.english@cedar-rapids.org

Alternate Contact Person: Gregory Smith **Phone Number/Ext.:** 286-5224
E-mail Address: g.smith@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARING
First Reading: Ordinance amending Chapter 37 of The Municipal Code of The City of Cedar Rapids, Iowa, entitled "Fire Code" by repealing Section 37.1 therefrom and enacting in lieu thereof a new Section 37.1 regarding the adoption of The International Fire Code, 2015 edition as amended. (Chief Mark English)
CIP/DID #BSD006-15

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: On July 14, 2015 the Cedar Rapids City Council adopted Ordinance Number 044-15 on its third and final reading which was intended to adopt the International Fire Code, 2015 edition as amended, but said ordinance contained a typographical error in that the International Fire Code 2012 edition was adopted instead.

Action/Recommendation: The Fire Department recommends approval of this Ordinance.

Alternative Recommendation: None.

Time Sensitivity: April 26, 2016

Resolution Date:

Budget Information: N/A

Local Preference Policy: N/A
Explanation: N/A

Recommended by Council Committee:
Explanation:

FIR
BSD
CLK
DSD
BSD006-15
FIR0426-0011

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE AMENDING CHAPTER 37 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, ENTITLED “FIRE CODE” BY REPEALING SECTION 37.1 THEREFROM AND ENACTING IN LIEU THEREOF A NEW SECTION 37.1 REGARDING THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2015 EDITION AS AMENDED

WHEREAS, on June 13, 2015 the Cedar Rapids City Council caused notice of a public hearing to be published in the Gazette regarding an ordinance to adopt the 2015 International Fire Code, with modifications, to be the Cedar Rapids Fire Code; and

WHEREAS, a public hearing on said matter was held on June 23, 2015; and

WHEREAS, on July 14, 2015 the Cedar Rapids City Council adopted Ordinance Number 044-15 on its third and final reading which was intended to adopt the International Fire Code, 2015 edition as amended, but said ordinance contained a typographical error in that the International Fire Code 2012 edition was adopted instead; and

WHEREAS, it is in the public’s best interest to further amend the Cedar Rapids Municipal Code to correct this inadvertent oversight.

NOW THEREFORE BE IT ORDAINED BY THE CEDAR RAPIDS CITY COUNCIL AS FOLLOWS:

Section 1. The Recitals contained herein above are hereby adopted by this reference and incorporated herein.

Section 2. Section 37.1 of the Municipal Code of the City of Cedar Rapids, Iowa entitled “Fire Code” is hereby repealed and a new Section 37.1 is hereby adopted in lieu thereof as follows:

“**37.1 - FIRE CODE.**

Except as hereinafter added to, deleted, modified, or amended, there is hereby adopted as the "Fire Code" of the City of Cedar Rapids, Iowa, that certain fire code known as the International Fire Code, 2015 Edition, including Appendices B, C, D103.6, D105, D106, D107 Change D107.1 to read: Developments of one and two family dwellings where the number of dwellings units exceeds 100 shall be provided with two separate and approved fire apparatus access roads.

Exception 1: Where there are more than 100 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International fire code, access from two directions shall not be required; E, F, and G, as published by the International Code Council, Inc. The provisions of said fire code shall be controlling for the safeguarding of life and property from the hazards of fire and explosion arising from the storage, handling, and using of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the "Fire Code".”

Section 3. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

Section 4. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 10th day of May, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Tim Mroch, PE **Phone Number/Extension:** 5703
E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider the Resolution of Necessity (Proposed) for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project **(Paving for Progress).**

Resolution with respect to the adoption of the Resolution of Necessity (Proposed) for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project.
CIP/DID #3012127-00

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: This project proposes to reconstruct 14th Avenue SE from 36th Street to 42nd Street. The work includes pavement removal and replacement, sidewalk ramp upgrades, water main replacement, sanitary sewer improvements and storm water improvements. The proposed assessments will contribute to the cost of sanitary sewer service replacements.

Following a Public Hearing on this matter, Council will consider an action to proceed with the adoption of a Resolution of Necessity for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project. Notices were mailed to the property owners proposed to be assessed prior to the scheduled public hearing notifying them of the project, said hearing, and proposed preliminary assessment amounts. Following the public hearing, Council will consider one of the following options:

1. Adopt the Resolution of Necessity as proposed and proceed with the project.
2. Amend the Preliminary Assessments, then adopt the Resolution of Necessity and proceed with the project
3. Defer action until a specified later date
4. Abandon the project

Action/Recommendation: The Public Works Department recommends adoption of the Proposed Resolution of Necessity (1). If public comments are received during the public hearing that require further review, we recommend action be deferred until the May 24, 2016 council meeting (3).

Alternative Recommendation: If the resolution is not adopted, assessment proceedings will not proceed further. The project will then be deferred or abandoned.

Time Sensitivity: Must be acted on either on May 10, 2016, or alternatively not later than May 24, 2016 due to assessment schedule.

Resolution Date: May 10, 2016

Budget Information: 301/3010000/3012127 SLOST

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

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3012127-00
7970

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY PROPOSED FOR THE 14TH AVENUE SE FROM 36TH STREET TO 42ND STREET ROADWAY AND UTILITY IMPROVEMENTS PROJECT (CIP NO. 3012127)

WHEREAS, this Council has proposed a Resolution of Necessity for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project, has given notice of the public hearing thereon as required by law, and

WHEREAS, the public hearing has been held, all persons offering objections have been heard and consideration given to all objections and is pending before this Council, and

WHEREAS, this is the time and place set as provided for the taking of action on the proposed Resolution of Necessity,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, AS FOLLOWS:

☐ Adopted, without amendment, and all objections filed or made having been duly considered and overruled.

☐ Adopted as amended by the Schedule of Amendments attached hereto as Exhibit A, and made a part thereof by reference. All objections filed or made having been duly considered are overruled.

☐ Deferred for later consideration to a Council meeting to be held on the _____ day of _____, at ____ o'clock p.m., at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.

☐ Abandoned.

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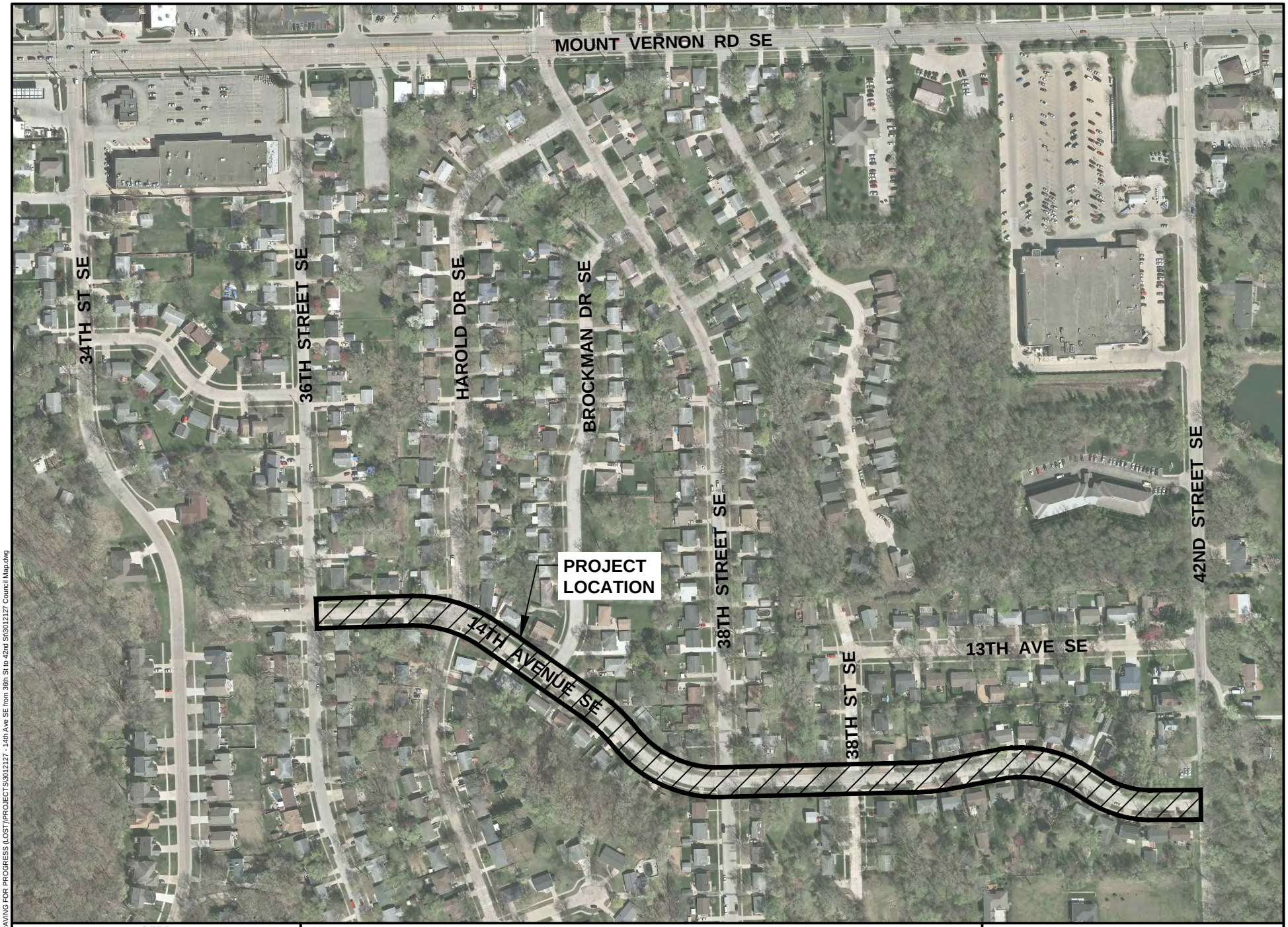
MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



CEDAR RAPIDS
City of Five Seasons

14TH AVENUE SE ROADWAY AND UTILITY IMPROVEMENTS
FROM 36TH STREET TO 42ND STREET

N

0 FEET 5000

3012127

Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012127 - 14th Ave SE from 36th St to 42nd St\3012127 Council Map.dwg

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5154
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Tim Mroch, PE **Phone Number/Extension:** 5703
E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the McCarthy Road SE from West of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project (estimated cost is $1,048,000) **(Paving for Progress).**

Resolution adopting plans, specifications, form of contract and estimated cost for the McCarthy Road SE from West of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project.
CIP/DID #3012131-03

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: This project will rehabilitate McCarthy Road from west of Van Vechten Park Road to Memorial Drive. The work generally consists of HMA overlay with HMA pavement patching, PCC curb and gutter, drainage improvements, and associated work. Sidewalk connection to upper Van Vechten Park will be replaced to meet ADA requirements. On-street bicycle facilities will be added to the paved shoulders to comply with the City's Complete Streets policy.

Action/Recommendation: The Public Works Department recommends approval of the resolution to adopt plans, specifications, form of contract and estimated cost for the project.

Alternative Recommendation: The alternative is to defer construction until a later date, repackage or abandon the project.

Time Sensitivity: Must be acted upon May 10, 2016 to maintain the project schedule, and which must occur ahead of the project's May 11, 2016 bid opening.

Resolution Date: May 10, 2016
Budget Information: 301/301000/3012131 SLOST, 304/304000/304452 NA, 625/6250000/6250051-2016 NA
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA

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FIN
3012131-03
7970

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on April 26, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the McCarthy Road SE from West of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project (Contract No. 3012131-03 SLOST) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the plans, specifications, form of contract and estimated cost have been heard, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the plans, specifications, form of contract and estimated cost for said improvement be and the same are hereby adopted.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons®

MCCARTHY ROAD SE FROM WEST OF VAN VECHTEN PARK ROAD TO MEMORIAL DRIVE SE ROADWAY AND UTILITY IMPROVEMENT PROJECT

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Glenn Vosatka, PE **Phone Number/Extension:** 5821
E-mail Address: glennv@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project (estimated cost is $265,000) (**Paving for Progress**).

Resolution adopting plans, specifications, form of contract and estimated cost for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project.
CIP/DID #305130-02

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: The purpose of the project is to extend the service life of the 8th Avenue and 16th Avenue bridges and improve pedestrian safety by replacing expansion joints on both bridges and reinforcing guardrail on the 8th Avenue bridge. Subject to receipt of acceptable bids, construction is scheduled to begin in the summer of 2016 and anticipated to be completed within 45 calendar days.

Action/Recommendation: The Public Works Department recommends approval of the resolution to adopt plans, specifications, form of contract and estimated cost for the project.

Alternative Recommendation:
If the resolution is not adopted, the project would be delayed, resulting in further deterioration to the affected bridges, or the funds from this project could be applied to another project.

Time Sensitivity: Must be acted upon May 10, 2016 to maintain the project schedule, and which must occur ahead of the project's May 18, 2016 bid opening.

Resolution Date: May 10, 2016
Budget Information: Dept ID 305000, Project 305093, NA
Dept ID 305000, Project 305130, NA
Dept ID 305000, Project 305130, SLOST
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA

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FIN
305130-02
305093-04
7970

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on April 26, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement (Contract No. 305130-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the plans, specifications, form of contract and estimated cost have been heard, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the plans, specifications, form of contract and estimated cost for said improvement be and the same are hereby adopted.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons

8TH AND 16TH AVENUE BRIDGES OVER THE CEDAR RIVER
EXPANSION JOINT REPLACEMENT

N

0 FEET 600

305093 & 305130

Cadd File Name: W:\PROJECTS\CIP\305\305130\305130 Council Map.dwg

Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner **Phone Number/Ext.:** 5281
E-mail Address: SteveHe@cedar-rapids.org

Alternate Contact Person: Ken Russell **Phone Number/Ext.:** 5926
E-mail Address: k.russell@cedar-rapids.org

Description of Agenda Item: PUBLIC HEARINGS
Resolution adopting plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants, Valves, and Blow Off Completes FY17 project (estimated cost is $84,380) (Steve Hershner).

CIP/DID #2017037-01

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: The work will consist of removing and/or replacing blow off completes, replacing existing fire hydrants, valves, and tees, and replacing blow off completes with fire hydrants located within the public right-of-way. The Contractor shall also perform the appurtenant work necessary to make a complete job, consisting of: pavement removal; excavation; sheet, brace, and support the adjoining ground or structures where necessary; handle all drainage or ground water; provide barricades, guards, and warning lights; flush and test the replacement; repair sewer and drain lines disturbed by the replacement; backfill and compact the excavation; restore the surface; remove and dispose of surplus excavated material; and perform final clean-up of the work site.

Bids will be opened and publicly announced on May 18, 2016 at 11:00 AM.

Action/Recommendation: The Utilities Department Water Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants, Valves, and Blow Off Completes FY17 project.

Alternative Recommendation: None

Time Sensitivity: Request action during the May 10, 2016 City Council meeting in an effort to maintain the proposed project construction schedule.

Resolution Date: May 10, 2016

Budget Information:

1. **Included in Current Budget Year**. This project will be funded from the Fiscal Year 2017 Utilities Department – Water Division CIP budget and coded to 625-625000-625884-6252017037-01
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Fiscal Year 2017 Water CIP budget includes $1,500,000 for engineering and construction of water main replacement projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.

Local Preference Policy: No

Explanation: Capital Improvement Projects are not subject to local preference policy.

Recommended by Council Committee: No

Explanation: NA

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FIN
2017037-01

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on April 26, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants, Valves, and Blow Off Completes FY17 project (Contract No. 2017037-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the plans, specifications, form of contract and estimated cost have been heard.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the plans, specifications, form of contract and estimated cost for said improvement be and the same are hereby adopted.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Parks

Presenter at Meeting: Daniel Gibbins **Phone Number/Ext.:** 5768
E-mail Address: d.gibbins@cedar-rapids.org

Alternate Contact Person: Steve Krug **Phone Number/Ext.:** 5740
E-mail Address: s.krug@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution of Support by the City Council of the City of Cedar Rapids for the Parks and Recreation Department to submit a letter of request to the Iowa Department of Natural Resources requesting assistance with the 2016 goose roundup including the processing of captured adult geese.
CIP/DID #PKS007-16

EnvisionCR Element/Goal: GreenCR Goal 2: Have the best parks, recreation and trails system in the region.

Background: This request is due to chronic over population of geese within Cedar Rapids despite employment of numerous IDNR sanctioned measures since the mid-1990's and will also be coupled with changes in city ordinance language to allow fall waterfowl hunting within portions of the city limits on rural private lands per IDNR regulations. This action follows IDNR recommendations needed for Canadian Goose population reduction within Cedar Rapids.

Action/Recommendation: The Parks and Recreation Department recommends approval of the Resolution to authorize the letter of request to the IDNR for assistance with goose roundup.

Alternative Recommendation: N/A

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: N/A

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: (Click here to select)
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Parks & Recreation Department be authorized to submit a letter to the Iowa Department of Natural Resources requesting assistance with the 2016 goose roundup including the processing of captured adult geese.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason **Phone Number/Ext.:** 319 286-5188
E-mail Address: c.mason@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt **Phone Number/Ext.:** 319 286-5047
E-mail Address: j.pratt@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution of Support for Workforce Housing Tax Credits with Rowell Hardware Development, LLC for the renovation of the former Rowell Hardware building at 120 3rd Avenue SW and providing local match funds under the City's Historic Preservation Economic Development program.
CIP/DID #OB803706

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background:
The Resolution provides support for an application to the Iowa Economic Development Authority (IEDA) for Workforce Housing Tax Credits from Rowell Hardware Development, LLC and providing a commitment for local match necessary to secure tax credits. The project consists of the historic renovation of the former Rowell Hardware building at 120 3rd Avenue SW for mixed-use occupancy including commercial on the first floor and housing units on the upper story.

The State's Workforce Housing Tax Credit program requires local jurisdictions to provide match funds to the tax credits. The project qualifies under the City's Historic Preservation Economic Development program. The housing portion of the project would receive 10-years, 100% reimbursement of increased taxes while the commercial portion would receive 10-year, 50% reimbursement of increased taxes generated by the commercial improvements, which in combination provides a 10-year, 75% reimbursement of increased taxes. Based on the scope of the project, the project is estimated to generate $88,000 in taxes over a 10-year period with an estimated $31,000 being reimbursed to the Developer.

Action/Recommendation: City staff recommends approval of the Resolution

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: NA
Resolution Date: May 10, 2016
Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

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OB803706

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Rowell Hardware Development, LLC (the "Developer") is undertaking the redevelopment of the former Rowell Hardware building at 120 3rd Avenue SW (the "Property") which is a contributing structure in the 3rd Avenue SW Commercial Historic District listed on the National Register of Historic Places; and

WHEREAS, the project includes the historic renovation of the commercial facility on the Property for a mixed-use building to include commercial and housing units on the upper story (the "Project"); and

WHEREAS, the Developer desires to apply for the Workforce Housing Tax Credit program through the Iowa Economic Development Authority; and

WHEREAS, the WHTC program requires the City to provide local matching funds; and

WHERAS, the Project qualifies under the City's Historic Preservation Program and for housing and commercial components being developed in the Project which provide a benefit of 10-years, 100% reimbursement of increased taxes and 10-years, 50% of increased taxes, respectively; and

WHEREAS, the following project characteristics are consistent with the City Council goals and combine to establish the public purpose and benefit to the community for the proposed project:

- Mixed-use development creating vibrant community
- Preservation of Historic assets to retain community character
- Core housing options

WHEREAS, the City Council desires to express its support for the Project and application for Workforce Housing Tax Credits through the Iowa Economic Development Authority; and

WHEREAS, the City participation of 10-years, 100% for the housing and 10-years, 50% for the commercial, or a combined 10-years, 75% reimbursement of increased taxes generated by the improvements provides is estimated to provide $31,000 to the Developer and meets the requisite local match required by the Workforce Housing Tax Credit Program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

1. The City Council hereby expresses its support for the application for Workforce Housing Tax Credits from the Developer to the Iowa Economic Development Authority.
2. The City Manager, or designee, is hereby authorized to do those things reasonably necessary to effectuate this Resolution and provide local match funds to the Project.
3. The City Manager, or designee, is hereby authorized to negotiate a Development Agreement securing City participation in the project and at such time the terms and conditions of the agreement are clear and definite that it be brought to the City Council for consideration.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Vern Zakostelecky **Phone Number/Ext.:** 319 286-5043
E-mail Address: v.zakostelecky@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext.:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution waiving objection to proposed annexation for properties on the north side of East Robins Road and west of Alburnett Road as requested by the City of Marion.
CIP/DID# ANNX-022891-2016

EnvisionCR Element/Goal: ProtectCR Goal 2: Manage growth and development to balance costs and serviceability to neighborhoods.

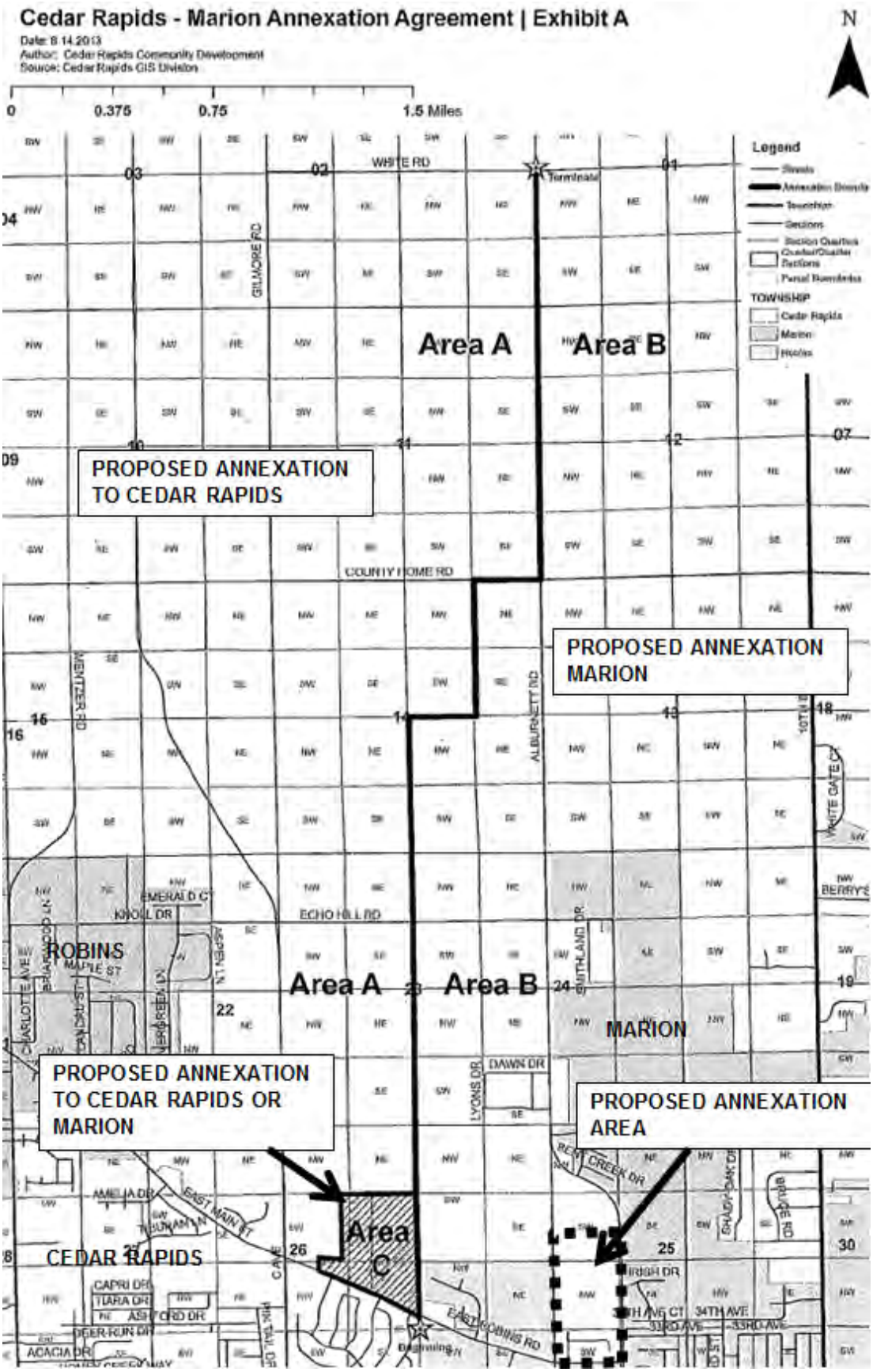
Background:
The City received notification from the City of Marion on April 12, 2015 regarding the proposed voluntary annexation of properties into the corporate limits of Marion. The properties are located north East Robins Road and west of Alburnett Road. The notification is a requirement of the Iowa State Code since the properties are within two miles of the corporate limits of Cedar Rapids. The properties are in an area included in the 28E Annexation Agreement between Cedar Rapids and Marion adopted by the Cedar Rapids City Council by Resolution No. 1779-11-13 and by the Marion City Council by Resolution No. 23483. The properties under consideration for annexation are in an area both Cities agree would be annexed to Marion. City staff recommends waiving any objection to these properties being annexed to the City of Marion, subject to terms as set forth in the 28E Annexation Agreement adopted by both Cedar Rapids and Marion.

Action/Recommendation: City staff recommends adoption of the resolution.

Alternative Recommendation: City Council may table and request further information.

Time Sensitivity: N/A.
Resolution Date: May 10, 2016
Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

Location Map



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ANNX-022981-2016

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on April 12, 2016 the City of Cedar Rapids, Iowa received notification from the City of Marion regarding a proposed annexation of properties located on the north side of East Robins Road and west of Alburnett Road; and

WHEREAS, the notification is a requirement of the Iowa State Code since the property is within two miles of the corporate limits of Cedar Rapids; and

WHEREAS, the property is in an area included in the 28E Annexation Agreement between Cedar Rapids and Marion adopted by the Cedar Rapids City Council by Resolution No. 1779-11-13 and by the Marion City Council by Resolution No. 23483; and

WHEREAS, based on the fact that the property under consideration for annexation is in an area both Cities agree would be annexed to Marion, the Development Services Department recommends City Council pass a resolution waiving any objection to this property being annexed to the City of Marion;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City of Cedar Rapids hereby waives any objection to the annexation of the property as described above to the City of Marion.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Adam Lindenlaub **Phone Number/Ext.:** 319 286-5064
E-mail Address: a.lindenlaub@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez **Phone Number/Ext.:** 319 286-5428
E-mail Address: k.sanchez@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing the establishment of an Advisory Group for the Mt. Vernon Road Corridor Action Plan.
CD-0018-2016

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: EnvisionCR includes an initiative in ConnectCR to perform a Corridor Action Plan for Mt. Vernon Road SE from 10th Street SE to 44th Street SE. The purpose of the plan is to examine and provide recommendations for improvements in the following areas:

- Placemaking
- Connectivity
- Land Use
- Character
- Streetscapes

The Advisory Group consists of individuals or representatives of entities that have a professional or personal interest in Mt. Vernon Road SE. The role of the Advisory Group is as follows:

1. Identify issues and concerns along the corridor
2. Provide feedback on the development of plan goals
3. Affirm public outreach efforts
4. Recommend approval of the final plan to City Council

Action/Recommendation: City staff recommends approval of the resolution.

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: The first meeting of the Advisory Group is anticipated for late May.
Resolution Date: May 10, 2016
Budget Information: N/A
Local Preference Policy: NA
Recommended by Council Committee: NA

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CD-0018-2016
OB165740
PUR1115-097

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids adopted EnvisionCR, the City's comprehensive plan, on January 27, 2015, and

WHEREAS, EnvisionCR includes an initiative to complete a Corridor Action Plan for Mt. Vernon Road SE, and

WHEREAS, it is in the best interest of the planning process to establish an Advisory Group of external stakeholders to provide input throughout the process and represent a variety of interests, and

WHEREAS, the purpose of the Advisory Group is to provide feedback on issues, public outreach, and goals of the plan, and

WHEREAS, the following list of individuals will comprise the Advisory Group for the Mt. Vernon Road Corridor Action Plan:

- Justin Wasson
- Lynette Richards
- Phil Wasta
- Judy McCoy
- Al Weaver
- Jim Sattler
- Brandon Whyte
- Diane Stefani
- Steve Graham
- Reverend John Flaherty
- Phil Cronin

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Advisory Group for the Mt. Vernon Road Corridor Acton Plan is established and the above identified individuals are members.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Development Services Department

Presenter at meeting: Joe Mailander, PE **Phone Number/Extension:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: Chris Strecker, PE **Phone Number/Extension:** 319-286-5820
E-mail Address: c.strecker@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing the use of four internal streets within the Westdale project area as approved lot street frontage.
CIP/DID #ASDP-008018-2014

EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.

Background: The Cedar Rapids Municipal Code, Section 32.05.10A.2.b requires that no lot shall be created on any tract of land unless it has direct frontage on a public street or a City Council approved private street. The Westdale site is being subdivided into individual lots for the construction of new buildings. At this time, the public streets available for lot frontage include Edgewood Road SW, 29th Street SW, and Williams Boulevard SW. Several internal streets have been constructed, or are planned for construction, which meet the City's roadway standards for width, surface type and unobstructed access. Approving these internal streets for lot street frontage will allow subdivision of the area in a more uniform manner.

The internal private streets proposed to be used for street lot frontage include, Westdale Parkway, Westdale Drive, Dalton Way, and the drive aisle adjacent to the north side of the existing Younkers building.

Action/Recommendation: City staff recommends approval of the resolution.

Alternative Recommendation: City Council may table this item and request further information.

Time Sensitivity: Normal
Resolution Date: May 10, 2016
Budget Information: N/A
Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

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ASDP-008018-2014

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City's Municipal Code, Section 32.05.10A.2.b, requires that no lot shall be created without direct frontage to a publicly owned street or a City Council approved private street, and

WHEREAS, the developer of the Westdale redevelopment project, Frew Development, has requested that four private streets, internal to the Westdale site, be approved to meet the lot street frontage requirement, and

WHEREAS, the four private streets, referred to as Westdale Parkway, Westdale Drive, Dalton Way and the Younkers' drive aisle, have been built or are designed to meet the City's roadway standards as required by Section 32.05.10A.2.b of the City's Municipal Code,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Westdale internal streets of Westdale Drive, Westdale Parkway, Dalton Way and the drive aisle adjacent to the north side of the existing Younkers' building, be approved for street lot frontage as required by the Section 32.05.10A.2.b of the City's Municipal Code.

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LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons®

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Tim Mroch, PE **Phone Number/Extension:** 5703
E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Preliminary resolution for the construction of sidewalk improvements and the removal and replacement of bituminous fiber (Orangeburg) sanitary sewer services for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project **(Paving for Progress).**
CIP/DID #3012008-00

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: This project includes the reconstruction of C Avenue NE from Collins Road to 40th Street. The work includes pavement removal and replacement, sidewalk construction, water main replacement, sanitary sewer improvements and storm sewer improvements. New sidewalk will be constructed along both sides of C Avenue NE from Collins Road to 40th Street.

In the winter/spring of 2015/2016, the City notified property owners and televised sanitary sewer services within the project boundary. If bituminous fiber pipe was located within the City's right-of-way, the City contacted the property owner informing them to remove and replace these services or be assessed for the repairs. Given the failure rate of bituminous fiber pipe, the sanitary service replacements should be made in order to protect the City's investment in the overlying roadway.

The proposed resolution before City Council is the initial resolution in a series of resolutions (as shown on attached flow chart), which will lead to an assessment public hearing on this project. This resolution indicates there is benefit in the City's intention to do some special assessment. Future resolutions, should the Council proceed with the process, will include property values and specific proposed assessments. The total estimated project cost is approximately $3,800,000.

Action/Recommendation: Public Works Department recommends adoption of the preliminary resolution for the construction of sidewalk improvements and removal and replacement of sanitary sewer services in the City of Cedar Rapids, Iowa for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project.

Alternative Recommendation: If the resolution is not adopted, the assessment will not proceed.

Time Sensitivity: Normal

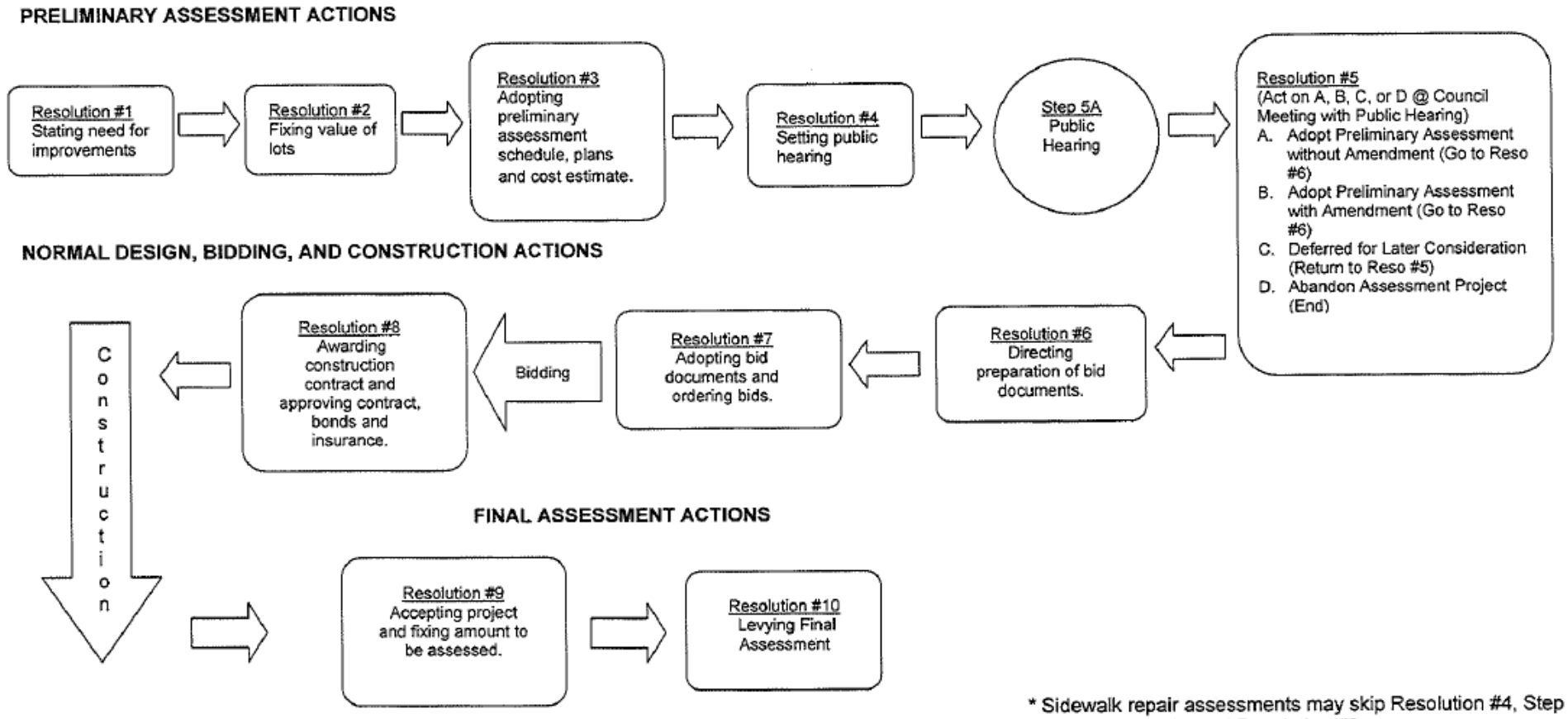
Resolution Date: May 10, 2016

Budget Information: 301/301000/3012008 SLOST

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

FLOWCHART FOR CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS*
SUMMARY



* Sidewalk repair assessments may skip Resolution #4, Step 5A, Resolution #5, and Resolution #6.

UPDATED 8.29.07

CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS
PRELIMINARY ASSESSMENT

Description

Resolution #1
Stating need for improvements

This step initiates the special assessment process.

Resolution #2
Fixing value of lots

Council determines the value of the lot based upon the present fair market value with the proposed improvements in place.

Resolution #3
Adopting preliminary assessment schedule, plans and cost estimate.

This action proposes assessments, which become the basis of the public hearing. A proposed special assessment may not exceed 25% of the adopted lot valuation.

Resolution #4
Setting public hearing

Public hearing must be advertised once each week for two consecutive weeks with the first publication not less than 10 days, nor more than 20 days before the hearing. City Clerk must mail certified letter to affected property owners not less than 15 days prior to public hearing.

Step 5A
Public Hearing

Resolution #5
(Act on A, B, C, or D @ Council Meeting with Public Hearing)

A. Adopt Preliminary Assessment without Amendment (Go to Reso #6)
B. Adopt Preliminary Assessment with Amendment (Go to Reso #6)
C. Deferred for Later Consideration (Return to Reso #5)
D. Abandon Assessment Project (End)

This action is called the Resolution of Necessity, which has 4 options listed. This is the adoption of the preliminary assessment, which does not levy an assessment, but signifies an intent to levy in the future at a maximum level. The Council may not amend the assessments higher than that on which the public hearing was held. The preliminary assessment may be reduced at this step and/or at the post-construction final assessment stage.

Passage of the Resolution of Necessity is required by 75% of ALL Council members, whether present or not. If property owners representing 75% of the amount proposed to be assessed object, the Council passage vote must be unanimous by ALL Council members.

UPDATED 8.29.07

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RESOLUTION NO. LEG_NUM_TAG

PRELIMINARY RESOLUTION FOR THE CONSTRUCTION
OF SIDEWALK AND SANITARY SEWER SERVICE IMPROVEMENTS IN THE CITY OF
CEDAR RAPIDS, IOWA

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that Portland Cement Concrete sidewalk be constructed within Cedar Rapids, Iowa, as hereinafter described, and

WHEREAS, this Council, after a study of the requirements, is of the opinion that it is necessary and desirable that existing bituminous fiber (Orangeburg) sanitary sewer services (located beneath roadways proposed to receive rehabilitation) be removed and replaced within Cedar Rapids, Iowa, as hereinafter described, and

WHEREAS, it is proposed that said project be constructed as a single improvement under the authority granted by Division IV of Chapter 384 of the State Code of Iowa,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Cedar Rapids, Iowa, remove and replace bituminous fiber (Orangeburg) sanitary sewer services as hereinafter described, and

BE IT FURTHER RESOLVED that the beginning and terminal points of said improvements shall be as follows:
C Avenue NE, from Collins Road to 40th Street

,and

BE IT FURTHER RESOLVED that Nathan G. Kampman, P.E. of the Public Works Department, Cedar Rapids, Iowa, having authorized a professional engineering firm to prepare estimates, plans and specifications and McClure Engineering Company to prepare plats and schedules and otherwise to act in said capacity with respect to said project is hereby ordered to prepare and file with the Clerk preliminary plans and specifications and estimates of the total cost of the work and the plat and schedule of special assessments against benefited properties, and

BE IT FURTHER RESOLVED that this Council hereby determines that all property within the area hereinafter described will be specially benefited by said improvements, to-wit:

Sidewalk Improvements

14101-04025-00000 KEN ACRES 3RD E 8' LOT 11 & ALL LOT 12	14101-04004-00000 BELMONT W 30' LOT 30 & ALL LOT 31
14101-01001-00000 BELMONT E 8' LOT 27 ALL LOT 28 & W 30' LOT 29	14034-81001-00000 PARCREST LOT 1 BLK 5
14034-79014-00000 PARCREST LOT 7 BLK 6	14034-79015-00000 PARCREST LOT 6 BLK 6
14034-79016-00000 PARCREST LOT 5 BLK 6	14034-79017-00000 PARCREST LOT 4 BLK 6
14034-79018-00000 PARCREST LOT 3 BLK 6	14034-79019-00000 PARCREST LOT 2 BLK 6
14034-79001-00000 PARCREST LOT 1 BLK 6	14034-76004-00000 PARCREST LOT 5 BLK 7
14034-76001-00000 PARCREST LOT 4 BLK 7	14034-06004-00000 PARCREST LOTS 2 & 3 BLK 7
14034-06001-00000 PARCREST LOT 1 BLK 7	14034-04011-00000 HAND'S 1ST LOT 3
14034-04001-00000 STREED'S 1ST LOTS 1 & 2	14023-26021-00000 LAND'S (LESS STS) A TRI IN THE NW COR OF NW SW SEC 2 TWP 83 R 7
14023-26003-00000 A.P. #471 LOT 4	14023-26005-00000 LINGE'S 1ST LOT 13
14023-26008-00000 LINGE'S 1ST LOT 10	14023-26009-00000 LINGE'S 1ST LOT 9
14023-26010-00000 LINGE'S 1ST LOT 8	14023-26011-00000 LINGE'S 1ST LOT 7
14023-26012-00000 LINGE'S 1ST LOT 6	14023-26013-00000 LINGE'S 1ST LOT 5
14023-26014-00000 LINGE'S 1ST N 25' LOT 3 & ALL LOT 4	14023-26015-00000 LINGE'S 1ST N 47.5 LOT 2 & S 45' LOT 3
14023-26016-00000 LINGE'S 1ST LOT 1 & S 22.5' LOT 2	14023-51001-00000 S 1/2 SW EX ASSOC REALTY CO., LINDALE PLAZA INC. & AP 79 & EX PT DESC V1262 P610 BNG APPROX 110' X 200' NEAR E SIDE & EX S 200' N 733.5' W 300' E 714.51' NW OF BLVD - EX RD. SEC 02 TWP 83 R 7
14112-26007-00000 CEDAR VIEW LOT 1	14112-27014-00000 CEDAR VIEW LOT 8
14112-27015-00000 CEDAR VIEW (LESS E 2') LOT 17	

Sanitary Sewer Improvements

14023-26015-00000 LINGE'S 1ST N 47.5' LOT 2 & S. 45' LOT 3	14023-26014-00000 LINGE'S 1ST N 25' LOT 3 & ALL LOT 4
14034-06001-00000 PARCREST LOT 1 BLK 7	14023-26008-00000 LINGE'S 1ST LOT 10
14023-26005-00000 LINGE'S 1ST LOT 13	14023-26003-00000 A.P. #471 LOT 4
1403PARCREST LOT 7 BLK 64-79014-00000	

, and

BE IT FURTHER RESOLVED that said improvement shall be designated as “C Avenue NE from Collins Road to 40th Street Pavement Reconstruction”, and such name shall be sufficient designation to refer to said improvement in all subsequent proceedings.

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MayorSignature

Attest:

ClerkSignature

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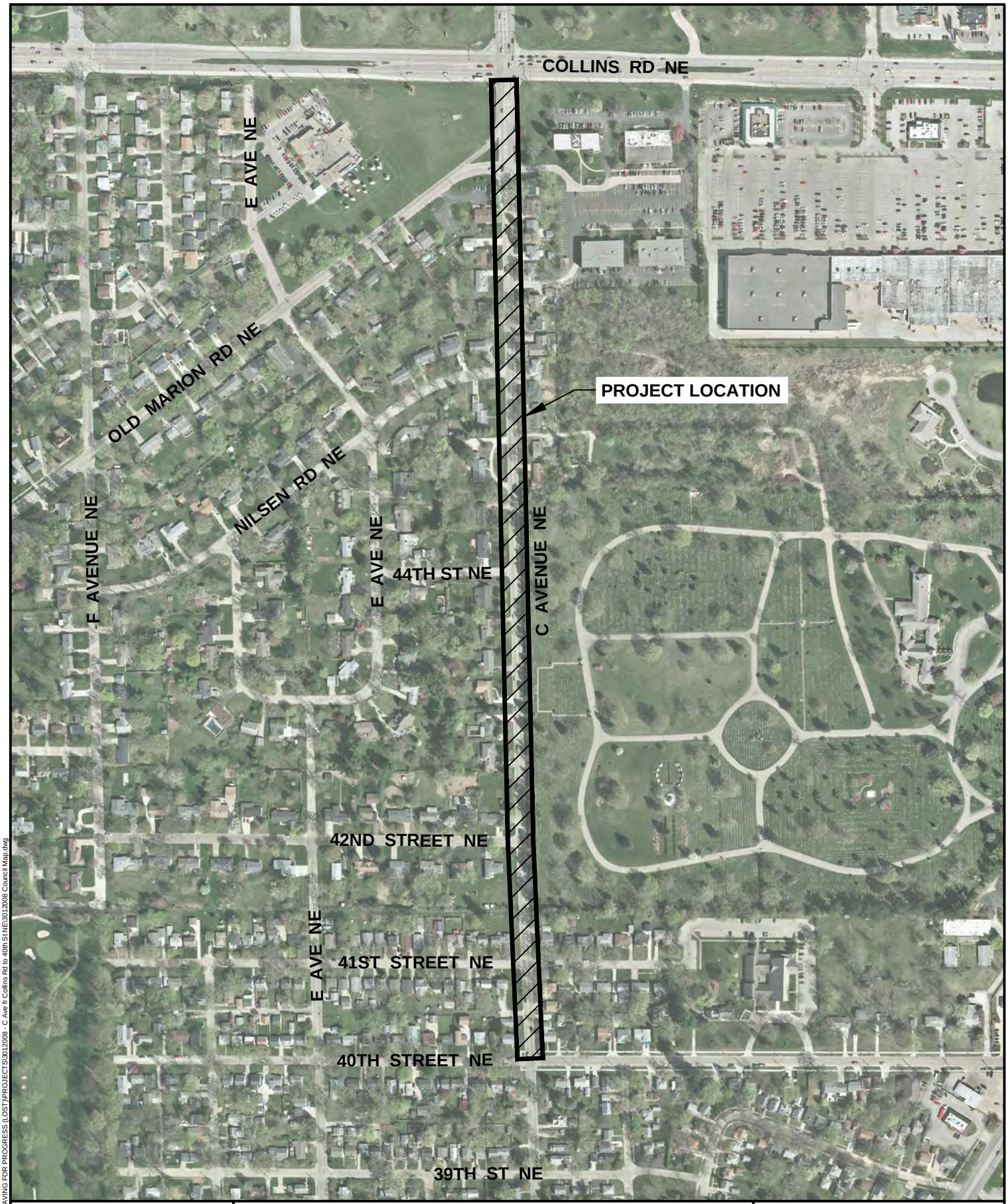

CEDAR RAPIDS
City of Five Seasons

C AVENUE NE RECONSTRUCTION FROM COLLINS ROAD TO 40TH STREET

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3012008

Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012008 - C Ave fr Collins Rd to 40th St NE\3012008 Council Map.dwg

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen **Phone Number/Extension:** 5807
E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Robert Davis **Phone Number/Extension:** 5808
E-mail Address: r.davis@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution referring to the Linn County Compensation Commission for the total acquisition of property located at 65 20th Avenue SW, owned by Maria L. Ortega, in connection with the Cedar Rapids Flood Control System project.
CIP/DID #3313200-00

EnvisionCR Element/Goal: ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

Background: This property is required to accommodate the proposed Cedar Rapids Flood Control System project. Negotiations are proceeding between the City and the property owner. However, in order to protect the City's project schedule, the City will file an application for eminent domain proceedings if the City and the property owner come to an impasse with negotiations. Until the compensation commission hearing, negotiations will continue between both parties to reach a mutually agreeable settlement to conclude this transaction.

Referring this matter to the Linn County Compensation Commission is in accordance with the eminent domain proceedings to allow the City to obtain title to the required property. This action is an expediency to maintain the construction schedule. The City will offer mediation to the property owner if the City and the property owner come to an impasse with negotiations.

Action/Recommendation: The Public Works Department recommends that the City Council approve the referral to the Linn County Compensation Commission to obtain the required property located at 65 20th Avenue SW, Cedar Rapids, Iowa owned by Maria L. Ortega.

Alternative Recommendation: Revise the adopted Cedar Rapids Flood Control Master Plan to schedule this phase later.

Time Sensitivity: Normal
Resolution Date: May 10, 2016
Budget Information: 331/3310000/3313200 GRI
Local Preference Policy: NA
Explanation: Local Preference Policy does not apply to the acquisition of property interest.
Recommended by Council Committee: NA
Explanation: NA

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3313300-00

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for the property is necessary for the Cedar Rapids Flood Control System project, (CIP No. 3313200), and

WHEREAS, the property required is located at 65 20th Avenue SW, Cedar Rapids, Iowa 52404, and the owner of said property is Maria L. Ortega, and

WHEREAS, the City has initiated negotiations with Maria L. Ortega for the acquisition and has made good faith effort to acquire the required real property, and

WHEREAS, the Public Works Director has determined it is in the best interest of the City to refer this matter to the Linn County Compensation Commission to establish the fair value for the City to acquire title to the property located at 65 20th Avenue SW, Cedar Rapids, Iowa, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Cedar Rapids Flood Control System project (Fund 331, Dept ID 3310000, Project 3313200 GRI), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the City Attorney is hereby authorized and directed to refer the property acquisition matter to the Linn County Compensation Commission to determine the fair compensation value and allow the property located at 65 20th Avenue SW, Cedar Rapids, Iowa to be acquired with the following description:

Lot 4, Block 1, Bowlings First Addition to West Cedar Rapids, Linn County, Iowa

BE IT FURTHER RESOLVED, the City of Cedar Rapids Finance Director is hereby authorized and directed to issue payment in accord with the Compensation Commission award.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Matthew Myers, P.E. **Phone Number/Extension:** 5718
E-mail Address: m.myers@cedar-rapids.org

Alternate Contact Person: Luke Miller **Phone Number/Extension:** 5802
E-mail Address: l.miller2@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution establishing "No Parking Anytime" on the north side 5th Avenue SE from 150' east of 10th Street SE to 250' east of 10th Street SE.
PARK-022970-2016

EnvisionCR Element/Goal: ConnectCR Goal 3: Establish a network of complete streets.

Background: The Public Works Department received a request from Tanager Place Clinic to restrict parking on the north side of 5th Ave SE between 402 10th Street SE and 1030 5th Avenue SE as exiting vehicles cannot see oncoming traffic. Upon a field review, it was determined the limited sight distance creates a safety concern for vehicles exiting Tanager Place Clinic.

Action/Recommendation: The Traffic Engineering Division of the Public Works Department has recommended that No Parking Anytime" be established on the north side 5th Avenue SE from 150' east of 10th Street SE to 250' east of 10th Street SE.

Alternative Recommendation: Keep the on-street parking as it currently is.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: N/A

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

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PARK-022970-2016

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Department received a request from Tanager Place Clinic to restrict parking on the north side of 5th Ave SE between 402 10th Street SE and 1030 5th Avenue SE as exiting vehicles cannot see oncoming traffic, and

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended that “No Parking Anytime” be established on the north side 5th Avenue SE from 150’ east of 10th Street SE to 250’ east of 10th Street SE due to limited sight distance, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that “No Parking Anytime” be established on the north side 5th Avenue SE from 150’ east of 10th Street SE to 250’ east of 10th Street SE be established and the same is hereby approved.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Judy Lehman **Phone Number/Ext.:** 5022
E-mail Address: j.lehman@cedar-rapids.org

Alternate Contact Person: **Phone Number/Ext.:**
E-mail Address:

Description of Agenda Item: CONSENT AGENDA
Resolution to adopt revised Procurement Manual.
CIP/DID #OB1769-09-98; OB341805

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background:

The City's Procurement Manual has been rewritten in an effort to enhance or revise it to incorporate changes which have occurred:

1. Processes and responsibilities are better defined
2. Sustainable Purchasing Principles have been incorporated
3. Printer Purchase and Use Policy is defined
4. Electronic links to current forms have been incorporated

The purpose of the Procurement Manual – Policies and Procedures (Manual) is to:

1. Provide City employees with uniform policies and procedures to be used in the procurement of goods and services;
2. Provide for the fair and equitable treatment of all persons involved in public purchasing by the City of Cedar Rapids;
3. Maximize the purchasing value of public funds; and to provide safeguards for maintaining a procurement system of quality and integrity;
4. Protect the interests of the City through adequate and proper contracting language and practices; and
5. Provide clarity and direction to City employees regarding City procurement practices.

All employees are expected to comply with the provisions and terms of the Procurement Manual and the Manual shall be followed, except as otherwise provided by state or federal law.

Action/Recommendation: That the City Council authorize the adoption of the Procurement Manual.

Alternative Recommendation: none

Time Sensitivity: medium

Resolution Date: 05-10-16

Budget Information: N/A

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: Yes
Explanation: Finance Committee

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OB1769-09-98
OB341805

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, a City Purchasing Manual which established certain City purchasing rules was adopted by the City Council on September 9, 1998 via Resolution No. 1769-09-98; and

WHEREAS, the City's Procurement Manual has been rewritten in an effort to enhance or revise it to include changes which have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Purchasing Policies as adopted on September 9, 1998 are hereby replaced with the attached Procurement Manual.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS

City of Five Seasons®

CITY OF CEDAR RAPIDS, IOWA

PROCUREMENT MANUAL
POLICIES AND PROCEDURES

TABLE OF CONTENTS

Section 1 – General **5**
1.01 Purpose of Procurement Manual – Policy and Procedures 5
1.02 City Council Authorization 6
1.03 Vision – Mission – Awards – Affiliations 6
1.04 Code of Ethics 7
1.05 Values and Guiding Principles[Note 1] 7
1.06 General Principles of Purchasing 9
1.07 When to Use Purchasing Services Division or Contracts Division 10
1.08 Definitions 10
Section 2 – Legal Requirements **23**
2.01 Gratuities – Gifts to Officers and Employees 23
2.02 Conflict of Interest and Financial Disclosure 23
2.03 State and Federal Grant Funding 24
2.04 Record Retention Policy 24
2.05 Open Records Policies 25
2.06 How to Fulfill a Public Records Request 25
Section 3 – Duties and Responsibilities of Purchasing Services Division **27**
3.01 Centralized – Decentralized Purchasing System 27
3.02 Purchasing Services Division Responsibilities 27
3.03 City Departments' Responsibilities 27
3.04 The Purchasing Cycle 28
3.05 Scope of Work – Scope of Services 29
3.06 Specifications 30
3.07 Bonds 32
3.08 Retainage 33
3.09 Insurance 33
3.10 Vendor Lists 33
3.11 Pre-Bid or Pre Proposal Meeting 34
3.12 Issuing Addenda 35
3.13 Receiving Bids and Proposals 35
3.14 Opening of Submittals 35
3.15 Bid Tabulation and Proposal Evaluation Summary 36
3.16 Late Bid or Proposal 36
3.17 Only One Bid Received 36
3.18 No Bids Received 36
3.19 Protests 37
3.20 City-Owned Goods (Materials, Items, Equipment) 38

Section 4 – Competitive Procurement Methods **39**
4.01 Purpose 39
4.02 Purchasing Authorization 39
4.03 Contract Authorization 39
4.04 Purchases Under $3,000 39
4.05 Request for Quotes 40
4.06 Request for Bids 41
4.07 Request for Proposals 43
4.08 Request for Qualifications 45
4.09 Utilization of Existing Contracts – Cooperative Procurement 46
4.10 Projects Funded by Federal and State Grants 46
4.11 Public Improvement Bids (Chapter 26 of the Iowa Code) 47
Section 5 – Non-Competitive Procurement Methods **49**
5.01 Exemptions 49
5.02 Sole Source and Single Source Procurement 49
5.03 Emergency Purchases 51
Section 6 – Local Preference Policy **53**
6.01 Background & Authority 53
6.02 Frequently Asked Questions 53
Section 7 – Duties and Responsibilities of Contract Division **56**
7.01 Contracting – General 56
7.02 Contract Preparation 57
7.03 Contracts Division Responsibilities 57
7.04 Responsibility of City Departments 58
7.05 The Contracting Cycle 58
Section 8 – Vendor Communications **59**
8.01 Vendor Communications 59
8.02 Vendor Registration Form 59
8.03 Vendor Lists 59
8.04 Budgetary Quotations from Vendors 59
8.05 Employee Visits to Vendor's Place of Business 60
8.06 Gifts from Vendors 60
8.07 Complaints Against Vendors 60
8.08 Protests and/or Complaints from Vendors 60
Section 9 – Shipping and Receiving **61**
9.01 Shipping Terms Definitions 61
9.02 Receiving Procedures 61
9.03 Shipment Discrepancies and Damaged Goods 61
9.04 Shipping Terms - Chart 63

Section 10 – Disposal of Surplus **64**
10.01 Definitions 64
10.02 Responsibilities 64
10.03 Methods Of Surplus Disposal 64
10.04 Disposal of Computer Equipment 65
10.05 Proceeds from the Transfer and Sale of Surplus 66
Section 11 – Technology and Communications Purchases **67**
11.01 Printer Purchase and Usage Policy 67
11.02 Computer Hardware 70
11.03 Computer Software 70
11.04 Telephone and Network Equipment 70
11.05 Cellular Devices 70
11.06 Radios 70
Section 12 – Sustainable Purchasing Principles **71**
12.01 Background 71
12.02 Purpose 71
12.03 Principles 71
12.04 Implementation 72

CITY OF CEDAR RAPIDS PROCUREMENT MANUAL
SECTION 1 – GENERAL

1.01 PURPOSE OF PROCUREMENT MANUAL – POLICY AND PROCEDURES

A. The purpose of this Procurement Manual – Policies and Procedures (Manual) is to:

1. provide City employees with uniform policies and procedures to be used in the procurement of goods and services;
2. provide for the fair and equitable treatment of all persons involved in public purchasing by the City of Cedar Rapids;
3. maximize the purchasing value of public funds; and to provide safeguards for maintaining a procurement system of quality and integrity;
4. protect the interests of the City through adequate and proper contracting language and practices; and
5. provide clarity and direction to City employees regarding City procurement practices.

B. The policies and procedures outlined in this Manual shall apply to all City employees involved with any procurement of goods and/or services for the City of Cedar Rapids. All employees are expected to comply with the provisions and terms of this Manual. The Manual shall be followed, except as otherwise provided by state or federal law. It is important for our supplier community to know that the City does business one way, on a consistently fair and equitable basis, rather than believing that differences exist from department to department.

C. In the event there is a separate funding authority with its own procurement policy, City departments shall follow both the funding authority's rules, as well as the City's procurement policies. If they conflict, the more stringent policy shall prevail.

D. The Cedar Rapids Public Library and the Eastern Iowa Airport are managed by their own separate governing bodies and have adopted their own procurement policies. All other City entities are governed by this Manual.

E. The City's Public Works, Utilities and Parks and Recreation Departments manage their own public improvement bidding projects, which are subject to the requirements of the Iowa Code. Non-public improvement procurements made by these divisions remain subject to this Manual.

F. Unless otherwise expressly stated or the context clearly indicates a different intention, the following words will have the meanings as defined:

- **City Council** means the Mayor and Council Members elected by the citizens of Cedar Rapids.
- **City Manager** means the individual appointed by the City Council to carry out the policies it establishes and to oversee the day-to-day administrative operations of City government.
- **Department** means the major operating division of the City of Cedar Rapids, board or commission. Only the departments of the City of Cedar Rapids are subject to these policies.
- **Department Director** means the individual responsible for the operation of a designated department.

- **Employee** means a person, other than a member of the City Council, occupying a City position that is paid a salary or wage by the City for services rendered to the City.

G. The Purchasing Services Division and Contracts Division are service and support resources for City employees and in order to gain maximum efficiency and economy requires the cooperation of all departments. All City employees involved in the procurement of goods and/or services, whether in the Purchasing Services Division, Contracts Division, or another City department must have a thorough understanding of the policies and procedures contained in this Manual.

Modifications to this Manual will be maintained electronically by the Purchasing Services Division and Contracts Division. Before becoming effective, policy changes shall be adopted through Resolution by the City Council. All new and revised pages will be numbered to properly conform to the remainder of the Manual and will bear the effective date of the revision. The Manual may be accessed electronically at http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx.

1.02 City Council Authorization

During a citywide reorganization plan, City Council Resolution No. 0497-06-07 moved the Purchasing Services Department under the Finance Department and subsequently the name was changed to the Finance Department - Purchasing Services Division. The Purchasing Services Division Manager reports directly to the Finance Director.

1.03 Vision – Mission – Awards – Affiliations

Our Vision:

To excel in public purchasing and contracting as valued resources, fostering innovative purchasing and contracting solutions, encouraging professional ethics and maintaining the integrity of open and free competition while protecting the interests of the City.

Our Mission:

To provide efficient and timely procurement and contracting services that maximize the value for each dollar expended using open and fair competition in accordance with the City's operational purchasing and contracting procedures, state and federal regulations, laws, rules, policies and procedures.

Awards

The City of Cedar Rapids Purchasing Services Division has been an annual recipient of the Universal Public Purchasing Certification Council's Agency Certificate Award since 2009 as having earned the honor of a fully certified public procurement staff. This award was created to formally recognize an agency's commitment to the value of certification in the public sector. To earn this certification, the staff completed formal education, procurement-related training and a comprehensive public purchasing written exam.

Professional Procurement Affiliations

The Purchasing Services Division is a member of the Institute for Public Procurement (NIGP) and the Iowa Public Procurement Association (IPPA).

The Contracts Manager is a member of the National Contract Management Association.

1.04 CODE OF ETHICS

The Purchasing Services Division and the Contracts Division follows the Code of Ethics adopted by the Universal Public Procurement Certification Council (UPPCC) and the Values and Guiding Principles adopted by the Institute for Public Procurement (NIGP).

Code of Ethics – Universal Public Procurement Certification Council (UPPCC)

- I will seek or accept a position of employment only when fully in accord with the professional principles applicable thereto, and when confident of possessing the qualifications to serve under those principles to the advantage of my employer.
- I believe in the dignity and worth of the services rendered by my employment and the societal responsibilities assumed as a trusted public servant.
- I shall governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of my employer and the public being served.
- I believe that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and intolerable.
- I will identify and eliminate participation of any individual in operational situations where a conflict of interest may be involved.
- I believe that individuals that possess UPPCC certification should at no time or under any circumstances accept directly or indirectly, gifts, gratuities, or other things of value from suppliers, which might influence or appear to influence purchasing decisions.
- I will keep my governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.
- I will handle personnel matters on a merit basis. Politics, religion, ethnicity, gender and age carry no weight in personnel administration in the agency being directed or served.
- I shall not seek or dispense personal favors that are in conflict with my profession.
- I will handle each administrative problem objectively and emphatically without discrimination.
- I subscribe to and support the professional aims and objectives of the Universal Public Procurement Certification Council.

1.05 VALUES AND GUIDING PRINCIPLES[NOTE 1]

Accountability

Taking ownership and being responsible to stakeholders for our actions…essential to preserve the public trust and protect the public interest.

Principles:

- Apply sound business judgment.
- Be knowledgeable of and abide by all applicable laws and regulations.
- Be responsible stewards of public funds.
- Maximize competition to the greatest extent practicable.

- Practice due diligence.
- Promote effective, economic, and efficient acquisition.
- Support economic, social, and sustainable communities.
- Use procurement strategies to optimize value to stakeholders.

Ethics

Acting in a manner true to these values…essential to preserve the public's trust.

Principles:

- Act and conduct business with honesty and integrity, avoiding even the appearance of impropriety.
- Maintain consistency in all processes and actions.
- Meet the ethical standards of the profession.

Impartiality

Unbiased decision-making and action…essential to ensure fairness for the public good.

Principles:

- Be open, fair, impartial, and non-discriminatory in all processes.
- Treat suppliers equitably, without discrimination, and without imposing unnecessary constraints on the competitive market.
- Use sound professional judgment within established legal frameworks to balance competing interests among stakeholders.

Professionalism

Upholding high standards of job performance and ethical behavior…essential to balance diverse public interests.

Principles:

- Be led by those with education, experience, and professional certification in public procurement.
- Continually contribute value to the organization.
- Continually develop as a profession through education, mentorship, innovation, and partnerships.
- Develop, support, and promote the highest professional standards in order to serve the public good.
- See continuous improvement through on-going training, education, and skill enhancement.

Service

Obligation to assist stakeholders…essential to support the public good.

Principles:

- Be a crucial resource and strategic partner within the organization and community.
- Develop and maintain relationships with stakeholders.
- Develop collaborative partnerships to meet public needs.

- Maintain a customer-service focus while meeting the needs, and protecting the interest, of the organization and the public.

Transparency

Easily accessible and understandable policies and processes…essential to demonstrate responsible use of public funds.

Principles:

- Exercise discretion in the release of confidential information.
- Maintain current and complete policies, procedures, and records.
- Provide open access to competitive opportunities.
- Provide timely access to procurement policies, procedures, and records.

Note 1 - As adopted from the Institute for Public Procurement (NIGP)

1.06 General Principles of Purchasing

A. All City employees and elected City officials who participate in the procurement and approval of purchases and contracts are personally responsible for becoming familiar with and abiding by all applicable Federal laws, Iowa Code, City policies and procedures, and City Code of Ordinances governing such activities.

B. The City's goal is to receive maximum value for the public dollar and to purchase in the best interest of the City. Purchases shall be made in the most efficient, effective, economical and ethical manner in accordance with the purchasing policies adopted by the City Council. The City Council shall have the final approval of all purchases equal to or greater than $50,000.

C. All City employees and elected City officials with the authority to commit City funds to any purchase must do so under the "law of agency". That is, when one makes purchases or contracts with suppliers or service providers, one is doing so as an agent of the City and must operate within the limits of the authority that have been granted.

D. Bids shall be awarded to the responsible bidder submitting the lowest responsive bid, taking into consideration his/her skill, experience meeting the specifications, facilities to carry out the contract, previous work and financial ability. The City reserves the right to waive irregularities, reject and/or accept any and all bids, in whole or in part, or take such other action as serves the best interests of the City.

E. The City of Cedar Rapids is committed to upholding the highest ethical standards in all its business practices; therefore, it has adopted a No Gift Standard. City departments, City employees, City officials, candidates and their immediate family members will not accept gifts, incentives, and discounts or anything of value from vendors even if these gifts fall within the amount permitted by State Law. Officials and employees shall not become obligated to any vendor and must not participate in any City transaction from which they may personally benefit. (Reference Legal Requirements, Section 2.01).

F. Citywide contracts shall be used when available and all departments shall participate in citywide bids when invited to do so. In order to maximize the purchasing power of the City to its fullest extent, departments shall reach reasonable consensus on particular goods and services.

1.07 When to Use Purchasing Services Division or Contracts Division

A. When purchasing goods or services that will be competitively bid you will utilize Purchasing Services Division, which, in many cases, results in a contract that is prepared by Purchasing Services Division.

B. In general, all other purchases of goods and services that require a contract will be prepared by the Contracts Division. See Section 7.0 of this Manual for Contracts Division information and see CR@Work at http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx

1.08 Definitions

For purposes of this Manual, the following terms, phrases, words and their derivations shall have the meaning given herein.

Acceptance – The assumption of a legal obligation by a party to a contract and the terms and conditions of that contract.

Addendum – A written change, addition, alteration, correction or revision to a Request for Bid or a Request for Proposal document. Addendum/Addenda may be issued following a pre-bid/pre-proposal conference or as a result of a specification or work scope change to the solicitation.

Advertising – A form of public notice of an intended purchase. See "Legal Notice".

Agreement – A duly executed and legally binding contract. The terms "agreement" and "contract" are, in most cases, synonymous.

Alternate Bid – A bid knowingly submitted in variance from the specifications, terms, conditions, or provisions of the solicitation. The City reserves the right to determine acceptance of proposed equivalent or equal items.

Amendment – 1. An agreed addition to, deletion from, correction or modification of an agreement or contract. 2. To revise or change an existing document. A formal revision, improvement or correction.

Appropriation – A legislative authorization to expend public funds for a specific purpose; funds that have been set-aside for a specific purpose.

Approved Equal – A product of similar or superior function, purpose, design and/or performance that has been approved as an acceptable alternate to original specifications.

As Is – Term indicating that goods offered for sale are without warranty or guarantee and that the purchaser takes the goods at his/her own risk without recourse against the seller for the condition or performance of the goods.

Assignment – The legal transfer of a claim, right, interest, or property.

Assignee – The grantee, or recipient, of an assignment.

Assignor – A person who makes an assignment.

Award – The acceptance of a bid or proposal; the presentation of a purchase agreement or contract to a bidder or offeror.

Best Interest of the City – The rationale granting a purchasing official discretion in taking action most advantageous to the City when it is impossible to interpret adequately a specific response by law or regulation.

Bid – A competitive price offer made by an intended seller, normally by written notice,

offered as a result of a formal invitation to prospective vendors.

Bid Acceptance – The unconditional receipt of the bid at the designated bid location within the time frame and conditions set in the bid document. Any alterations to the bidder's offer after the close of the bid or any deviations from the conditions set in the bid document may result in the rejection and removal of the bid.

Bid Bond – An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the bidder will not withdraw the bid, the bidder will furnish bonds as required, and if the contract is awarded to the bonded (insured) bidder, the bidder will accept the contract as bid or else the surety will pay a specified amount.

Bid Deposit – A sum of money or a bond issued by a third party (the surety) deposited with a bid and guaranteeing the bidder will not withdraw the bid for a specified period of time, will furnish bonds as required, and will accept a contract, if awarded, or forfeit the deposit.

Bid Evaluation – The approach for selection of the bid award, which shall be based on the requirements set forth in the bid documents. The evaluation may include criteria to determine acceptability such as inspections, testing, quality, workmanship, delivery and suitability for a particular purpose and to existing systems and equipment. It may also be based on total and life cycle costs as well as freight, set-up, or installation charges.

Bid Opening – The official process in which sealed bids are opened, usually in the presence of one or more witnesses, at the time and place specified in the Request for Bid. All bid openings are public.

Bid Sample – A sample to be furnished by a bidder to show the characteristics of a product offered in a bid. Bid samples are used only to determine the responsiveness of the bid.

Bidder – Any person submitting a competitive bid in response to a solicitation.

Blanket Order – (1) An agreement to purchase a given quantity of specific goods over a specified period of time, usually one year. (2) A contract under which a contractor/vendor agrees to provide goods or services to a purchaser on a demand basis; the contract generally establishes prices, terms, conditions, and the period covered, although no quantities are specified; shipments are to be made when and as required by the purchaser which in certain cases may be the end user.

Boilerplate – Common designation for standard terms and conditions, usually preprinted, incorporated in all Requests for Bids, Requests for Proposals, contracts or purchase orders.

Brand Name – A name that serves to identify a manufacturer's product and may be protected by a trade name or trademark.

Brand Name Specification – A specification that cites the brand name, model number or some other designation that identifies a specific product to be offered exclusive of others.

Brand Name or Equal Specification – A specification that cites brand names, model numbers, or other identifications as representing quality and performance called for, and inviting bids on comparable items or products of any manufacturer.

Breach of Contract – A failure without legal excuse, to perform any promise that forms a whole or part of a contract.

Breach of Warranty – An infraction of an expressed or implied agreement as to the title, quality, content, or condition of a product sold.

Bulk Purchasing – To purchase in volume with the expectation of reducing the unit price of an item. To purchase aggregate quantities of material in hope of achieving deeper discounts and better pricing.

Business Day – Typically, Monday through Friday, excluding holidays.

Buyer – A purchaser who buys goods or services from a vendor in a transaction.

Calendar Day – Every day shown on the calendar, Saturdays, Sundays, and holidays included.

Capital Expenditure – An expenditure that results in the acquisition of, or an addition to a fixed asset.

Cash Discount – A reduction in the full cost of a good or service when payment is made within a specified period of time: e.g. 2% 10 net 30.

Caveat Emptor – "Let the buyer beware." A maxim stating the buyer should be careful in making a purchase because the burden of defective goods rests with him/her. In contracts, the seller can be held responsible for certain defects by means of suitable specifications, warranties and contractual terms and conditions.

Centralized Purchasing - An organizational structure where all procurement activities are conducted by one department and managed by a chief procurement officer. In a de-centralized structure the purchasing authority may be given to various organizational units at several locations.

Certificate of Insurance – A document showing a contract in which one party, for a fee, undertakes to protect another party against loss, damage or liability arising from an unknown and unforeseen event.

Certificate of Non-collusion – A document that may be required, usually by public purchasers, affirming that the bid/offer is made freely and without collusion with another vendor.

Change Order – A written alteration that is issued to modify or amend a contract or purchase order. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not covered by the drawings, plans or specifications of the project.

City Council – The Mayor and Council members elected by the citizens of the City of Cedar Rapids.

Code of Ethics – A guide to acceptable and ethical behavior as defined by an organization or public body. A standard of behavior adopted by an organization.

Collusion – When two or more parties act together secretly to achieve a fraudulent or unlawful act.

Collusive Bidding – The response to bid invitations by two or more vendors who have secretly agreed to circumvent laws and rules regarding independent and competitive bidding.

Commodity – An article of trade, a movable article of value, something that is bought or sold; any movable or tangible thing that is produced or used as the subject of barter or sale.

Competition – The process by which two or more vendors vie to secure the business of a purchaser by offering the most favorable terms as to price, quality, delivery and /or service.

Competitive Sealed Bidding – Preferred method for acquiring goods, services and

construction for public use in which award is made to the lowest responsive and responsible bidder, based solely on the response to the criteria set forth in the Request for Bid; does not include discussions or negotiations with bidders.

Competitive Sealed Proposal – A procurement method for obtaining goods, services, and construction for public use in which discussion and negotiations may be conducted with responsible offerors who submit responsive proposals.

Conflict of Interest – A clash between the public interest and the private pecuniary interest of the individual concerned. The term identifies those situations where contractors or public officials may obtain a benefit from a public contract.

Consideration – (1) Something of value which is exchanged by two parties and which serves to form or bind a contract. (2) A type of mutual commitment that must exist to form an express contract. (3) That which is given or promised in order to bring a binding contract into existence.

Consultant – Any individual, firm, corporation, etc., offering Professional Services to the City in exchange for compensation. This designation is sometimes interchangeable with "Professional Service Provider".

Contract – (1) A contract is an obligation, such as an accepted offer, between competent parties upon a legal consideration, to do or abstain from doing some act. (2) A legally binding promise, enforceable by law. (3) An agreement between parties with binding and legal and moral force, usually exchanging goods or services for money or other consideration.

Contract Administration – Following the award of a contract, the management actions that must be taken to assure full compliance with all of the terms and conditions contained within the contract document, including price. Contract administration activities include payment recommendation, monitoring of progress, inspection and acceptance, quality assurance, monitoring, modifications, negotiations, contract closeout and other activities.

Contract Execution – The act of overseeing the signing of a legally binding document that shall include signatures of the Contractor and the Mayor or the City Manager, the City Clerk and with appropriate notaries and seals.

Contract Invoice Form (CIF) – The standardized invoice form developed by the City and used by Consultants for submitting monthly invoices for Time & Expense / Not to Exceed Professional Service Agreements. This standardized form is available at http://www.cedar-rapids.org/government/departments/purchasing/pages/contractorinvoiceform(crcif).aspx.

Contract Request Form (CRF) – The request form used by City employees for requesting a Professional Service Agreement from the Contracts Division. The request form is available at http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx.

Contractual Services – Basic services provided to the City under contract or Purchase Order in which charges, effective periods, and extent of work are defined. Examples of contractual services are janitorial services, maintenance services, mechanical services and construction services.

Davis-Bacon Act (1931) – A Federal law which requires contractors who perform public works construction projects that are federally funded to pay their workers the prevailing wage rate paid in the area for similar work, as set by the Secretary of Labor.

Debarment – (1) To prohibit a seller/contractor from bidding on future requirements for cause for a certain period of time. (2) A sanction brought against a seller whereby they may not engage in future procurement actions. (3) To exclude or shut out of future

solicitations and contracting opportunities.

Decentralized Purchasing – An organizational structure in which procurement and contracting authority is delegated to several functional areas within the organization.

Delivery Schedule – A required or agreed upon time, or rate, for delivery of goods or services.

Discount – An allowance, reduction or deduction from a selling price or list price extended by a seller to a buyer in order for the net price to become more competitive.

Disposal – (1) To remove an item of inventory or a capital asset from an organization in accordance with disposal and accounting procedures. (2) The disposition of assets or inventory.

Dispute – Disagreement between parties to a contract over performance or other contract term requiring administrative action to resolve.

Emergency – A situation brought about by a sudden unexpected turn of events i.e. Act of God, riots, fires, floods, accidents or any circumstance or cause beyond the control of the City in the normal conduct of business.

Emergency Purchase – A purchase made due to an unexpected and urgent request where inaction could result in unacceptable consequences which may affect the life, health or safety of the citizens and employees, or cause unnecessary or additional damage to City property. Usually formal competitive bidding procedures are waived. (Examples; sand bags during a flash flood, wood to cover windows after a storm)

Employee – A person, other than a member of the City Council, occupying a City position that is paid a salary or wage for services rendered to the City.

Equal, Or Equivalent – A phrase used to indicate the acceptability of a product of similar or superior function, purpose, design, and/or performance. (See Brand Name)

Evaluation Criteria – Generally used in the Request for Proposal (RFP) method. Qualitative factors that an evaluation committee will use to evaluate/score a proposal and select the most qualified proposer/offeror. May include such factors as past performance, references, management and technical capability, price, quality and performance requirements.

Expedite – Effort to assure delivery of goods purchased in accordance with a time schedule, or to accelerate delivery.

Fiscal Year – A period of twelve consecutive months selected as a basis for annual financial reporting, planning or budgeting. The fiscal year for the City of Cedar Rapids is July 1st through June 30th.

Fixed Asset – An asset of a long-term character having a useful life of more than one year and a value of at least $5,000.00, stands alone and functions by itself.

Fixed Price Contract – A contract that provides for a firm price, subject to any contractual conditions allowing price adjustment, under which the contractor bears the full responsibility for profit or loss.

Formal Advertising – The placement of a notice on the city's website or in a newspaper of general circulation according to legal requirements to inform the public that the City is requesting bids on a specific purchase it intends to make.

Free on Board (F.O.B.) – Determines the point at which title for the shipment passes from seller to the buyer.

F.O.B. Destination – The title changes hands from seller to buyer at the destination of

the shipment; vendor owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

F.O.B. Origin - The title changes hands from seller to buyer at the origin of the shipment; purchaser owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

Functional Specification – A type or manner of writing a purchase description characterized by what results are required rather than a generic description of the product or service. Compare with Performance Specification.

Guarantee – To warrant or ensure performance or quality. A warranty. A written assurance attesting to the quality or durability of a product.

Hold Harmless Clause – Contractual clause requiring the contractor to assume sole liability in any actions brought against the contract and absolving the jurisdiction from any responsibility.

Indefinite Quantity Contract – A type of contract that provides for the delivery of indefinite quantities, within stated time limits of supplies or services to be furnished during a fixed period, with deliveries or performance to be scheduled by placing orders with the contractor. See Blanket Order.

Inventory – Goods in stock or an itemized list of the goods on hand at a particular time showing quantity, volume and values.

Indemnify – To protect against hurt or loss, to exempt from incurred penalties or liabilities. To compensate or pay for damage.

Invoice – A list of goods or services, showing prices, terms, quantities and other particulars sent to a purchaser in request for payment.

Late Bid or Offer – A bid or offer received at the place specified in the solicitation after the time designated for all bids or proposals to be received. A Late Bid shall not be considered and shall remain unopened in the bid file.

Law of Agency – When one acts in their capacity as authorized buyer for the City, one is acting as an agent of the City and not as an individual. As such, one is obligating the City to act in a certain way and must be sure that what one does is legal, ethical and in the best interest of the City.

Lead Time – The period of time from date of ordering to date of delivery. This includes the time required for the vendor to manufacture or prepare the goods for shipment, and may include the time needed by the procurement function to process the purchase request, issue a solicitation, evaluate bids and award a contract.

Lease – A contract conveying from one person to another real estate or property for a term in return for a specified rent or other compensation.

Lease-Purchase Agreement – A lease contract containing a purchase option in which the lessee's periodic payments or parts thereof may be applied to serve both as the rental obligation and as installments for acquiring ownership of the property upon lessee exercising the purchase option; a conditional sales contract.

Legal Notice – A public notice required by law, ordinance or executive order. Generally placed in a newspaper of general circulation or may be posted on a web site, magazine or other media, depending on the specific legal requirements.

Life Cycle Costing – The total cost of ownership over the life span of the asset. A procurement technique that takes into account operating, maintenance, the time value of money, disposal and other associated costs of ownership as well as the residual value of

the item.

Liquidated Damages – Damages paid usually in the form of a monetary payment, agreed by the parties to a contract which are due and payable as damages by the party who breaches all or part of the contract. May be applied on a daily basis for as long as the breach is in effect. May not be imposed as an arbitrary penalty. The key to establishing liquidated damages is reasonableness. It is incumbent upon the buyer to demonstrate, through quantifiable means, that damages did exist.

Lowest Responsive and Responsible Bidder – The bidder who fully complied with all of the bid requirements and whose past performance, reputation and financial capability is deemed acceptable and has offered the most advantageous pricing or cost benefit, based on the criteria stipulated in the bid documents.

Lump Sum – The total price of a group of items that are put together and priced as a whole, aggregate. A price not based on unit cost or quantities.

Material Safety Data Sheets (MSDS) – Documentation concerning a hazardous chemical. Identifies the chemical, the common names of the ingredients, the physical and chemical characteristics, and the hazards of the chemical. Also includes emergency and first aid procedures to be considered when working with that chemical.

Multiple Award – The award of contracts to two or more vendors or contractors to furnish the same or similar supplies or services, where more than one vendor is needed to meet the contract requirements for quality, delivery, or service.

Negotiation – Conferring, discussing, or bargaining to reach agreement in business transactions. A bargaining process between two or more parties, each with its own agenda and objectives, seeking to reach a mutually satisfactory agreement on or settlement of a matter of common concern. A process of planning, reviewing, and analyzing used by a buyer and a seller to reach acceptable agreements or compromises.

Net Price – Price after all discounts, rebates, etc., have been allowed.

No Bid – A response to a Request for Bid stating that the respondent does not wish to submit a bid.

Non-Responsive Bid – Bids which do not meet all material requirements of the Request for Bid or which fail to provide all required information, documents or materials will be rejected as non-responsive. Material requirements of the Request for Bid are those set forth as mandatory, or without which an adequate analysis and comparison of bids is impossible, or those which affect the competitiveness of bids or the cost to the city.

Non–Responsible Bidder - Bidders whose bids, past performance or current status do not reflect the capability, integrity or reliability to fully and in good faith perform the requirements of the contract may be rejected as non-responsible.

Notice of Award – A written notification from the City to the successful bidder, stating that there is an award of a contract in accordance with a bid or proposal previously submitted.

Option to Renew – A contract clause that allows a party to renew the contract for an additional term, in accordance with contract terms.

Order (Purchase) – A request or command issued to a supplier for goods or services at a specified price or agreed basis for payment.

Partial Payments – Payments that permit the contractor to invoice at intervals to coincide with the delivery and acceptance of incremental supplies and/or services.

Payment Bond – An instrument, issued by a surety that guarantees that subcontractors will be paid for labor expended on the contract.

Performance Bond – An instrument executed, subsequent to award, by a successful bidder that protects the public entity from loss due to the bidder's inability to complete the contract as agreed. A risk mechanism that secures the fulfillment of all contract requirements.

Performance Record – A record to indicate a supplier's ability to keep delivery promises and reliability, together with consistency of quality of the products.

Performance Specification – A specification describing the performance characteristics sought in a product or service, a purchase description accenting performance over design, a functional rather than a generic or physical specification. Compare with Functional Specification.

Piggyback Method – A form of intergovernmental cooperative purchasing in which an entity requests competitive sealed bids, enters into a contract, and arranges, as part of the contract, for other public purchasing units to purchase from the selected vendor under the same terms and conditions as itself.

Pre-Bid Conference/Meeting – A meeting that is scheduled for the purpose of providing clarification as needed. Substantive questions raised at a pre-bid conference are answered in writing and may modify the solicitation. If the pre-bid meeting is mandatory, then bids cannot be accepted from companies not represented at the meeting.

Pre-Qualification of Bidders – The screening of potential vendors/contractors in which such factors as financial capability, reputation, and management are considered in order to develop a list of qualified businesses who may then be allowed to submit bids/offers.

Pre-Solicitation Conference – An informal meeting inviting comments and suggestions from selected vendors on the draft of a proposed solicitation. Used for technical and complex service transactions.

Preferred Manufacturer Procurement – See Single Source Procurement

Price – (1) A value placed on an object or service provided by a seller to a buyer. (2) The money value of a unit of a good, service or resource (3) The total amount, in money or other consideration to be paid or charged for a commodity or service; normally includes all costs (direct labor, overhead, materials) and profit or fee.

Price Escalation Clause – A condition in a solicitation and resultant contract that allows the price under the contract to decrease or increase under defined conditions; the condition should provide for the purchaser to cancel any individual item affected, or the contract, if a request for increase is not acceptable.

Privatization – The divestiture of a government program including control and management as well as real and personal property to private entrepreneurs.

Procurement – Purchasing, renting, leasing, or otherwise acquiring any supplies, services, or construction; includes all functions that pertain to the acquisition, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. The combined functions of purchasing, inventory control, traffic and transportation, receiving, inspection, storekeeping, sale and disposal operations.

Professional Services – Services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state of Iowa, or those performed by any architect,

professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice. Professional Services are procured by City Engineering and Utilities Departments using a Qualification Based Selection (QBS) process.

Professional Service Provider - Any individual, firm, corporation, etc., offering Professional Services to the City in exchange for compensation. This designation is sometimes interchangeable with "Consultant".

Progress Payments – A timed sequence of payments made during the performance of a contract; periodic payments made over the life of a contract; allows the contractor to submit invoices for payment as progress is made in performing the contract. Progress payments shift risk to the public agency since payment for progress made does not guarantee that the work will be completed.

Project – The term used to describe an undertaking by the City, involving money and personnel.

Proposal – An offer made by one party to another as a basis for negotiations for entering into a contract.

Protest – A written objection to a solicitation by a prospective bidder, a bidder, a contractor or other interested party with the intention of achieving a remedial result.

Public Improvement – The construction or improvement of a public building, structure, utility system, property or infrastructure. When the estimated cost to a City for a public improvement exceeds $50,000, the City is required to follow the requirements set out in the Iowa Code Section 26.2.

Purchase Description – The words used in a solicitation to describe the supplies, services or construction to be purchased, including any performance, physical or technical requirements. Unless the context requires otherwise, the terms "purchase description," "purchase specification," and "specification" may be used interchangeably.

Purchasing – Buying materials and services of the right quality, in the right quantity, at the right price, from the right source, and for delivery at the right time.

Purchasing Cycle – The full sequence of activities carried out by a purchasing department in the acquisition of goods and services. (See Procurement)

Purchasing Ethics – Moral principles or code to be respected by the Purchasing Services Division, or any City department having responsibility in the procurement process. The Purchasing Services Division and the Contracts Division follows the Code of Ethics adopted by the Universal Public Procurement Certification Council (UPPCC) and the Values and Guiding Principles adopted by the Institute for Public Procurement (NIGP).

Purchasing Manual – A document that describes the rules, regulations, policies and procedures to be followed by the purchasing organization and the departments it serves.

Purchase Order – An official document issued by the City to a vendor authorizing the expenditure of funds for goods and services. The purchase order also provides control of the appropriate amount and quantity being ordered by the City.

Purchasing Policy – A course of action adopted by the public agency that provides guidance relative to procurement actions.

Purchasing Procedure – A mode of conducting purchasing activities.

Qualification Based Selection (QBS) - An equitable and organized process in which contracts for professional design services are negotiated on the basis of demonstrated

competence at a fair and reasonable price. A design Professional would be defined as an architect, an engineer, a landscape architect or registered surveyor and mapper. Selection is based on qualifications and competence rather than price. In most situations the City would prepare a Request for Qualifications (RFQ) and, in response, the Professional Service Providers would submit a Statement of Qualifications (SOQ).

Quotation – (1) A statement of price, terms of sale, and description of goods or services offered by a prospective seller to a prospective purchaser, usually for purchases below the amount requiring written bids (under $5,000). (2) May be non-binding if solicited to obtain market information for planning and budgetary purposes. (3) Can be used for obtaining price and delivery information for emergency purchases.

Request for Bid (RFB) - A written request from an organization to a prospective vendor soliciting a bid. It contains specifications that are clearly spelled out (different from Request for Proposal) and all contractual terms and conditions. May require a sealed submittal, a public opening and approval by council resolution.

Request for Information (RFI) - A non-binding method whereby a jurisdiction publishes via newspaper, Internet, or direct mail its need for input from interested parties for an upcoming solicitation. A procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation. Generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc.

Request for Proposal (RFP) – (1) A formal written request from an organization to a supplier to submit a proposal. The proposal is to provide a solution to a problem or a need that the organization has identified. Usually used when price is not the determining criteria. (2) Provides for the negotiation of all terms, including price prior to contract award (3) May include a provision for the negotiation of Best and Final Offers (4) May be a single step or multi step process.

Request for Qualifications (RFQ) – A document issued by the City when seeking delineation of credentials from Consultants for specific types of services. An attempt to gauge potential competition and obtain information, which may be helpful when writing a statement of work or developing specifications for a City Project.

Request for Quotation - A small order amount purchasing method. Generally used for small orders under a certain dollar threshold. A request is sent to the supplier along with a description of the commodity or services needed and the supplier is asked to respond with price and other information by a pre-determined date. Evaluation and recommendation for award should be based on the quotation that best meets price, quality, delivery, service, past performance and reliability.

Requirements Contract – A contract used to order only the material or services actually required during a contract term. An indefinite quantity contract for frequently used commodities or products.

Responsible Bidder – A person who has the capability in all respects to perform in full the contract requirements, along with the integrity and reliability that will assure good faith performance.

Responsive Bidder – (1) A person who has submitted a bid which conforms in all material respects to the Request for Bid. (2) One whose bid conforms in all material respects to the terms, conditions, specifications and other requirements of the Request for Bid.

Restrictive Specification – Specifications that unnecessarily exclude a potential bidder

from competing for procurement. Precludes full and open competition. Specifications are written around a specific product or service.

Scope of Work/Statement of Work (SOW) – A written description of the contractual requirements for materials and services contained within a Request for Proposal. The SOW can be compared to the specifications contained within a Request for Bid. A well-conceived and clearly written SOW serves four main purposes: (1) Establishes clear understanding of what is needed (2) Encourages competition in the marketplace and promotes economic stimulus (3) Satisfies a critical need of government (4) Obtains the best value for the taxpayer.

Scrap - Damaged, spent, or otherwise unusable equipment, parts, or materials of which the only value lies in recycling of its component parts or materials.

Sealed Bid – A bid that has been submitted in a sealed envelope to prevent its contents being revealed or known before the deadline for the submission of all bids.

Service Contract – A contract that calls for a contractor's time and effort rather than for a product.

Single Source Procurement (sometimes called Preferred Manufacturer) - A procurement when there are two or more viable suppliers that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer based on valid and legitimate business reasons, therefore leaving only one supplier from which to purchase the product and/or service.

It should be noted that this procurement selection method should not be used frequently as it interferes with the basic principles of free and open competition. Pricing is negotiated and it is recommended that a Purchase Agreement or a Professional Services Agreement is prepared and signed by both parties to ensure all terms and conditions of the purchase are stated in writing.

Site Inspection – The requirement in a solicitation that the potential bidders or offerors visit the physical location where the contract is to be performed to become familiar with site conditions. May be held in conjunction with a pre-bid or pre-proposal conference.

Sole Source Procurement – A type of procurement when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

Pricing is negotiated and it is recommended that a Purchase Agreement or a Professional Services Agreement is prepared and signed by both parties to ensure all terms and conditions of the purchase are stated in writing.

Examples of Sole Source Circumstances:

- The purchase of a component or replacement part for which there is no commercially available product and which can be obtained only from the manufacturer.
- The use of other than OEM (original equipment manufacturer) parts would void a still valid warranty.
- The purchase of an item where compatibility is the overriding consideration.
- The purchase of a used item which becomes immediately available and is subject to prior sale.

Solicitation – A request for quotations, bids or proposals to provide supplies, services or construction items.

Specification – A precise description of the physical or functional characteristics of a

product, good or construction item. A description of good as opposed to a description of services. A description of what the purchaser seeks to buy and what bidder must be responsive to in order to be considered for award of a contract. Specifications generally fall under the following categories: design, performance, combination (design and performance), brand name or approved equal, qualified products list and samples. May also be known as purchasing description.

Standard – A characteristic or set of characteristics for an item that, for reasons of performance level, compatibility or interchangeability with other products, etc., is generally accepted by producers and by users of the item as a required characteristic of all items for the designed purpose.

Statement of Qualifications (SOQ) – See Qualification Based Selection

Standard Specification – A specification that is to be used for all or most purchases of an item; describes all required physical and functional characteristics of goods, services or construction.

Subconsultant – Any person or business entity employed to perform part of a contractual obligation under the control of the principal Consultant.

Subcontractor – Any person or business entity employed to perform part of a contractual obligation under the control of the principal contractor. Any supplier, distributor, vendor or firm that furnishes supplies or services to a prime contractor or another subcontractor.

Supplier – Any individual, firm, corporation, etc., offering for sale, trade, exchange or to otherwise supply items, goods, or services to the City in exchange for compensation. This designation is sometimes interchangeable with "Vendor".

Surplus Property – City owned property that has reached the end of its useful life or has become obsolete in City service.

Tabulation of Bids – A recording of bidders and abstract of their bids listing items offered, prices, deliveries, etc., in response to a specific solicitation, made for purposes of comparison and record-keeping.

Term Contract – A type of contract in which a source of supply is established for a specified period of time for specified services or supplies; usually characterized by an estimated or definite minimum quantity, with the possibility of additional requirements beyond the minimum, all at a predetermined unit price.

Terms and Conditions (T&C's) – Standard boilerplate language that includes standard clauses and rules which apply to bids and offers formally solicited that may become incorporated into the final contract.

Uniform Commercial Code (UCC) – Uniform statute law adopted by all states, except Louisiana, for consistency in law governing commercial transactions of goods.

Using Department – The organizational unit within the city, which utilizes supplies, services or construction.

Value Analysis – Organized effort to analyze the function(s) of products, systems, specifications, standards, practices and procedures for purpose of satisfying the required function(s) in the most economical manner.

Vendor – Any individual, firm, corporation, etc., offering for sale, trade, exchange or to otherwise supply items, goods, or services to the City in exchange for compensation. This designation is sometimes interchangeable with "Supplier".

Vendors List – A list of potential vendors, including their contact information, from who

bids, proposals and quotations can be solicited.

Waiver of Mistake or Informality – The act of disregarding minor informalities; errors, or technical nonconformance in the bid, which will not adversely affect the competition or prejudice one bidder in favor of another.

Warranty – A promise made by a seller to a buyer that is legally enforceable. The promise may be expressed or implied and is legally binding. (1) Express Warranty – A written explanation of the responsibilities of the seller in the event that the product is found to be defective or otherwise unsatisfactory. (2) Implied Warranty – A warranty or promise arising by operation of law that something, which is sold, shall be merchantable and fit for the purpose for which the seller has reason to know it is required. Example-A contract to do certain work, such as a building contract, contains within itself an implied warranty that the work shall be done in a professional manner.

2.01 GRATUITIES – GIFTS TO OFFICERS AND EMPLOYEES

A. The *City of Cedar Rapids Personnel Policy Manual* addresses acceptance of gifts in Section 1.06 Ethics and the Receipt and Reporting of Gifts.

B. The City of Cedar Rapids is committed to upholding the highest ethical standards in all of our business practices. Therefore, we abide by a No Gift Standard. This standard recognizes the need to avoid even the perception of improper gifts or favors to employees. All employees shall comply with Chapter 68B of the Iowa Code regulating the receipt and reporting of gifts.

C. All City officials, employees, candidates for public office, or their immediate family members shall abide by a No Gift Standard. As part of this standard we will not accept gifts, discounts or anything of value from vendors even if these gifts fall within the amount permitted by State Law.

D. If a vendor sends or offers a gift, one of the following options shall be chosen:

   1. If possible, refuse to accept the gift prior to or upon delivery.

   2. If circumstances do not allow you to refuse the gift, immediately donate the gift to an area food bank, shelter or charity. Ask for an itemized receipt of acceptance and then forward a copy of the receipt to Human Resources.

E. The No Gift Standard also applies to all offers of discounts or free items at any place of business targeted toward a City official, City employees, candidates for public office, or their immediate family members and not available to the general public, regardless of the value. The standard does not apply to small gifts of appreciation from citizens (such as a bottle of water or home baked goods) who have no connection to a vendor.

F. If you have questions or need clarification regarding the City's "No Gift" standard, contact your Department Director, the Human Resources Office or the City Manager's Office.

G. Complaints regarding conduct of local officials or local employees which violates this policy should be filed with the county attorney.

2.02 CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE

Employees must agree that no relationship exists or will exist, during their employment with the City, between them and the City that is a conflict of interest. In accordance with the provisions of Iowa Code ch. 68B, no employee shall participate in the selection or in the award or administration of a contract if a conflict of interest, real or apparent, exists. If a conflict of interest is proven to the City, the City may terminate their employment. The employee shall establish safeguards to prevent circumstances that are, or give the appearance of being, motivated by the desire for private gain for themselves or others with whom they have family, business, or other ties. The employee shall report any potential, real, or apparent conflict of interest to their direct manager.

2.03 STATE AND FEDERAL GRANT FUNDING

The procurement policies stated in this Manual are not preempted by the requirements for State and Federal grants unless the City requirement is inconsistent with the State or Federal grant requirements, in which case departments shall follow strictest of any applicable policy. City departments shall adhere to the City's procurement policies and all State and Federal requirements. In addition, all applicable conditions of State or Federal funding must be included in bid and proposal solicitations and contracts. (Reference Purchases with Grant Funds, Section 4.10)

2.04 RECORD RETENTION POLICY

Records management means keeping only those records that are necessary and keeping them in a way that permits quick and easy access to the important information they contain.

A. Bids or Proposals for Goods or Services using Grant Funds

Records shall be retained in strict accordance with the terms of the grant. Generally, grants contain a "Retention of Records" section stating the required retention period. Grant retention terms supersede the City's retention policy.

B. Bids or Proposals for Goods and Equipment with no Contract

Records shall be retained for a period of five (5) years from the date of the bid or proposal opening.

C. Bids or Proposals for Goods, Equipment and Services with no multi-year renewal options.

Records shall be retained for a period of five (5) years from the date of the bid or proposal opening.

D. Bids or Proposals for Goods, Equipment and Services with multi-year renewal options.

Records shall be retained for a period of ten (10) years from the date of the bid or proposal opening.

E. Public Improvement Bids and Contracts

These Contracts are retained by the City Clerk's Office in accordance with the Iowa Code.

F. When the word "Records" is used in this section, it includes, but is not limited to the following documents:

- The Request for Bid, Request for Proposal or Request for Qualifications
- Any addenda
- Bid/proposal responses from suppliers
- Correspondence
- Forms documenting the record of a sealed bid opening
- Bid tabulation sheets, or Proposal evaluation summary or Qualification selection process summary
- Council Action (Resolution)
- Contract and Amendments

- Insurance and Bonds, if applicable
- Vendor/Supplier list
- Documentation of advertisement on the City's website

In order to quickly access records, archiving should be done by filing quotations, bids, or proposals in an organized manner such as by vendor name, date, commodity or service. Any citizen or duly authorized representative of the City, the State or a Federal Agency shall have access to all such information for the purpose of inspection, audit and copying during normal business hours. (Reference Open Records Policy, Section 2.05)

After bids or proposals are awarded, the results shall be posted on the City's website. If at some later time a citizen, supplier or bidder requests copies of the documents, those documents should be made available within a time frame reasonable to the department and at a charge of $.25 per page. (Reference How to Fulfill a Public Records Request, Section 2.06)

2.05 Open Records Policies

Procurement information shall be recognized as public record to the extent provided by law and as set by:

- Council Resolution No. 0829-05-04, passed May 5, 2004 and
- Council Resolution No. 0729-07-09, passed July 22, 2009.

2.06 How to Fulfill a Public Records Request

This is a condensed version of the procedure to follow when a request for public records is received. This outline is not a substitute for thorough understanding of the Iowa Code Chapter 22 and the City's Open Records Policy.
(http://www.cedar-rapids.org/government/about-city/public%20records/Pages/default.aspx)

A. Accessibility of Open Records

1. Open records shall be available during normal business hours in the office where the record is kept.
2. Access to the public record shall be provided promptly unless the size or nature of the records requested makes prompt access infeasible. (*Be sure to let the requestor know this.)*
3. No person may remove any record from the City's premises without obtaining permission from the custodian. Records must be protected from damage and/or disorganization, and therefore their examination must be supervised by the custodian or designee.
4. Access to a record may be denied only on the grounds specified in the Iowa Code or another legal basis. Consult with the City Attorney (286-5025) before denying access based on any such legal basis.

B. Fulfilling the Request

1. A request for a record should be directed to the City Department Director, City Communications Liaison or the records custodian in the City office where the record is kept.

2. Requests for access to public records may be made in writing, in person, by email, regular mail, fax, or telephone. The request should identify the particular record(s) sought by name or by description specific enough to enable the identification and location of the record.

3. A person is not required to give a reason for the request.

4. Requests will be given priority in a department's work activities. Absent unusual circumstances access should be provided within five (5) working days.

5. While from time to time the City or individual departments may utilize a public records request form, the use of any such form by a requestor shall not be required as a condition to obtain the record(s). (*Note: The City's Public Records Request Checklist is for internal tracking purposes. The requestor is not required to complete this form. Staff members are encouraged to complete the form.)*

C. Fees for Requests

1. The charge for providing copies of records is 25 cents per page.

2. When the mailing of copies of records is requested, the actual cost of such mailing shall also be charged to the requestor.

3. If a request for a record is one which requires the programming of computers, or the processing of data, or some other method of extracting data to produce a report for which such methodology already exists, a charge of $1 per page will be made for each page of such report produced in meeting the request.

4. An hourly fee will be charged for the actual expenses in retrieving records, supervising the examination and copying of requested records, and for other necessary activities undertaken to make records available when such time exceeds 30 minutes. The hourly rate for such staff time will be charged the rate of $20 per hour pro-rated to the nearest fifteen (15) minutes.

5. If a custodian determines that it may be more feasible, economical, or otherwise reasonable that a response to a request may be better met by the **creation of a record**, such as a report or document that does not presently exist, and that would be produced as a result of research or analysis, a custodian may, but will not be required to notify the requestor of that determination. The custodian may advise the requestor of the actual cost of creating and providing such document that does not currently exist. The custodian and the requestor may in such instance, but will not be required to, agree to provide such document in exchange for the actual cost in lieu of providing access to the records originally requested.

6. When the estimated total fee chargeable under this policy exceeds $25, the custodian may require a requestor to make an advance payment to cover all or a part of the estimated fee.

If you have questions about the City's Open Records Policy or Chapter 22 of Iowa Law, please contact the City Attorney, at 286-5025 or j.flitz@cedar-rapids.org or Maria Johnson, City Manager's Office, at 286-5055 or majohnson@cedar-rapids.org.

3.01 CENTRALIZED – DECENTRALIZED PURCHASING SYSTEM

A. All employees who are entrusted with the responsibility of purchasing on behalf of the City of Cedar Rapids shall follow the centralized policies and procedures as stated in this Manual.

B. Departmental buyers are responsible for purchases under $5,000 ensuring that the City's centralized policies and procedures are followed. If Citywide contracts are available, they are to be used by City departments.

C. The Purchasing Services Division provides purchasing services for City departments for purchases estimated to be over $5,000.

D. Refer to the Purchasing Authorization Chart, at the following link for more information regarding decisions related to procurement requirements. http://cratwork/FormsLibrary/Purchasing%20Authorization%20Chart.pdf

3.02 PURCHASING SERVICES DIVISION RESPONSIBILITIES

A. The Purchasing Services Division will conduct business in accordance with the principles of procurement as contained in this Manual.

B. Responsibilities to City Departments:

1. The Purchasing Services Division will procure goods and/or services meeting the requirements specified by and approved for City departments.
2. The Purchasing Services Division will process requests from City departments in a timely manner.
3. The Purchasing Services Division shall establish and maintain communication with City departments in order to assist them in meeting their purchasing requirements.
4. The Purchasing Services Division will provide user training on City procurement policies and procedures.
5. The Purchasing Services Division will post contract information, forms and this Procurement Manual on the City's CR@Work at: http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx.

3.03 CITY DEPARTMENTS' RESPONSIBILITIES

A. City departments will conduct business in accordance with the principles of procurement contained in this Manual.

B. It is the responsibility of City departments to plan their procurement needs in advance. Requests for rush deliveries add to the cost of materials and/or services. Requests for bids and proposals shall be submitted with sufficient time allowed for the following:

1. Review for compliance with applicable laws and policies.

2. Solicitation of bids or proposals.
3. Evaluation of bids or proposals.
4. If applicable, contract preparation including the required insurance documents.
5. If applicable, preparation of cover sheet and City Council resolution
6. Receipt of order by the vendor
7. Delivery, whether from the vendor's stock or from the manufacturer, and/or performance of the work.

C. City departments will provide, to Purchasing Services, full and accurate descriptions (specifications) of needed goods and a full and accurate scope of work of needed services.

D. City departments shall determine that sufficient funds are available in the department budget to pay for the needed goods or services prior to submission of the Bid Request Form to the Purchasing Services Division.

3.04 THE PURCHASING CYCLE

The purchasing cycle consists of four basic steps. The steps are listed below to provide guidance to City departments and to define the Purchasing Services Division's involvement in the procurement of goods and services for the City.

Step 1. Requirements Determination	Responsible Party
The need for goods or services is recognized	Department
Budget is verified	Department
GL Coding is obtained	Department
Purchasing Authorization Chart is accessed	Department
Bid Request Form sent to Purchasing Manager, if purchase is estimated to be greater than $5,000	Department

Step 2. Procurement Decision	Responsible Party
The project is assigned to a Purchasing Agent	Purchasing
Method of procurement is determined	Purchasing

Step 3. Procurement Process	Responsible Party
Request for Bid (RFB) or Proposal (RFP) is prepared	Purchasing
RFB or RFP sent for department review	Purchasing
Review completed	Department
RFB or RFP advertised on City website	Purchasing

RFB or RFP emailed to known vendors	Purchasing
Vendor questions are received in writing and the answers to the questions are obtained by Purchasing Agent from the Department	Purchasing
If needed, addenda issued	Purchasing
Bids or Proposals received in Office of City Clerk	City Clerk
Bids or Proposals publicly opened	Purchasing
Bid tabulation or Proposal evaluation prepared	Purchasing
Award recommendation	Department
Results posted on City website	Purchasing
Contract prepared and insurance documents obtained, if required	Project Manager
Contract sent to Project Manager for review	Purchasing
Contract sent to Vendor for signature	Purchasing
Contract sent to Contract Manager, or designee, for approval	Purchasing
Contract sent to City Manager, or designee, for signature	Purchasing
Resolution and cover sheet prepared, if required	Purchasing
PO Request Form prepared and sent to the AP Specialist	Purchasing

Step 4. Contract Administration	Responsible Party
Day to day contract monitoring and Project Management	Department
Contract issues or changes identified and sent to Purchasing Services Division	Department
Contract issues addressed in writing to the vendor, as required	Purchasing
Contract changes addressed in the form of a written amendment to the contract, as required	Purchasing
Contract renewal or extension prepared	Purchasing
Contract amendments sent to Project Manager for review	Project Manager

3.05 Scope of Work – Scope of Services

A. Purpose of Scope of Work

The purpose of the scope of work is to describe the overall purpose and specific objectives of the project. A scope of work should be specific, measurable, accountable, reasonable and time-based so the prospective bidders/proposers can understand what the City wants to purchase.

B. Components of a Scope of Work

1. Introduction
   a) Identifies the need for the work
   b) States the goals of the contract
   c) Describes the location of the work
2. Objectives
   a) Well defined statements of the results to be achieved
   b) Quantifiable criteria that must be met for the work to be considered successful
3. Scope
   a) States what the scope does and does not cover
   b) Outlines the steps of the project
4. Task Identification
   a) Tasks that need to be completed to accomplish the contract objectives
   b) Clear delineation of responsibilities
   c) Detailed description of each work element
   d) Approach or methodology
   e) Time and deliverable requirements
   f) Documentation that must be followed or used as guidelines
   g) Clear instruction of contract phasing or sequencing
5. Time Frames and Deliverables
   a) Specify time frames as they apply to completion of tasks, milestones and completion of the contract
   b) State what the contractor is responsible for delivering during the course of work and at the end of the project

3.06 SPECIFICATIONS

A good specification is simple, consistent, exact, and describes the commodity or service required in terms clearly understandable to both the seller and the buyer.

A. Purpose of Specifications

Bids and quotations will be based on concise but adequate specifications that meet the department's business needs. A lengthy specification composed or designed solely for the purpose of eliminating competition other than those able to supply a particular brand name will not be used. Specifications shall be detailed only to the extent that they assist the purchaser in obtaining the best value, provide a basis for full and fair competitive bidding upon a common standard, and should be free from any restrictions which would have the effect of restricting competition.

B. Development of Specifications

The development of specifications is the responsibility of the requesting department. The requirements for goods and services shall be clearly identified and submitted to the Purchasing Services Division with the Bid Request Form.

C. Vendor Prepared Specifications

If a vendor develops or drafts the specifications or statement of work, that vendor shall be excluded from competing in the procurement. The reason is that the vendor could either skew competition in favor of itself when developing the terms of procurement, or through its inside knowledge of the City's requirements, gain an unfair competitive advantage. It is the City's objective to provide for the fair and equitable treatment of all persons involved in public purchasing.

D. Types of Specifications

1. Performance – Specifications that describe the characteristics and capabilities that are pertinent to the intended use of the item. This specification is less concerned as to how a product is made, and more concerned as to how well it performs, and at what cost. These are commonly used in Request for Proposals and also called Functional Specifications.
2. Standard – Specifications that describe all required physical and functional characteristics of a good or service.
3. Design – Specifications that employ dimensional and other physical requirements of the item being purchased. This type of specification concentrates on how a product is to be fabricated or constructed and is used when a structure or product has to be specially made to meet the purchaser's unique need.
4. Approved Products List – Specifications based on manufacturer's names, brand names, and model or catalog numbers, which have been tested or examined and approved, prior to seeking prices.
5. Sample - Specifications requiring the suppliers to furnish representative samples of products offered for the purchaser's comparison and evaluation in determining the successful bidder.
6. Brand Name Only – Specification that describes a commodity using one or more manufacturers' brand names, with identifying model numbers to describe the acceptable items. All other items will be excluded.
7. Brand Name "Or Equivalent" - Specification that describes a commodity using one or more manufacturers' brand names, with identifying model numbers to describe the standards of quality, performance, and other characteristics needed to meet the requirements of a solicitation, and which invites bids for equivalent products from any manufacturer. This allows vendors of similar products to bid thus promoting maximum competition. Should proof of equivalency arise, the burden is on the substituting vendor to provide it.
8. Restrictive – Specifications that unnecessarily limit competition by eliminating items capable of satisfactorily meeting actual needs, often by requiring features which exceed the minimum acceptable characteristics required for satisfactory performance.

3.07 BONDS

Bonds offer tangible protection in the form of monetary assurances that the bidder will meet his/her obligations. Bonds must be secured by the bidder at his/her own cost.

A. Bid Bond

An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the bidder will not withdraw the bid, the bidder will furnish bonds as required, and if the contract is awarded to the bonded (insured) bidder, the bidder will accept the contract as bid or else the surety will pay a specified amount. Bid bonds protect the City from erroneous or deliberate low bids which the vendor has no intention of honoring. Should the vendor fail to enter into a contract, the bid bond is forfeited. Bid bonds must be submitted with the bid. Bid Bonds are required for public improvement projects and repair and maintenance of public improvements, the minimum amount of which will be in accordance with the Iowa Code. Other bids may require bid bonds as determined to be in the City's best interest.

B. Performance Bond

This bond is a surety instrument guaranteeing that the vendor will perform according to the terms of the contract, and is generally in an amount of 100% of the bid. This bond affords protection from non-performance and non-completion of major contracts, the efforts of which would result in considerable injury to the City. Should the vendor default, the bond is cashed and the City may then utilize the funds to complete the contract with another vendor. Performance bonds are submitted upon award of the contract. Performance Bonds are required for public improvement projects and repair and maintenance of public improvements, the minimum amount of which will be in accordance with the Iowa Code. Other bids may require performance bonds as determined to be in the City's best interest.

C. Payment Bond

A bond, generally in the amount of 100% of the bid, which guarantees payment, as required by law, to all sub-contractors and suppliers providing goods and services to the general contractor, who is under contract to the City. The payment bond relieves the City of financial liens against a project should the general contractor fail to pay his suppliers and sub-contractors. These creditors will look to the bond for payment. Payment bonds are submitted upon award of the contract. (also called labor and material bond) Payment Bonds are required for public improvement projects and repair and maintenance of public improvements, the minimum amount of which will be in accordance with the Iowa Code. Other bids may require payment bonds as determined to be in the City's best interest.

D. Maintenance Bond

A bond purchased by the contractor that protects the City's completed construction project for a specified time period against defects and faults in materials, workmanship and design that could arise later if the project was done incorrectly. The bond functions as an insurance policy on the construction project to make sure a contractor will either correct any defects that arise or that the City is compensated for those defects.

3.08 RETAINAGE

A. Public improvement contracts will include retainage, the minimum amount and terms of which will be in accordance with the Iowa Code.

B. Release of retained funds on public projects and repair and maintenance of public improvements, shall be in accordance with the Iowa Code.

C. Other contracts may include a retainage requirement if it is determined to be in the City's best interest.

3.09 INSURANCE

A. Insurance is a means of providing the financial support to back the vendor's obligation to hold the City harmless and protect the City's assets from claims of damage to property and/or injury to persons which may arise from or in connection with the performance of the work by the Contractor, his agents, representative, employees, or subcontractors.

B. Prior to the start of the Work or Services, and at all times during the term of the Work or Services, the Contractor shall procure and maintain, at its own expense, with companies in good standing and acceptable to the City until all of their obligations have been discharged, including any warranty periods under the contract are satisfied, insurance against claims for injury to persons or damage to property which may arise from or in connection with the performance of the work by the Contractor, its agents, representative, employees or subcontractors.

C. Standard insurance requirements have been developed and shall be stated in every RFB, RFP and Contract issued by the City. Coverage limits are set by the City's Risk Manager and should not be changed without his/her approval.

D. Insurance Certificates and endorsements are required to be reviewed and approved by the City's Risk Manager, including renewal certificates.

3.10 VENDOR LISTS

A. The Purchasing Services Division maintains lists of potential suppliers of goods and services who have expressed an interest in doing business with the City.

B. Potential suppliers may also be located by using the following resources:

- City Vendor lists from Purchasing Records (Purchasing Services Division)
- Internet
- Product catalogs
- Telephone directories
- Thomas Register (www.thomasregister.com)
- Trade journals
- Networking with other governmental agencies
- Another City department

3.11 PRE-BID OR PRE PROPOSAL MEETING

A. A mandatory or optional pre-bid or pre-proposal meeting may be scheduled with all prospective vendors and concerned project personnel on complex procurement projects. Include the time, date and location in the RFB or RFP document and in the solicitation advertisement.

B. The primary objective of such a meeting is to provide a clear understanding of instructions to vendors relative to drawings, specifications, local conditions, location of the work, and basic construction methods or work requirements. A site visit may be scheduled following the conference if the project personnel feel it would be beneficial for clarification of specifications.

C. In addition to avoiding quality assurance problems and contingency items in bids, other benefits that may be derived from conferences are:

   1. The number of changes in specifications may be reduced.
   2. Competition may be stimulated by interesting more prospective vendors.
   3. Conferences tend to insure that qualified vendors will submit a bid or proposal and tend to discourage submission by vendors who are not qualified to perform the work or supply the goods.
   4. An opportunity is given to discuss schedules. This is particularly valuable when special material and equipment is involved or items have a long lead time.
   5. An opportunity is given to explain policies and requirements with respect to procurement methods, competitive bidding and negotiation, price provisions in solicitations and any resulting contractual agreements, and the determining factors in making awards.

D. The meeting should be formally announced to vendors. An announcement of the meeting shall be included with the Request for Bid or Request for Proposal. The announcement will state when and where the meeting will be held and whether or not it is mandatory. In order to derive the greatest benefit from a meeting, adequate time should be provided for the prospective vendors to review the plans and specifications prior to the meeting. The meeting should be attended by City personnel qualified to completely and accurately answer all questions relating to matters such as contract provisions, design and specifications, and production techniques that are expected to be discussed. A formal record shall be made of persons attending and the organizations represented through the use of a sign-in sheet.

E. During the pre-bid meeting, the specifications are reviewed and discussed with all vendor representatives in attendance. Care shall be taken to clarify the specifications as requested so as to ensure that the specifications are not restrictive, thereby, eliminating a vendor from bidding without due cause. Only in those instances where a vendor requests a change in the specifications that would result in compromising the intended use and quality of the equipment are such requests denied.

F. Begin and end the pre-bid meeting by stating that nothing discussed that materially affects the bid or proposal document will be considered official unless it is contained in an addendum issued by the City after the meeting.

3.12 Issuing Addenda

A. Once a Request for Bid or a Request for Proposal has been issued, the modification or interpretation clarification of the specifications can be made only when all prospective vendors are so notified by means of a written addendum, clearly stating such changes.

B. If possible, all addenda should be issued at least 72 hours prior to RFB/RFP opening date and time. If there is not sufficient time, the RFB/RFP due date may be extended.

C. Bidders shall acknowledge every addendum issued on the Signature Page Form of the RFB or RFP.

3.13 Receiving Bids and Proposals

A. Control of the bid or proposal submittal is essential. Vendors will submit their bid or proposal in a sealed envelope to the City Clerk's Office with the following information clearly marked on the outside:

1. Vendor Name
2. Due Date (month, day, year)
3. Time Due (hour/ a.m. or p.m.)
4. Bid Title and Number

B. Each bid or proposal received will be date and time stamped by the City Clerk's Office.

C. On occasion, an envelope may be received without proper information on the outside identifying it as a bid or proposal reply. After the envelope has been opened, the appropriate bid information will be written on the outside of the envelope, time stamped, reason it was opened and resealed for re-opening on the bid closing date.

3.14 Opening of Submittals

A. Bid Opening - The main purpose of this opening is to read the name(s) of the bidders(s) <u>and</u> the submitted pricing, not to serve as a forum for determining the apparent low bidder(s).

B. Proposal Opening - The main purpose of this opening is to read <u>only</u> the name(s) of the Proposer(s), not to serve as a forum for determining the award.

C. Bid/Proposal openings are open to the public. All attendees shall sign the <u>Bid Opening Attendance Sheet</u> for record purposes.

D. An announcement that "no award will be made at this time" shall precede the opening of the first submittal. Apparent low bidders are just that, and comments related to "the winner" are inappropriate until the evaluation is completed and the proper approval process has been completed.

E. Under no circumstances shall vendors or the general public be allowed to privately

review bids and proposals. A City staff member shall be witness at all times when original bids and proposals are under review by non-City personnel.

3.15 Bid Tabulation and Proposal Evaluation Summary

A. Bids will be evaluated promptly after opening. After an award is made, a bid tabulation summary will be sent to all companies who submitted a bid and will be posted on the city's website.

B. Proposals will be evaluated promptly after opening. After an award is made, a proposal summary will be sent to all companies who submitted a proposal and will be posted on the city's website.

3.16 Late Bid or Proposal

The City is not responsible for delays occasioned by the U.S. Postal Service, the internal mail delivery system of the City, or any other means of delivery employed by the bidder. Similarly, the City is not responsible for, and will not open, any bid or proposal responses that are received on or after the time stated in the RFB/RFP. Late submittals will be retained in the RFB/RFP file, unopened. No responsibility will be attached to any person for premature opening of a bid or proposal not properly identified.

3.17 Only One Bid Received

After soliciting competitive bids, you only receive one bid, and it differs substantially from your independent estimate of the contract price:

A. Inquire of those who did not bid to determine the reason for lack of response.

B. Review specifications and bid list, revise if necessary and reissue per regular procedures.

C. Accept the bid if time is crucial and cost is reasonable, as the opportunity for competition was afforded by initial competition.

D. Negotiate with the single bidder using cost analysis and document why the price is reasonable.

3.18 No Bids Received

On occasion, the Request for Bid will receive no responses. In those cases, the following considerations shall be made:

A. Extend bid-opening date.

B. Contact all vendors on bid list to determine reason for lack of response.

C. Review specifications and bid list if decision is made to rebid.

D. Revise bid documents where appropriate.

E. Initiate the bidding process per regular procedures.

3.19 PROTESTS

A. Right to Protest

Any prospective bidder or proposer may protest the provisions of a Request for Bid (RFB) or Request for Proposal (RFP).

B. Filing a Protest

A written protest shall be considered filed, for purposes of this procedure, when all related items are actually delivered to and received by the Purchasing Services Division. All protests shall be directed to the Purchasing Manager and shall include the following information:

1. Name, address, phone number and email address of the protester
2. The RFB or RFP number and project title
3. A detailed statement of the basis for the protest
4. Supporting evidence or documents to substantiate all concerns

C. Protest of Specifications Prior to Bid/Proposal Opening

Any prospective bidder or proposer who is aggrieved in connection with the solicitation of a bid or proposal may protest on the grounds of irregularities in specifications or bid/proposal procedure.

For protests related to specifications or bid/proposal procedures, a formal written protest must be filed no later than 72 hours (excluding holidays and weekends) prior to the scheduled bid/proposal opening date and time.

D. Protest of Recommended Award After Bid/Proposal Opening

Any bidder or proposer, who is aggrieved in connection with the evaluation of the bid or proposal or the staff recommendation regarding award of a contract, provided that such bidder or proposer would have been awarded the contract but for the aggrieved action, may protest such evaluation or award recommendation.

For protests related to the evaluation of bids or proposals or staff recommendation of award of a contract, a written Notice of Intent to Protest must be filed within 72 hours (excluding holidays and weekends) after posting of the bid tabulation or proposal summary on the City's website at:
http://www.cedar-rapids.org/doing-business/bid-proposals/Pages/default.aspx

A written protest must be filed no later than 5:00 pm on the third (3rd) calendar day following the date on which the written Notice of Intent to Protest was filed.

E. Responding to a Bid/Proposal Protest

The Purchasing Manager or designee shall investigate the concerns, discuss the protest with the Department Director and respond in writing in to the protest within five (5) business days.

In the event a protest is filed in accordance with the bid protest procedures herein, and if warranted by the information presented, the Purchasing Manager or designee may suspend the procurement at his or her discretion.

3.20 City-Owned Goods (Materials, Items, Equipment)

A. Goods purchased with City funds shall remain the property of the City. When City-owned goods are no longer required by the City or have no practical use by the City, the goods shall be disposed of in accordance with applicable policies and procedures. (Refer to Disposal of Surplus Property, Section 10).

B. Rebates, refunds, incentives and other benefits received as a result of a City transaction are the property of the City and shall be used for the benefit of the City.

4.01 PURPOSE

The purpose of obtaining quotations, bids, or proposals is to obtain the quality of materials and/or services consistent with the City's needs, in a timely manner and for the best value. Purchases will be made according to the City's Procurement Policy using sound judgment without favor or prejudice, to ensure that public money is spent efficiently and effectively. Potential vendors will be given an opportunity to provide quotations, bids or proposals and will be treated fairly in the process of doing so.

4.02 PURCHASING AUTHORIZATION

Each department director is the primary procurement officer for his/her area of responsibility. All purchases equal to or greater than $3,000 require the respective Department Director's approval. In addition, per Resolution No.1284-09-15, all purchases equal to or greater than $50,000 require approval by City Council resolution.

4.03 CONTRACT AUTHORIZATION

For projects equal to or greater than $50,000, the City Council shall consider a resolution awarding the contract and authorizing the City Manager and the City Clerk to sign the Agreement on behalf of the City. **Note,** as provided for by Section 4.03 of the Cedar Rapids Municipal Code (http://library.municode.com/index.aspx?clientId=16256&stateId=15&stateName=Iowa), No agreement shall be deemed to be created and exist, unless and until the City Council adopts a resolution awarding the project and authorizing the City Manager and the City Clerk to sign the Agreement.

The City Manager and the City Clerk shall sign all contracts and agreements regardless of the dollar value unless a city Council Resolution designates another City employee to sign on behalf of the City Manager. This includes public improvement contracts, maintenance agreements, software agreements, price agreements, contract amendments, professional service agreements and consultant agreements or any other contract that obligates the City of Cedar Rapids.

4.04 PURCHASES UNDER $3,000

Authorized departmental employees shall make purchases less than $3,000 in the best interest of the City using his/her sound purchasing judgment and without favor or prejudice.

The Procurement Card (referred to as the "PCard") is generally used for small dollar appropriate City related purchases. The PCard shall be used when:

- Purchasing commodities not exceeding the transaction limits; and
- Where the vendor accepts the PCard; and
- When the item is not a restricted commodity

Purchase transactions shall not be split in order to bypass the PCard purchasing limits and the City Procurement Policy bid thresholds.

4.05 REQUEST FOR QUOTES

A. Conditions for Use

A Request for Quote shall be the solicitation method used for purchases equal to or greater than $3,000 and less than $5,000.

B. Request for Quotes - Document

Request for Quotes shall be issued by authorized departmental employees to three (3) or more vendors. A Quote Request Form is available for use, but not mandated. http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx

The Request for Quote shall state a description of the goods or services, exact quantity, a request for price, delivery date and address, FOB point and who is responsible for shipping costs. (Reference Shipping Terms, Section 9)

C. Acceptance and Evaluation of Quotes

Vendor quotes are public record and shall be submitted in writing and stored in the department procurement files. (Reference Records Retention Policy, Section 2.04)

Quotations may be submitted via email, fax, mail or in person and normally have a quick turnaround time. A public opening is not required.

Quotes shall be evaluated based on the information requirements set forth in the Request for Quote. Requirements may include price, quality standards, delivery time and suitability for a particular purpose.

D. Award of Quote

If the purchase is subject to the conditions of Federal, State or County grant requirements, the applicable provisions of said grant will determine the method of award.

If no grant provisions apply, the City's Local Preference Policy shall be applied to acceptable quotes from businesses located within Linn County who have submitted an acceptable notarized Local Business Certificate. (Reference Local Preference Policy, Section 6)

Award of quote shall be made on a purely objective basis to the responsible bidder submitting the lowest responsive quote.

If quotes from two or more firms are determined to be tied (equal in every respect) the City's Tie Quote/Bid Procedure applies. (Reference Tie Bid Procedures, Section 4.06 E.)

A purchase order is required for purchases greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form

   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx

2. Copies of the quotes received from vendors and the Quote Tabulation Sheet, if used

3. A purchase order is required even if the PCard was used as the payment method for the goods or services.

4.06 REQUEST FOR BIDS

A. Conditions for Use

A Request for Bid shall be the solicitation method used for purchases equal to or greater than $5,000 when the specifications or statement of work is well defined. It is simpler, faster and more objective than a Request for Proposal.

B. Request for Bids - Document

A Bid/Proposal Request Form shall be sent electronically to the Purchasing Services Manager to initiate the process. The Request for Bid (RFB) document shall be prepared and issued by the Purchasing Services Division. Bids shall be requested from all known vendors and advertised on the City's website, inviting as much competition as possible.

The RFB shall state a well-defined description of the goods or services, exact quantity, request for price, bid due date, delivery date and address, FOB point, who is responsible for shipping costs and the City's Standard Terms and Conditions. (Reference Shipping Terms, Section 9)

C. Acceptance and Evaluation of Bids

Vendor bids are public record and shall be submitted in writing and stored in the Purchasing Services Division's procurement files. (Reference Records Retention Policy, Section 2.04)

Bids are submitted in a sealed envelope and publicly opened at a specific date and time. The vendor name and price are read aloud at the bid opening.

Bids shall be evaluated based on the requirements set forth in the Request for Bid.

In addition to the price, the following is a partial list of the criteria that may be used to determine vendor responsibility and responsiveness:

1. Adherence to specifications;
2. Service as specified in these bid documents;
3. Company's reputation and financial status;
4. Company's ability to meet the City's Insurance Requirements;
5. Current lead-time quoted;
6. Length of time committed for firm pricing;
7. Guarantees and warranties;
8. Independent laboratory and consumer reports;
9. Satisfactory demonstration of equipment;
10. Past experience and service provided by Bidder;
11. Strength of Bidder's hiring and training program;
12. Ability and/or willingness to work with the City on disposition of material no longer required or otherwise defective;
13. Favorable references from firms with projects of similar scopes that indicate that the Bidder has the ability to carry out the services and provide the products specified;
14. Strength of company's safety program and history.
15. The City reserves the right to accept or reject any or all bids; to request rebids; to award bids item-by-item, by groups, or "lump sum"; to waive irregularities and technicalities in bids; such as shall best serve the requirements and interests of the City.

D. Award of Bid

If the purchase is subject to the conditions of Federal, State or County grant requirements, the applicable provisions of said grant will determine the method of award.

If no grant provisions apply, the City's Local Preference Policy shall be applied to acceptable bids from businesses located within Linn County who have submitted an acceptable notarized Local Business Certificate. (Reference Local Preference Policy, Section 6.)

Award of bid shall be made on a purely objective basis to the responsible bidder submitting the lowest responsive bid.

The competitive sealed bidding method does not allow for any change in the bids once they have been opened, except for corrections of errors in very limited circumstances (minor irregularities). If multiple bids are received, a change in price is never allowed and price negotiations are not allowed.

If only one (1) bid is received under the competitive bidding process, or the purchase is deemed to be proprietary, the City reserves the right to negotiate in order to obtain a fair and reasonable price.

If bids from two or more firms are determined to be tied (equal in every respect) the City's Tie Quote/Bid Procedure applies as stated below.

E. Tie Bid Procedures

1. If the goods or services to be purchased are subject to the conditions of Federal or State grant requirements, the applicable provisions of said grant will determine the method of award.
2. If no Federal or State grant provisions apply, the City's Buy Local Preference will be applied to all bids.
3. If no Federal or State grant provisions apply and if the Buy Local Preference does not apply, and if price and all other evaluation criteria are determined to be tied (equal in every respect) among one or more firms submitting bids or proposals, award shall be determined in the following priority:
   a. If only one of the tie bidders is a vendor located within the limits of Cedar Rapids, Iowa, that bidder will be awarded the bid.
   b. If only one of the tie bidders is a vendor located within the limits of Linn County, Iowa that bidder will be awarded the bid.
   c. If only one of the tie bidders is an in-state (Iowa business) vendor, that bidder will be awarded the bid.
4. If the award cannot be determined by grant provisions, local preference policy, local, county or in-state priority, award will be made to the tie bidder whose bid was received (date and time-stamped) first.

A purchase order is required for purchases greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form
   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx
2. Request for Bid (RFB) document
3. Addendums to the bid document

4. Copy of awarded bid
5. Bid tabulation sheet
6. If applicable, copy of contract signed by the City Manager and City Clerk
7. If over $50,000, copy of City Council resolution

4.07 REQUEST FOR PROPOSALS

A. Conditions for Use

A Request for Proposal (RFP) shall be the solicitation method used for purchases equal to or greater than $5,000 when the requirements are not clearly known, are qualitative rather than quantitative, or when the City is looking for a solution to a problem, and/or when the selection of a Vendor is being made not only on price but on a combination of non-price factors. An RFP is used to meet a complex need that is difficult to specify.

B. Request for Proposals - Document

A Bid/Proposal Request Form shall be sent electronically to the Purchasing Services Manager to initiate the process. The Request for Proposal document shall be issued by the Purchasing Services Division to all known vendors and advertised on the City's website, inviting as much competition as possible. The Request for Proposal shall state a clear scope of work, the criteria to evaluate the responses and the City's Standard Terms and Conditions.

C. Acceptance of Proposals

Proposals are public record and shall be submitted in writing and stored in the Purchasing Services Division's procurement files. (Reference Records Retention Policy, Section 2.04)

Proposals are submitted in a sealed envelope and publicly opened at a specific date and time. Only the vendor name is read aloud at the proposal opening.

D. Evaluation of Proposals

A Request for Proposal allows the flexibility in evaluation through weighted criteria as set forth in the RFP document. Criteria may include:

1. Experience of proposed staff for the project
2. Consultant's understanding and method of approach to project
3. Consultant's ability to meet timeline
4. Feedback from References
5. Financial Proposal
6. Company Responsiveness to RFP
7. Total scope of services offered
8. Reponses to overall proposal and compliance with submission guidelines
9. Proposal presentation (completeness, organization, appearance, etc.)

Proposals are evaluated by a proposal evaluation team using the evaluation criteria stated in the RFP document. Team members shall sign a Proposal Evaluation Team Member Agreement Form before the evaluation process commences.

The Purchasing Agent shall facilitate the meetings and the process but does not evaluate or rate the proposals.

Team members will evaluate each proposal based on their experience and judgment of how well the proposal addresses the City's requirements. Each prospective company is assured that any proposal submitted will be evaluated independently using the best available information and without any forgone conclusions.

Consideration will also be given to written clarification provided during the evaluation process and input from staff or other persons judged to have useful expertise that should be considered in a responsible, fair assessment of the relative merits of each proposal.

The team may arrange demonstrations and/or conference calls with representatives of the companies whose proposals are deemed to be within the "competitive range". The purpose shall be the clarification of any aspect of the proposal that is deemed to have a material bearing on arriving at a fair determination of which proposal offers the best overall value.

If presentations and/or conference calls have been conducted, representatives for each proposal deemed to be within the competitive range will be given a written clarification of any aspect of the solicitation that was requested by one or more evaluators. Clarifications may also be issued if an evaluation team member regards such as being necessary to make a fair and reasonable determination of the proposal to accept. In addition, each Proposer deemed to be within the competitive range may be invited to submit a "best and final offer" if such seems appropriate under the clarifications issued to the provisions and specifications of this solicitation. Note that guidance would also permit procurement participants to determine that only one proposal is within the "competitive range." If such were to be determined, the procurement administrator would then enter into negotiations with the Proposer offering the greatest value proposal in efforts to arrive at a purchase price that is deemed fair and reasonable based on price or cost analysis.

E. Award of Proposal

If the purchase is subject to the conditions of Federal, State or County grant requirements, the applicable provisions of said grant will determine the method of award.

If no grant provisions apply, the City's Local Preference Policy shall be applied to acceptable proposals from businesses located within Linn County who have submitted an acceptable notarized Local Business Certificate. (Reference Local Preference Policy, Section 6.)

Award of Proposal shall be made to the responsible Proposer whose proposal offers the greatest value to the City with regard to the criteria detailed and the scope of work set forth in the RFP. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

The competitive sealed proposal method permits discussion and negotiation after opening proposals to allow clarification and changes in proposals, providing that adequate precautions are taken to ensure fair treatment of each proposer and that information gleaned from competing proposals is not disclosed to other proposers during the process.

A purchase order is required for purchases greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form

   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx

2. Request for Proposal (RFP) document
3. Addendums to the proposal document
4. Proposal evaluation summary
5. If applicable, copy of contract signed by the City Manager and City Clerk
6. If over $50,000, copy of City council resolution
7. If reasonable, copy of winning proposal

4.08 REQUEST FOR QUALIFICATIONS

A. Conditions for Use

A Request for Qualifications shall be the solicitation method used to procure Professional Services. This type of solicitation only requests information on the Consultant's expertise/experience and not on cost, subject to a negotiation of fair and reasonable compensation.

Examples of Professional Services typically contracted for by the City that are qualified by professional license are architectural services, engineering services, legal services, medical services and audit services. (Reference the definition of Professional Services, Section 1.08)

B. Request for Qualifications - Document

Request for Qualifications shall be issued to three (3) or more service providers and advertised on the City's website. The Request for Qualifications shall identify the general scope of services and all significant factors of evaluation.

C. Acceptance and Evaluation of Qualifications

Qualification Submittals are public record and shall be submitted in writing and stored in the issuing department's procurement files. (Reference Records Retention Policy, Section 2.04)

Qualifications shall be evaluated based on the criteria set forth in the Request for Qualifications. Requirements may include licensure, past successful projects, experience of key individuals and availability. Selection is based on qualifications and competence rather than price.

D. Award of Contract

Contracts for professional services are negotiated on the basis of demonstrated competence at a fair and reasonable price. In most instances, the City's Contract Manager prepares the contract.

A purchase order is required for contracts greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form
   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx
2. Request for Qualifications (RFQ) document
3. Copy of contract signed by the City Manager and City Clerk
4. If over $50,000, copy of City Council resolution

4.09 Utilization of Existing Contracts – Cooperative Procurement

A. Citywide Contracts

The Purchasing Services Division coordinates the bidding of many supplies and services that are common purchases to a number of City departments. In many instances, after bids are awarded, term contracts are established for "as needed" purchases. It is expected that Department Directors will require the use of these contracts. The value of citywide contracts is the combination of vendor lists, volume or quantity discounts, standardization of specifications, reduced administrative time in the duplication of effort and efficient contract management.

B. State of Iowa Contracts

This method of purchase is particularly desirable if time is a constraint or if the chances for obtaining better prices from other sources is poor.

When the City purchases items from the State of Iowa Contracts, there is assurance that the bid process used is somewhat similar to what the City uses. State pricing is not always the lowest pricing. If a state contract is used, it shall be in conjunction with any terms, conditions and insurance language which meets the City's requirements.

When utilizing State of Iowa contracts;

1. Reference the contract number on your purchase order request
2. Reference the contract number on the City council resolution
3. No further bids are required
4. The State of Iowa website is: http://www.das.gse.iowa.gov/purchase/index.html
5. The Iowa Department of Transportation website is: http://www.iowadot.org

4.10 Projects Funded by Federal and State Grants

A. Responsibility

Purchases made with Federal, State, or local grant funds shall comply with the requirements of the applicable Federal and State grants. Care must be taken to review the procurement policy provisions of every grant award package to ensure that all restrictions and special purchase requirements are understood and addressed. The employee who is administering the grant is responsible for ensuring that purchases are allowable under the grant agreement and are in accordance with this policy. All procurement documentation shall be kept in a separate file for audit purposes.

B. Document Review

The grant document shall be read carefully, the agency (State or Federal) that has awarded the grant shall be identified and all references to Office of Management Budget (OMB) Circulars, the Code of Regulation (CFR) or other documents that are referred to shall be reviewed and the required terms and conditions included in the solicitation documents (RFB, RFP or RFQ) and in the resulting contract.

C. Debarred or Suspended Vendors

If purchasing with Federal funds, the procurement file must include proof that the awarded vendor is not suspended or debarred. To verify this, go

to https://www.sam.gov/portal/public/SAM/ enter the vendor name and print the page. This page is to be kept in the procurement file.

D. Code of Conduct

A written code of conduct shall be applicable to those employees associated with contracts supported by federal funds. This policy shall apply to all officers, employees, or agents of the City engaged in the award and/or administration of contracts supported by federal or state grant funds. (Reference Code of Ethics, Section 1.04)

4.11 Public Improvement Bids (Chapter 26 of the Iowa Code)

A. Law

Cities in Iowa are required to follow proper bid procedures when contracting for public improvement projects. Chapter 26 of the Iowa Code details the laws on bid procedures for public improvement projects.

B. Types of Projects

1. Public Improvement

   Public improvement generally means building or construction work constructed under the control of the City and paid for in whole or in part with City funds. Public improvement projects are most often construction related. Questions as to whether a proposed project is a public improvement should be referred the City Attorney.

   a) Included are buildings, additions, utility system improvements, street and infrastructure construction and improvements to existing public buildings and other structures.

   b) Materials purchased for installation by others, the completion of which will result in a public improvement, are also included.

   c) The total estimated cost includes all labor, equipment, materials, supplies and other components necessary to complete the work, exclusive of the architectural and/or engineering design and inspection costs.

2. Repair and/or Maintenance Work of a Public System, Facility or Structure

   Repair or maintenance of a public system, facility, or structure means the preservation of a utility or other system, or a building or other structure so that it remains in sound or proper condition, including minor replacements and additions as necessary to restore the public system, facility, or structure to its original condition with the same design.

C. Types of Infrastructure - Horizontal and Vertical Infrastructure

1. Horizontal Infrastructure

   Publicly owned roads, bridges or culverts

2. Vertical Infrastructure

   Buildings, all appurtenant structures, utilities, incidental street improvements including sidewalks, site development features, recreational trails, and parking facilities. Vertical infrastructure does not include any work constructed in conjunction with or ancillary to highway, street, bridge or culvert projects, including but not limited to utilities and sidewalks.

D. Bid and Quote Thresholds

Chapter 26 of the *Iowa Code* details the thresholds that require a city to receive bids or quotes for public improvement projects. The thresholds differ between the type of project (horizontal or vertical) and city population (lesser or greater than 50,000). The thresholds are subject to change on an annual basis.

E. Award of Public Improvement Contracts

A purchase order is required for Public Improvement Contracts equal to or greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form
   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx
2. Bid tabulation sheet

5.01 EXEMPTIONS

The following commodities and services are exempt from the requirement for competitive bids or proposals unless otherwise directed by the City Manager or designee:

1. Certification fees
2. Court costs
3. Emergency and worker compensation medical services
4. Employee reimbursements as provided by contract
5. Insurance settlements
6. Interdepartmental billings
7. Legal advertisements
8. Legal fees
9. Membership and dues in trade or professional organizations
10. Mileage
11. Permits
12. Postage and outgoing freight costs
13. Real estate purchases
14. Subscriptions, periodicals, books
15. Travel, training and conference expenses including registration fees, hotel costs, meals and airfare and other transportation costs associated with travel, training and conferences
16. Tuition reimbursement
17. Utilities, electricity, gas, water, steam, sewer, telephone

5.02 SOLE SOURCE AND SINGLE SOURCE PROCUREMENT

It should be noted that these procurement selection methods should not be used frequently as they are non-competitive and interfere with the basic principles of free and open competition. The burden of justification for a sole source or single procurement is with the city department that is purchasing the product or service.

In a sole-source or single-source procurement, pricing is negotiated and it is recommended that a Purchase Agreement or a Professional Services Agreement is prepared and signed by both parties to ensure all terms and conditions of the procurement are stated in writing.

A. Definition of a Sole Source

A type of procurement when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

Examples of Sole Source Circumstances:

1. The purchase of a component or replacement part for which there is no commercially available product and which can be obtained only from the manufacturer.
2. The purchase of an item where compatibility is the overriding consideration.
3. The purchase of a used item which becomes immediately availability and is subject to prior sale.
4. The purchase of a particular product for trial or testing.
5. The use of other than OEM (original equipment manufacturer) parts would void a still valid warranty.

B. Definition of a Single Source

A type of procurement when there are two or more viable vendors that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer/vendor based on valid and legitimate business reasons, therefore leaving only one vendor from which to purchase the product and/or service. (sometimes called Preferred Manufacturer)

C. Justification and Award of Sole Source and Single Source Procurements

If the purchase is subject to the conditions of Federal, State or County grant requirements, it is the responsibility of the city buyer to ensure that the applicable provisions of said grant are adhered to.

If the cost is equal to or greater than $3,000 and less than $50,000:

1. The Sole Source/Single Source Justification Form signed by the Department Director shall be completed and submitted to the Accounts Payable Specialist with the Purchase Order Request Form.
2. A record of the negotiation process shall be maintained in the department's procurement file with the record of award. (Reference Records Retention Policy, Section 2.04)
3. Documentation shall include evidence of how the price was determined to be fair and reasonable and in accordance with current market conditions.

If the cost is equal to or greater than $50,000:

1. The purchase shall be approved by a city council resolution.
2. The Sole Source/Single Source Justification Form signed by the Department Director shall be completed and submitted with the resolution and cover sheet. After the resolution is approved by the City Council, a Purchase Order Request Form shall be submitted to the AP Specialist.
3. A record of the negotiation process shall be maintained in the department's procurement file with the record of award. (Reference Records Retention Policy, Section 2.04)

4. Documentation shall include evidence of how the price was determined to be fair and reasonable and in accordance with current market conditions.

5.03 EMERGENCY PURCHASES

A. Definition

An "Emergency" is defined as a situation brought about by a sudden unexpected turn of events i.e. Act of God, riots, fires, floods, accidents, or any circumstance or cause beyond the control of the City in the normal conduct of its business. An emergency includes, but is not limited to, a condition:

1. That threatens public health, welfare or safety
2. In which there is a need to protect the health, welfare or safety of persons occupying or visiting a public improvement or property located adjacent to the public improvement
3. In which the City must act to preserve critical services or programs

An "emergency procurement" must fit the circumstances noted above. Failure to exercise reasonable planning or anticipation of routine needs are not "emergencies" and cannot be treated as such. Procurements of this nature may be expedited, but still do not justify "emergency" status.

B. Justification for Emergency Procurement

An emergency procurement shall be limited in scope and duration to meet the emergency. When considering the scope and duration of an emergency procurement, the department should consider price and availability of the good or service procured so the department obtains the best value for the funds spent under the circumstances. The departments shall attempt to acquire goods and services of general use with as much competition as practicable under the circumstances.

C. Procedures Required for Emergency Procurements

Justification for every emergency purchase exceeding $3,000 shall be documented on the City's Emergency Justification Form and submitted to the department director or his/her designee for written approval. This form shall be completed as soon as the need for the emergency procurement is identified. If it is not possible to gain such approval beforehand, the director or his/her designee must be notified and sign the form within one business day that such a purchase has been made. If the purchase exceeds $50,000, a council resolution shall be prepared and submitted for the next available council meeting. The signed form shall be kept in the procurement file and a copy sent to the Accounts Payable Specialist with the Purchase Order Request Form.

D. Public State of Emergency

As provided for by Iowa Code Section 372.14, the Mayor may, by resolution, declare a public state of emergency authorizing the City Manager to procure by purchase or lease such goods and or services as are deemed necessary for the City's emergency response effort or for the continued operation of city government. When the emergency is formally deemed to be over, again by resolution, the Mayor and City Manager shall report all such expenditures as soon as reasonably possible.

E. Emergency Repair of a Public Improvement

In accordance with the Iowa Code, Section 384.103, when emergency repair of a public improvement is necessary and the delay of advertising and a public letting might cause serious loss or injury to the City, the City Council shall make a finding, by resolution, of the necessity to institute emergency proceedings.

F. Procedures for Emergency Repairs of Public Improvement

The City shall procure a certificate from a competent licensed professional engineer or registered architect, not in the regular employ of the City, certifying that they have inspected the site and found that emergency repairs are necessary and that the delay of advertising and a public hearing might cause serious loss or injury to the City.

In this event, request shall be made to the City Council (by resolution) to institute emergency proceedings under Iowa Code Section 384.103. This would delete the requirement for a public hearing and advertising for bids. The requirement for a performance bond does still apply.

6.01 BACKGROUND & AUTHORITY

The Cedar Rapids City Council adopted the Buy Local Purchasing Policy through City Council Resolution No. 1239-10-10.

6.02 FREQUENTLY ASKED QUESTIONS

A. Who is local?

1. Businesses located within Linn County, Iowa who have paid Linn County property taxes on a plant, office or store occupied by the business for the past year; or
2. Businesses located within Linn County, Iowa who have paid rent for the past year to a landlord or owner who has paid Linn County property taxes for the past year on the plant, office or store occupied by the business.

B. How do I apply for local preference status?

1. Complete a "Local Business Certificate". http://www.cedar-rapids.org/government/departments/purchasing/pages/buylocal.aspx
2. Mail the notarized, completed certificate to:

   City of Cedar Rapids – Purchasing Division
   101 First Street SE
   Cedar Rapids, IA 52401

C. After I return the notarized certificate, how do I know if my business is on the list?

1. A list of certified businesses can be viewed on the City's website: www.cedar-rapids.org/government/departments/purchasing
2. Allow up to ten (10) days for processing of the certificate before the business is listed.

D. Will the local preference policy be applied to all purchases for goods and services?

No, the following types of purchases are excluded:

1. Purchases subject to the competitive laws of the State of Iowa
2. Purchases subject to federal, state or county grant stipulations
3. Purchases from the State of Iowa or other national contracts
4. Sole source purchases

E. Do you have questions or feedback about the Buy Local Program?

Send questions via email to buylocal@cedar-rapids.org

F. If I work out of my home, and my home is in Linn County, am I eligible to become a certified local business?

In order to qualify as local business your business must pay commercial property taxes related to the business being certified as local business. Residential property taxes paid for a home business do not qualify for the buy local certification.

G. How does the Buy Local Program work?

1. Preference shall be applied to acceptable quotes, bids and proposals greater than $1,000 from businesses within Linn County, Iowa who have submitted a notarized "Local Business Certificate".

2. Example A: Preference shall be given in the procurement of goods and/or services by bid or quote when a local vendor's bid or quote exceeds the acceptable low bid by no more than:

   - 10% for bids less than $25,000
   - 5% for bids equal to or greater than $25,000 but less than $200,000
   - 1% for bids equal to or greater than $200,000

Bid Tabulation for a 20' Enclosed Trailer			
	Vendor A	Vendor B	Vendor C
	Marion, IA	Des Moines, IA	Davenport, IA
BID PRICE	$ 15,147.99	$ 14,770.55	$ 18,250.00

   - This bid is less than $25,000 so the preference is 10%
   - Vendor B submitted the lowest bid of $14,770.55
   - Vendor B is not a local business
   - Vendor A submitted the next lowest bid of $15,147.99
   - Vendor A is a certified local business
   - $15,147.99 - $14,770.55 = $377.44 / 14,770.55 = 2.56%
   - The difference between the two bids is 2.56% which is within 10% so the local preference applies
   - The bid is awarded to the local vendor, Vendor A for $15,147.99

3. Example B: Preference shall be given in the procurement of goods and/or services by Request for Proposal (RFP) by awarding additional points to the evaluation scores of proposals received from certified local businesses as follows:

   - 10% of all available points for proposals less than $25,000
   - 5% of all available points for proposals equal to or greater than $25,000 but less than $200,000
   - 1% of all available points for proposals equal to or greater than $200,000

Proposal Summary			
	Vendor A	Vendor B	Vendor C
	Iowa City, IA	Cedar Rapids, IA	Hiawatha, IA
Points	976.7	723	636.8
Points for Local Preference	0	50	50
TOTAL POINTS	976.7	773	686.8

- This proposal is greater than $25,000 but less than $200,000 so the preference is 5%
- The total available points are 1,000 (5% of 1,000 points = 50 points)
- The proposal received from Vendor A was given 976.7 points by the evaluation team
- Vendor B and Vendor C each received 50 additional points per the local preference policy
- After the additional points were applied, Vendor A remained the highest ranked proposal
- Local preference did not change the award in this case

7.01 CONTRACTING – GENERAL

A. What is a contract?

A contract is a legally binding agreement with specific terms between two or more persons or parties usually exchanging goods or services for money or other consideration.

B. Why do I need a contract?

The main reasons for entering into a contract are to establish the terms and conditions, specify the scope of work or services, identify the cost and the schedule of deliverables, and to ensure the that proper insurance is in place. Written expectations protect the City's interests and lessen the chances for protests.

C. When is a contract necessary?

When conducting business for the City it may be necessary to enter into a contract with a vendor for goods, work or services. The following checklist should be used to determine if a contract will be required. (If the answer is yes to any of these questions, a contract is likely needed.)

- ☐ For work or services; will the vendor be performing work or providing services for the City with a description or list of tasks (scope) and a schedule for performance of the tasks?
- ☐ For goods; does the item(s) being purchased require installation on City property?
- ☐ For goods; does the item(s) being purchased require scheduled maintenance or a service arrangement?
- ☐ Is the expenditure for software licensing or software support?
- ☐ Will goods or services be purchased over a period of time where an indefinite quantity is desired?
- ☐ Does the expenditure include a lease of land, building, tower space, equipment, vehicles, etc.?
- ☐ Will the City be selling its services to a non-city entity?
- ☐ Will City property be used, rented, leased, surveyed, or otherwise utilized by a non-city entity?

D. When is a contract <u>not</u> necessary?

- ☐ If the expenditure is for the one-time purchase of goods with a specific pick up or delivery date.
- ☐ If the expenditure is for service or repairs of City vehicles or equipment ***<u>not</u>*** on City property. Examples are non-scheduled vehicle service or repairs, unscheduled equipment service or repairs, etc. which will require a written quote with a description of the service to be completed.

E. When is a contract amendment necessary?

A contract amendment is required if there are changes that:

1. Add work or services
2. Delete work or services
3. Require work or services to be clarified
4. Alter the original terms such as extensions, renewals, price, etc.

F. Authorized Signatures

Current City policy requires that all contracts and amendments be signed by the City Manager and the City Clerk. No contract is approved until executed by signature of the City Manager and the City Clerk.

7.02 CONTRACT PREPARATION

A. Purchasing Services Division

Purchasing Services Division will prepare contracts and contract amendments when a Request for Bid (RFB) or Request for Proposal (RFP) has been prepared by Purchasing Services Division.

B. Contracts Division

Contracts Division will prepare contracts and contract amendments that have not been competitively solicited through Purchasing. The Contract Request Form (CRF) must be completed for Professional Service Agreements and other contracts not prepared by the Purchasing Services Division. Send the completed CRF to the Contracts Manager to prepare the contract. The CRF is located on CR@Work at: http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx

C. Engineering and Utilities Divisions

These divisions will prepare construction contracts for Capital Improvement Projects.

Note: Using a vendor-prepared contract is not acceptable. Requests for exceptions to this policy must be brought to the City Contracts Manager.

7.03 CONTRACTS DIVISION RESPONSIBILITIES

The Contracts Division will:

A. Conduct business in accordance with the policies of procurement and contracting as contained in this Manual.

B. Develop contracting policies and procedures that keep pace with the requirements and needs of the City that are in step with the best contracting practices while protecting the interests of the City.

C. Develop and maintain appropriate contract templates that meet the various contracting needs of the City.

D. Determine the proper type of contract that is required for a given procurement. Selecting the appropriate contract type at the outset is critical for both the City and vendor, as contract type drives each party's risks, incentives and obligations.

E. Prepare contracts for work and services meeting the project requirements, which are specified by and approved for City departments.

F. Process contract requests from City departments in a timely manner.

G. Establish and maintain effective communication with City departments in order to assist them in meeting their contracting requirements.

H. Provide user training on City contracting policies and procedures.

7.04 RESPONSIBILITY OF CITY DEPARTMENTS

The City Departments will:

A. Conduct business in accordance with the policies of contracting contained in this Manual.

B. Plan their contracting needs and contract processing time in advance.

C. Make requests for contracts using the Contract Request Form found at:

http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx.

D. Determine that sufficient funds are available in the department budget to pay for the requested expenditures prior to submission of the Contract Request Form to the Contracts Manager.

7.05 THE CONTRACTING CYCLE

The Contracts Division contracting process consists of six (6) basic steps. The steps are documented in EXPECTATIONS AND TIMELINES FOR THE CONTRACT PROCESS found at: http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx.

8.01 VENDOR COMMUNICATIONS

A. Purchasing activities will be conducted so that vendors will value the City's business and make every effort to furnish our requirements on the basis of quality, service and price. The relationship between the City and seller is one of mutuality. No contract that proves unsatisfactory to the seller can be regarded as satisfactory to the City.

B. The City will purchase from suppliers who have adequate financial strength, high ethical standards, and a record of adhering to specifications, maintaining shipping promises and providing a full measure of services. New sources of supply will be given due consideration as multiple sources of supply are necessary to ensure availability of materials and to promote competition.

C. Authorized City buyers shall:

1. Give all salespersons a full, fair, prompt and courteous hearing.
2. Keep competition open and fair.
3. Keep specifications fair, concise, accurate and clear.
4. Have consistent purchasing policies and principles.
5. Observe strict truthfulness in all transactions and in correspondence.
6. Keep free from obligation to any vendor.

8.02 VENDOR REGISTRATION FORM

A. In order for a vendor to do business with the City, a Vendor Registration Form must be submitted to the Finance Department. Payment will not be made for goods and services until this form is on file in the Finance Department. It is the responsibility of the vendor to ensure that all information on the Vendor Registration Form is current. Do not insinuate to a vendor that if he/she fills out this form that bids will automatically be sent to him/her.

B. Vendors may download the form by accessing the City's web page at: http://www.cedar-rapids.org/government/departments/purchasing/Pages/VendorRegistration.aspx

C. City departments may access the form at: http://cratwork/FormsLibrary/Forms/DispForm.aspx?ID=129

8.03 VENDOR LISTS

Vendor lists are maintained in the Purchasing Services Division. Any vendor requesting to be placed on these lists should contact the Purchasing Division via email.

8.04 BUDGETARY QUOTATIONS FROM VENDORS

A budgetary quotation is a non-binding statement offered by a prospective vendor to a prospective purchaser, to obtain market information for planning and budgetary purposes. When contacting a vendor for a "budgetary" quote, always state clearly that

the quote is for "budgetary purposes" only.

8.05 Employee Visits to Vendor's Place of Business

A. A prospective and a current vendor are "restricted donors" for purposes of the gift law. Any travel expenses given to a City employee will be considered "gifts" for purposes of the gift law.

B. The City, not the vendor, shall pay for all expenses for necessary trips regarding public business. This includes, but is not limited to; any transportation, lodging, meals, etc. of trips for marketing activities, development of specifications, inspecting factories, mid-production conferences or inspecting a final piece of equipment prior to shipment. Under no circumstances is the cost of a "vendor paid visit" to be built into a bid price for goods, services or equipment. The cost of this travel cannot be charged to the cost of equipment. It must be built into the department's operating budget.

8.06 Gifts from Vendors

A. Vendors shall abide by the City's "no gift" standard as stated in Section 2.01

B. If a vendor sends or offers a gift, one of the following should be chosen:

1. If possible, refuse to accept the gift prior or upon delivery
2. If circumstances do not allow you to refuse the gift, immediately donate the gift to an area food bank, shelter or charity. Ask for an itemized receipt of acceptance and then forward a copy of the receipt to the Human Resources Department.

C. The "no gift" standard also applies to all offers of discounts or free items at any place of business targeted toward a City employee and not available to the general public, regardless of the value.

8.07 Complaints Against Vendors

A. All complaints concerning vendor performance shall be directed to the Contract Administrator in the Purchasing Services Division by submitting a Vendor Performance Evaluation Form.
http://cratwork/FormsLibrary/Vendor%20Performance%20Evaluation%20(4-08).doc

B. The Contract Administrator will investigate any issues against a vendor and shall take whatever action is warranted to resolve the issue. An example of a performance complaint is failure to deliver goods and/or services as outlined in a contract or Request for Bid. Appropriate action could result in termination of the contract or bid award.

8.08 Protests and/or Complaints from Vendors

Any protests by vendors shall be made to the Purchasing Services Division in writing. (Reference Protests, Section 3.19)

9.01 SHIPPING TERMS DEFINITIONS

A. When purchasing goods, request that they be shipped FOB destination, freight prepaid. The seller owns the merchandise until it reaches your door and there won't be a separate invoice for freight. If anything should happen to the merchandise during shipping, the vendor, not the City, is responsible for filing a claim with the carrier.

B. Free on Board (F.O.B.) – Determines the point at which title for the shipment passes from the seller to buyer.

C. F.O.B. Destination – The title changes hands from seller to the buyer at the destination of the shipment; vendor owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

D. F.O.B. Origin - The title changes hands from seller to the buyer at the origin of the shipment; buyer owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

9.02 RECEIVING PROCEDURES

A. It is the responsibility of the individual who signs the delivery receipt to properly receive all merchandise. Anyone who signs for receipt of goods acknowledges that the item(s) was received and accepted as delivered.

B. Confirm the package or carton is being delivered to the proper location.

C. Verify the number of cartons, crates, or pieces is correct according to quantities on the packing slip. If there is a discrepancy, note shortage on both shipper's and deliverer's copies of the receipt.

D. Check for visible damage. Note on all receipts.

E. If you do not have time to verify delivery immediately upon receipt, sign the delivery receipt legibly and note "delivery not checked for accuracy or damage".

F. Check for concealed damage – make note of broken or crushed containers.

G. If you do not have time to inspect the shipment, sign the delivery receipt legibly and add "except for concealed damage, if any".

9.03 SHIPMENT DISCREPANCIES AND DAMAGED GOODS

A. Material Delivered Short

Material delivered short can be the fault of the vendor (seller) or the carrier. If the vendor shipped short, the claim will be against the vendor because the quantity inside the carton or package is short of the correct quantity. However, if the carton or package shows damage that may have allowed a quantity of material to fall out or be lost, the claim should be filed with the carrier.

B. Over Shipment

If a carrier delivers more material than is specified on the delivery receipt or invoiced by the vendor, one should first inquire with the vendor to determine if an intentional over shipment was made. If this is the case, the extra material can be kept and paid for or sent back to the vendor, *freight collect*. If the carrier included material with the delivery that was not intended for the City, the buyer must notify the carrier to pick up the material and deliver it to the rightful owner.

C. Visible Damage

Any visible damage to the carton must be noted on the delivery receipt when materials are delivered. The specific type of damage should be stated on the delivery receipt and you should obtain the drivers signature on your copy of the receipt. If no notation of damage or shortage is made on the carrier's delivery receipt at the time of delivery, there is no basis for claim against the carrier if shortages are discovered later. This is an example of why it is important that freight be FOB destination so the vendor will be responsible for filing all claims.

D. Concealed Damage

If the shipment of goods received showed no sign of damage upon receipt, but damage to the contents is found upon opening, concealed damage exists.

Action for concealed damage is as follows:

1. Call the carrier immediately upon discovery of the damage and request an inspection. Note the date and the person contacted.
2. It is important to keep all related documents (packing slip, invoice, etc.), and a report of the damage.
3. All shipping cartons shall be retained for inspection of any damage.
4. Pictures may be taken and kept as evidence of the damage.
5. When making a request for an inspection, advise the carrier whenever possible the value of the damaged goods. If the value is less than $50, most carriers will frequently waive inspection. Indicate the person contacted on the claim form.
6. When an inspection is made, specific damages should be noted by both parties and signed by both on the inspection report.

9.04 SHIPPING TERMS - CHART

F.O.B. SHIPPING TERM DEFINITIONS				
Freight Terms	**Payment of Initial Freight Charge**	**Bears Final Freight Cost**	**Owns Goods in Transit**	**Files Claims, if any**
* F.O.B. Destination Freight Prepaid (Allowed)	Seller	Seller	Seller	Seller
F.O.B. Destination Freight Collect		Buyer	Seller	Seller
F.O.B. Destination Freight Prepaid and Added (Charged back to buyer on invoice)	Seller	Buyer	Seller	Seller
F.O.B. Origin Freight Prepaid (Allowed)	Seller	Seller	Buyer	Buyer
F.O.B. Origin Freight Collect		Buyer	Buyer	Buyer
F.O.B. Origin Freight Prepaid and Added (Charged back to buyer on invoice)	Seller	Buyer	Buyer	Buyer

* City of Cedar Rapids preferred terms.

"Allowed" indicates the seller will ultimately bear the cost of the shipping.

"Added" indicates that the buyer will ultimately bear the cost of shipping.

10.01 DEFINITIONS

A. **Surplus Items** – City owned items such as vehicles, equipment and materials that have reached the end of their useful life or have become obsolete in City service.

B. **Confiscated Property (Forfeiture)** – Private items seized by the Police Department.

C. **"Lost & Found" Property** – Private items located by or turned in to the Police Department for custodial safekeeping until the owner is located or until a time deadline expires. Items seized, confiscated, or found by the Police Department shall be handled and disposed of in accordance with applicable Federal, State, and local requirements.

D. **Scrap** – Damaged, spent, or otherwise unusable equipment, parts, or materials of which the only value lies in recycling of its component parts or materials.

10.02 RESPONSIBILITIES

A. The Purchasing Services Division is responsible for the disposal and/or reassignment of all City-owned surplus items per City Council Resolution No. 511-3-98.

B. As City-owned items become surplus to a department, an authorized department representative shall inventory the items and notify the Purchasing Services Division by submitting the appropriate surplus form.

C. The surplus forms may be accessed electronically at http://cratwork/BusinessTools/CityPurchasing/surplus/Pages/default.aspx.

D. City departments are responsible for storage of surplus items until final disposal.

E. The Purchasing Manager shall determine the method of disposal.

F. The Purchasing Services Division shall notify the General Accounting Division of the Finance Department of the transfer or sale of any item that has been assigned a property or fixed asset number.

G. Under no circumstances may City employees be allowed to take unused discarded City-owned items for personal use.

H. Items purchased with grant funds shall be disposed of in accordance with applicable grant requirements.

I. Disposition of real estate or any interest in land requires a resolution of the City Council after published notice and public hearing. (See Section 364.7 Iowa Code).

10.03 METHODS OF SURPLUS DISPOSAL

The appropriate method is to be determined by the Purchasing Manager.

A. Transfer to other departments

Surplus items may be transferred to another City department if a need for the property exists in another City department.

Any transfer shall be at fair market value as determined by the departments using appropriate valuation methods (i.e. Kelly Blue Book).

B. Trade-in of Surplus Property

Surplus materials and equipment may be used in trade if determined to provide maximum return for the City.

C. Sale of Surplus Property

Surplus items may be sold by public auction, by electronic auction, by written bids/quotations or by utilizing a private company.

1. Public and Electronic Auction: Generally, surplus, confiscated, and "lost and found" items will be disposed of via public auction or electronic auction (per City Council Resolution No. 0977-05-05) if the quantity and types of surplus items warrant such action. Unless a reserve (minimum bid) is requested by the City department, items will be sold "as is" to the highest bidder.
2. Written Bids/Quotations: The Purchasing Services Division will solicit written bids/quotations for surplus items if the quantity and types of surplus items warrant such action. The Purchasing Services Division will maintain record of this sale.
3. Private Company: If deemed appropriate, the Purchasing Manager is authorized to use private companies for the storing, inventorying, advertising and selling of surplus items as a method of facilitating the disposal.

D. Cannibalizing

Items may be disassembled and used for parts if this is the most cost effective method of disposal for the City.

E. Transfer of Surplus Items to Funded Agencies, and/or Non-Profit Agencies

If the Purchasing Manager determines that the anticipated costs associated with the sale of surplus items will exceed the anticipated revenue from the sale, and no City department has a need for the items, the Purchasing Manager may approve transfer of the surplus items to agencies funded by the City or to non-profit/charitable organizations or other governmental entities. Approval of such donation shall be by resolution of the City Council.

10.04 Disposal of Computer Equipment

A. The City department disposing of the equipment shall determine if the equipment was purchased with City funds or grant funds.

B. Computer equipment purchased with City funds shall be disposed of through the Information Technology Department as stated below.

C. Computer equipment purchased with grant funds shall be disposed of in accordance with the terms and conditions of the grant document requirements. If the document requirements do not stipulate the disposal method, then the equipment shall be disposed of as stated below.

D. The City department disposing of the equipment shall submit the completed Surplus Computer Equipment Transfer Form to the Information Technology Department.

E. The Information Technology Department will ensure that data and licenses are cleansed and, at a minimum, conform to the DoD (short) standards. The DoD is a standard set by the US Department of Defense in the clearing and sanitizing of information on writable media.

F. Depending on the condition and the age of the equipment, the Information Technology Department will determine which disposal method to use.

   1. Determine if proposed surplus assets to be disposed of can be used in any other City departments or applications.
   2. Post the assets on GovDeals.com through the Purchasing Services Division for at least 1 week (can set reserve values and City employees are eligible to bid, outside of their scheduled working hours).
   3. Donation – must have a Council Resolution (unless covered under a standing resolution no. 1786-9-99 – React Center and Midwest Electronic Recovery)

10.05 Proceeds from the Transfer and Sale of Surplus

A. Surplus items transferred from one general fund department to another general fund department will be transferred at current book value.

   Transfers involving one or more enterprise departments will require a transfer of funds between the appropriate departments based on fair market value. The General Accounting Division of the Finance Department shall be notified on all asset transfers using the Asset Disposition Form located on CR@Work at: http://cratwork/BusinessTools/CityPurchasing/surplus/Pages/default.aspx.

B. Net proceeds of the sale of surplus from general fund departments shall be credited to the City's capital equipment replacement fund for funding of future equipment replacement.

C. Net proceeds of the sale of surplus from enterprise departments shall be credited to the enterprise department.

D. Net proceeds of the sale of surplus purchased from grant funds shall comply with the terms of the particular grant.

E. Net proceeds of the sale of surplus purchased from Road Use Tax Funds shall be credited to the City's Road Use Tax Funds.

11.01 PRINTER PURCHASE AND USAGE POLICY

A. Purpose

The goal of this policy is to facilitate the appropriate business use of the City of Cedar Rapids' printer assets, as well as control the citywide printer cost of ownership by limiting the waste of paper, toner, ink, maintenance, electricity and staff time, etc. The Printer Policy applies to all employees of the City of Cedar Rapids, as well as any contract employees using the City of Cedar Rapids assets. Each user of a printer is responsible for its proper use.

B. Background

The City of Cedar Rapids has performed a printer study with the assistance of a third party vendor. This study took into consideration printer cost, performance, productivity, functionality and location. As a result of this study ink jet printers are being eliminated and workgroup laser printers and copiers will be right sized and strategically placed within each department. This effort has resulted in the reduction of printers, replacement of some printers with energy efficient newer models and has ensured that all remaining printers were properly networked. The City's printer assets will be reviewed annually by IT and Purchasing.

C. Definitions

Desktop Laser Printers

Description:
- Designed for a single user, most expensive mode of printing
- 30 to 40 page per minute monochrome device with duplexing capabilities

Placement:
- In the office space of a City Director
- Where ADA requirements are being met for an employee
- Where an employee works in an isolated City facility or is assigned to a non-City facility

For any exception to the above, a Business Case Exception Form must be filled out and emailed to the IT Service Desk at itsupport@cedar-rapids.org for proper routing. A response will be provided within 5 business days of submittal.

Workgroup Laser Printers

Description:
- Designed for multiple users, mid-range printing option
- 45 to 55 page per minute monochrome device with duplexing capabilities and a 500 sheet paper drawer

Placement:
Based upon volume and location, these devices are strategically placed to use best fit work flow requirements for a group of 4 to 12 people. It is recommended that print

jobs consisting of 20 pages or more be sent to the department copier. This option must be approved by IT and Purchasing.

Color Laser Printers

Description:

- Designed for low volume color printing, highest cost color printing option
- 20 to 30 page per minute color device with duplexing capabilities

Placement:
The Color Laser models will be strategically placed within environments that do not have access to a color copier and have a legitimate business need for color printing. This option must be approved by IT and Purchasing.

Copiers or Multi-Function Devices (monochrome and color)

Description:

- 20 to 75 page per minute devices with at least 2 drawers of paper capacity and duplexing capabilities
- Print, copy and scan

Placement:
These devices are strategically placed due to volume to best fit all work flow requirements within the department. They are the most cost effective mode of printing; therefore direct the majority of print to these devices. Current brand of devices being used for this placement is Lanier. For color, this option will cut cost per page in half if used instead of a color laser printer. This option must be approved by IT and Purchasing.

D. Purchase of Printers

Printers:
Any printer purchase must be approved by the IT Department prior to the purchase of the printer. Only printers on the Approved Standards List and approved by IT will be permitted on the City's network. Submit your request to the IT Service Desk via the portal or email to itsupport@cedar-rapids.org.

Copiers:
The Purchasing Services Division facilitates the citywide copier acquisitions and resulting service contracts. Low volume copiers are normally purchased and higher volume copiers are normally rented for a period of 60 months. The speed of the copier is based upon the department's volume history.

E. Service and Support

Printers:
Contact the IT Service Desk at 319.286.5500 or by email with any issues with a city-owned HP printer. Third party assistance may be needed and would need to be funded by the department requesting service.
The Police Department has a Managed Print Services Contract with Koch Brothers so any issues with printers at CRPD, call Koch Brothers at 800-365-2842.

Copiers:
All City copiers have a "price per page" service agreement which includes all toner, service calls and parts. For copier service, call Koch Brothers at 800-365-2842.

F. Personal Printer Usage

Purchase or installation of personally owned printers is not permitted on the City's Network.

G. General Printer Usage

The following guidelines apply to the general usage of city printers.

- Printers are to be used for documents that are relevant to the City of Cedar Rapids business.
- Printers should not be used to print personal documents.
- Avoid printing e-mail messages by using personal folders to archive needed information.
- Use the Print Preview feature to visualize what a document will look like instead of printing.
- Avoid re-using paper to prevent paper jams.
- Color printing is a higher cost than black and white and should not be used for day to day communications. All color printers (laser printer or multi-function machine) shall have the default set to black and white.
- Anytime that a print job consists of more than 20 pages, the copier shall be used instead of a printer.

H. Shared Printer/Copier Etiquette

The following guidelines are to assist in the use of shared printers.

- Pick up printed documents in a timely fashion.
- If you come across an unclaimed printed document stack it next to the printing device.
- Avoid printing large files.
- Contact the IT Service Desk for any print jobs that need to be canceled for the printer.
- Restock the paper tray in the printer after printing a large number of documents.
- Utilize the "*Secure/Hold Print*" feature as much as possible

I. Secure/Hold Printing Feature

Definition:
Secure/Hold Print is a feature on the Lanier machines which allows the end user to send a print a job from their desktop to a Lanier device and enabling the job to be held securely and released when the end user is physically at the machine. The job will hold for up to 3 days. *Secure/Hold Print* will eliminate the need for high cost confidential desktop printers that are used by one end user.

How to Utilize the *Secure/Hold Print* Feature:
When printing documents that are confidential and security is needed, the following procedures will ensure that your printing jobs only print once you are standing at the copier:

- From your PC, select print as you normally would, make sure you have the copier set as the printer (if not your default printer).
- Under "Printer Properties", Go to "Job type" and select "Locked Print"
- Go to the "Details" button and enter your name in the user id box and then enter a password (can be up to 8 numbers like a pin #)
- Select "OK" then "OK or Print" (or Print again to print)
- At the copier press the "Printer" button select "Print Jobs" tab and locate you job on the list (you will see your name listed) select print then enter your password (pin#) on the number pad and select "OK" then press "Print".

J. Disposal of Printers

Disposal of printers must follow the City's Standard Practices. Contact the IT Service Desk at 319.286.5500 to start this process.

K. Enforcement

Any employee who is found to have violated this policy may be subject to disciplinary action.

11.02 Computer Hardware

This section under construction

11.03 Computer Software

This section under construction

11.04 Telephone and Network Equipment

This section under construction

11.05 Cellular Devices

This section under construction

11.06 Radios

This section under construction

12.01 BACKGROUND

A. The City of Cedar Rapids is committed to the stewardship of the environment and implementing practices that increase the economic, social, and environmental sustainability of our community. On January 10, 2012, the Cedar Rapids City Council adopted the following Guiding Principles of Sustainability for the City of Cedar Rapids:

1. Community – Building a community that embraces its diversity and history
2. Growth – Advancing opportunities for businesses, individuals and the community as a whole to thrive
3. Environmental Stewardship – Promoting economic and social growth while restoring the relationship between the city and its natural environment
4. Affordability – Creating a city that is affordable and accessible to all members of the community
5. Innovation – Serving as a leader in creative, successful strategies to lead the progression towards a sustainable future

12.02 PURPOSE

A. The purpose of sustainable Purchasing Principles is to establish a common set of principles that ensure the intentional practice of buying goods and services which improve public health and safety, reduce pollution, waste, and hazardous materials, and conserve natural resources and energy while continuing to balance concerns about the price, performance, and availability.

12.03 PRINCIPLES

A. The City of Cedar Rapids commits to:

1. **Food and Beverage Containers** – Ensuring the use of reusable, recyclable, or compostable items. Styrofoam cups and containers are no longer to be purchased for use in City facilities. Paper cups and containers are recommended for ease of recycling. Paper cups and containers can be composted only if compost containers are available.
2. **Electronics** – Ensuring that all small electronics purchased are EPA Energy Star certified.
3. **Batteries** – Ensuring batteries rechargeable batteries are purchased and used where it is deemed to be practical.
4. **Water Fixtures** – Ensuring that all new water fixtures, such as toilets and faucets, are EPA Water Sense certified.
5. **Cleaning Products** – Ensuring cleaning products are biodegradable, phosphate free, and citrus based where their use will not compromise quality of service.
6. **Janitorial Paper Products** – Ensuring all janitorial paper products, such as toilet paper and paper towels, have recycled content and a low chemical content. Note: Hand dryers are preferred.
7. **Copy Paper** – Ensuring all copy paper incorporate at a minimum 30% post-consumer waste recycled content.

8. **Other Paper Products and Marketing Materials** – Ensuring business cards, letterhead, envelopes and other marketing materials are 30% post-consumer waste recycled content where available.
9. **Office Supplies and MRO (Maintenance, Repair, and Operating) Supplies** – The vendors that the City has contracted with for these items provide electronic ordering and the ordering websites clearly indicate whether or not each item is a green product.
10. **Bid Specifications** – Ensuring the Green Purchasing Principles are followed when writing bid documents and specifications.

B. **Responsible Parties**
All City employees whose job responsibilities include purchasing on behalf of the City.

C. **Independent Accredited Organizations**
The City recognizes the following independent accredited organizations for the purchase of green products:
- Green Seal www.greenseal.org
- Energy Star www.energystar.gov
- Green Home www.greenhome.com
- Buy Green www.buygreen.com
- EPA Water Sense http://www.epa.gov/watersense/

12.04 IMPLEMENTATION

A. These principles shall be accessible on the City's intranet. These principles will be disseminated through the following:
- Regular department meetings or trainings
- Employee newsletter

B. Buying 'greener products' doesn't necessarily mean paying more, especially when other cost factors are considered.

CEDAR RAPIDS

City of Five Seasons®

CITY OF CEDAR RAPIDS, IOWA

PROCUREMENT MANUAL
POLICIES AND PROCEDURES

TABLE OF CONTENTS

Section 1 – General 5
1.01 Purpose of Procurement Manual – Policy and Procedures 5
1.02 City Council Authorization 6
1.03 Vision – Mission – Awards – Affiliations 6
1.04 Code of Ethics 7
1.05 Values and Guiding Principles*Note 1 7
1.06 General Principles of Purchasing 9
1.07 When to Use Purchasing Services Division or Contracts Division 10
1.08 Definitions 10
Section 2 – Legal Requirements 23
2.01 Gratuities – Gifts to Officers and Employees 23
2.02 Conflict of Interest and Financial Disclosure 23
2.03 State and Federal Grant Funding 24
2.04 Record Retention Policy 24
2.05 Open Records Policies 25
2.06 How to Fulfill a Public Records Request 25
Section 3 – Duties and Responsibilities of Purchasing Services Division 27
3.01 Centralized – Decentralized Purchasing System 27
3.02 Purchasing Services Division Responsibilities 27
3.03 City Departments' Responsibilities 27
3.04 The Purchasing Cycle 28
3.05 Scope of Work – Scope of Services 29
3.06 Specifications 30
3.07 Bonds 32
3.08 Retainage 33
3.09 Insurance 33
3.10 Vendor Lists 33
3.11 Pre-Bid or Pre Proposal Meeting 34
3.12 Issuing Addenda 35
3.13 Receiving Bids and Proposals 35
3.14 Opening of Submittals 35
3.15 Bid Tabulation and Proposal Evaluation Summary 36
3.16 Late Bid or Proposal 36
3.17 Only One Bid Received 36
3.18 No Bids Received 36
3.19 Protests 37
3.20 City-Owned Goods (Materials, Items, Equipment) 38

Section 4 – Competitive Procurement Methods 39
4.01 Purpose 39
4.02 Purchasing Authorization 39
4.03 Contract Authorization 39
4.04 Purchases Under $3,000 39
4.05 Request for Quotes 40
4.06 Request for Bids 41
4.07 Request for Proposals 43
4.08 Request for Qualifications 45
4.09 Utilization of Existing Contracts – Cooperative Procurement 46
4.10 Projects Funded by Federal and State Grants 46
4.11 Public Improvement Bids (Chapter 26 of the Iowa Code) 47
Section 5 – Non-Competitive Procurement Methods 49
5.01 Exemptions 49
5.02 Sole Source and Single Source Procurement 49
5.03 Emergency Purchases 51
Section 6 – Local Preference Policy 53
6.01 Background & Authority 53
6.02 Frequently Asked Questions 53
Section 7 – Duties and Responsibilities of Contract Division 56
7.01 Contracting – General 56
7.02 Contract Preparation 57
7.03 Contracts Division Responsibilities 57
7.04 Responsibility of City Departments 58
7.05 The Contracting Cycle 58
Section 8 – Vendor Communications 59
8.01 Vendor Communications 59
8.02 Vendor Registration Form 59
8.03 Vendor Lists 59
8.04 Budgetary Quotations from Vendors 59
8.05 Employee Visits to Vendor's Place of Business 60
8.06 Gifts from Vendors 60
8.07 Complaints Against Vendors 60
8.08 Protests and/or Complaints from Vendors 60
Section 9 – Shipping and Receiving 61
9.01 Shipping Terms Definitions 61
9.02 Receiving Procedures 61
9.03 Shipment Discrepancies and Damaged Goods 61
9.04 Shipping Terms - Chart 63

Section 10 – Disposal of Surplus 64
10.01 Definitions 64
10.02 Responsibilities 64
10.03 Methods Of Surplus Disposal 64
10.04 Disposal of Computer Equipment 65
10.05 Proceeds from the Transfer and Sale of Surplus 66
Section 11 – Technology and Communications Purchases 67
11.01 Printer Purchase and Usage Policy 67
11.02 Computer Hardware 70
11.03 Computer Software 70
11.04 Telephone and Network Equipment 70
11.05 Cellular Devices 70
11.06 Radios 70
Section 12 – Sustainable Purchasing Principles 71
12.01 Background 71
12.02 Purpose 71
12.03 Principles 71
12.04 Implementation 72

1.01 PURPOSE OF PROCUREMENT MANUAL – POLICY AND PROCEDURES

A. The purpose of this Procurement Manual – Policies and Procedures (Manual) is to:

1. provide City employees with uniform policies and procedures to be used in the procurement of goods and services;
2. provide for the fair and equitable treatment of all persons involved in public purchasing by the City of Cedar Rapids;
3. maximize the purchasing value of public funds; and to provide safeguards for maintaining a procurement system of quality and integrity;
4. protect the interests of the City through adequate and proper contracting language and practices; and
5. provide clarity and direction to City employees regarding City procurement practices.

B. The policies and procedures outlined in this Manual shall apply to all City employees involved with any procurement of goods and/or services for the City of Cedar Rapids. All employees are expected to comply with the provisions and terms of this Manual. The Manual shall be followed, except as otherwise provided by state or federal law. It is important for our supplier community to know that the City does business one way, on a consistently fair and equitable basis, rather than believing that differences exist from department to department.

C. In the event there is a separate funding authority with its own procurement policy, City departments shall follow both the funding authority's rules, as well as the City's procurement policies. If they conflict, the more stringent policy shall prevail.

D. The Cedar Rapids Public Library and the Eastern Iowa Airport are managed by their own separate governing bodies and have adopted their own procurement policies. All other City entities are governed by this Manual.

E. The City's Public Works, Utilities and Parks and Recreation Departments manage their own public improvement bidding projects, which are subject to the requirements of the Iowa Code. Non-public improvement procurements made by these divisions remain subject to this Manual.

F. Unless otherwise expressly stated or the context clearly indicates a different intention, the following words will have the meanings as defined:

- **City Council** means the Mayor and Council Members elected by the citizens of Cedar Rapids.
- **City Manager** means the individual appointed by the City Council to carry out the policies it establishes and to oversee the day-to-day administrative operations of City government.
- **Department** means the major operating division of the City of Cedar Rapids, board or commission. Only the departments of the City of Cedar Rapids are subject to these policies.
- **Department Director** means the individual responsible for the operation of a designated department.

- **Employee** means a person, other than a member of the City Council, occupying a City position that is paid a salary or wage by the City for services rendered to the City.

G. The Purchasing Services Division and Contracts Division are service and support resources for City employees and in order to gain maximum efficiency and economy requires the cooperation of all departments. All City employees involved in the procurement of goods and/or services, whether in the Purchasing Services Division, Contracts Division, or another City department must have a thorough understanding of the policies and procedures contained in this Manual.

Modifications to this Manual will be maintained electronically by the Purchasing Services Division and Contracts Division. Before becoming effective, policy changes shall be adopted through Resolution by the City Council. All new and revised pages will be numbered to properly conform to the remainder of the Manual and will bear the effective date of the revision. The Manual may be accessed electronically at http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx.

1.02 CITY COUNCIL AUTHORIZATION

During a citywide reorganization plan, City Council Resolution No. 0497-06-07 moved the Purchasing Services Department under the Finance Department and subsequently the name was changed to the Finance Department - Purchasing Services Division. The Purchasing Services Division Manager reports directly to the Finance Director.

1.03 VISION – MISSION – AWARDS – AFFILIATIONS

Our Vision:

To excel in public purchasing and contracting as valued resources, fostering innovative purchasing and contracting solutions, encouraging professional ethics and maintaining the integrity of open and free competition while protecting the interests of the City.

Our Mission:

To provide efficient and timely procurement and contracting services that maximize the value for each dollar expended using open and fair competition in accordance with the City's operational purchasing and contracting procedures, state and federal regulations, laws, rules, policies and procedures.

Awards

The City of Cedar Rapids Purchasing Services Division has been an annual recipient of the Universal Public Purchasing Certification Council's Agency Certificate Award since 2009 as having earned the honor of a fully certified public procurement staff. This award was created to formally recognize an agency's commitment to the value of certification in the public sector. To earn this certification, the staff completed formal education, procurement-related training and a comprehensive public purchasing written exam.

Professional Procurement Affiliations

The Purchasing Services Division is a member of the Institute for Public Procurement (NIGP) and the Iowa Public Procurement Association (IPPA).

The Contracts Manager is a member of the National Contract Management Association.

1.04 CODE OF ETHICS

The Purchasing Services Division and the Contracts Division follows the Code of Ethics adopted by the Universal Public Procurement Certification Council (UPPCC) and the Values and Guiding Principles adopted by the Institute for Public Procurement (NIGP).

Code of Ethics – Universal Public Procurement Certification Council (UPPCC)

- I will seek or accept a position of employment only when fully in accord with the professional principles applicable thereto, and when confident of possessing the qualifications to serve under those principles to the advantage of my employer.
- I believe in the dignity and worth of the services rendered by my employment and the societal responsibilities assumed as a trusted public servant.
- I shall governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of my employer and the public being served.
- I believe that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and intolerable.
- I will identify and eliminate participation of any individual in operational situations where a conflict of interest may be involved.
- I believe that individuals that possess UPPCC certification should at no time or under any circumstances accept directly or indirectly, gifts, gratuities, or other things of value from suppliers, which might influence or appear to influence purchasing decisions.
- I will keep my governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.
- I will handle personnel matters on a merit basis. Politics, religion, ethnicity, gender and age carry no weight in personnel administration in the agency being directed or served.
- I shall not seek or dispense personal favors that are in conflict with my profession.
- I will handle each administrative problem objectively and emphatically without discrimination.
- I subscribe to and support the professional aims and objectives of the Universal Public Procurement Certification Council.

1.05 VALUES AND GUIDING PRINCIPLES*NOTE 1

Accountability

Taking ownership and being responsible to stakeholders for our actions…essential to preserve the public trust and protect the public interest.

Principles:

- Apply sound business judgment.
- Be knowledgeable of and abide by all applicable laws and regulations.
- Be responsible stewards of public funds.
- Maximize competition to the greatest extent practicable.

- Practice due diligence.
- Promote effective, economic, and efficient acquisition.
- Support economic, social, and sustainable communities.
- Use procurement strategies to optimize value to stakeholders.

Ethics

Acting in a manner true to these values…essential to preserve the public's trust.

Principles:

- Act and conduct business with honesty and integrity, avoiding even the appearance of impropriety.
- Maintain consistency in all processes and actions.
- Meet the ethical standards of the profession.

Impartiality

Unbiased decision-making and action…essential to ensure fairness for the public good.

Principles:

- Be open, fair, impartial, and non-discriminatory in all processes.
- Treat suppliers equitably, without discrimination, and without imposing unnecessary constraints on the competitive market.
- Use sound professional judgment within established legal frameworks to balance competing interests among stakeholders.

Professionalism

Upholding high standards of job performance and ethical behavior…essential to balance diverse public interests.

Principles:

- Be led by those with education, experience, and professional certification in public procurement.
- Continually contribute value to the organization.
- Continually develop as a profession through education, mentorship, innovation, and partnerships.
- Develop, support, and promote the highest professional standards in order to serve the public good.
- See continuous improvement through on-going training, education, and skill enhancement.

Service

Obligation to assist stakeholders…essential to support the public good.

Principles:

- Be a crucial resource and strategic partner within the organization and community.
- Develop and maintain relationships with stakeholders.
- Develop collaborative partnerships to meet public needs.

- Maintain a customer-service focus while meeting the needs, and protecting the interest, of the organization and the public.

Transparency

Easily accessible and understandable policies and processes…essential to demonstrate responsible use of public funds.

Principles:

- Exercise discretion in the release of confidential information.
- Maintain current and complete policies, procedures, and records.
- Provide open access to competitive opportunities.
- Provide timely access to procurement policies, procedures, and records.

Note 1 - As adopted from the Institute for Public Procurement (NIGP)

1.06 General Principles of Purchasing

A. All City employees and elected City officials who participate in the procurement and approval of purchases and contracts are personally responsible for becoming familiar with and abiding by all applicable Federal laws, Iowa Code, City policies and procedures, and City Code of Ordinances governing such activities.

B. The City's goal is to receive maximum value for the public dollar and to purchase in the best interest of the City. Purchases shall be made in the most efficient, effective, economical and ethical manner in accordance with the purchasing policies adopted by the City Council. The City Council shall have the final approval of all purchases equal to or greater than $50,000.

C. All City employees and elected City officials with the authority to commit City funds to any purchase must do so under the "law of agency". That is, when one makes purchases or contracts with suppliers or service providers, one is doing so as an agent of the City and must operate within the limits of the authority that have been granted.

D. Bids shall be awarded to the responsible bidder submitting the lowest responsive bid, taking into consideration his/her skill, experience meeting the specifications, facilities to carry out the contract, previous work and financial ability. The City reserves the right to waive irregularities, reject and/or accept any and all bids, in whole or in part, or take such other action as serves the best interests of the City.

E. The City of Cedar Rapids is committed to upholding the highest ethical standards in all its business practices; therefore, it has adopted a No Gift Standard. City departments, City employees, City officials, candidates and their immediate family members will not accept gifts, incentives, and discounts or anything of value from vendors even if these gifts fall within the amount permitted by State Law. Officials and employees shall not become obligated to any vendor and must not participate in any City transaction from which they may personally benefit. (Reference Legal Requirements, Section 2.01).

F. Citywide contracts shall be used when available and all departments shall participate in citywide bids when invited to do so. In order to maximize the purchasing power of the City to its fullest extent, departments shall reach reasonable consensus on particular goods and services.

1.07 WHEN TO USE PURCHASING SERVICES DIVISION OR CONTRACTS DIVISION

A. When purchasing goods or services that will be competitively bid you will utilize Purchasing Services Division, which, in many cases, results in a contract that is prepared by Purchasing Services Division.

B. In general, all other purchases of goods and services that require a contract will be prepared by the Contracts Division. See Section 7.0 of this Manual for Contracts Division information and see CR@Work at http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx

1.08 DEFINITIONS

For purposes of this Manual, the following terms, phrases, words and their derivations shall have the meaning given herein.

Acceptance – The assumption of a legal obligation by a party to a contract and the terms and conditions of that contract.

Addendum – A written change, addition, alteration, correction or revision to a Request for Bid or a Request for Proposal document. Addendum/Addenda may be issued following a pre-bid/pre-proposal conference or as a result of a specification or work scope change to the solicitation.

Advertising – A form of public notice of an intended purchase. See "Legal Notice".

Agreement – A duly executed and legally binding contract. The terms "agreement" and "contract" are, in most cases, synonymous.

Alternate Bid – A bid knowingly submitted in variance from the specifications, terms, conditions, or provisions of the solicitation. The City reserves the right to determine acceptance of proposed equivalent or equal items.

Amendment – 1. An agreed addition to, deletion from, correction or modification of an agreement or contract. 2. To revise or change an existing document. A formal revision, improvement or correction.

Appropriation – A legislative authorization to expend public funds for a specific purpose; funds that have been set-aside for a specific purpose.

Approved Equal – A product of similar or superior function, purpose, design and/or performance that has been approved as an acceptable alternate to original specifications.

As Is – Term indicating that goods offered for sale are without warranty or guarantee and that the purchaser takes the goods at his/her own risk without recourse against the seller for the condition or performance of the goods.

Assignment – The legal transfer of a claim, right, interest, or property.

Assignee – The grantee, or recipient, of an assignment.

Assignor – A person who makes an assignment.

Award – The acceptance of a bid or proposal; the presentation of a purchase agreement or contract to a bidder or offeror.

Best Interest of the City – The rationale granting a purchasing official discretion in taking action most advantageous to the City when it is impossible to interpret adequately a specific response by law or regulation.

Bid – A competitive price offer made by an intended seller, normally by written notice,

offered as a result of a formal invitation to prospective vendors.

Bid Acceptance – The unconditional receipt of the bid at the designated bid location within the time frame and conditions set in the bid document. Any alterations to the bidder's offer after the close of the bid or any deviations from the conditions set in the bid document may result in the rejection and removal of the bid.

Bid Bond – An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the bidder will not withdraw the bid, the bidder will furnish bonds as required, and if the contract is awarded to the bonded (insured) bidder, the bidder will accept the contract as bid or else the surety will pay a specified amount.

Bid Deposit – A sum of money or a bond issued by a third party (the surety) deposited with a bid and guaranteeing the bidder will not withdraw the bid for a specified period of time, will furnish bonds as required, and will accept a contract, if awarded, or forfeit the deposit.

Bid Evaluation – The approach for selection of the bid award, which shall be based on the requirements set forth in the bid documents. The evaluation may include criteria to determine acceptability such as inspections, testing, quality, workmanship, delivery and suitability for a particular purpose and to existing systems and equipment. It may also be based on total and life cycle costs as well as freight, set-up, or installation charges.

Bid Opening – The official process in which sealed bids are opened, usually in the presence of one or more witnesses, at the time and place specified in the Request for Bid. All bid openings are public.

Bid Sample – A sample to be furnished by a bidder to show the characteristics of a product offered in a bid. Bid samples are used only to determine the responsiveness of the bid.

Bidder – Any person submitting a competitive bid in response to a solicitation.

Blanket Order – (1) An agreement to purchase a given quantity of specific goods over a specified period of time, usually one year. (2) A contract under which a contractor/vendor agrees to provide goods or services to a purchaser on a demand basis; the contract generally establishes prices, terms, conditions, and the period covered, although no quantities are specified; shipments are to be made when and as required by the purchaser which in certain cases may be the end user.

Boilerplate – Common designation for standard terms and conditions, usually preprinted, incorporated in all Requests for Bids, Requests for Proposals, contracts or purchase orders.

Brand Name – A name that serves to identify a manufacturer's product and may be protected by a trade name or trademark.

Brand Name Specification – A specification that cites the brand name, model number or some other designation that identifies a specific product to be offered exclusive of others.

Brand Name or Equal Specification – A specification that cites brand names, model numbers, or other identifications as representing quality and performance called for, and inviting bids on comparable items or products of any manufacturer.

Breach of Contract – A failure without legal excuse, to perform any promise that forms a whole or part of a contract.

Breach of Warranty – An infraction of an expressed or implied agreement as to the title, quality, content, or condition of a product sold.

Bulk Purchasing – To purchase in volume with the expectation of reducing the unit price of an item. To purchase aggregate quantities of material in hope of achieving deeper discounts and better pricing.

Business Day – Typically, Monday through Friday, excluding holidays.

Buyer – A purchaser who buys goods or services from a vendor in a transaction.

Calendar Day – Every day shown on the calendar, Saturdays, Sundays, and holidays included.

Capital Expenditure – An expenditure that results in the acquisition of, or an addition to a fixed asset.

Cash Discount – A reduction in the full cost of a good or service when payment is made within a specified period of time: e.g. 2% 10 net 30.

Caveat Emptor – "Let the buyer beware." A maxim stating the buyer should be careful in making a purchase because the burden of defective goods rests with him/her. In contracts, the seller can be held responsible for certain defects by means of suitable specifications, warranties and contractual terms and conditions.

Centralized Purchasing - An organizational structure where all procurement activities are conducted by one department and managed by a chief procurement officer. In a de-centralized structure the purchasing authority may be given to various organizational units at several locations.

Certificate of Insurance – A document showing a contract in which one party, for a fee, undertakes to protect another party against loss, damage or liability arising from an unknown and unforeseen event.

Certificate of Non-collusion – A document that may be required, usually by public purchasers, affirming that the bid/offer is made freely and without collusion with another vendor.

Change Order – A written alteration that is issued to modify or amend a contract or purchase order. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not covered by the drawings, plans or specifications of the project.

City Council – The Mayor and Council members elected by the citizens of the City of Cedar Rapids.

Code of Ethics – A guide to acceptable and ethical behavior as defined by an organization or public body. A standard of behavior adopted by an organization.

Collusion – When two or more parties act together secretly to achieve a fraudulent or unlawful act.

Collusive Bidding – The response to bid invitations by two or more vendors who have secretly agreed to circumvent laws and rules regarding independent and competitive bidding.

Commodity – An article of trade, a movable article of value, something that is bought or sold; any movable or tangible thing that is produced or used as the subject of barter or sale.

Competition – The process by which two or more vendors vie to secure the business of a purchaser by offering the most favorable terms as to price, quality, delivery and /or service.

Competitive Sealed Bidding – Preferred method for acquiring goods, services and

construction for public use in which award is made to the lowest responsive and responsible bidder, based solely on the response to the criteria set forth in the Request for Bid; does not include discussions or negotiations with bidders.

Competitive Sealed Proposal – A procurement method for obtaining goods, services, and construction for public use in which discussion and negotiations may be conducted with responsible offerors who submit responsive proposals.

Conflict of Interest – A clash between the public interest and the private pecuniary interest of the individual concerned. The term identifies those situations where contractors or public officials may obtain a benefit from a public contract.

Consideration – (1) Something of value which is exchanged by two parties and which serves to form or bind a contract. (2) A type of mutual commitment that must exist to form an express contract. (3) That which is given or promised in order to bring a binding contract into existence.

Consultant – Any individual, firm, corporation, etc., offering Professional Services to the City in exchange for compensation. This designation is sometimes interchangeable with "Professional Service Provider".

Contract – (1) A contract is an obligation, such as an accepted offer, between competent parties upon a legal consideration, to do or abstain from doing some act. (2) A legally binding promise, enforceable by law. (3) An agreement between parties with binding and legal and moral force, usually exchanging goods or services for money or other consideration.

Contract Administration – Following the award of a contract, the management actions that must be taken to assure full compliance with all of the terms and conditions contained within the contract document, including price. Contract administration activities include payment recommendation, monitoring of progress, inspection and acceptance, quality assurance, monitoring, modifications, negotiations, contract closeout and other activities.

Contract Execution – The act of overseeing the signing of a legally binding document that shall include signatures of the Contractor and the Mayor or the City Manager, the City Clerk and with appropriate notaries and seals.

Contract Invoice Form (CIF) – The standardized invoice form developed by the City and used by Consultants for submitting monthly invoices for Time & Expense / Not to Exceed Professional Service Agreements. This standardized form is available at http://www.cedar-rapids.org/government/departments/purchasing/pages/contractorinvoiceform(crcif).aspx.

Contract Request Form (CRF) – The request form used by City employees for requesting a Professional Service Agreement from the Contracts Division. The request form is available at http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx.

Contractual Services – Basic services provided to the City under contract or Purchase Order in which charges, effective periods, and extent of work are defined. Examples of contractual services are janitorial services, maintenance services, mechanical services and construction services.

Davis-Bacon Act (1931) – A Federal law which requires contractors who perform public works construction projects that are federally funded to pay their workers the prevailing wage rate paid in the area for similar work, as set by the Secretary of Labor.

Debarment – (1) To prohibit a seller/contractor from bidding on future requirements for cause for a certain period of time. (2) A sanction brought against a seller whereby they may not engage in future procurement actions. (3) To exclude or shut out of future

solicitations and contracting opportunities.

Decentralized Purchasing – An organizational structure in which procurement and contracting authority is delegated to several functional areas within the organization.

Delivery Schedule – A required or agreed upon time, or rate, for delivery of goods or services.

Discount – An allowance, reduction or deduction from a selling price or list price extended by a seller to a buyer in order for the net price to become more competitive.

Disposal – (1) To remove an item of inventory or a capital asset from an organization in accordance with disposal and accounting procedures. (2) The disposition of assets or inventory.

Dispute – Disagreement between parties to a contract over performance or other contract term requiring administrative action to resolve.

Emergency – A situation brought about by a sudden unexpected turn of events i.e. Act of God, riots, fires, floods, accidents or any circumstance or cause beyond the control of the City in the normal conduct of business.

Emergency Purchase – A purchase made due to an unexpected and urgent request where inaction could result in unacceptable consequences which may affect the life, health or safety of the citizens and employees, or cause unnecessary or additional damage to City property. Usually formal competitive bidding procedures are waived. (Examples; sand bags during a flash flood, wood to cover windows after a storm)

Employee – A person, other than a member of the City Council, occupying a City position that is paid a salary or wage for services rendered to the City.

Equal, Or Equivalent – A phrase used to indicate the acceptability of a product of similar or superior function, purpose, design, and/or performance. (See Brand Name)

Evaluation Criteria – Generally used in the Request for Proposal (RFP) method. Qualitative factors that an evaluation committee will use to evaluate/score a proposal and select the most qualified proposer/offeror. May include such factors as past performance, references, management and technical capability, price, quality and performance requirements.

Expedite – Effort to assure delivery of goods purchased in accordance with a time schedule, or to accelerate delivery.

Fiscal Year – A period of twelve consecutive months selected as a basis for annual financial reporting, planning or budgeting. The fiscal year for the City of Cedar Rapids is July 1st through June 30th.

Fixed Asset – An asset of a long-term character having a useful life of more than one year and a value of at least $5,000.00, stands alone and functions by itself.

Fixed Price Contract – A contract that provides for a firm price, subject to any contractual conditions allowing price adjustment, under which the contractor bears the full responsibility for profit or loss.

Formal Advertising – The placement of a notice on the city's website or in a newspaper of general circulation according to legal requirements to inform the public that the City is requesting bids on a specific purchase it intends to make.

Free on Board (F.O.B.) – Determines the point at which title for the shipment passes from seller to the buyer.

F.O.B. Destination – The title changes hands from seller to buyer at the destination of

the shipment; vendor owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

F.O.B. Origin - The title changes hands from seller to buyer at the origin of the shipment; purchaser owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

Functional Specification – A type or manner of writing a purchase description characterized by what results are required rather than a generic description of the product or service. Compare with Performance Specification.

Guarantee – To warrant or ensure performance or quality. A warranty. A written assurance attesting to the quality or durability of a product.

Hold Harmless Clause – Contractual clause requiring the contractor to assume sole liability in any actions brought against the contract and absolving the jurisdiction from any responsibility.

Indefinite Quantity Contract – A type of contract that provides for the delivery of indefinite quantities, within stated time limits of supplies or services to be furnished during a fixed period, with deliveries or performance to be scheduled by placing orders with the contractor. See Blanket Order.

Inventory – Goods in stock or an itemized list of the goods on hand at a particular time showing quantity, volume and values.

Indemnify – To protect against hurt or loss, to exempt from incurred penalties or liabilities. To compensate or pay for damage.

Invoice – A list of goods or services, showing prices, terms, quantities and other particulars sent to a purchaser in request for payment.

Late Bid or Offer – A bid or offer received at the place specified in the solicitation after the time designated for all bids or proposals to be received. A Late Bid shall not be considered and shall remain unopened in the bid file.

Law of Agency – When one acts in their capacity as authorized buyer for the City, one is acting as an agent of the City and not as an individual. As such, one is obligating the City to act in a certain way and must be sure that what one does is legal, ethical and in the best interest of the City.

Lead Time – The period of time from date of ordering to date of delivery. This includes the time required for the vendor to manufacture or prepare the goods for shipment, and may include the time needed by the procurement function to process the purchase request, issue a solicitation, evaluate bids and award a contract.

Lease – A contract conveying from one person to another real estate or property for a term in return for a specified rent or other compensation.

Lease-Purchase Agreement – A lease contract containing a purchase option in which the lessee's periodic payments or parts thereof may be applied to serve both as the rental obligation and as installments for acquiring ownership of the property upon lessee exercising the purchase option; a conditional sales contract.

Legal Notice – A public notice required by law, ordinance or executive order. Generally placed in a newspaper of general circulation or may be posted on a web site, magazine or other media, depending on the specific legal requirements.

Life Cycle Costing – The total cost of ownership over the life span of the asset. A procurement technique that takes into account operating, maintenance, the time value of money, disposal and other associated costs of ownership as well as the residual value of

the item.

Liquidated Damages – Damages paid usually in the form of a monetary payment, agreed by the parties to a contract which are due and payable as damages by the party who breaches all or part of the contract. May be applied on a daily basis for as long as the breach is in effect. May not be imposed as an arbitrary penalty. The key to establishing liquidated damages is reasonableness. It is incumbent upon the buyer to demonstrate, through quantifiable means, that damages did exist.

Lowest Responsive and Responsible Bidder – The bidder who fully complied with all of the bid requirements and whose past performance, reputation and financial capability is deemed acceptable and has offered the most advantageous pricing or cost benefit, based on the criteria stipulated in the bid documents.

Lump Sum – The total price of a group of items that are put together and priced as a whole, aggregate. A price not based on unit cost or quantities.

Material Safety Data Sheets (MSDS) – Documentation concerning a hazardous chemical. Identifies the chemical, the common names of the ingredients, the physical and chemical characteristics, and the hazards of the chemical. Also includes emergency and first aid procedures to be considered when working with that chemical.

Multiple Award – The award of contracts to two or more vendors or contractors to furnish the same or similar supplies or services, where more than one vendor is needed to meet the contract requirements for quality, delivery, or service.

Negotiation – Conferring, discussing, or bargaining to reach agreement in business transactions. A bargaining process between two or more parties, each with its own agenda and objectives, seeking to reach a mutually satisfactory agreement on or settlement of a matter of common concern. A process of planning, reviewing, and analyzing used by a buyer and a seller to reach acceptable agreements or compromises.

Net Price – Price after all discounts, rebates, etc., have been allowed.

No Bid – A response to a Request for Bid stating that the respondent does not wish to submit a bid.

Non-Responsive Bid – Bids which do not meet all material requirements of the Request for Bid or which fail to provide all required information, documents or materials will be rejected as non-responsive. Material requirements of the Request for Bid are those set forth as mandatory, or without which an adequate analysis and comparison of bids is impossible, or those which affect the competitiveness of bids or the cost to the city.

Non–Responsible Bidder - Bidders whose bids, past performance or current status do not reflect the capability, integrity or reliability to fully and in good faith perform the requirements of the contract may be rejected as non-responsible.

Notice of Award – A written notification from the City to the successful bidder, stating that there is an award of a contract in accordance with a bid or proposal previously submitted.

Option to Renew – A contract clause that allows a party to renew the contract for an additional term, in accordance with contract terms.

Order (Purchase) – A request or command issued to a supplier for goods or services at a specified price or agreed basis for payment.

Partial Payments – Payments that permit the contractor to invoice at intervals to coincide with the delivery and acceptance of incremental supplies and/or services.

Payment Bond – An instrument, issued by a surety that guarantees that subcontractors will be paid for labor expended on the contract.

Performance Bond – An instrument executed, subsequent to award, by a successful bidder that protects the public entity from loss due to the bidder's inability to complete the contract as agreed. A risk mechanism that secures the fulfillment of all contract requirements.

Performance Record – A record to indicate a supplier's ability to keep delivery promises and reliability, together with consistency of quality of the products.

Performance Specification – A specification describing the performance characteristics sought in a product or service, a purchase description accenting performance over design, a functional rather than a generic or physical specification. Compare with Functional Specification.

Piggyback Method – A form of intergovernmental cooperative purchasing in which an entity requests competitive sealed bids, enters into a contract, and arranges, as part of the contract, for other public purchasing units to purchase from the selected vendor under the same terms and conditions as itself.

Pre-Bid Conference/Meeting – A meeting that is scheduled for the purpose of providing clarification as needed. Substantive questions raised at a pre-bid conference are answered in writing and may modify the solicitation. If the pre-bid meeting is mandatory, then bids cannot be accepted from companies not represented at the meeting.

Pre-Qualification of Bidders – The screening of potential vendors/contractors in which such factors as financial capability, reputation, and management are considered in order to develop a list of qualified businesses who may then be allowed to submit bids/offers.

Pre-Solicitation Conference – An informal meeting inviting comments and suggestions from selected vendors on the draft of a proposed solicitation. Used for technical and complex service transactions.

Preferred Manufacturer Procurement – See Single Source Procurement

Price – (1) A value placed on an object or service provided by a seller to a buyer. (2) The money value of a unit of a good, service or resource (3) The total amount, in money or other consideration to be paid or charged for a commodity or service; normally includes all costs (direct labor, overhead, materials) and profit or fee.

Price Escalation Clause – A condition in a solicitation and resultant contract that allows the price under the contract to decrease or increase under defined conditions; the condition should provide for the purchaser to cancel any individual item affected, or the contract, if a request for increase is not acceptable.

Privatization – The divestiture of a government program including control and management as well as real and personal property to private entrepreneurs.

Procurement – Purchasing, renting, leasing, or otherwise acquiring any supplies, services, or construction; includes all functions that pertain to the acquisition, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. The combined functions of purchasing, inventory control, traffic and transportation, receiving, inspection, storekeeping, sale and disposal operations.

Professional Services – Services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state of Iowa, or those performed by any architect,

professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment or practice. Professional Services are procured by City Engineering and Utilities Departments using a Qualification Based Selection (QBS) process.

Professional Service Provider - Any individual, firm, corporation, etc., offering Professional Services to the City in exchange for compensation. This designation is sometimes interchangeable with "Consultant".

Progress Payments – A timed sequence of payments made during the performance of a contract; periodic payments made over the life of a contract; allows the contractor to submit invoices for payment as progress is made in performing the contract. Progress payments shift risk to the public agency since payment for progress made does not guarantee that the work will be completed.

Project – The term used to describe an undertaking by the City, involving money and personnel.

Proposal – An offer made by one party to another as a basis for negotiations for entering into a contract.

Protest – A written objection to a solicitation by a prospective bidder, a bidder, a contractor or other interested party with the intention of achieving a remedial result.

Public Improvement – The construction or improvement of a public building, structure, utility system, property or infrastructure. When the estimated cost to a City for a public improvement exceeds $50,000, the City is required to follow the requirements set out in the Iowa Code Section 26.2.

Purchase Description – The words used in a solicitation to describe the supplies, services or construction to be purchased, including any performance, physical or technical requirements. Unless the context requires otherwise, the terms "purchase description," "purchase specification," and "specification" may be used interchangeably.

Purchasing – Buying materials and services of the right quality, in the right quantity, at the right price, from the right source, and for delivery at the right time.

Purchasing Cycle – The full sequence of activities carried out by a purchasing department in the acquisition of goods and services. (See Procurement)

Purchasing Ethics – Moral principles or code to be respected by the Purchasing Services Division, or any City department having responsibility in the procurement process. The Purchasing Services Division and the Contracts Division follows the Code of Ethics adopted by the Universal Public Procurement Certification Council (UPPCC) and the Values and Guiding Principles adopted by the Institute for Public Procurement (NIGP).

Purchasing Manual – A document that describes the rules, regulations, policies and procedures to be followed by the purchasing organization and the departments it serves.

Purchase Order – An official document issued by the City to a vendor authorizing the expenditure of funds for goods and services. The purchase order also provides control of the appropriate amount and quantity being ordered by the City.

Purchasing Policy – A course of action adopted by the public agency that provides guidance relative to procurement actions.

Purchasing Procedure – A mode of conducting purchasing activities.

Qualification Based Selection (QBS) - An equitable and organized process in which contracts for professional design services are negotiated on the basis of demonstrated

competence at a fair and reasonable price. A design Professional would be defined as an architect, an engineer, a landscape architect or registered surveyor and mapper. Selection is based on qualifications and competence rather than price. In most situations the City would prepare a Request for Qualifications (RFQ) and, in response, the Professional Service Providers would submit a Statement of Qualifications (SOQ).

Quotation – (1) A statement of price, terms of sale, and description of goods or services offered by a prospective seller to a prospective purchaser, usually for purchases below the amount requiring written bids (under $5,000). (2) May be non-binding if solicited to obtain market information for planning and budgetary purposes. (3) Can be used for obtaining price and delivery information for emergency purchases.

Request for Bid (RFB) - A written request from an organization to a prospective vendor soliciting a bid. It contains specifications that are clearly spelled out (different from Request for Proposal) and all contractual terms and conditions. May require a sealed submittal, a public opening and approval by council resolution.

Request for Information (RFI) - A non-binding method whereby a jurisdiction publishes via newspaper, Internet, or direct mail its need for input from interested parties for an upcoming solicitation. A procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation. Generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc.

Request for Proposal (RFP) – (1) A formal written request from an organization to a supplier to submit a proposal. The proposal is to provide a solution to a problem or a need that the organization has identified. Usually used when price is not the determining criteria. (2) Provides for the negotiation of all terms, including price prior to contract award (3) May include a provision for the negotiation of Best and Final Offers (4) May be a single step or multi step process.

Request for Qualifications (RFQ) – A document issued by the City when seeking delineation of credentials from Consultants for specific types of services. An attempt to gauge potential competition and obtain information, which may be helpful when writing a statement of work or developing specifications for a City Project.

Request for Quotation - A small order amount purchasing method. Generally used for small orders under a certain dollar threshold. A request is sent to the supplier along with a description of the commodity or services needed and the supplier is asked to respond with price and other information by a pre-determined date. Evaluation and recommendation for award should be based on the quotation that best meets price, quality, delivery, service, past performance and reliability.

Requirements Contract – A contract used to order only the material or services actually required during a contract term. An indefinite quantity contract for frequently used commodities or products.

Responsible Bidder – A person who has the capability in all respects to perform in full the contract requirements, along with the integrity and reliability that will assure good faith performance.

Responsive Bidder – (1) A person who has submitted a bid which conforms in all material respects to the Request for Bid. (2) One whose bid conforms in all material respects to the terms, conditions, specifications and other requirements of the Request for Bid.

Restrictive Specification – Specifications that unnecessarily exclude a potential bidder

from competing for procurement. Precludes full and open competition. Specifications are written around a specific product or service.

Scope of Work/Statement of Work (SOW) – A written description of the contractual requirements for materials and services contained within a Request for Proposal. The SOW can be compared to the specifications contained within a Request for Bid. A well-conceived and clearly written SOW serves four main purposes: (1) Establishes clear understanding of what is needed (2) Encourages competition in the marketplace and promotes economic stimulus (3) Satisfies a critical need of government (4) Obtains the best value for the taxpayer.

Scrap - Damaged, spent, or otherwise unusable equipment, parts, or materials of which the only value lies in recycling of its component parts or materials.

Sealed Bid – A bid that has been submitted in a sealed envelope to prevent its contents being revealed or known before the deadline for the submission of all bids.

Service Contract – A contract that calls for a contractor's time and effort rather than for a product.

Single Source Procurement (sometimes called Preferred Manufacturer) - A procurement when there are two or more viable suppliers that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer based on valid and legitimate business reasons, therefore leaving only one supplier from which to purchase the product and/or service.

It should be noted that this procurement selection method should not be used frequently as it interferes with the basic principles of free and open competition. Pricing is negotiated and it is recommended that a Purchase Agreement or a Professional Services Agreement is prepared and signed by both parties to ensure all terms and conditions of the purchase are stated in writing.

Site Inspection – The requirement in a solicitation that the potential bidders or offerors visit the physical location where the contract is to be performed to become familiar with site conditions. May be held in conjunction with a pre-bid or pre-proposal conference.

Sole Source Procurement – A type of procurement when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

Pricing is negotiated and it is recommended that a Purchase Agreement or a Professional Services Agreement is prepared and signed by both parties to ensure all terms and conditions of the purchase are stated in writing.

Examples of Sole Source Circumstances:

- The purchase of a component or replacement part for which there is no commercially available product and which can be obtained only from the manufacturer.
- The use of other than OEM (original equipment manufacturer) parts would void a still valid warranty.
- The purchase of an item where compatibility is the overriding consideration.
- The purchase of a used item which becomes immediately available and is subject to prior sale.

Solicitation – A request for quotations, bids or proposals to provide supplies, services or construction items.

Specification – A precise description of the physical or functional characteristics of a

product, good or construction item. A description of good as opposed to a description of services. A description of what the purchaser seeks to buy and what bidder must be responsive to in order to be considered for award of a contract. Specifications generally fall under the following categories: design, performance, combination (design and performance), brand name or approved equal, qualified products list and samples. May also be known as purchasing description.

Standard – A characteristic or set of characteristics for an item that, for reasons of performance level, compatibility or interchangeability with other products, etc., is generally accepted by producers and by users of the item as a required characteristic of all items for the designed purpose.

Statement of Qualifications (SOQ) – See Qualification Based Selection

Standard Specification – A specification that is to be used for all or most purchases of an item; describes all required physical and functional characteristics of goods, services or construction.

Subconsultant – Any person or business entity employed to perform part of a contractual obligation under the control of the principal Consultant.

Subcontractor – Any person or business entity employed to perform part of a contractual obligation under the control of the principal contractor. Any supplier, distributor, vendor or firm that furnishes supplies or services to a prime contractor or another subcontractor.

Supplier – Any individual, firm, corporation, etc., offering for sale, trade, exchange or to otherwise supply items, goods, or services to the City in exchange for compensation. This designation is sometimes interchangeable with “Vendor”.

Surplus Property – City owned property that has reached the end of its useful life or has become obsolete in City service.

Tabulation of Bids – A recording of bidders and abstract of their bids listing items offered, prices, deliveries, etc., in response to a specific solicitation, made for purposes of comparison and record-keeping.

Term Contract – A type of contract in which a source of supply is established for a specified period of time for specified services or supplies; usually characterized by an estimated or definite minimum quantity, with the possibility of additional requirements beyond the minimum, all at a predetermined unit price.

Terms and Conditions (T&C’s) – Standard boilerplate language that includes standard clauses and rules which apply to bids and offers formally solicited that may become incorporated into the final contract.

Uniform Commercial Code (UCC) – Uniform statute law adopted by all states, except Louisiana, for consistency in law governing commercial transactions of goods.

Using Department – The organizational unit within the city, which utilizes supplies, services or construction.

Value Analysis – Organized effort to analyze the function(s) of products, systems, specifications, standards, practices and procedures for purpose of satisfying the required function(s) in the most economical manner.

Vendor – Any individual, firm, corporation, etc., offering for sale, trade, exchange or to otherwise supply items, goods, or services to the City in exchange for compensation. This designation is sometimes interchangeable with “Supplier”.

Vendors List – A list of potential vendors, including their contact information, from who

bids, proposals and quotations can be solicited.

Waiver of Mistake or Informality – The act of disregarding minor informalities; errors, or technical nonconformance in the bid, which will not adversely affect the competition or prejudice one bidder in favor of another.

Warranty – A promise made by a seller to a buyer that is legally enforceable. The promise may be expressed or implied and is legally binding. (1) Express Warranty – A written explanation of the responsibilities of the seller in the event that the product is found to be defective or otherwise unsatisfactory. (2) Implied Warranty – A warranty or promise arising by operation of law that something, which is sold, shall be merchantable and fit for the purpose for which the seller has reason to know it is required. Example-A contract to do certain work, such as a building contract, contains within itself an implied warranty that the work shall be done in a professional manner.

2.01 GRATUITIES – GIFTS TO OFFICERS AND EMPLOYEES

A. The *City of Cedar Rapids Personnel Policy Manual* addresses acceptance of gifts in Section 1.06 Ethics and the Receipt and Reporting of Gifts.

B. The City of Cedar Rapids is committed to upholding the highest ethical standards in all of our business practices. Therefore, we abide by a No Gift Standard. This standard recognizes the need to avoid even the perception of improper gifts or favors to employees. All employees shall comply with Chapter 68B of the Iowa Code regulating the receipt and reporting of gifts.

C. All City officials, employees, candidates for public office, or their immediate family members shall abide by a No Gift Standard. As part of this standard we will not accept gifts, discounts or anything of value from vendors even if these gifts fall within the amount permitted by State Law.

D. If a vendor sends or offers a gift, one of the following options shall be chosen:

   1. If possible, refuse to accept the gift prior to or upon delivery.

   2. If circumstances do not allow you to refuse the gift, immediately donate the gift to an area food bank, shelter or charity. Ask for an itemized receipt of acceptance and then forward a copy of the receipt to Human Resources.

E. The No Gift Standard also applies to all offers of discounts or free items at any place of business targeted toward a City official, City employees, candidates for public office, or their immediate family members and not available to the general public, regardless of the value. The standard does not apply to small gifts of appreciation from citizens (such as a bottle of water or home baked goods) who have no connection to a vendor.

F. If you have questions or need clarification regarding the City's "No Gift" standard, contact your Department Director, the Human Resources Office or the City Manager's Office.

G. Complaints regarding conduct of local officials or local employees which violates this policy should be filed with the county attorney.

2.02 CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE

Employees must agree that no relationship exists or will exist, during their employment with the City, between them and the City that is a conflict of interest. In accordance with the provisions of Iowa Code ch. 68B, no employee shall participate in the selection or in the award or administration of a contract if a conflict of interest, real or apparent, exists. If a conflict of interest is proven to the City, the City may terminate their employment. The employee shall establish safeguards to prevent circumstances that are, or give the appearance of being, motivated by the desire for private gain for themselves or others with whom they have family, business, or other ties. The employee shall report any potential, real, or apparent conflict of interest to their direct manager.

2.03 STATE AND FEDERAL GRANT FUNDING

The procurement policies stated in this Manual are not preempted by the requirements for State and Federal grants unless the City requirement is inconsistent with the State or Federal grant requirements, in which case departments shall follow strictest of any applicable policy. City departments shall adhere to the City's procurement policies and all State and Federal requirements. In addition, all applicable conditions of State or Federal funding must be included in bid and proposal solicitations and contracts. (Reference Purchases with Grant Funds, Section 4.10)

2.04 RECORD RETENTION POLICY

Records management means keeping only those records that are necessary and keeping them in a way that permits quick and easy access to the important information they contain.

A. Bids or Proposals for Goods or Services using Grant Funds

Records shall be retained in strict accordance with the terms of the grant. Generally, grants contain a "Retention of Records" section stating the required retention period. Grant retention terms supersede the City's retention policy.

B. Bids or Proposals for Goods and Equipment with no Contract

Records shall be retained for a period of five (5) years from the date of the bid or proposal opening.

C. Bids or Proposals for Goods, Equipment and Services with no multi-year renewal options.

Records shall be retained for a period of five (5) years from the date of the bid or proposal opening.

D. Bids or Proposals for Goods, Equipment and Services with multi-year renewal options.

Records shall be retained for a period of ten (10) years from the date of the bid or proposal opening.

E. Public Improvement Bids and Contracts

These Contracts are retained by the City Clerk's Office in accordance with the Iowa Code.

F. When the word "Records" is used in this section, it includes, but is not limited to the following documents:

- The Request for Bid, Request for Proposal or Request for Qualifications
- Any addenda
- Bid/proposal responses from suppliers
- Correspondence
- Forms documenting the record of a sealed bid opening
- Bid tabulation sheets, or Proposal evaluation summary or Qualification selection process summary
- Council Action (Resolution)
- Contract and Amendments

- Insurance and Bonds, if applicable
- Vendor/Supplier list
- Documentation of advertisement on the City's website

In order to quickly access records, archiving should be done by filing quotations, bids, or proposals in an organized manner such as by vendor name, date, commodity or service. Any citizen or duly authorized representative of the City, the State or a Federal Agency shall have access to all such information for the purpose of inspection, audit and copying during normal business hours. (Reference Open Records Policy, Section 2.05)

After bids or proposals are awarded, the results shall be posted on the City's website. If at some later time a citizen, supplier or bidder requests copies of the documents, those documents should be made available within a time frame reasonable to the department and at a charge of $.25 per page. (Reference How to Fulfill a Public Records Request, Section 2.06)

2.05 OPEN RECORDS POLICIES

Procurement information shall be recognized as public record to the extent provided by law and as set by:

- Council Resolution No. 0829-05-04, passed May 5, 2004 and
- Council Resolution No. 0729-07-09, passed July 22, 2009.

2.06 HOW TO FULFILL A PUBLIC RECORDS REQUEST

This is a condensed version of the procedure to follow when a request for public records is received. This outline is not a substitute for thorough understanding of the Iowa Code Chapter 22 and the City's Open Records Policy.
(http://www.cedar-rapids.org/government/about-city/public%20records/Pages/default.aspx)

A. Accessibility of Open Records

1. Open records shall be available during normal business hours in the office where the record is kept.
2. Access to the public record shall be provided promptly unless the size or nature of the records requested makes prompt access infeasible. (*Be sure to let the requestor know this.)*
3. No person may remove any record from the City's premises without obtaining permission from the custodian. Records must be protected from damage and/or disorganization, and therefore their examination must be supervised by the custodian or designee.
4. Access to a record may be denied only on the grounds specified in the Iowa Code or another legal basis. Consult with the City Attorney (286-5025) before denying access based on any such legal basis.

B. Fulfilling the Request

1. A request for a record should be directed to the City Department Director, City Communications Liaison or the records custodian in the City office where the record is kept.

2. Requests for access to public records may be made in writing, in person, by email, regular mail, fax, or telephone. The request should identify the particular record(s) sought by name or by description specific enough to enable the identification and location of the record.

3. A person is not required to give a reason for the request.

4. Requests will be given priority in a department's work activities. Absent unusual circumstances access should be provided within five (5) working days.

5. While from time to time the City or individual departments may utilize a public records request form, the use of any such form by a requestor shall not be required as a condition to obtain the record(s). (*Note: The City's Public Records Request Checklist is for internal tracking purposes. The requestor is not required to complete this form. Staff members are encouraged to complete the form.)*

C. Fees for Requests

1. The charge for providing copies of records is 25 cents per page.

2. When the mailing of copies of records is requested, the actual cost of such mailing shall also be charged to the requestor.

3. If a request for a record is one which requires the programming of computers, or the processing of data, or some other method of extracting data to produce a report for which such methodology already exists, a charge of $1 per page will be made for each page of such report produced in meeting the request.

4. An hourly fee will be charged for the actual expenses in retrieving records, supervising the examination and copying of requested records, and for other necessary activities undertaken to make records available when such time exceeds 30 minutes. The hourly rate for such staff time will be charged the rate of $20 per hour pro-rated to the nearest fifteen (15) minutes.

5. If a custodian determines that it may be more feasible, economical, or otherwise reasonable that a response to a request may be better met by the **creation of a record**, such as a report or document that does not presently exist, and that would be produced as a result of research or analysis, a custodian may, but will not be required to notify the requestor of that determination. The custodian may advise the requestor of the actual cost of creating and providing such document that does not currently exist. The custodian and the requestor may in such instance, but will not be required to, agree to provide such document in exchange for the actual cost in lieu of providing access to the records originally requested.

6. When the estimated total fee chargeable under this policy exceeds $25, the custodian may require a requestor to make an advance payment to cover all or a part of the estimated fee.

If you have questions about the City's Open Records Policy or Chapter 22 of Iowa Law, please contact the City Attorney, at 286-5025 or j.flitz@cedar-rapids.org or Maria Johnson, City Manager's Office, at 286-5055 or majohnson@cedar-rapids.org.

3.01 CENTRALIZED – DECENTRALIZED PURCHASING SYSTEM

A. All employees who are entrusted with the responsibility of purchasing on behalf of the City of Cedar Rapids shall follow the centralized policies and procedures as stated in this Manual.

B. Departmental buyers are responsible for purchases under $5,000 ensuring that the City's centralized policies and procedures are followed. If Citywide contracts are available, they are to be used by City departments.

C. The Purchasing Services Division provides purchasing services for City departments for purchases estimated to be over $5,000.

D. Refer to the Purchasing Authorization Chart, at the following link for more information regarding decisions related to procurement requirements. http://cratwork/FormsLibrary/Purchasing%20Authorization%20Chart.pdf

3.02 PURCHASING SERVICES DIVISION RESPONSIBILITIES

A. The Purchasing Services Division will conduct business in accordance with the principles of procurement as contained in this Manual.

B. Responsibilities to City Departments:

1. The Purchasing Services Division will procure goods and/or services meeting the requirements specified by and approved for City departments.
2. The Purchasing Services Division will process requests from City departments in a timely manner.
3. The Purchasing Services Division shall establish and maintain communication with City departments in order to assist them in meeting their purchasing requirements.
4. The Purchasing Services Division will provide user training on City procurement policies and procedures.
5. The Purchasing Services Division will post contract information, forms and this Procurement Manual on the City's CR@Work at: http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx.

3.03 CITY DEPARTMENTS' RESPONSIBILITIES

A. City departments will conduct business in accordance with the principles of procurement contained in this Manual.

B. It is the responsibility of City departments to plan their procurement needs in advance. Requests for rush deliveries add to the cost of materials and/or services. Requests for bids and proposals shall be submitted with sufficient time allowed for the following:

1. Review for compliance with applicable laws and policies.

2. Solicitation of bids or proposals.
3. Evaluation of bids or proposals.
4. If applicable, contract preparation including the required insurance documents.
5. If applicable, preparation of cover sheet and City Council resolution
6. Receipt of order by the vendor
7. Delivery, whether from the vendor's stock or from the manufacturer, and/or performance of the work.

C. City departments will provide, to Purchasing Services, full and accurate descriptions (specifications) of needed goods and a full and accurate scope of work of needed services.

D. City departments shall determine that sufficient funds are available in the department budget to pay for the needed goods or services prior to submission of the Bid Request Form to the Purchasing Services Division.

3.04 THE PURCHASING CYCLE

The purchasing cycle consists of four basic steps. The steps are listed below to provide guidance to City departments and to define the Purchasing Services Division's involvement in the procurement of goods and services for the City.

Step 1. Requirements Determination	**Responsible Party**
The need for goods or services is recognized	Department
Budget is verified	Department
GL Coding is obtained	Department
Purchasing Authorization Chart is accessed	Department
Bid Request Form sent to Purchasing Manager, if purchase is estimated to be greater than $5,000	Department

Step 2. Procurement Decision	**Responsible Party**
The project is assigned to a Purchasing Agent	Purchasing
Method of procurement is determined	Purchasing

Step 3. Procurement Process	**Responsible Party**
Request for Bid (RFB) or Proposal (RFP) is prepared	Purchasing
RFB or RFP sent for department review	Purchasing
Review completed	Department
RFB or RFP advertised on City website	Purchasing

RFB or RFP emailed to known vendors	Purchasing
Vendor questions are received in writing and the answers to the questions are obtained by Purchasing Agent from the Department	Purchasing
If needed, addenda issued	Purchasing
Bids or Proposals received in Office of City Clerk	City Clerk
Bids or Proposals publicly opened	Purchasing
Bid tabulation or Proposal evaluation prepared	Purchasing
Award recommendation	Department
Results posted on City website	Purchasing
Contract prepared and insurance documents obtained, if required	Project Manager
Contract sent to Project Manager for review	Purchasing
Contract sent to Vendor for signature	Purchasing
Contract sent to Contract Manager, or designee, for approval	Purchasing
Contract sent to City Manager, or designee, for signature	Purchasing
Resolution and cover sheet prepared, if required	Purchasing
PO Request Form prepared and sent to the AP Specialist	Purchasing

Step 4. Contract Administration	**Responsible Party**
Day to day contract monitoring and Project Management	Department
Contract issues or changes identified and sent to Purchasing Services Division	Department
Contract issues addressed in writing to the vendor, as required	Purchasing
Contract changes addressed in the form of a written amendment to the contract, as required	Purchasing
Contract renewal or extension prepared	Purchasing
Contract amendments sent to Project Manager for review	Project Manager

3.05 Scope of Work – Scope of Services

A. Purpose of Scope of Work

The purpose of the scope of work is to describe the overall purpose and specific objectives of the project. A scope of work should be specific, measurable, accountable, reasonable and time-based so the prospective bidders/proposers can understand what the City wants to purchase.

B. Components of a Scope of Work

1. Introduction
   a) Identifies the need for the work
   b) States the goals of the contract
   c) Describes the location of the work
2. Objectives
   a) Well defined statements of the results to be achieved
   b) Quantifiable criteria that must be met for the work to be considered successful
3. Scope
   a) States what the scope does and does not cover
   b) Outlines the steps of the project
4. Task Identification
   a) Tasks that need to be completed to accomplish the contract objectives
   b) Clear delineation of responsibilities
   c) Detailed description of each work element
   d) Approach or methodology
   e) Time and deliverable requirements
   f) Documentation that must be followed or used as guidelines
   g) Clear instruction of contract phasing or sequencing
5. Time Frames and Deliverables
   a) Specify time frames as they apply to completion of tasks, milestones and completion of the contract
   b) State what the contractor is responsible for delivering during the course of work and at the end of the project

3.06 SPECIFICATIONS

A good specification is simple, consistent, exact, and describes the commodity or service required in terms clearly understandable to both the seller and the buyer.

A. Purpose of Specifications

Bids and quotations will be based on concise but adequate specifications that meet the department's business needs. A lengthy specification composed or designed solely for the purpose of eliminating competition other than those able to supply a particular brand name will not be used. Specifications shall be detailed only to the extent that they assist the purchaser in obtaining the best value, provide a basis for full and fair competitive bidding upon a common standard, and should be free from any restrictions which would have the effect of restricting competition.

B. Development of Specifications

The development of specifications is the responsibility of the requesting department. The requirements for goods and services shall be clearly identified and submitted to the Purchasing Services Division with the Bid Request Form.

C. Vendor Prepared Specifications

If a vendor develops or drafts the specifications or statement of work, that vendor shall be excluded from competing in the procurement. The reason is that the vendor could either skew competition in favor of itself when developing the terms of procurement, or through its inside knowledge of the City's requirements, gain an unfair competitive advantage. It is the City's objective to provide for the fair and equitable treatment of all persons involved in public purchasing.

D. Types of Specifications

1. Performance – Specifications that describe the characteristics and capabilities that are pertinent to the intended use of the item. This specification is less concerned as to how a product is made, and more concerned as to how well it performs, and at what cost. These are commonly used in Request for Proposals and also called Functional Specifications.

2. Standard – Specifications that describe all required physical and functional characteristics of a good or service.

3. Design – Specifications that employ dimensional and other physical requirements of the item being purchased. This type of specification concentrates on how a product is to be fabricated or constructed and is used when a structure or product has to be specially made to meet the purchaser's unique need.

4. Approved Products List – Specifications based on manufacturer's names, brand names, and model or catalog numbers, which have been tested or examined and approved, prior to seeking prices.

5. Sample - Specifications requiring the suppliers to furnish representative samples of products offered for the purchaser's comparison and evaluation in determining the successful bidder.

6. Brand Name Only – Specification that describes a commodity using one or more manufacturers' brand names, with identifying model numbers to describe the acceptable items. All other items will be excluded.

7. Brand Name "Or Equivalent" - Specification that describes a commodity using one or more manufacturers' brand names, with identifying model numbers to describe the standards of quality, performance, and other characteristics needed to meet the requirements of a solicitation, and which invites bids for equivalent products from any manufacturer. This allows vendors of similar products to bid thus promoting maximum competition. Should proof of equivalency arise, the burden is on the substituting vendor to provide it.

8. Restrictive – Specifications that unnecessarily limit competition by eliminating items capable of satisfactorily meeting actual needs, often by requiring features which exceed the minimum acceptable characteristics required for satisfactory performance.

3.07 BONDS

Bonds offer tangible protection in the form of monetary assurances that the bidder will meet his/her obligations. Bonds must be secured by the bidder at his/her own cost.

A. Bid Bond

An insurance agreement, accompanied by a monetary commitment, by which a third party (the surety) accepts liability and guarantees that the bidder will not withdraw the bid, the bidder will furnish bonds as required, and if the contract is awarded to the bonded (insured) bidder, the bidder will accept the contract as bid or else the surety will pay a specified amount. Bid bonds protect the City from erroneous or deliberate low bids which the vendor has no intention of honoring. Should the vendor fail to enter into a contract, the bid bond is forfeited. Bid bonds must be submitted with the bid. Bid Bonds are required for public improvement projects and repair and maintenance of public improvements, the minimum amount of which will be in accordance with the Iowa Code. Other bids may require bid bonds as determined to be in the City's best interest.

B. Performance Bond

This bond is a surety instrument guaranteeing that the vendor will perform according to the terms of the contract, and is generally in an amount of 100% of the bid. This bond affords protection from non-performance and non-completion of major contracts, the efforts of which would result in considerable injury to the City. Should the vendor default, the bond is cashed and the City may then utilize the funds to complete the contract with another vendor. Performance bonds are submitted upon award of the contract. Performance Bonds are required for public improvement projects and repair and maintenance of public improvements, the minimum amount of which will be in accordance with the Iowa Code. Other bids may require performance bonds as determined to be in the City's best interest.

C. Payment Bond

A bond, generally in the amount of 100% of the bid, which guarantees payment, as required by law, to all sub-contractors and suppliers providing goods and services to the general contractor, who is under contract to the City. The payment bond relieves the City of financial liens against a project should the general contractor fail to pay his suppliers and sub-contractors. These creditors will look to the bond for payment. Payment bonds are submitted upon award of the contract. (also called labor and material bond) Payment Bonds are required for public improvement projects and repair and maintenance of public improvements, the minimum amount of which will be in accordance with the Iowa Code. Other bids may require payment bonds as determined to be in the City's best interest.

D. Maintenance Bond

A bond purchased by the contractor that protects the City's completed construction project for a specified time period against defects and faults in materials, workmanship and design that could arise later if the project was done incorrectly. The bond functions as an insurance policy on the construction project to make sure a contractor will either correct any defects that arise or that the City is compensated for those defects.

3.08 RETAINAGE

A. Public improvement contracts will include retainage, the minimum amount and terms of which will be in accordance with the Iowa Code.

B. Release of retained funds on public projects and repair and maintenance of public improvements, shall be in accordance with the Iowa Code.

C. Other contracts may include a retainage requirement if it is determined to be in the City's best interest.

3.09 INSURANCE

A. Insurance is a means of providing the financial support to back the vendor's obligation to hold the City harmless and protect the City's assets from claims of damage to property and/or injury to persons which may arise from or in connection with the performance of the work by the Contractor, his agents, representative, employees, or subcontractors.

B. Prior to the start of the Work or Services, and at all times during the term of the Work or Services, the Contractor shall procure and maintain, at its own expense, with companies in good standing and acceptable to the City until all of their obligations have been discharged, including any warranty periods under the contract are satisfied, insurance against claims for injury to persons or damage to property which may arise from or in connection with the performance of the work by the Contractor, its agents, representative, employees or subcontractors.

C. Standard insurance requirements have been developed and shall be stated in every RFB, RFP and Contract issued by the City. Coverage limits are set by the City's Risk Manager and should not be changed without his/her approval.

D. Insurance Certificates and endorsements are required to be reviewed and approved by the City's Risk Manager, including renewal certificates.

3.10 VENDOR LISTS

A. The Purchasing Services Division maintains lists of potential suppliers of goods and services who have expressed an interest in doing business with the City.

B. Potential suppliers may also be located by using the following resources:

- City Vendor lists from Purchasing Records (Purchasing Services Division)
- Internet
- Product catalogs
- Telephone directories
- Thomas Register (www.thomasregister.com)
- Trade journals
- Networking with other governmental agencies
- Another City department

3.11 PRE-BID OR PRE PROPOSAL MEETING

A. A mandatory or optional pre-bid or pre-proposal meeting may be scheduled with all prospective vendors and concerned project personnel on complex procurement projects. Include the time, date and location in the RFB or RFP document and in the solicitation advertisement.

B. The primary objective of such a meeting is to provide a clear understanding of instructions to vendors relative to drawings, specifications, local conditions, location of the work, and basic construction methods or work requirements. A site visit may be scheduled following the conference if the project personnel feel it would be beneficial for clarification of specifications.

C. In addition to avoiding quality assurance problems and contingency items in bids, other benefits that may be derived from conferences are:

1. The number of changes in specifications may be reduced.
2. Competition may be stimulated by interesting more prospective vendors.
3. Conferences tend to insure that qualified vendors will submit a bid or proposal and tend to discourage submission by vendors who are not qualified to perform the work or supply the goods.
4. An opportunity is given to discuss schedules. This is particularly valuable when special material and equipment is involved or items have a long lead time.
5. An opportunity is given to explain policies and requirements with respect to procurement methods, competitive bidding and negotiation, price provisions in solicitations and any resulting contractual agreements, and the determining factors in making awards.

D. The meeting should be formally announced to vendors. An announcement of the meeting shall be included with the Request for Bid or Request for Proposal. The announcement will state when and where the meeting will be held and whether or not it is mandatory. In order to derive the greatest benefit from a meeting, adequate time should be provided for the prospective vendors to review the plans and specifications prior to the meeting. The meeting should be attended by City personnel qualified to completely and accurately answer all questions relating to matters such as contract provisions, design and specifications, and production techniques that are expected to be discussed. A formal record shall be made of persons attending and the organizations represented through the use of a sign-in sheet.

E. During the pre-bid meeting, the specifications are reviewed and discussed with all vendor representatives in attendance. Care shall be taken to clarify the specifications as requested so as to ensure that the specifications are not restrictive, thereby, eliminating a vendor from bidding without due cause. Only in those instances where a vendor requests a change in the specifications that would result in compromising the intended use and quality of the equipment are such requests denied.

F. Begin and end the pre-bid meeting by stating that nothing discussed that materially affects the bid or proposal document will be considered official unless it is contained in an addendum issued by the City after the meeting.

3.12 ISSUING ADDENDA

A. Once a Request for Bid or a Request for Proposal has been issued, the modification or interpretation clarification of the specifications can be made only when all prospective vendors are so notified by means of a written addendum, clearly stating such changes.

B. If possible, all addenda should be issued at least 72 hours prior to RFB/RFP opening date and time. If there is not sufficient time, the RFB/RFP due date may be extended.

C. Bidders shall acknowledge every addendum issued on the Signature Page Form of the RFB or RFP.

3.13 RECEIVING BIDS AND PROPOSALS

A. Control of the bid or proposal submittal is essential. Vendors will submit their bid or proposal in a sealed envelope to the City Clerk's Office with the following information clearly marked on the outside:

1. Vendor Name
2. Due Date (month, day, year)
3. Time Due (hour/ a.m. or p.m.)
4. Bid Title and Number

B. Each bid or proposal received will be date and time stamped by the City Clerk's Office.

C. On occasion, an envelope may be received without proper information on the outside identifying it as a bid or proposal reply. After the envelope has been opened, the appropriate bid information will be written on the outside of the envelope, time stamped, reason it was opened and resealed for re-opening on the bid closing date.

3.14 OPENING OF SUBMITTALS

A. Bid Opening - The main purpose of this opening is to read the name(s) of the bidders(s) <u>and</u> the submitted pricing, not to serve as a forum for determining the apparent low bidder(s).

B. Proposal Opening - The main purpose of this opening is to read <u>only</u> the name(s) of the Proposer(s), not to serve as a forum for determining the award.

C. Bid/Proposal openings are open to the public. All attendees shall sign the <u>Bid Opening Attendance Sheet</u> for record purposes.

D. An announcement that "no award will be made at this time" shall precede the opening of the first submittal. Apparent low bidders are just that, and comments related to "the winner" are inappropriate until the evaluation is completed and the proper approval process has been completed.

E. Under no circumstances shall vendors or the general public be allowed to privately

review bids and proposals. A City staff member shall be witness at all times when original bids and proposals are under review by non-City personnel.

3.15 Bid Tabulation and Proposal Evaluation Summary

A. Bids will be evaluated promptly after opening. After an award is made, a bid tabulation summary will be sent to all companies who submitted a bid and will be posted on the city's website.

B. Proposals will be evaluated promptly after opening. After an award is made, a proposal summary will be sent to all companies who submitted a proposal and will be posted on the city's website.

3.16 Late Bid or Proposal

The City is not responsible for delays occasioned by the U.S. Postal Service, the internal mail delivery system of the City, or any other means of delivery employed by the bidder. Similarly, the City is not responsible for, and will not open, any bid or proposal responses that are received on or after the time stated in the RFB/RFP. Late submittals will be retained in the RFB/RFP file, unopened. No responsibility will be attached to any person for premature opening of a bid or proposal not properly identified.

3.17 Only One Bid Received

After soliciting competitive bids, you only receive one bid, and it differs substantially from your independent estimate of the contract price:

A. Inquire of those who did not bid to determine the reason for lack of response.

B. Review specifications and bid list, revise if necessary and reissue per regular procedures.

C. Accept the bid if time is crucial and cost is reasonable, as the opportunity for competition was afforded by initial competition.

D. Negotiate with the single bidder using cost analysis and document why the price is reasonable.

3.18 No Bids Received

On occasion, the Request for Bid will receive no responses. In those cases, the following considerations shall be made:

A. Extend bid-opening date.

B. Contact all vendors on bid list to determine reason for lack of response.

C. Review specifications and bid list if decision is made to rebid.

D. Revise bid documents where appropriate.

E. Initiate the bidding process per regular procedures.

3.19 PROTESTS

A. Right to Protest

Any prospective bidder or proposer may protest the provisions of a Request for Bid (RFB) or Request for Proposal (RFP).

B. Filing a Protest

A written protest shall be considered filed, for purposes of this procedure, when all related items are actually delivered to and received by the Purchasing Services Division. All protests shall be directed to the Purchasing Manager and shall include the following information:

1. Name, address, phone number and email address of the protester
2. The RFB or RFP number and project title
3. A detailed statement of the basis for the protest
4. Supporting evidence or documents to substantiate all concerns

C. Protest of Specifications Prior to Bid/Proposal Opening

Any prospective bidder or proposer who is aggrieved in connection with the solicitation of a bid or proposal may protest on the grounds of irregularities in specifications or bid/proposal procedure.

For protests related to specifications or bid/proposal procedures, a formal written protest must be filed no later than 72 hours (excluding holidays and weekends) prior to the scheduled bid/proposal opening date and time.

D. Protest of Recommended Award After Bid/Proposal Opening

Any bidder or proposer, who is aggrieved in connection with the evaluation of the bid or proposal or the staff recommendation regarding award of a contract, provided that such bidder or proposer would have been awarded the contract but for the aggrieved action, may protest such evaluation or award recommendation.

For protests related to the evaluation of bids or proposals or staff recommendation of award of a contract, a written Notice of Intent to Protest must be filed within 72 hours (excluding holidays and weekends) after posting of the bid tabulation or proposal summary on the City's website at:
http://www.cedar-rapids.org/doing-business/bid-proposals/Pages/default.aspx

A written protest must be filed no later than 5:00 pm on the third (3rd) calendar day following the date on which the written Notice of Intent to Protest was filed.

E. Responding to a Bid/Proposal Protest

The Purchasing Manager or designee shall investigate the concerns, discuss the protest with the Department Director and respond in writing in to the protest within five (5) business days.

In the event a protest is filed in accordance with the bid protest procedures herein, and if warranted by the information presented, the Purchasing Manager or designee may suspend the procurement at his or her discretion.

3.20 CITY-OWNED GOODS (MATERIALS, ITEMS, EQUIPMENT)

A. Goods purchased with City funds shall remain the property of the City. When City-owned goods are no longer required by the City or have no practical use by the City, the goods shall be disposed of in accordance with applicable policies and procedures. (Refer to Disposal of Surplus Property, Section 10).

B. Rebates, refunds, incentives and other benefits received as a result of a City transaction are the property of the City and shall be used for the benefit of the City.

4.01 PURPOSE

The purpose of obtaining quotations, bids, or proposals is to obtain the quality of materials and/or services consistent with the City's needs, in a timely manner and for the best value. Purchases will be made according to the City's Procurement Policy using sound judgment without favor or prejudice, to ensure that public money is spent efficiently and effectively. Potential vendors will be given an opportunity to provide quotations, bids or proposals and will be treated fairly in the process of doing so.

4.02 PURCHASING AUTHORIZATION

Each department director is the primary procurement officer for his/her area of responsibility. All purchases equal to or greater than $3,000 require the respective Department Director's approval. In addition, per Resolution No.1284-09-15, all purchases equal to or greater than $50,000 require approval by City Council resolution.

4.03 CONTRACT AUTHORIZATION

For projects equal to or greater than $50,000, the City Council shall consider a resolution awarding the contract and authorizing the City Manager and the City Clerk to sign the Agreement on behalf of the City**. Note,** as provided for by Section 4.03 of the Cedar Rapids Municipal Code (http://library.municode.com/index.aspx?clientId=16256&stateId=15&stateName=Iowa), No agreement shall be deemed to be created and exist, unless and until the City Council adopts a resolution awarding the project and authorizing the City Manager and the City Clerk to sign the Agreement.

The City Manager and the City Clerk shall sign all contracts and agreements regardless of the dollar value unless a city Council Resolution designates another City employee to sign on behalf of the City Manager. This includes public improvement contracts, maintenance agreements, software agreements, price agreements, contract amendments, professional service agreements and consultant agreements or any other contract that obligates the City of Cedar Rapids.

4.04 PURCHASES UNDER $3,000

Authorized departmental employees shall make purchases less than $3,000 in the best interest of the City using his/her sound purchasing judgment and without favor or prejudice.

The Procurement Card (referred to as the "PCard") is generally used for small dollar appropriate City related purchases. The PCard shall be used when:

- Purchasing commodities not exceeding the transaction limits; and
- Where the vendor accepts the PCard; and
- When the item is not a restricted commodity

Purchase transactions shall not be split in order to bypass the PCard purchasing limits and the City Procurement Policy bid thresholds.

4.05 REQUEST FOR QUOTES

A. Conditions for Use

A Request for Quote shall be the solicitation method used for purchases equal to or greater than $3,000 and less than $5,000.

B. Request for Quotes - Document

Request for Quotes shall be issued by authorized departmental employees to three (3) or more vendors. A Quote Request Form is available for use, but not mandated. http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx

The Request for Quote shall state a description of the goods or services, exact quantity, a request for price, delivery date and address, FOB point and who is responsible for shipping costs. (Reference Shipping Terms, Section 9)

C. Acceptance and Evaluation of Quotes

Vendor quotes are public record and shall be submitted in writing and stored in the department procurement files. (Reference Records Retention Policy, Section 2.04)

Quotations may be submitted via email, fax, mail or in person and normally have a quick turnaround time. A public opening is not required.

Quotes shall be evaluated based on the information requirements set forth in the Request for Quote. Requirements may include price, quality standards, delivery time and suitability for a particular purpose.

D. Award of Quote

If the purchase is subject to the conditions of Federal, State or County grant requirements, the applicable provisions of said grant will determine the method of award.

If no grant provisions apply, the City's Local Preference Policy shall be applied to acceptable quotes from businesses located within Linn County who have submitted an acceptable notarized Local Business Certificate. (Reference Local Preference Policy, Section 6)

Award of quote shall be made on a purely objective basis to the responsible bidder submitting the lowest responsive quote.

If quotes from two or more firms are determined to be tied (equal in every respect) the City's Tie Quote/Bid Procedure applies. (Reference Tie Bid Procedures, Section 4.06 E.)

A purchase order is required for purchases greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form

   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx

2. Copies of the quotes received from vendors and the Quote Tabulation Sheet, if used

3. A purchase order is required even if the PCard was used as the payment method for the goods or services.

4.06 REQUEST FOR BIDS

A. Conditions for Use

A Request for Bid shall be the solicitation method used for purchases equal to or greater than $5,000 when the specifications or statement of work is well defined. It is simpler, faster and more objective than a Request for Proposal.

B. Request for Bids - Document

A Bid/Proposal Request Form shall be sent electronically to the Purchasing Services Manager to initiate the process. The Request for Bid (RFB) document shall be prepared and issued by the Purchasing Services Division. Bids shall be requested from all known vendors and advertised on the City's website, inviting as much competition as possible.

The RFB shall state a well-defined description of the goods or services, exact quantity, request for price, bid due date, delivery date and address, FOB point, who is responsible for shipping costs and the City's Standard Terms and Conditions. (Reference Shipping Terms, Section 9)

C. Acceptance and Evaluation of Bids

Vendor bids are public record and shall be submitted in writing and stored in the Purchasing Services Division's procurement files. (Reference Records Retention Policy, Section 2.04)

Bids are submitted in a sealed envelope and publicly opened at a specific date and time. The vendor name and price are read aloud at the bid opening.

Bids shall be evaluated based on the requirements set forth in the Request for Bid.

In addition to the price, the following is a partial list of the criteria that may be used to determine vendor responsibility and responsiveness:

1. Adherence to specifications;
2. Service as specified in these bid documents;
3. Company's reputation and financial status;
4. Company's ability to meet the City's Insurance Requirements;
5. Current lead-time quoted;
6. Length of time committed for firm pricing;
7. Guarantees and warranties;
8. Independent laboratory and consumer reports;
9. Satisfactory demonstration of equipment;
10. Past experience and service provided by Bidder;
11. Strength of Bidder's hiring and training program;
12. Ability and/or willingness to work with the City on disposition of material no longer required or otherwise defective;
13. Favorable references from firms with projects of similar scopes that indicate that the Bidder has the ability to carry out the services and provide the products specified;
14. Strength of company's safety program and history.
15. The City reserves the right to accept or reject any or all bids; to request rebids; to award bids item-by-item, by groups, or "lump sum"; to waive irregularities and technicalities in bids; such as shall best serve the requirements and interests of the City.

D. Award of Bid

If the purchase is subject to the conditions of Federal, State or County grant requirements, the applicable provisions of said grant will determine the method of award.

If no grant provisions apply, the City's Local Preference Policy shall be applied to acceptable bids from businesses located within Linn County who have submitted an acceptable notarized Local Business Certificate. (Reference Local Preference Policy, Section 6.)

Award of bid shall be made on a purely objective basis to the responsible bidder submitting the lowest responsive bid.

The competitive sealed bidding method does not allow for any change in the bids once they have been opened, except for corrections of errors in very limited circumstances (minor irregularities). If multiple bids are received, a change in price is never allowed and price negotiations are not allowed.

If only one (1) bid is received under the competitive bidding process, or the purchase is deemed to be proprietary, the City reserves the right to negotiate in order to obtain a fair and reasonable price.

If bids from two or more firms are determined to be tied (equal in every respect) the City's Tie Quote/Bid Procedure applies as stated below.

E. Tie Bid Procedures

1. If the goods or services to be purchased are subject to the conditions of Federal or State grant requirements, the applicable provisions of said grant will determine the method of award.
2. If no Federal or State grant provisions apply, the City's Buy Local Preference will be applied to all bids.
3. If no Federal or State grant provisions apply and if the Buy Local Preference does not apply, and if price and all other evaluation criteria are determined to be tied (equal in every respect) among one or more firms submitting bids or proposals, award shall be determined in the following priority:
    a. If only one of the tie bidders is a vendor located within the limits of Cedar Rapids, Iowa, that bidder will be awarded the bid.
    b. If only one of the tie bidders is a vendor located within the limits of Linn County, Iowa that bidder will be awarded the bid.
    c. If only one of the tie bidders is an in-state (Iowa business) vendor, that bidder will be awarded the bid.
4. If the award cannot be determined by grant provisions, local preference policy, local, county or in-state priority, award will be made to the tie bidder whose bid was received (date and time-stamped) first.

A purchase order is required for purchases greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form
   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx
2. Request for Bid (RFB) document
3. Addendums to the bid document

4. Copy of awarded bid
5. Bid tabulation sheet
6. If applicable, copy of contract signed by the City Manager and City Clerk
7. If over $50,000, copy of City Council resolution

4.07 REQUEST FOR PROPOSALS

A. Conditions for Use

A Request for Proposal (RFP) shall be the solicitation method used for purchases equal to or greater than $5,000 when the requirements are not clearly known, are qualitative rather than quantitative, or when the City is looking for a solution to a problem, and/or when the selection of a Vendor is being made not only on price but on a combination of non-price factors. An RFP is used to meet a complex need that is difficult to specify.

B. Request for Proposals - Document

A Bid/Proposal Request Form shall be sent electronically to the Purchasing Services Manager to initiate the process. The Request for Proposal document shall be issued by the Purchasing Services Division to all known vendors and advertised on the City's website, inviting as much competition as possible. The Request for Proposal shall state a clear scope of work, the criteria to evaluate the responses and the City's Standard Terms and Conditions.

C. Acceptance of Proposals

Proposals are public record and shall be submitted in writing and stored in the Purchasing Services Division's procurement files. (Reference Records Retention Policy, Section 2.04)

Proposals are submitted in a sealed envelope and publicly opened at a specific date and time. Only the vendor name is read aloud at the proposal opening.

D. Evaluation of Proposals

A Request for Proposal allows the flexibility in evaluation through weighted criteria as set forth in the RFP document. Criteria may include:

1. Experience of proposed staff for the project
2. Consultant's understanding and method of approach to project
3. Consultant's ability to meet timeline
4. Feedback from References
5. Financial Proposal
6. Company Responsiveness to RFP
7. Total scope of services offered
8. Reponses to overall proposal and compliance with submission guidelines
9. Proposal presentation (completeness, organization, appearance, etc.)

Proposals are evaluated by a proposal evaluation team using the evaluation criteria stated in the RFP document. Team members shall sign a Proposal Evaluation Team Member Agreement Form before the evaluation process commences.

The Purchasing Agent shall facilitate the meetings and the process but does not evaluate or rate the proposals.

Team members will evaluate each proposal based on their experience and judgment of how well the proposal addresses the City's requirements. Each prospective company is assured that any proposal submitted will be evaluated independently using the best available information and without any forgone conclusions.

Consideration will also be given to written clarification provided during the evaluation process and input from staff or other persons judged to have useful expertise that should be considered in a responsible, fair assessment of the relative merits of each proposal.

The team may arrange demonstrations and/or conference calls with representatives of the companies whose proposals are deemed to be within the "competitive range". The purpose shall be the clarification of any aspect of the proposal that is deemed to have a material bearing on arriving at a fair determination of which proposal offers the best overall value.

If presentations and/or conference calls have been conducted, representatives for each proposal deemed to be within the competitive range will be given a written clarification of any aspect of the solicitation that was requested by one or more evaluators. Clarifications may also be issued if an evaluation team member regards such as being necessary to make a fair and reasonable determination of the proposal to accept. In addition, each Proposer deemed to be within the competitive range may be invited to submit a "best and final offer" if such seems appropriate under the clarifications issued to the provisions and specifications of this solicitation. Note that guidance would also permit procurement participants to determine that only one proposal is within the "competitive range." If such were to be determined, the procurement administrator would then enter into negotiations with the Proposer offering the greatest value proposal in efforts to arrive at a purchase price that is deemed fair and reasonable based on price or cost analysis.

E. Award of Proposal

If the purchase is subject to the conditions of Federal, State or County grant requirements, the applicable provisions of said grant will determine the method of award.

If no grant provisions apply, the City's Local Preference Policy shall be applied to acceptable proposals from businesses located within Linn County who have submitted an acceptable notarized Local Business Certificate. (Reference Local Preference Policy, Section 6.)

Award of Proposal shall be made to the responsible Proposer whose proposal offers the greatest value to the City with regard to the criteria detailed and the scope of work set forth in the RFP. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

The competitive sealed proposal method permits discussion and negotiation after opening proposals to allow clarification and changes in proposals, providing that adequate precautions are taken to ensure fair treatment of each proposer and that information gleaned from competing proposals is not disclosed to other proposers during the process.

A purchase order is required for purchases greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form

   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx

2. Request for Proposal (RFP) document
3. Addendums to the proposal document
4. Proposal evaluation summary
5. If applicable, copy of contract signed by the City Manager and City Clerk
6. If over $50,000, copy of City council resolution
7. If reasonable, copy of winning proposal

4.08 REQUEST FOR QUALIFICATIONS

A. Conditions for Use

A Request for Qualifications shall be the solicitation method used to procure Professional Services. This type of solicitation only requests information on the Consultant's expertise/experience and not on cost, subject to a negotiation of fair and reasonable compensation.

Examples of Professional Services typically contracted for by the City that are qualified by professional license are architectural services, engineering services, legal services, medical services and audit services. (Reference the definition of Professional Services, Section 1.08)

B. Request for Qualifications - Document

Request for Qualifications shall be issued to three (3) or more service providers and advertised on the City's website. The Request for Qualifications shall identify the general scope of services and all significant factors of evaluation.

C. Acceptance and Evaluation of Qualifications

Qualification Submittals are public record and shall be submitted in writing and stored in the issuing department's procurement files. (Reference Records Retention Policy, Section 2.04)

Qualifications shall be evaluated based on the criteria set forth in the Request for Qualifications. Requirements may include licensure, past successful projects, experience of key individuals and availability. Selection is based on qualifications and competence rather than price.

D. Award of Contract

Contracts for professional services are negotiated on the basis of demonstrated competence at a fair and reasonable price. In most instances, the City's Contract Manager prepares the contract.

A purchase order is required for contracts greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form
   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx
2. Request for Qualifications (RFQ) document
3. Copy of contract signed by the City Manager and City Clerk
4. If over $50,000, copy of City Council resolution

4.09 UTILIZATION OF EXISTING CONTRACTS – COOPERATIVE PROCUREMENT

A. Citywide Contracts

The Purchasing Services Division coordinates the bidding of many supplies and services that are common purchases to a number of City departments. In many instances, after bids are awarded, term contracts are established for "as needed" purchases. It is expected that Department Directors will require the use of these contracts. The value of citywide contracts is the combination of vendor lists, volume or quantity discounts, standardization of specifications, reduced administrative time in the duplication of effort and efficient contract management.

B. State of Iowa Contracts

This method of purchase is particularly desirable if time is a constraint or if the chances for obtaining better prices from other sources is poor.

When the City purchases items from the State of Iowa Contracts, there is assurance that the bid process used is somewhat similar to what the City uses. State pricing is not always the lowest pricing. If a state contract is used, it shall be in conjunction with any terms, conditions and insurance language which meets the City's requirements.

When utilizing State of Iowa contracts;

1. Reference the contract number on your purchase order request
2. Reference the contract number on the City council resolution
3. No further bids are required
4. The State of Iowa website is: http://www.das.gse.iowa.gov/purchase/index.html
5. The Iowa Department of Transportation website is: http://www.iowadot.org

4.10 PROJECTS FUNDED BY FEDERAL AND STATE GRANTS

A. Responsibility

Purchases made with Federal, State, or local grant funds shall comply with the requirements of the applicable Federal and State grants. Care must be taken to review the procurement policy provisions of every grant award package to ensure that all restrictions and special purchase requirements are understood and addressed. The employee who is administering the grant is responsible for ensuring that purchases are allowable under the grant agreement and are in accordance with this policy. All procurement documentation shall be kept in a separate file for audit purposes.

B. Document Review

The grant document shall be read carefully, the agency (State or Federal) that has awarded the grant shall be identified and all references to Office of Management Budget (OMB) Circulars, the Code of Regulation (CFR) or other documents that are referred to shall be reviewed and the required terms and conditions included in the solicitation documents (RFB, RFP or RFQ) and in the resulting contract.

C. Debarred or Suspended Vendors

If purchasing with Federal funds, the procurement file must include proof that the awarded vendor is not suspended or debarred. To verify this, go

to https://www.sam.gov/portal/public/SAM/ enter the vendor name and print the page. This page is to be kept in the procurement file.

D. Code of Conduct

A written code of conduct shall be applicable to those employees associated with contracts supported by federal funds. This policy shall apply to all officers, employees, or agents of the City engaged in the award and/or administration of contracts supported by federal or state grant funds. (Reference Code of Ethics, Section 1.04)

4.11 PUBLIC IMPROVEMENT BIDS (CHAPTER 26 OF THE IOWA CODE)

A. Law

Cities in Iowa are required to follow proper bid procedures when contracting for public improvement projects. Chapter 26 of the Iowa Code details the laws on bid procedures for public improvement projects.

B. Types of Projects

1. Public Improvement

   Public improvement generally means building or construction work constructed under the control of the City and paid for in whole or in part with City funds. Public improvement projects are most often construction related. Questions as to whether a proposed project is a public improvement should be referred the City Attorney.

   a) Included are buildings, additions, utility system improvements, street and infrastructure construction and improvements to existing public buildings and other structures.

   b) Materials purchased for installation by others, the completion of which will result in a public improvement, are also included.

   c) The total estimated cost includes all labor, equipment, materials, supplies and other components necessary to complete the work, exclusive of the architectural and/or engineering design and inspection costs.

2. Repair and/or Maintenance Work of a Public System, Facility or Structure

   Repair or maintenance of a public system, facility, or structure means the preservation of a utility or other system, or a building or other structure so that it remains in sound or proper condition, including minor replacements and additions as necessary to restore the public system, facility, or structure to its original condition with the same design.

C. Types of Infrastructure - Horizontal and Vertical Infrastructure

1. Horizontal Infrastructure

   Publicly owned roads, bridges or culverts

2. Vertical Infrastructure

   Buildings, all appurtenant structures, utilities, incidental street improvements including sidewalks, site development features, recreational trails, and parking facilities. Vertical infrastructure does <u>not</u> include any work constructed in conjunction with or ancillary to highway, street, bridge or culvert projects, including but not limited to utilities and sidewalks.

D. Bid and Quote Thresholds

Chapter 26 of the *Iowa Code* details the thresholds that require a city to receive bids or quotes for public improvement projects. The thresholds differ between the type of project (horizontal or vertical) and city population (lesser or greater than 50,000). The thresholds are subject to change on an annual basis.

E. Award of Public Improvement Contracts

A purchase order is required for Public Improvement Contracts equal to or greater than $3,000. When requesting the purchase order, the following information shall be submitted to the departmental Accounts Payable Specialist:

1. Purchase Order Request Form
   http://cratwork/BusinessTools/CityPurchasing/PurchPolicies/Pages/default.aspx
2. Bid tabulation sheet

5.01 EXEMPTIONS

The following commodities and services are exempt from the requirement for competitive bids or proposals unless otherwise directed by the City Manager or designee:

1. Certification fees
2. Court costs
3. Emergency and worker compensation medical services
4. Employee reimbursements as provided by contract
5. Insurance settlements
6. Interdepartmental billings
7. Legal advertisements
8. Legal fees
9. Membership and dues in trade or professional organizations
10. Mileage
11. Permits
12. Postage and outgoing freight costs
13. Real estate purchases
14. Subscriptions, periodicals, books
15. Travel, training and conference expenses including registration fees, hotel costs, meals and airfare and other transportation costs associated with travel, training and conferences
16. Tuition reimbursement
17. Utilities, electricity, gas, water, steam, sewer, telephone

5.02 SOLE SOURCE AND SINGLE SOURCE PROCUREMENT

It should be noted that these procurement selection methods should <u>not</u> be used frequently as they are non-competitive and interfere with the basic principles of free and open competition. The burden of justification for a sole source or single procurement is with the city department that is purchasing the product or service.

In a sole-source or single-source procurement, pricing is negotiated and it is recommended that a Purchase Agreement or a Professional Services Agreement is prepared and signed by both parties to ensure all terms and conditions of the procurement are stated in writing.

A. Definition of a Sole Source

A type of procurement when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

Examples of Sole Source Circumstances:

1. The purchase of a component or replacement part for which there is no commercially available product and which can be obtained only from the manufacturer.
2. The purchase of an item where compatibility is the overriding consideration.
3. The purchase of a used item which becomes immediately availability and is subject to prior sale.
4. The purchase of a particular product for trial or testing.
5. The use of other than OEM (original equipment manufacturer) parts would void a still valid warranty.

B. Definition of a Single Source

A type of procurement when there are two or more viable vendors that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer/vendor based on valid and legitimate business reasons, therefore leaving only one vendor from which to purchase the product and/or service. (sometimes called Preferred Manufacturer)

C. Justification and Award of Sole Source and Single Source Procurements

If the purchase is subject to the conditions of Federal, State or County grant requirements, it is the responsibility of the city buyer to ensure that the applicable provisions of said grant are adhered to.

If the cost is equal to or greater than $3,000 and less than $50,000:

1. The Sole Source/Single Source Justification Form signed by the Department Director shall be completed and submitted to the Accounts Payable Specialist with the Purchase Order Request Form.
2. A record of the negotiation process shall be maintained in the department's procurement file with the record of award. (Reference Records Retention Policy, Section 2.04)
3. Documentation shall include evidence of how the price was determined to be fair and reasonable and in accordance with current market conditions.

If the cost is equal to or greater than $50,000:

1. The purchase shall be approved by a city council resolution.
2. The Sole Source/Single Source Justification Form signed by the Department Director shall be completed and submitted with the resolution and cover sheet. After the resolution is approved by the City Council, a Purchase Order Request Form shall be submitted to the AP Specialist.
3. A record of the negotiation process shall be maintained in the department's procurement file with the record of award. (Reference Records Retention Policy, Section 2.04)

4. Documentation shall include evidence of how the price was determined to be fair and reasonable and in accordance with current market conditions.

5.03 EMERGENCY PURCHASES

A. Definition

An "Emergency" is defined as a situation brought about by a sudden unexpected turn of events i.e. Act of God, riots, fires, floods, accidents, or any circumstance or cause beyond the control of the City in the normal conduct of its business. An emergency includes, but is not limited to, a condition:

1. That threatens public health, welfare or safety
2. In which there is a need to protect the health, welfare or safety of persons occupying or visiting a public improvement or property located adjacent to the public improvement
3. In which the City must act to preserve critical services or programs

An "emergency procurement" must fit the circumstances noted above. Failure to exercise reasonable planning or anticipation of routine needs are not "emergencies" and cannot be treated as such. Procurements of this nature may be expedited, but still do not justify "emergency" status.

B. Justification for Emergency Procurement

An emergency procurement shall be limited in scope and duration to meet the emergency. When considering the scope and duration of an emergency procurement, the department should consider price and availability of the good or service procured so the department obtains the best value for the funds spent under the circumstances. The departments shall attempt to acquire goods and services of general use with as much competition as practicable under the circumstances.

C. Procedures Required for Emergency Procurements

Justification for every emergency purchase exceeding $3,000 shall be documented on the City's Emergency Justification Form and submitted to the department director or his/her designee for written approval. This form shall be completed as soon as the need for the emergency procurement is identified. If it is not possible to gain such approval beforehand, the director or his/her designee must be notified and sign the form within one business day that such a purchase has been made. If the purchase exceeds $50,000, a council resolution shall be prepared and submitted for the next available council meeting. The signed form shall be kept in the procurement file and a copy sent to the Accounts Payable Specialist with the Purchase Order Request Form.

D. Public State of Emergency

As provided for by Iowa Code Section 372.14, the Mayor may, by resolution, declare a public state of emergency authorizing the City Manager to procure by purchase or lease such goods and or services as are deemed necessary for the City's emergency response effort or for the continued operation of city government. When the emergency is formally deemed to be over, again by resolution, the Mayor and City Manager shall report all such expenditures as soon as reasonably possible.

E. Emergency Repair of a Public Improvement

In accordance with the Iowa Code, Section 384.103, when emergency repair of a public improvement is necessary and the delay of advertising and a public letting might cause serious loss or injury to the City, the City Council shall make a finding, by resolution, of the necessity to institute emergency proceedings.

F. Procedures for Emergency Repairs of Public Improvement

The City shall procure a certificate from a competent licensed professional engineer or registered architect, not in the regular employ of the City, certifying that they have inspected the site and found that emergency repairs are necessary and that the delay of advertising and a public hearing might cause serious loss or injury to the City.

In this event, request shall be made to the City Council (by resolution) to institute emergency proceedings under Iowa Code Section 384.103. This would delete the requirement for a public hearing and advertising for bids. The requirement for a performance bond does still apply.

CITY OF CEDAR RAPIDS PROCUREMENT MANUAL
SECTION 6 – LOCAL PREFERENCE POLICY

6.01 BACKGROUND & AUTHORITY

The Cedar Rapids City Council adopted the Buy Local Purchasing Policy through City Council Resolution No. 1239-10-10.

6.02 FREQUENTLY ASKED QUESTIONS

A. Who is local?

1. Businesses located within Linn County, Iowa who have paid Linn County property taxes on a plant, office or store occupied by the business for the past year; or
2. Businesses located within Linn County, Iowa who have paid rent for the past year to a landlord or owner who has paid Linn County property taxes for the past year on the plant, office or store occupied by the business.

B. How do I apply for local preference status?

1. Complete a "Local Business Certificate". http://www.cedar-rapids.org/government/departments/purchasing/pages/buylocal.aspx
2. Mail the notarized, completed certificate to:

   City of Cedar Rapids – Purchasing Division
   101 First Street SE
   Cedar Rapids, IA 52401

C. After I return the notarized certificate, how do I know if my business is on the list?

1. A list of certified businesses can be viewed on the City's website: www.cedar-rapids.org/government/departments/purchasing
2. Allow up to ten (10) days for processing of the certificate before the business is listed.

D. Will the local preference policy be applied to all purchases for goods and services?

No, the following types of purchases are excluded:

1. Purchases subject to the competitive laws of the State of Iowa
2. Purchases subject to federal, state or county grant stipulations
3. Purchases from the State of Iowa or other national contracts
4. Sole source purchases

E. Do you have questions or feedback about the Buy Local Program?

Send questions via email to buylocal@cedar-rapids.org

F. If I work out of my home, and my home is in Linn County, am I eligible to become a certified local business?

In order to qualify as local business your business must pay commercial property taxes related to the business being certified as local business. Residential property taxes paid for a home business do not qualify for the buy local certification.

G. How does the Buy Local Program work?

1. Preference shall be applied to acceptable quotes, bids and proposals greater than $1,000 from businesses within Linn County, Iowa who have submitted a notarized "Local Business Certificate".

2. Example A: Preference shall be given in the procurement of goods and/or services by bid or quote when a local vendor's bid or quote exceeds the acceptable low bid by no more than:

   - 10% for bids less than $25,000
   - 5% for bids equal to or greater than $25,000 but less than $200,000
   - 1% for bids equal to or greater than $200,000

Bid Tabulation for a 20' Enclosed Trailer			
	Vendor A	Vendor B	Vendor C
	Marion, IA	Des Moines, IA	Davenport, IA
BID PRICE	$ 15,147.99	$ 14,770.55	$ 18,250.00

   - This bid is less than $25,000 so the preference is 10%
   - Vendor B submitted the lowest bid of $14,770.55
   - Vendor B is not a local business
   - Vendor A submitted the next lowest bid of $15,147.99
   - Vendor A is a certified local business
   - $15,147.99 - $14,770.55 = $377.44 / 14,770.55 = 2.56%
   - The difference between the two bids is 2.56% which is within 10% so the local preference applies
   - The bid is awarded to the local vendor, Vendor A for $15,147.99

3. Example B: Preference shall be given in the procurement of goods and/or services by Request for Proposal (RFP) by awarding additional points to the evaluation scores of proposals received from certified local businesses as follows:

   - 10% of all available points for proposals less than $25,000
   - 5% of all available points for proposals equal to or greater than $25,000 but less than $200,000
   - 1% of all available points for proposals equal to or greater than $200,000

Proposal Summary			
	Vendor A	Vendor B	Vendor C
	Iowa City, IA	Cedar Rapids, IA	Hiawatha, IA
Points	976.7	723	636.8
Points for Local Preference	0	50	50
TOTAL POINTS	976.7	773	686.8

- This proposal is greater than $25,000 but less than $200,000 so the preference is 5%
- The total available points are 1,000 (5% of 1,000 points = 50 points)
- The proposal received from Vendor A was given 976.7 points by the evaluation team
- Vendor B and Vendor C each received 50 additional points per the local preference policy
- After the additional points were applied, Vendor A remained the highest ranked proposal
- Local preference did not change the award in this case

7.01 CONTRACTING – GENERAL

A. What is a contract?

A contract is a legally binding agreement with specific terms between two or more persons or parties usually exchanging goods or services for money or other consideration.

B. Why do I need a contract?

The main reasons for entering into a contract are to establish the terms and conditions, specify the scope of work or services, identify the cost and the schedule of deliverables, and to ensure the that proper insurance is in place. Written expectations protect the City's interests and lessen the chances for protests.

C. When is a contract necessary?

When conducting business for the City it may be necessary to enter into a contract with a vendor for goods, work or services. The following checklist should be used to determine if a contract will be required. (If the answer is yes to any of these questions, a contract is likely needed.)

- ☐ For work or services; will the vendor be performing work or providing services for the City with a description or list of tasks (scope) and a schedule for performance of the tasks?
- ☐ For goods; does the item(s) being purchased require installation on City property?
- ☐ For goods; does the item(s) being purchased require scheduled maintenance or a service arrangement?
- ☐ Is the expenditure for software licensing or software support?
- ☐ Will goods or services be purchased over a period of time where an indefinite quantity is desired?
- ☐ Does the expenditure include a lease of land, building, tower space, equipment, vehicles, etc.?
- ☐ Will the City be selling its services to a non-city entity?
- ☐ Will City property be used, rented, leased, surveyed, or otherwise utilized by a non-city entity?

D. When is a contract <u>not</u> necessary?

- ☐ If the expenditure is for the one-time purchase of goods with a specific pick up or delivery date.
- ☐ If the expenditure is for service or repairs of City vehicles or equipment ***<u>not</u>*** on City property. Examples are non-scheduled vehicle service or repairs, unscheduled equipment service or repairs, etc. which will require a written quote with a description of the service to be completed.

E. When is a contract amendment necessary?

A contract amendment is required if there are changes that:

1. Add work or services
2. Delete work or services
3. Require work or services to be clarified
4. Alter the original terms such as extensions, renewals, price, etc.

F. Authorized Signatures

Current City policy requires that all contracts and amendments be signed by the City Manager and the City Clerk. No contract is approved until executed by signature of the City Manager and the City Clerk.

7.02 CONTRACT PREPARATION

A. Purchasing Services Division

Purchasing Services Division will prepare contracts and contract amendments when a Request for Bid (RFB) or Request for Proposal (RFP) has been prepared by Purchasing Services Division.

B. Contracts Division

Contracts Division will prepare contracts and contract amendments that have not been competitively solicited through Purchasing. The Contract Request Form (CRF) must be completed for Professional Service Agreements and other contracts not prepared by the Purchasing Services Division. Send the completed CRF to the Contracts Manager to prepare the contract. The CRF is located on CR@Work at: http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx

C. Engineering and Utilities Divisions

These divisions will prepare construction contracts for Capital Improvement Projects.

Note: Using a vendor-prepared contract is not acceptable. Requests for exceptions to this policy must be brought to the City Contracts Manager.

7.03 CONTRACTS DIVISION RESPONSIBILITIES

The Contracts Division will:

A. Conduct business in accordance with the policies of procurement and contracting as contained in this Manual.

B. Develop contracting policies and procedures that keep pace with the requirements and needs of the City that are in step with the best contracting practices while protecting the interests of the City.

C. Develop and maintain appropriate contract templates that meet the various contracting needs of the City.

D. Determine the proper type of contract that is required for a given procurement. Selecting the appropriate contract type at the outset is critical for both the City and vendor, as contract type drives each party's risks, incentives and obligations.

E. Prepare contracts for work and services meeting the project requirements, which are specified by and approved for City departments.

F. Process contract requests from City departments in a timely manner.

G. Establish and maintain effective communication with City departments in order to assist them in meeting their contracting requirements.

H. Provide user training on City contracting policies and procedures.

7.04 RESPONSIBILITY OF CITY DEPARTMENTS

The City Departments will:

A. Conduct business in accordance with the policies of contracting contained in this Manual.

B. Plan their contracting needs and contract processing time in advance.

C. Make requests for contracts using the Contract Request Form found at:

http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx.

D. Determine that sufficient funds are available in the department budget to pay for the requested expenditures prior to submission of the Contract Request Form to the Contracts Manager.

7.05 THE CONTRACTING CYCLE

The Contracts Division contracting process consists of six (6) basic steps. The steps are documented in EXPECTATIONS AND TIMELINES FOR THE CONTRACT PROCESS found at: http://cratwork/BusinessTools/Contracts%20Division/Pages/default.aspx.

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8.01 VENDOR COMMUNICATIONS

A. Purchasing activities will be conducted so that vendors will value the City's business and make every effort to furnish our requirements on the basis of quality, service and price. The relationship between the City and seller is one of mutuality. No contract that proves unsatisfactory to the seller can be regarded as satisfactory to the City.

B. The City will purchase from suppliers who have adequate financial strength, high ethical standards, and a record of adhering to specifications, maintaining shipping promises and providing a full measure of services. New sources of supply will be given due consideration as multiple sources of supply are necessary to ensure availability of materials and to promote competition.

C. Authorized City buyers shall:

1. Give all salespersons a full, fair, prompt and courteous hearing.
2. Keep competition open and fair.
3. Keep specifications fair, concise, accurate and clear.
4. Have consistent purchasing policies and principles.
5. Observe strict truthfulness in all transactions and in correspondence.
6. Keep free from obligation to any vendor.

8.02 VENDOR REGISTRATION FORM

A. In order for a vendor to do business with the City, a Vendor Registration Form must be submitted to the Finance Department. Payment will not be made for goods and services until this form is on file in the Finance Department. It is the responsibility of the vendor to ensure that all information on the Vendor Registration Form is current. Do not insinuate to a vendor that if he/she fills out this form that bids will automatically be sent to him/her.

B. Vendors may download the form by accessing the City's web page at: http://www.cedar-rapids.org/government/departments/purchasing/Pages/VendorRegistration.aspx

C. City departments may access the form at: http://cratwork/FormsLibrary/Forms/DispForm.aspx?ID=129

8.03 VENDOR LISTS

Vendor lists are maintained in the Purchasing Services Division. Any vendor requesting to be placed on these lists should contact the Purchasing Division via email.

8.04 BUDGETARY QUOTATIONS FROM VENDORS

A budgetary quotation is a non-binding statement offered by a prospective vendor to a prospective purchaser, to obtain market information for planning and budgetary purposes. When contacting a vendor for a "budgetary" quote, always state clearly that

the quote is for “budgetary purposes” only.

8.05 EMPLOYEE VISITS TO VENDOR’S PLACE OF BUSINESS

A. A prospective and a current vendor are “restricted donors” for purposes of the gift law. Any travel expenses given to a City employee will be considered “gifts” for purposes of the gift law.

B. The City, not the vendor, shall pay for all expenses for necessary trips regarding public business. This includes, but is not limited to; any transportation, lodging, meals, etc. of trips for marketing activities, development of specifications, inspecting factories, mid-production conferences or inspecting a final piece of equipment prior to shipment. Under no circumstances is the cost of a “vendor paid visit” to be built into a bid price for goods, services or equipment. The cost of this travel cannot be charged to the cost of equipment. It must be built into the department’s operating budget.

8.06 GIFTS FROM VENDORS

A. Vendors shall abide by the City’s “no gift” standard as stated in Section 2.01

B. If a vendor sends or offers a gift, one of the following should be chosen:

1. If possible, refuse to accept the gift prior or upon delivery
2. If circumstances do not allow you to refuse the gift, immediately donate the gift to an area food bank, shelter or charity. Ask for an itemized receipt of acceptance and then forward a copy of the receipt to the Human Resources Department.

C. The “no gift” standard also applies to all offers of discounts or free items at any place of business targeted toward a City employee and not available to the general public, regardless of the value.

8.07 COMPLAINTS AGAINST VENDORS

A. All complaints concerning vendor performance shall be directed to the Contract Administrator in the Purchasing Services Division by submitting a Vendor Performance Evaluation Form.
http://cratwork/FormsLibrary/Vendor%20Performance%20Evaluation%20(4-08).doc

B. The Contract Administrator will investigate any issues against a vendor and shall take whatever action is warranted to resolve the issue. An example of a performance complaint is failure to deliver goods and/or services as outlined in a contract or Request for Bid. Appropriate action could result in termination of the contract or bid award.

8.08 PROTESTS AND/OR COMPLAINTS FROM VENDORS

Any protests by vendors shall be made to the Purchasing Services Division in writing. (Reference Protests, Section 3.19)

9.01 SHIPPING TERMS DEFINITIONS

A. When purchasing goods, request that they be shipped FOB destination, freight prepaid. The seller owns the merchandise until it reaches your door and there won't be a separate invoice for freight. If anything should happen to the merchandise during shipping, the vendor, not the City, is responsible for filing a claim with the carrier.

B. Free on Board (F.O.B.) – Determines the point at which title for the shipment passes from the seller to buyer.

C. F.O.B. Destination – The title changes hands from seller to the buyer at the destination of the shipment; vendor owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

D. F.O.B. Origin - The title changes hands from seller to the buyer at the origin of the shipment; buyer owns goods in transit and files any claims. Payment of freight charges is determined by contract terms.

9.02 RECEIVING PROCEDURES

A. It is the responsibility of the individual who signs the delivery receipt to properly receive all merchandise. Anyone who signs for receipt of goods acknowledges that the item(s) was received and accepted as delivered.

B. Confirm the package or carton is being delivered to the proper location.

C. Verify the number of cartons, crates, or pieces is correct according to quantities on the packing slip. If there is a discrepancy, note shortage on both shipper's and deliverer's copies of the receipt.

D. Check for visible damage. Note on all receipts.

E. If you do not have time to verify delivery immediately upon receipt, sign the delivery receipt legibly and note "delivery not checked for accuracy or damage".

F. Check for concealed damage – make note of broken or crushed containers.

G. If you do not have time to inspect the shipment, sign the delivery receipt legibly and add "except for concealed damage, if any".

9.03 SHIPMENT DISCREPANCIES AND DAMAGED GOODS

A. Material Delivered Short

Material delivered short can be the fault of the vendor (seller) or the carrier. If the vendor shipped short, the claim will be against the vendor because the quantity inside the carton or package is short of the correct quantity. However, if the carton or package shows damage that may have allowed a quantity of material to fall out or be lost, the claim should be filed with the carrier.

B. Over Shipment

If a carrier delivers more material than is specified on the delivery receipt or invoiced by the vendor, one should first inquire with the vendor to determine if an intentional over shipment was made. If this is the case, the extra material can be kept and paid for or sent back to the vendor, *freight collect*. If the carrier included material with the delivery that was not intended for the City, the buyer must notify the carrier to pick up the material and deliver it to the rightful owner.

C. Visible Damage

Any visible damage to the carton must be noted on the delivery receipt when materials are delivered. The specific type of damage should be stated on the delivery receipt and you should obtain the drivers signature on your copy of the receipt. If no notation of damage or shortage is made on the carrier's delivery receipt at the time of delivery, there is no basis for claim against the carrier if shortages are discovered later. This is an example of why it is important that freight be FOB destination so the vendor will be responsible for filing all claims.

D. Concealed Damage

If the shipment of goods received showed no sign of damage upon receipt, but damage to the contents is found upon opening, concealed damage exists.

Action for concealed damage is as follows:

1. Call the carrier immediately upon discovery of the damage and request an inspection. Note the date and the person contacted.
2. It is important to keep all related documents (packing slip, invoice, etc.), and a report of the damage.
3. All shipping cartons shall be retained for inspection of any damage.
4. Pictures may be taken and kept as evidence of the damage.
5. When making a request for an inspection, advise the carrier whenever possible the value of the damaged goods. If the value is less than $50, most carriers will frequently waive inspection. Indicate the person contacted on the claim form.
6. When an inspection is made, specific damages should be noted by both parties and signed by both on the inspection report.

9.04 SHIPPING TERMS - CHART

F.O.B. SHIPPING TERM DEFINITIONS				
Freight Terms	**Payment of Initial Freight Charge**	**Bears Final Freight Cost**	**Owns Goods in Transit**	**Files Claims, if any**
* F.O.B. Destination Freight Prepaid (Allowed)	Seller	Seller	Seller	Seller
F.O.B. Destination Freight Collect		Buyer	Seller	Seller
F.O.B. Destination Freight Prepaid and Added (Charged back to buyer on invoice)	Seller	Buyer	Seller	Seller
F.O.B. Origin Freight Prepaid (Allowed)	Seller	Seller	Buyer	Buyer
F.O.B. Origin Freight Collect		Buyer	Buyer	Buyer
F.O.B. Origin Freight Prepaid and Added (Charged back to buyer on invoice)	Seller	Buyer	Buyer	Buyer

* City of Cedar Rapids preferred terms.

"Allowed" indicates the seller will ultimately bear the cost of the shipping.

"Added" indicates that the buyer will ultimately bear the cost of shipping.

CITY OF CEDAR RAPIDS PROCUREMENT MANUAL
SECTION 10 – DISPOSAL OF SURPLUS

10.01 DEFINITIONS

A. **Surplus Items –** City owned items such as vehicles, equipment and materials that have reached the end of their useful life or have become obsolete in City service.

B. **Confiscated Property (Forfeiture) –** Private items seized by the Police Department.

C. **"Lost & Found" Property –** Private items located by or turned in to the Police Department for custodial safekeeping until the owner is located or until a time deadline expires. Items seized, confiscated, or found by the Police Department shall be handled and disposed of in accordance with applicable Federal, State, and local requirements.

D. **Scrap** – Damaged, spent, or otherwise unusable equipment, parts, or materials of which the only value lies in recycling of its component parts or materials.

10.02 RESPONSIBILITIES

A. The Purchasing Services Division is responsible for the disposal and/or reassignment of all City-owned surplus items per City Council Resolution No. 511-3-98.

B. As City-owned items become surplus to a department, an authorized department representative shall inventory the items and notify the Purchasing Services Division by submitting the appropriate surplus form.

C. The surplus forms may be accessed electronically at http://cratwork/BusinessTools/CityPurchasing/surplus/Pages/default.aspx.

D. City departments are responsible for storage of surplus items until final disposal.

E. The Purchasing Manager shall determine the method of disposal.

F. The Purchasing Services Division shall notify the General Accounting Division of the Finance Department of the transfer or sale of any item that has been assigned a property or fixed asset number.

G. Under no circumstances may City employees be allowed to take unused discarded City-owned items for personal use.

H. Items purchased with grant funds shall be disposed of in accordance with applicable grant requirements.

I. Disposition of real estate or any interest in land requires a resolution of the City Council after published notice and public hearing. (See Section 364.7 Iowa Code).

10.03 METHODS OF SURPLUS DISPOSAL

The appropriate method is to be determined by the Purchasing Manager.

A. Transfer to other departments

Surplus items may be transferred to another City department if a need for the property exists in another City department.

Any transfer shall be at fair market value as determined by the departments using appropriate valuation methods (i.e. Kelly Blue Book).

B. Trade-in of Surplus Property

Surplus materials and equipment may be used in trade if determined to provide maximum return for the City.

C. Sale of Surplus Property

Surplus items may be sold by public auction, by electronic auction, by written bids/quotations or by utilizing a private company.

1. Public and Electronic Auction: Generally, surplus, confiscated, and "lost and found" items will be disposed of via public auction or electronic auction (per City Council Resolution No. 0977-05-05) if the quantity and types of surplus items warrant such action. Unless a reserve (minimum bid) is requested by the City department, items will be sold "as is" to the highest bidder.
2. Written Bids/Quotations: The Purchasing Services Division will solicit written bids/quotations for surplus items if the quantity and types of surplus items warrant such action. The Purchasing Services Division will maintain record of this sale.
3. Private Company: If deemed appropriate, the Purchasing Manager is authorized to use private companies for the storing, inventorying, advertising and selling of surplus items as a method of facilitating the disposal.

D. Cannibalizing

Items may be disassembled and used for parts if this is the most cost effective method of disposal for the City.

E. Transfer of Surplus Items to Funded Agencies, and/or Non-Profit Agencies

If the Purchasing Manager determines that the anticipated costs associated with the sale of surplus items will exceed the anticipated revenue from the sale, and no City department has a need for the items, the Purchasing Manager may approve transfer of the surplus items to agencies funded by the City or to non-profit/charitable organizations or other governmental entities. Approval of such donation shall be by resolution of the City Council.

10.04 DISPOSAL OF COMPUTER EQUIPMENT

A. The City department disposing of the equipment shall determine if the equipment was purchased with City funds or grant funds.

B. Computer equipment purchased with City funds shall be disposed of through the Information Technology Department as stated below.

C. Computer equipment purchased with grant funds shall be disposed of in accordance with the terms and conditions of the grant document requirements. If the document requirements do not stipulate the disposal method, then the equipment shall be disposed of as stated below.

D. The City department disposing of the equipment shall submit the completed Surplus Computer Equipment Transfer Form to the Information Technology Department.

E. The Information Technology Department will ensure that data and licenses are cleansed and, at a minimum, conform to the DoD (short) standards. The DoD is a standard set by the US Department of Defense in the clearing and sanitizing of information on writable media.

F. Depending on the condition and the age of the equipment, the Information Technology Department will determine which disposal method to use.

   1. Determine if proposed surplus assets to be disposed of can be used in any other City departments or applications.
   2. Post the assets on GovDeals.com through the Purchasing Services Division for at least 1 week (can set reserve values and City employees are eligible to bid, outside of their scheduled working hours).
   3. Donation – must have a Council Resolution (unless covered under a standing resolution no. 1786-9-99 – React Center and Midwest Electronic Recovery)

10.05 Proceeds from the Transfer and Sale of Surplus

A. Surplus items transferred from one general fund department to another general fund department will be transferred at current book value.

   Transfers involving one or more enterprise departments will require a transfer of funds between the appropriate departments based on fair market value. The General Accounting Division of the Finance Department shall be notified on all asset transfers using the Asset Disposition Form located on CR@Work at: http://cratwork/BusinessTools/CityPurchasing/surplus/Pages/default.aspx.

B. Net proceeds of the sale of surplus from general fund departments shall be credited to the City's capital equipment replacement fund for funding of future equipment replacement.

C. Net proceeds of the sale of surplus from enterprise departments shall be credited to the enterprise department.

D. Net proceeds of the sale of surplus purchased from grant funds shall comply with the terms of the particular grant.

E. Net proceeds of the sale of surplus purchased from Road Use Tax Funds shall be credited to the City's Road Use Tax Funds.

11.01 PRINTER PURCHASE AND USAGE POLICY

A. Purpose

The goal of this policy is to facilitate the appropriate business use of the City of Cedar Rapids' printer assets, as well as control the citywide printer cost of ownership by limiting the waste of paper, toner, ink, maintenance, electricity and staff time, etc. The Printer Policy applies to all employees of the City of Cedar Rapids, as well as any contract employees using the City of Cedar Rapids assets. Each user of a printer is responsible for its proper use.

B. Background

The City of Cedar Rapids has performed a printer study with the assistance of a third party vendor. This study took into consideration printer cost, performance, productivity, functionality and location. As a result of this study ink jet printers are being eliminated and workgroup laser printers and copiers will be right sized and strategically placed within each department. This effort has resulted in the reduction of printers, replacement of some printers with energy efficient newer models and has ensured that all remaining printers were properly networked. The City's printer assets will be reviewed annually by IT and Purchasing.

C. Definitions

Desktop Laser Printers

Description:
- Designed for a single user, most expensive mode of printing
- 30 to 40 page per minute monochrome device with duplexing capabilities

Placement:
- In the office space of a City Director
- Where ADA requirements are being met for an employee
- Where an employee works in an isolated City facility or is assigned to a non-City facility

For any exception to the above, a Business Case Exception Form must be filled out and emailed to the IT Service Desk at itsupport@cedar-rapids.org for proper routing. A response will be provided within 5 business days of submittal.

Workgroup Laser Printers

Description:
- Designed for multiple users, mid-range printing option
- 45 to 55 page per minute monochrome device with duplexing capabilities and a 500 sheet paper drawer

Placement:
Based upon volume and location, these devices are strategically placed to use best fit work flow requirements for a group of 4 to 12 people. It is recommended that print

jobs consisting of 20 pages or more be sent to the department copier. This option must be approved by IT and Purchasing.

Color Laser Printers

Description:

- Designed for low volume color printing, highest cost color printing option
- 20 to 30 page per minute color device with duplexing capabilities

Placement:
The Color Laser models will be strategically placed within environments that do not have access to a color copier and have a legitimate business need for color printing. This option must be approved by IT and Purchasing.

Copiers or Multi-Function Devices (monochrome and color)

Description:

- 20 to 75 page per minute devices with at least 2 drawers of paper capacity and duplexing capabilities
- Print, copy and scan

Placement:
These devices are strategically placed due to volume to best fit all work flow requirements within the department. They are the most cost effective mode of printing; therefore direct the majority of print to these devices. Current brand of devices being used for this placement is Lanier. For color, this option will cut cost per page in half if used instead of a color laser printer. This option must be approved by IT and Purchasing.

D. Purchase of Printers

Printers:
Any printer purchase must be approved by the IT Department prior to the purchase of the printer. Only printers on the Approved Standards List and approved by IT will be permitted on the City's network. Submit your request to the IT Service Desk via the portal or email to itsupport@cedar-rapids.org.

Copiers:
The Purchasing Services Division facilitates the citywide copier acquisitions and resulting service contracts. Low volume copiers are normally purchased and higher volume copiers are normally rented for a period of 60 months. The speed of the copier is based upon the department's volume history.

E. Service and Support

Printers:
Contact the IT Service Desk at 319.286.5500 or by email with any issues with a city-owned HP printer. Third party assistance may be needed and would need to be funded by the department requesting service.
The Police Department has a Managed Print Services Contract with Koch Brothers so any issues with printers at CRPD, call Koch Brothers at 800-365-2842.

Copiers:
All City copiers have a “price per page” service agreement which includes all toner, service calls and parts. For copier service, call Koch Brothers at 800-365-2842.

F. Personal Printer Usage

Purchase or installation of personally owned printers is not permitted on the City’s Network.

G. General Printer Usage

The following guidelines apply to the general usage of city printers.

- Printers are to be used for documents that are relevant to the City of Cedar Rapids business.
- Printers should not be used to print personal documents.
- Avoid printing e-mail messages by using personal folders to archive needed information.
- Use the Print Preview feature to visualize what a document will look like instead of printing.
- Avoid re-using paper to prevent paper jams.
- Color printing is a higher cost than black and white and should not be used for day to day communications. All color printers (laser printer or multi-function machine) shall have the default set to black and white.
- Anytime that a print job consists of more than 20 pages, the copier shall be used instead of a printer.

H. Shared Printer/Copier Etiquette

The following guidelines are to assist in the use of shared printers.

- Pick up printed documents in a timely fashion.
- If you come across an unclaimed printed document stack it next to the printing device.
- Avoid printing large files.
- Contact the IT Service Desk for any print jobs that need to be canceled for the printer.
- Restock the paper tray in the printer after printing a large number of documents.
- Utilize the “*Secure/Hold Print*” feature as much as possible

I. Secure/Hold Printing Feature

Definition:
Secure/Hold Print is a feature on the Lanier machines which allows the end user to send a print a job from their desktop to a Lanier device and enabling the job to be held securely and released when the end user is physically at the machine. The job will hold for up to 3 days. *Secure/Hold Print* will eliminate the need for high cost confidential desktop printers that are used by one end user.

How to Utilize the *Secure/Hold Print* Feature:
When printing documents that are confidential and security is needed, the following procedures will ensure that your printing jobs only print once you are standing at the copier:

- From your PC, select print as you normally would, make sure you have the copier set as the printer (if not your default printer).
- Under “Printer Properties”, Go to “Job type” and select “Locked Print”
- Go to the “Details” button and enter your name in the user id box and then enter a password (can be up to 8 numbers like a pin #)
- Select “OK” then “OK or Print” (or Print again to print)
- At the copier press the “Printer” button select “Print Jobs” tab and locate you job on the list (you will see your name listed) select print then enter your password (pin#) on the number pad and select “OK” then press ”Print”.

J. Disposal of Printers

Disposal of printers must follow the City’s Standard Practices. Contact the IT Service Desk at 319.286.5500 to start this process.

K. Enforcement

Any employee who is found to have violated this policy may be subject to disciplinary action.

11.02 Computer Hardware

This section under construction

11.03 Computer Software

This section under construction

11.04 Telephone and Network Equipment

This section under construction

11.05 Cellular Devices

This section under construction

11.06 Radios

This section under construction

CITY OF CEDAR RAPIDS PROCUREMENT MANUAL
SECTION 12 – SUSTAINABLE PURCHASING PRINCIPLES

12.01 BACKGROUND

A. The City of Cedar Rapids is committed to the stewardship of the environment and implementing practices that increase the economic, social, and environmental sustainability of our community. On January 10, 2012, the Cedar Rapids City Council adopted the following Guiding Principles of Sustainability for the City of Cedar Rapids:

1. Community – Building a community that embraces its diversity and history
2. Growth – Advancing opportunities for businesses, individuals and the community as a whole to thrive
3. Environmental Stewardship – Promoting economic and social growth while restoring the relationship between the city and its natural environment
4. Affordability – Creating a city that is affordable and accessible to all members of the community
5. Innovation – Serving as a leader in creative, successful strategies to lead the progression towards a sustainable future

12.02 PURPOSE

A. The purpose of sustainable Purchasing Principles is to establish a common set of principles that ensure the intentional practice of buying goods and services which improve public health and safety, reduce pollution, waste, and hazardous materials, and conserve natural resources and energy while continuing to balance concerns about the price, performance, and availability.

12.03 PRINCIPLES

A. The City of Cedar Rapids commits to:

1. **Food and Beverage Containers** – Ensuring the use of reusable, recyclable, or compostable items. Styrofoam cups and containers are no longer to be purchased for use in City facilities. Paper cups and containers are recommended for ease of recycling. Paper cups and containers can be composted only if compost containers are available.
2. **Electronics** – Ensuring that all small electronics purchased are EPA Energy Star certified.
3. **Batteries** – Ensuring batteries rechargeable batteries are purchased and used where it is deemed to be practical.
4. **Water Fixtures** – Ensuring that all new water fixtures, such as toilets and faucets, are EPA Water Sense certified.
5. **Cleaning Products** – Ensuring cleaning products are biodegradable, phosphate free, and citrus based where their use will not compromise quality of service.
6. **Janitorial Paper Products** – Ensuring all janitorial paper products, such as toilet paper and paper towels, have recycled content and a low chemical content. Note: Hand dryers are preferred.
7. **Copy Paper** – Ensuring all copy paper incorporate at a minimum 30% post-consumer waste recycled content.

8. **Other Paper Products and Marketing Materials** – Ensuring business cards, letterhead, envelopes and other marketing materials are 30% post-consumer waste recycled content where available.
9. **Office Supplies and MRO (Maintenance, Repair, and Operating) Supplies** – The vendors that the City has contracted with for these items provide electronic ordering and the ordering websites clearly indicate whether or not each item is a green product.
10. **Bid Specifications** – Ensuring the Green Purchasing Principles are followed when writing bid documents and specifications.

B. **Responsible Parties**
All City employees whose job responsibilities include purchasing on behalf of the City.

C. **Independent Accredited Organizations**
The City recognizes the following independent accredited organizations for the purchase of green products:
- Green Seal www.greenseal.org
- Energy Star www.energystar.gov
- Green Home www.greenhome.com
- Buy Green www.buygreen.com
- EPA Water Sense http://www.epa.gov/watersense/

12.04 IMPLEMENTATION

A. These principles shall be accessible on the City's intranet. These principles will be disseminated through the following:
- Regular department meetings or trainings
- Employee newsletter

B. Buying 'greener products' doesn't necessarily mean paying more, especially when other cost factors are considered.

Council Agenda Item Cover Sheet

Submitting Department: City Clerk

Presenter at Meeting: Amy Stevenson **Phone Number/Ext.:** 319-286-5061
E-mail Address: AmyS@cedar-rapids.org

Alternate Contact Person: Bridget McMenomy **Phone Number/Ext.:** 319-286-5272
E-mail Address: b.mcmenomy@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution granting a second 30-day extension through June 8, 2016, for the Going Out of Business License issued to Cellar Door, 2900 1st Avenue NE.
CIP/DID #BUS002432-03-2016

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: Cellar Door was issued a Going Out of Business License on March 9, 2016, for a sale of 30 days. Cellar Door requested and received a 30 day extension of the license from April 9, 2016, through May 9, 2016. A written request was submitted by Cellar Door for a final extension of the license through June 8, 2016.

Action/Recommendation: Approve resolution as requested.

Alternative Recommendation: NA

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

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BUS002432-03-2016

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, a Going Out of Business License has been issued to Cellar Door, 2900 1st Avenue NE, for a sale of 30 days from March 9, 2016, through April 8, 2016, and

WHEREAS, said company requested and received a 30 day extension of time for the sale from April 9, 2016, through May 9, 2016,

WHEREAS, said company has requested a final extension for the sale of an additional 30 days,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Cellar Door is hereby granted an extension through June 8, 2016, for their Going Out of Business License.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Information Technology

Presenter at Meeting: Consent **Phone Number/Ext.:** N/A
E-mail Address: N/A

Alternate Contact Person: Nic Roberts **Phone Number/Ext.:** 5088
E-mail Address: n.roberts@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing Database Analyst to attend Oracle University Database Administration Workshop in Schaumburg, IL from May 15 – 20, 2016 for an estimated total amount of $5,207.66.
CIP/DID #IT2016-006

EnvisionCR Element/Goal: InvestCR Goal 2: Cultivate a skilled workforce by providing cutting-edge training and recruiting talented workers.

Background:
The City currently uses Oracle as the backend database for Applications throughout the City. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This Administration Workshop will enable Tim to stay current on new Oracle Database features.

Action/Recommendation:
The Information Technology Department – recommends that City Council approve Tim Egesdal' s Business Travel Report for attending the Oracle University Database Administration Workshop in Schaumburg, IL from May 15 – 20, 2016 for an estimated total amount of $5,207.66.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date:

Budget Information: 542102-101-109130

Local Preference Policy: Exempt
Explanation: Travel

Recommended by Council Committee:
Explanation:

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IT2016-006

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Tim Egesdal, Database Analyst, be hereby approved for attending the Oracle University Database Administration Workshop in Schaumburg, IL from May 15 – 20, 2016 for an estimated total amount of $5,207.66. The trip cost will be funded from the Information Technology's FY2016 Cost of Conference/Training budget 542102-101-109130.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Civil Rights

Presenter at Meeting: LaSheila Yates **Phone Number/Ext.:** x5004
E-mail Address: l.yates@cedar-rapids.org

Alternate Contact Person: Janet Abejo **Phone Number/Ext.:** x5632
E-mail Address: j.abejo@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing Civil Rights Commission Executive Director to participate in the Certified Public Management Program on a monthly basis in Des Moines, IA from July 2016 – December 2018 for an estimated total amount of $5,874.
CIP/DID #CVR-2016-05BTR

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: The City of Cedar Rapids travel policy requires any travel expenses with an estimated travel cost of $3,000 or more to be approved by the City Council.

The estimated travel cost for LaSheila Yates, Civil Rights Commission Executive Director and City's Chief Diversity Officer, to participate in the Certified Public Management Program on a monthly basis in Des Moines, IA from July 2016 – December 2018 is an estimated amount of $5,874.

The Iowa Certified Public Manager® Program (CPM) is the premium nationally accredited professional certification for public sector managers and directors. CPM is offered by Drake University in partnership with the State of Iowa that provides formal training to public sector managers and directors. Admission to CPM is based on professional experience criteria that includes: 1) managing two or more people, or 2) involvement in a professional project, or 3) pursuing a graduate degree.

The cost of the CPM program is $3,500 and most CPM learners are sponsored through their employer. The cost for mileage reimbursement is estimated at $2,374. The Director only requests the City covers the cost of the program registration and mileage reimbursement. The Director will pay for hotel arrangements and meals using her personal funds to offset expenses.

Action/Recommendation: The Civil Rights Commission recommends that City Council approve the Business Travel Report for LaSheila Yates, Civil Rights Commission Executive Director and Chief Diversity Officer, to participate in the Certified Public Management Program.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: May 10, 2016

Budget Information: To be funded from the Civil Rights Commission fiscal year 2016 General Funds, Department number 111000. A final request will be made to Finance to carry over an anticipated FY16 surplus to FY17 and possibly FY18 to cover the $5,874 cost for registration and mileage reimbursement.

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Civil Rights Commission recommends that LaSheila Yates, Civil Rights Commission Executive Director and City's Chief Diversity Officer, be authorized to participate in the Certified Public Management Program on a monthly basis in Des Moines, IA from July 2016 – December 2018, and

WHEREAS, the estimated costs are $5,874;

WHEREAS, the Iowa Certified Public Manager® Program (CPM) is the premium nationally accredited professional certification for public sector managers and directors.

WHEREAS, CPM is offered by Drake University in partnership with the State of Iowa that provides formal training to public sector managers and directors. Admission to CPM is based on professional experience criteria that includes: 1) managing two or more people, or 2) involvement in a professional project, or 3) pursuing a graduate degree.

WHEREAS, the cost of the CPM program is $3,500 and most CPM learners are sponsored through their employer. The cost for mileage reimbursement is estimated at $2,374.

WHEREAS, the Director only requests the City covers the cost of the program registration and mileage reimbursement. The Director will pay for hotel arrangements and meals using her personal funds to offset expenses.

WHEREAS, a final request will be made to Finance to carry over an anticipated FY16 surplus to FY17 and possibly FY18 to cover the $5,874 cost for registration and mileage reimbursement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by LaSheila Yates, Civil Rights Commission Executive Director and City's Chief Diversity Officer, be hereby approved for her to participate in the Certified Public Management Program on a monthly basis in Des Moines, IA from July 2016 – December 2018 for an estimated amount of $5,874. The trip cost will be funded from the Civil Rights Commission fiscal year 2016 General Fund budget, Department number 111000.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner **Phone Number/Ext.:** 5281
E-mail Address: SteveHe@cedar-rapids.org

Alternate Contact Person: N/A **Phone Number/Ext.:**
E-mail Address: @cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution approving the Business Travel Report for Stephen Hershner, Utilities Director, to attend the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference in Denver, Co in July 2016 for an estimated amount of $3,100.
CIP/DID #WTR051016-002

EnvisionCR Element/Goal: InvestCR Goal 2: Cultivate a skilled workforce by providing cutting-edge training and recruiting talented workers.

Background: The City of Cedar Rapids travel policy requires any travel expenses with an estimated travel cost of $3,000 or more be approved by the City Council.

The estimated travel cost for Stephen Hershner, Utilities Director, to attend the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference in Denver, CO in July 2016 is $3,100.

The justification for attendance at the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference is that the Utilities Department must stay current on executive and management issues and challenges facing municipal utilities.

Action/Recommendation: The Utilities Department recommends that City Council approve the Resolution authorizing Stephen Hershner, Utilities Director, to attend the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference in Denver, CO in July 2016.

Alternative Recommendation: N/A

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: To be funded from the Utilities Department – Water Pollution Control fiscal year 2016 operations and maintenance budget and coded to 542102-611-611010.

Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA

WTR
FIN
WTR051016-002

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Utilities Department recommends that Stephen Hershner, Utilities Director, be authorized to attend the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference in Denver, CO in July 2016, and

WHEREAS, the estimated costs are $3,100.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Stephen Hershner, Utilities Director, be hereby approved for him to attend the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference in Denver, CO in July 2016, for an estimated amount of $3,100. The trip cost will be funded from the Utilities Department – Water Pollution Control fiscal year 2016 operations and maintenance budget and coded to 542102-611-611010.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Motion Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Casey Drew **Phone Number/Ext.:** 286-5097
E-mail Address: c.drew@cedar-rapids.org

Alternate Contact Person: **Phone Number/Ext.:**
E-mail Address: @cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Motion setting a public hearing for May 24, 2016 to consider the Fiscal Year 2016 Budget Amendment.
CIP/DID #FIN2016-17

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background: On May 12, 2016 the budget amendment will be published. The City is required to hold a public hearing for the Fiscal Year 2016 Budget Amendment that will occur May 24, 2016. The budget amendment is required to be certified to the Linn County Auditor by May 31, 2016.

Action/Recommendation:

Alternative Recommendation:

Time Sensitivity:

Motion Date: May 10, 2016

Budget Information: NA

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: (Click here to select)
Explanation: NA

Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Bill Micheel **Phone Number/Ext.:** 319 286-5045
E-mail Address: w.micheel@cedar-rapids.org

Alternate Contact Person: Jeff Hintz **Phone Number/Ext.:** 319 286-5781
E-mail Address: j.hintz@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings
Motion setting a public hearing for May 24, 2016 to consider amending Chapter 42 of the Municipal Code, Pushcarts, Peddlers, Solicitors And Transient Merchants, to create a Mobile Food Vending subsection, Chapter 42A, with specific regulations applicable to mobile food vendors.
CIP/DID #ZONE-0005-2016

EnvisionCR Element/Goal: InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

Background: After the update to the Development Committee at the March 9 meeting, City staff began drafting ordinance language based upon previous stakeholder feedback and the input of the Development Committee.

Initial Outreach Process
In January and February of 2016, Community Development Staff met with the following City Departments:

- Zoning/Development Services
- Building Services Department
- City Clerk
- Traffic Engineering
- Parks and Recreation
- Police Department
- Fire Department

During this time frame, Community Development Staff also met with the following external stakeholders:

- Economic Alliance
- ParkCR
- Linn County Public Health
- Restaurant owner/operators
- Food truck owner/operators

Stakeholder meeting: On April 18 and 19, stakeholder meetings were held to gather comments on the proposed ordinance language from mobile food vendors and restaurant owners. Overall, feedback was positive and discussion at the meetings focused on vending in City Parks and general questions about how the process works.

Proposed Changes to the Municipal Code: As a result of the stakeholder feedback, analysis of practices from other communities, and input from the Development Committee the following changes to Chapter 42 of the municipal code are sought:

- Current Chapter 42 of the Municipal Code would remove any reference to food vending. Chapter would then address pushcarts, peddlers, solicitors and transient merchants selling anything that is not food.
- A new sub-chapter of the municipal code would be created, 42A titled Mobile Food Vendors.

Within this newly created sub-chapter, regulations exist for anyone looking to vend whole unprocessed food, prepared food, or pre-packaged food products without a permanent location. Regulations applicable to food vendors selling within the right-of-way or on a private parcel are included, in addition to regulations specific to types of mobile food vending units. Regulations pertaining to those seeking to operate a mobile food vending operation within City Parks is also included within the ordinance language.

The ordinance would contain locational requirements including a separation distance requirement for mobile food vendors from brick and mortar restaurants, separation from intersections, bike lanes, and others. In addition, the ordinance will address hours of operation, disposal of waste and other safety related regulations which are applicable to all mobile food vendors. The ordinance contains language which exempts the requirements for a mobile food vending license on private parcels of land when certain conditions are met. Exemptions for religious institutions, charitable organizations, clubs/lodges, those included as part of a special event permit and farm stand type operations are also included within the ordinance language.

Any time a mobile vending operation would occur within the public right-of-way, a mobile food vending license would be required. The ordinance language addresses the process for obtaining a license, including when a license can be revoked, the reasons a license can be revoked and what the process would be to hear an appeal. There definitions section of the ordinance clearly defines what is meant by terminology used throughout the document.

Action/Recommendation: City staff recommends setting the Public Hearing.

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: Yes

Explanation: Recommended by the Development Committee at the April 20, 2016 meeting.

Council Agenda Item Cover Sheet

Submitting Department: Parks

Presenter at Meeting: Daniel Gibbins **Phone Number/Ext.:** 5768
E-mail Address: d.gibbins@cedar-rapids.org

Alternate Contact Person: Jeff Hembera **Phone Number/Ext.:** 5480
E-mail Address: j.hembera@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Motion setting a public hearing for May 24, 2016 to consider amending Chapter 63 of the Municipal Code of the City of Cedar Rapids, Iowa by deleting subsection (e) of 63.10A and enacting a new subsection (e) of Section 63.10A in its place allowing the hunting of waterfowl on certain private, undeveloped lands within the City limits under appropriate circumstances and correcting a scrivener's error.
CIP/DID #PKS006-16

EnvisionCR Element/Goal: (Click here to select)

Background: Due to the increasing issues with the overpopulation of geese, new measures for controlling the goose population are being explored. The ordinance is revision to Section 63.10A (the Firearms ordinance) which essentially creates an exception "allowing the hunting of waterfowl on certain private, undeveloped lands within the city limits and under appropriate circumstances." Specifically:

> *Where a shotgun is discharged on the private, undeveloped lands located both south of U.S. Highway 30 and west of Interstate 380 within the City limits of Cedar Rapids, for the sole purpose of hunting waterfowl, by a person hunting pursuant to a valid hunting license issued by the Iowa Department of Natural Resources and acting in accordance with all rules and regulations of the Iowa Department of Natural Resources.*

Parks & Recreation is working closely with the DNR on these wildlife management methods as they are integral to regulating these migratory birds and are asking for these methods to be implemented to control the population in Cedar Rapids.

Action/Recommendation: Approve motion to set a public hearing for May 24, 2016.

Alternative Recommendation: N/A

Time Sensitivity: Normal

Resolution Date:

Budget Information:

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: (Click here to select)
Explanation: NA

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Johnny Alcivar **Phone Number/Ext.:** 319 286-5132
E-mail Address: j.alcivar@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext.:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings
Motion setting a public hearing for May 24, 2016 to consider granting a change of zone for property at 1400 and 1412 6th Street SW from O-S, Office/Service Zone District to C-2, Central Business Zone District as requested by George Elossais.
CIP/DID #RZNE-022874-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The request for a Rezoning will be reviewed by the City Planning Commission on May 12, 2016. A portion of the minutes will be included prior to the public hearing.

This is a request to rezone 19,040 SF to the C-2 Zoning District to allow for the potential development of commercial building. The property is currently zoned O-S, where the proposed uses are not permitted. The site plan shows a one-story 4,200 SF building with 30 parking spaces. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

Application Process/Next Steps:

Actions	Comments
City staff review	• City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	• The City Planning Commission will review the application on May 12, 2016 and make a recommendation for City Council.
City Council consideration	• A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for May 10, 2016. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends setting the public hearing for May 12, 2016.

Alternative Recommendation: City Council may table and request further information.

Time Sensitivity: NA

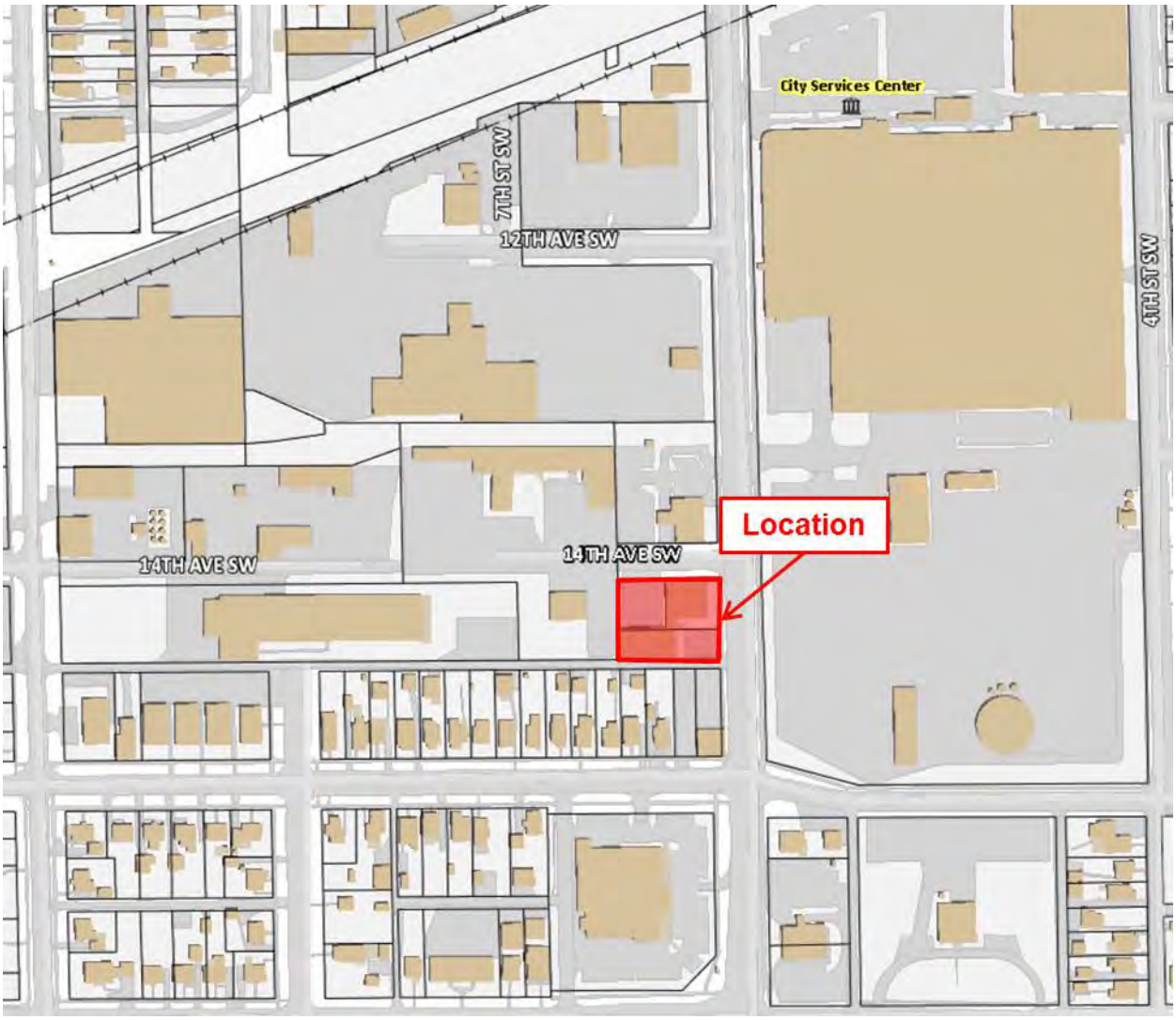
Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander **Phone Number/Ext.:** 5822
E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: Dave Houg **Phone Number/Ext.:** 5168
E-mail Address: d.houg@cedar-rapids.org

Description of Agenda Item: Motions setting public hearings
Motion setting a public hearing for May 24, 2016 to consider granting a change of zone for property between 1721 and 1803 2nd Street SW from an R-3 Single Family Residence Zone District to RTN Transitional Neighborhood Residence Zone District as requested by Scallon Custom Homes, LLC.
CIP/DID #RZNE-022098-2015

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The request for a Rezoning will be reviewed by the City Planning Commission on May 12, 2016 and a portion of the minutes will be included prior to the City Council public hearing.

This is a request to rezone 20,292SF to the I-1 Zoning District to allow the current use of the property to become conformant with the zoning district. The property is currently zoned R-3 and has historically been used as a warehouse under a legal-nonconforming status. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

Application Process/Next Steps:

Actions	Comments
City staff Review	City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	The City Planning Commission will review the application on March 31, 2016 and make a recommendation for City Council. A portion of the minutes will be included prior to the public hearing.
City Council consideration	A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for April 26, 2016. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends setting a public hearing.

Alternative Recommendation: City Council may table this item and request further information.

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Amanda Vande Voorde **Phone Number/Ext.:** 319-286-5817
E-mail Address: a.vandevoorde@cedar-rapids.org

Alternate Contact Person: Paula Mitchell **Phone Number/Ext.:** 319-286-5852
E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Motion setting a public hearing for May 24, 2016, to consider the disposition of excess City-owned properties located at 2335 16th Street NW, 110 6th Street SW, 112 6th Street SW, 221 4th Avenue SW, 511 2nd Street SW, and 0 Vacant Lot SW (GPN 142835100800000) acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for participation in the Single Family New Construction Program (**FLOOD**).
CIP/DID #OB540257

EnvisionCR Element/Goal: StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

Background: The referenced city-owned properties have been identified as buildable lots for the Single Family New Construction Program (known locally as the ROOTs Program):

On November 9, 2010, by Resolution No. 1306-11-10 the City Council approved the Administrative Plan for the ROOTs Program. The administrative plan limits development of homes to lots within the “Neighborhood Revitalization Area” of the flood inundation area and areas outside of the 100-year floodplain. The administrative plan further directs staff to use lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the Single Family New Construction unit.

The referenced properties meet the program criteria required to house a Single Family New Construction unit. A total of 187 properties have been identified by 21 developers in the current phase of property allocation for this program. Additional public hearings will be held to consider additional properties acquired by the City which have been identified by the approved developers.

Future City Council action related to this property will include a development agreement and conveyance of the property to an approved developer.

Action/Recommendation: City staff recommends approval of the resolution

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date:

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Tim Mroch, PE **Phone Number/Extension:** 5703
E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: Motions filing plans and specifications
Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on May 25, 2016 (estimated cost is $1,330,000) (**Paving for Progress)**.
CIP/DID #3012126-02

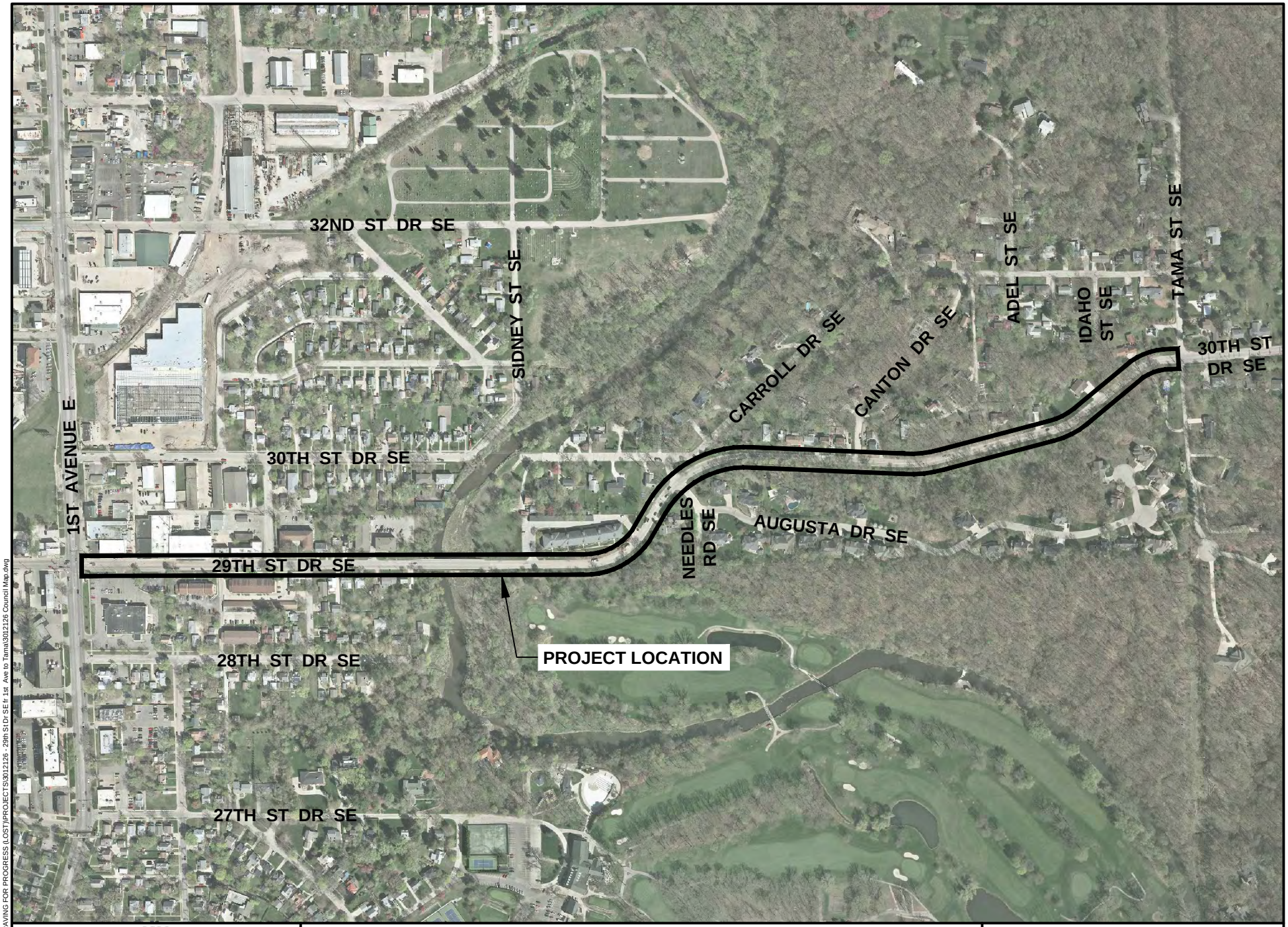
EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: This project proposes to rehabilitate 29th Street Drive SE from 1st Avenue to Tama Street. The work includes milling and resurfacing, installation of sidewalk, sidewalk ramp upgrades, water main replacement, sanitary sewer improvements and storm water improvements. In order to expedite construction, 29th Street Drive and 30th Street Drive will be reduced to one-way, eastbound only. Westbound traffic will be asked to divert south to Cottage Grove Avenue.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: Defer action on the motion setting the public hearing for the resolution to adopt plans and specifications, form of contract and estimated cost or abandon the project, direct staff to repackage the project into multiple smaller projects, or abandon the project.

Time Sensitivity: Normal
Resolution Date: May 24, 2016
Budget Information: 301/301000/3012126 SLOST
625/6250000/6250051-2014028 NA
655/655000/655939 NA
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA



CEDAR RAPIDS
City of Five Seasons

29TH STREET DRIVE SE FROM
1ST AVENUE TO TAMA STREET SE
IMPROVEMENTS PROJECT

N

0 FEET 500

3012126

Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012126 - 29th St Dr SE fr 1st Ave to Tama\3012126 Council Map.dwg

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Kevin Vrchoticky, PE **Phone Number/Extension:** 5896
E-mail Address: k.vrchoticky@cedar-rapids.org

Alternate Contact Person: Nate Kampman, PE **Phone Number/Extension:** 5628
E-mail Address: n.kampman@cedar-rapids.org

Description of Agenda Item: Motions filing plans and specifications
Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the Curb Ramp Repair Project – NW Bid Package No. 2 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 1, 2016 (estimated cost is $929,950).
CIP/DID #3016016-05

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background: The project will consist of removal and replacement of sidewalk ramps to be compliant with the Americans with Disabilities Act (ADA). The City is required to fix a number of locations throughout the City as part of the Department of Justice (DOJ) Settlement Agreement. Construction will consist mostly of reconstructing, installing or removing sidewalk ramps with some parkway grading. Some locations may also include reconstruction of the street crosswalk to provide ADA access.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: The project is part of the City's agreement with the DOJ and is to be completed within 4 years of July 28, 2015.

Time Sensitivity: Normal

Resolution Date: NA

Budget Information: 301/301000/3016016-18401 ADA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Tim Mroch, PE **Phone Number/Extension:** 5703
E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: Motions filing plans and specifications
Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the West Post Road NW from Gordon Avenue NW to Plainview Drive NW Roadway Reconstruction project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 1, 2016 (estimated cost is $1,524,000) (**Paving for Progress)**.
CIP/DID #3012120-05

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: This project includes pavement reconstruction, ADA sidewalk ramps, and storm sewer installation from Gordon Avenue to Plainview Drive. Drainage improvements will also extend beyond the roadway improvements south to Skyline Drive, as well as along Harbet Avenue from West Post Road to Gordon Avenue. This is the southern section of a two-part project to repair West Post Road NW from Gordon Avenue NW to E Avenue NW. The northern section is currently under construction, with completion expected this summer. Construction of the southern section is expected to begin in 2016 and be completed in 2017.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: Defer action on the motion setting the public hearing for the resolution to adopt plans and specifications, form of contract and estimated cost or abandon the project, direct staff to repackage the project into multiple smaller projects, or abandon the project.

Time Sensitivity: Normal
Resolution Date: May 24, 2016
Budget Information: 301/301000/3012120 SLOST
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA

CEDAR RAPIDS
City of Five Seasons®

WEST POST ROAD NW FROM GORDON AVENUE NW TO PLAINVIEW DRIVE NW ROADWAY RECONSTRUCTION

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Glenn Vosatka, PE **Phone Number/Extension:** 5821
E-mail Address: glennv@cedar-rapids.org

Description of Agenda Item: Motions filing plans and specifications
Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the FY 2016 Curb Repair Project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 8, 2016 (estimated cost is $305,000) (**Paving for Progress**).
CIP/DID #301998-08

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background: The purpose of the project is to prevent further deterioration of municipal streets by repairing curbs. Subject to receipt of acceptable bids, construction is scheduled to begin in the summer of 2016 and anticipated to be completed within 25 working days.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for the FY 2016 Curb Repair Project and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation:
If the resolution is not adopted, the project would be delayed, resulting in further deterioration to the affected streets, or the funds from this project could be applied to another project.

Time Sensitivity: Normal
Resolution Date: May 24, 2016
Budget Information: Dept ID 301000, Project 301998, SLOST 7970
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA

Council Agenda Item Cover Sheet

Submitting Department: Parks

Presenter at Meeting: Sven Leff **Phone Number/Ext.:** 319-286-5739
E-mail Address: s.leff@cedar-rapids.org

Alternate Contact Person: Steve Krug **Phone Number/Ext.:** 319-286-5740
E-mail Address: s.krug@cedar-rapids.org

Description of Agenda Item: Motions filing plans and specifications
Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2016 and advertising for bids by publishing Notice to Bidders for the Parks & Recreation ADA Facility Improvements project and authorizing the Parks & Recreation Director, or designee, to receive and open bids and publicly announce the results on June 14, 2016 (estimate of cost is $653,000).
CIP/DID #307303-01, 313100, 324001, 324002, 324003, 324004, 324005, 324006, 307301, 307302, 695130.

EnvisionCR Element/Goal: GreenCR Goal 2: Have the best parks, recreation and trails system in the region.

Background: This project entails making adjustments to existing Parks & Recreation facilities in order to bring them into compliance with Federal ADA Regulations.

Action/Recommendation: Approval of the project to bring these facilities into compliance with current ADA regulations.

Alternative Recommendation: If Council does not approve the project cannot proceed.

Time Sensitivity: Constrained, to meet Department of Justice deadlines to complete the work.

Resolution Date: May 10, 2016

Budget Information: Project is to be paid for out of allocated Capital Improvement Project funds.

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

Council Agenda Item Cover Sheet

Submitting Department: Parks

Presenter at Meeting: Sven Leff **Phone Number/Ext.:** 319-286-5739
E-mail Address: s.leff@cedar-rapids.org

Alternate Contact Person: Steve Krug **Phone Number/Ext.:** 319-286-5740
E-mail Address: s.krug@cedar-rapids.org

Description of Agenda Item: Motions filing plans and specifications
Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2016 and advertising for bids by publishing notice to bidders for the Parks & Recreation ADA Site Improvements project and authorizing the Parks & Recreation Director, or designee, to receive and open bids and publicly announce the results on June 14, 2016 (estimate of cost is $1,623,911).
CIP/DID #307303-02, 307304, 313100, 324001, 324002, 324003, 324004, 324005, 324006, 307302, 695130.

EnvisionCR Element/Goal: GreenCR Goal 2: Have the best parks, recreation and trails system in the region.

Background: This project entails making adjustments to existing Parks & Recreation sites in order to bring them into compliance with Federal ADA Regulations.

Action/Recommendation: Approval of the project to bring these sites into compliance with current ADA regulations.

Alternative Recommendation: If Council does not approve the project cannot proceed.

Time Sensitivity: Constrained, to meet Department of Justice deadlines to complete the work.

Resolution Date: May 10, 2016

Budget Information: Project is to be paid for out of allocated Capital Improvement Project funds.

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

Council Agenda Item Cover Sheet

Submitting Department: City Clerk

Presenter at Meeting: Chief Jerman **Phone Number/Ext.:** 5374
E-mail Address: w.jerman@cedar-rapids.org

Alternate Contact Person: Wanda Miller **Phone Number/Ext.:** 5274
E-mail Address: wandam@cedar-rapids.org

Description of Agenda Item: Alcohol licenses

a. Avacentre - Cedar Rapids, 2121 Bowling Street SW.
b. Beaver Creek Saloon, 1010 2nd Avenue SW.
c. Blind Pig, 3325 Center Point Road NE.
d. Cancun Mexican Grill & Bar, 365 33rd Avenue SW.
e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre - Cedar Rapids, 475 1st Street SE, on May 20, 2016).
f. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre - Cedar Rapids, 475 1st Street SE, on May 27, 2016).
g. Cedar Rapids Moose Lodge #304, 1820 West Post Road SW.
h. Chrome Horse, 1140 Blairs Ferry Road NE (5-day permit for an event on May 26, 2016 at McGrath Motor Sports, 4645 Center Point Road NE).
i. Chrome Horse, 1140 Blairs Ferry Road NE (additional outdoor service area for an event on May 27-29, 2016).
j. Chrome Horse, 1140 Blairs Ferry Road NE (additional outdoor service area for an event on May 19-22, 2016).
k. Elmcrest Country Club, 1000 36th Street NE.
l. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Coliseum, 50 2nd Avenue Bridge, on May 21, 2016).
m. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Armory, 50 2nd Avenue Bridge, on May 14, 2016).
n. Java Creek Cafe, 588 Boyson Road NE.
o. JM O'Malley's, 1502 H Avenue NE (outdoor service for an event on June 16-19, 2016).
p. Mount Mercy University, 1330 Elmhurst Drive NE.
q. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on May 20, 2016).
r. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on May 27, 2016).
s. Olive Garden, 367 Collins Road NE.
t. Phong Lan Vietnamese Restaurant, 216 8th Street SE.

u. Red Baron Bar & Dance Club, 62 16th Avenue SW.
v. Red Lion Lounge, 3970 Center Point Road NE.
w. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE.
x. St. Ludmila Catholic Church, 211 21st Avenue SW (5-day beer permit for an event on June 9-11, 2016).
y. Tobacco Outlet Plus #520, 124 Collins Road NE.
z. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 19-21, 2016).
aa. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May26-28, 2016).
bb. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 12-14, 2016).
cc. US Cellular Center, 370 1st Avenue NE.
dd. Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event June 9-11, 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).

CIP/DID # OB1145716

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: Per State Code, the local authority must provide approval prior to the State issuing the alcohol licenses to the applicants.

Action/Recommendation: Approve applications as submitted.

Alternative Recommendation: NA

Time Sensitivity: Normal

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

Cedar Rapids Police Department Memorandum

To: Chief Jerman

From: Lt. Walter Deeds

Subject: Beer/Liquor License Applications Calls for Service Summary

Date: May 10, 2016

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Avacentre - Cedar Rapids 2121 BOWLING ST SW	3	0	0	0
Beaver Creek Saloon 1010 2ND AVE SW	31	0	1	8
Blind Pig 3325 CENTER POINT RD NE	54	0	1	10
Cancun Mexican Grill & Bar 365 33RD AVE SW	3	0	0	1
Cedar Rapids Jaycees 475 1ST ST SW	21	0	0	0
Cedar Rapids Jaycees 225 5TH AVE SW	21	0	0	0
Cedar Rapids Moose Lodge #304 1820 WEST POST RD SW	2	0	0	0
Chrome Horse 1140 BLAIRS FERRY RD NE	23	0	0	4
Chrome Horse 1140 BLAIRS FERRY RD NE	23	0	0	4
Chrome Horse 1140 BLAIRS FERRY RD NE	23	0	0	4
Elmcrest Country Club 1000 36TH ST NE	14	0	0	1
Hy-Vee Food Store #1 1843 JOHNSON AVE NW	0	0	0	0
Hy-Vee Food Store #1 1843 JOHNSON AVE NW	0	0	0	0
Java Creek Cafe 588 BOYSON RD NE	3	0	0	1
JM O'Malley's 1502 H AVE NE	33	0	0	6

Mount Mercy University 1330 ELMHURST DR NE	99	0	0	1
NewBo City Market 1100 3RD ST SE	535	0	0	0
NewBo City Market 1100 3RD ST SE	535	0	0	0
Olive Garden 367 COLLINS RD NE	13	0	0	0
Phong Lan Vietnamese Restaurant 216 8TH ST SE	0	0	0	0
Red Baron Bar & Dance Club 62 16TH AVE SW	65	0	0	14
Red Lion Lounge 3970 CENTER POINT RD NE	17	0	0	1
Red Robin America's Gourmet Burgers & Spirits 4625 1ST AVE SE	14	0	0	2
St. Ludmila Catholic Church 211 21ST AVE SW	0	0	0	0
Tobacco Outlet Plus #520 124 COLLINS RD NE	21	0	0	4
Turner Alley Brewing Company 2715 12TH ST SW	0	0	0	0
Turner Alley Brewing Company 2715 12TH ST SW	0	0	0	0
Turner Alley Brewing Company 2715 12TH ST SW	0	0	0	0
US Cellular Center 370 1ST AVE NE	90	0	0	2
Wild Hog Saloon & Eatery 350 Commercial DR	0	0	0	0

Council Agenda Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Casey Drew **Phone Number/Ext.:** 5097
E-mail Address: c.drew@cedar-rapids.org

Alternate Contact Person: Vicky Grover **Phone Number/Ext.:** 5007
E-mail Address: v.grover@cedar-rapids.org

Description of Agenda Item: Bills, payroll and funds
Resolutions approving:

a. Payment of bills. CIP/DID #FIN2015-01
b. Payroll. CIP/DID #FIN2015-02

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background: The bi-weekly listings of bills and payrolls have been examined and approved by the proper departments.

Action/Recommendation: Authorize the Finance Department to issue payments and payroll checks as per the Resolution listings.

Alternative Recommendation: NA

Time Sensitivity: Normal

Resolution Date: 5-10-16

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the following payrolls have been examined and approved by the proper departments, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Finance Director be and is hereby authorized and directed to issue checks in favor of the holders thereof and for various amounts and that the money necessary for payment of the same is hereby appropriated from the different funds.

Department	Total	Department	Total
Animal Control	$ 22,710.85	Human Resources	$ 34,504.29
Aquatics Operation	$ 10,421.78	Information Technology	$ 85,714.43
Attorney	$ 20,066.11	Joint Communications	$ 56,414.30
Building Services Division	$ 70,833.02	Library Grants	$ 6,159.20
CD – Federal Programs	$ 43,635.64	Parks Operations	$ 136,030.27
Cedar Rapids Public Library	$ 112,287.27	Police	$ 657,729.30
City Band	$ 0,000.00	Public Works	$ 19,342.77
City Manager	$ 45,054.50	Public Works – Engineering	$ 109,727.56
Civil Rights	$ 13,404.28	Purchasing Service	$ 11,717.68
Clerk	$ 12,015.58	Recreation	$ 34,887.18
Community Develop – DOD	$ 32,836.27	Sewer Operations	$ 52,081.03
Council	$ 6,947.51	Street Operations	$ 122,942.95
Development Services	$ 34,900.02	Traffic Engineering	$ 53,070.40
Facilities Maint Service	$ 44,003.60	Transit	$ 105,814.93
Finance	$ 14,313.60	Treasury Operations	$ 12,022.14
Finance – Analysts	$ 14,972.32	Utlilities	$ 12,754.59
Financial Operations	$ 43,024.96	Utilities – Solid Waste	$ 86,603.29
Fire	$ 403,855.84	Veterans Memorial	$ 17,453.74
Five Seasons Parking	$ 7,154.40	Water Operations	$ 259,644.82
Fleet Maintenance	$ 78,711.19	Water Pollution Control	$ 179,380.80
Golf Operations	$ 38,943.93	**Grand Total**	**$ 3,124,088.34**

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: City Clerk

Presenter at Meeting: Amy Stevenson **Phone Number/Ext.:** 319-286-5061
E-mail Address: AmyS@cedar-rapids.org

Alternate Contact Person: Bridget McMenomy **Phone Number/Ext.:** 319-286-5272
E-mail Address: b.mcmenomy@cedar-rapids.org

Description of Agenda Item: Boards and commissions
Resolutions appointing and thanking the following individuals:

a. Appointing Ben Rogers (effective through December 31, 2016) to the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force.

CIP/DID #CM003-16

b. Vote of thanks to Linda Langston for serving on the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force.

CIP/DID #CM003-16

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: This agenda includes a vote of thanks for an individual that is no longer able to serve on the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force and also an appointment to fill this vacancy.

Action/Recommendation: Approve resolutions as presented.

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

CLK
CNC
PD
CM003-16

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint the following individual to serve on the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force until December 31, 2016, or until a successor is appointed and qualified:

Member

Ben Rogers

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's appointment of Ben Rogers to the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force for the term indicated above is hereby given.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

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CNC
PD
CM003-16

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Linda Langston has devoted considerable time and effort as a member of the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Linda Langston for serving as a member of the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner **Phone Number/Ext.:** 5281
E-mail Address: s.hershner@cedar-rapids.org

Alternate Contact Person: Kevin Kirchner **Phone Number/Ext.:** 5902
E-mail Address: k.kirchner@cedar-rapids.org

Description of Agenda Item: Intent and levy assessments
Intent to Assess – Utilities–Water Division – delinquent municipal utility bills – 29 properties. CIP/DID #WTR051016-001

Routine business - EnvisionCR Does not apply

Background:
The Utilities Department – Water Division is responsible for the billing and collection of municipal utility bills for water, sewer, storm sewer, solid waste and recycling services provided to our customers. The Water Division initiates the Notice of Intent to Assess process whenever delinquent utility balances are unpaid; collection efforts have been ignored; and active services have been terminated. Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated

A Notice of Intent to Assess letter is mailed (after Council approves the Resolution of Intent to Assess) giving the property owners 30 days to pay their delinquent municipal utility bill before a resolution for special assessment is approved by City Council to lien properties.

Action / Recommendation: The Utilities Department – Water Division recommends that the Resolution for Intent to Assess various properties for deliquent municipal utility bills be approved.

Alternative Recommendation (if applicable): The City Council could decide not to lien delinquent municipal utility bills.

Time Sensitivity: Normal

Resolution Date: 05/10/16

Budget Information: N/A

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

WTR
FIN
TRS
WTR051016-001

RESOLUTION NO. LEG_NUM_TAG

INTENT TO ASSESS

WHEREAS, utility service charges (water, sewer, storm sewer, solid waste and recycling), penalties and Iowa sales tax have been provided to various properties in the City of Cedar Rapids, Iowa, and

WHEREAS, the occupants of the properties have failed to pay the municipal utility billings mailed for the utility service charges, and

WHEREAS, the utility service charges are now delinquent at these properties.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that special assessments be made against the properties and for the amounts shown on the attached listing, will be made by the City Council on the 14th day of June, 2016 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., June 14, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

LIEN INTENTS (SPECIAL ASSESSMENTS) 5/10/16

				LIEN INTENTS 5/10/16
#		Balance Due		Premise Address
1		$ 68.42		65 LINDA SUE AVE, ROBINS, IA
2		$ 337.71		124 31ST ST NE
3		$ 226.35		320 19TH ST NE
4		$ 106.93		389 BRENTWOOD DR NE
5		$ 95.44		517 9TH ST SW - LOWER
6		$ 122.26		612 4TH ST SW - UPPER
7		$ 55.80		620 COLTON CIR NE #6
8		$ 230.80		905 OAK ST, ROBINS, IA
9		$ 88.99		922 CENTER POINT RD NE
10		$ 222.40		1006 17TH ST NE
11		$ 71.34		1013 35TH ST NE
12		$ 240.72		1040 CLIFTON ST NE
13		$ 143.33		1201 20TH ST SW
14		$ 144.36		1207 HARRISON CT NW
15		$ 160.42		1229 20TH AVE SW
16		$ 142.61		1411 CENTER ST NE
17		$ 98.54		1615 MIDLAND CT NE #2
18		$ 249.25		1718 CENTER POINT RD NE
19		$ 209.56		1751 HIGLEY AVE SE
20		$ 305.57		1852 D AVE NE
21		$ 176.75		1867 ELLIS BLVD NW
22		$ 275.60		2014 J ST SW
23		$ 79.76		2034 SYLVIA AVE NE
24		$ 97.49		2524 C AVE NE
25		$ 70.85		2532 1ST AVE NE
26		$ 158.96		3043 LEONARD ST NE - REAR
27		$ 45.62		5757 UNDERWOOD AVE SW
28		$ 173.79		6514 TENNESSEE CT SW
29		$ 325.26		7207 6TH ST SW
		$ 4,724.88		**Grand Total**
		29		**Number of Properties**
		$ 45.62		**Balance Due - Low**
		$ 337.71		**Balance Due - High**

Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Mark Jones **Phone Number/Ext.:** 4791
E-mail Address: M.Jones@cedar-rapids.org

Alternate Contact Person: Sarah Augustine **Phone Number/Ext.:** 4786
E-mail Address: s.augustine@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

1. Resolutions approving assessment actions:

Intent to assess – Solid Waste & Recycling – clean-up costs – seven properties.

CIP/DID #SWM-004-16

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: The Solid Waste and Recycling Division is responsible for abating garbage nuisances on public and private property. Under normal circumstances property owners receive a "Notice of Abatement" letter which allows them seven (7) days to correct the problem identified in the letter and its attachments. If a property owner fails to abate the nuisance, the Solid Waste and Recycling Division abates the nuisance and issues an invoices for services rendered.

Property owners have 30 days to pay their invoice. Failure to pay the invoice results in an "Intent to Assess" action against the property being prepared by the Solid Waste and Recycling Division and presented to City Council in the form of a Resolution.

Following the approval of the Intent to Assess Resolution, the property owner receives another mailing, which includes all the original documentation and a copy of the Intent to Assess Resolution. The property owner then has an additional 30 day period to pay their invoice. Failure to pay the outstanding invoice following the second 30 day period results in a "Levy Assessment" action against the property being prepared by the Solid Waste and Recycling Division and presented to City Council in the form of a Resolution.

Following approval of the "Special Assessment" Resolution, the nuisance abatement information is turned over to the Linn County Treasurer and the outstanding payment is levied against the property owner's taxes for collection.

Action/Recommendation: The Solid Waste and Recycling Division recommends that the Resolution for the Intent to Assess be approved.

Alternative Recommendation: The City Council could decide not to assess.

Time Sensitivity:

Resolution Date: 5/10/16

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: No
Explanation: NA

SWM
TRS
SWM-004-16

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Council of the City of Cedar Rapids, Iowa, has heretofore passed a Resolution to assess property for the following:

NUISANCE ABATEMENTS

WHEREAS, the property owner has failed to pay the required invoice(s) sent out for costs associated with the nuisance abatement within the prescribed time period noted on the City invoice, and

WHEREAS, the City of Cedar Rapids may assess the cost of nuisance abatements against the property for failure to pay invoices, and,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 pm, June 8, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

INTENT TO ASSESS 5/10/16

				INTENT TO ASSESS 5/10/16
#		Balance Due		Premise Address
1		241.25		730 G Ave NW
2		446.00		1817 B Ave NE
3		435.00		1825 5th Ave SE
4		1,359.38		1321 20th Ave SW
5		387.00		1502 12th Ave SE
6		310.00		1815 5th Ave SE
7		358.00		917 10th Ave SE
		$3,536.63		**Grand Total**
		7		**Number of Properties**

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Pat Wieneke **Phone Number/Extension:** 5848
E-mail Address: p.wieneke@cedar-rapids.org

Alternate Contact Person: Jason Junk **Phone Number/Extension:** 5724
E-mail Address: j.junk@cedar-rapids.org

Description of Agenda Item: Maintenance bonds
Resolution accepting sanitary sewer in Wexford Heights First Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of $279,178.90.
CIP/DID #FLPT-016051-2015

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background: This item is for acceptance of a maintenance bond from Dave Schmitt Construction Company, Inc. for sanitary sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the maintenance bonds as submitted from Dave Schmitt Construction Company, Inc.

Alternative Recommendation: If Council chooses not to accept the maintenance bond, the Developer will encounter difficulty obtaining building permits and certification of occupancy for this development.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: Private Development

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

ENG
FIN
AUD FILE
FLPT-016051-2015

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Dave Schmitt Construction Company, Inc. has constructed sanitary sewer in Wexford Heights First Addition, and

WHEREAS, said work has now been completed, and Dave Schmitt Construction Company, Inc. has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of $279,178.90 covering said work, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the sanitary sewer constructed be and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Dave Schmitt Construction Company, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Pat Wieneke **Phone Number/Extension:** 5848
E-mail Address: p.wieneke@cedar-rapids.org

Alternate Contact Person: Jason Junk **Phone Number/Extension:** 5724
E-mail Address: j.junk@cedar-rapids.org

Description of Agenda Item: Maintenance bonds
Resolution accepting storm sewer in Wexford Heights First Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of $332,968.80.
CIP/DID #FLPT-016051-2015

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background: This item is for acceptance of a maintenance bond from Dave Schmitt Construction Company, Inc. for storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the maintenance bonds as submitted from Dave Schmitt Construction Company, Inc.

Alternative Recommendation: If Council chooses not to accept the maintenance bond, the Developer will encounter difficulty obtaining building permits and certification of occupancy for this development.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: Private Development

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

ENG
FIN
AUD FILE
FLPT-016051-2015

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Dave Schmitt Construction Company, Inc. has constructed storm sewer in Wexford Heights First Addition, and

WHEREAS, said work has now been completed, and Dave Schmitt Construction Company, Inc. has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of $332,968.80 covering said work, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the storm sewer constructed be and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Dave Schmitt Construction Company, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Pat Wieneke **Phone Number/Extension:** 5848
E-mail Address: p.wieneke@cedar-rapids.org

Alternate Contact Person: Jason Junk **Phone Number/Extension:** 5724
E-mail Address: j.junk@cedar-rapids.org

Description of Agenda Item: Maintenance bonds
Resolution accepting storm sewer in Wexford Heights First Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of $332,968.80.
CIP/DID #FLPT-016051-2015

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background: This item is for acceptance of a maintenance bond from Dave Schmitt Construction Company, Inc. for storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the maintenance bonds as submitted from Dave Schmitt Construction Company, Inc.

Alternative Recommendation: If Council chooses not to accept the maintenance bond, the Developer will encounter difficulty obtaining building permits and certification of occupancy for this development.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: Private Development

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

ENG
FIN
AUD FILE
FLPT-016051-2015

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, E & F Paving Company, LLC has filed a Maintenance Bond executed by United Fire & Casualty Company in the sum of $225,000 for Portland Cement Concrete pavement in Wexford Heights First Addition, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year Maintenance Bond filed by E & F Paving Company, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Wex, Inc. of the responsibility for:

1. The maintenance of adequate backfill around and under pavement.

2. The prevention and repair of paving undermining.

3. The removal and cleaning of the street surface of soil and debris resulting from the erosion of the adjacent property.

The above items shall remain the responsibility of Wex, Inc. until such time as all the adjacent area has been developed and proper erosion control measures have been accomplished, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by E & F Paving Company, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander **Phone Number/Ext.:** 319-286-5822
E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: John Reasoner **Phone Number/Ext.:** 319-286-5806
E-mail Address: j.reasoner@cedar-rapids.org

Description of Agenda Item: Final plats
Resolution approving the Final Plat of Menards First Addition to Cedar Rapids, Linn County, Iowa for land located at 2800 Wiley Boulevard SW.
CIP/DID #FLPT-022608-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The property owner submitted the Final Plat of Menards First Addition in conformance with the minor preliminary plat approved by the City. Development Services Department staff reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats. The final plat contains one (1) lot and a total plat area of 3.23 acres.

Action/Recommendation: City staff recommends approval of the resolution.

Alternative Recommendation: City Council may table this item and request further information.

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

LOCATION MAP

Location of the Final Plat of Menards First Addition

DSD
ASR IT
PD FIR
WTR SWM
STR BSD
FLPT-022775-2016

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF IMPERIAL ACRES FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing two (2) lots, Numbered 1 and Outlot A, both inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

WHEREAS, the property owner(s) has submitted the following executed agreement(s), and are included as part of the final plat documents:

1. Development Agreement
2. Agreement to Provide Easements for Recreational Trails
3. Agreement to Connect to City Sanitary Sewer Facilities City of Cedar Rapids, Iowa
4. Sanitary Sewer Petition and Assessment Agreement
5. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement

and

WHEREAS, the agreement(s) as submitted are recommended for approval by the City Development Services Department, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The City Council concurs with the recommendation of the City Development Services Department, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said Imperial Acres First Addition to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, is hereby approved and accepted, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 10th day of May, 2016.

ClerkSignature

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander **Phone Number/Ext.:** 319-286-5822
E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: John Reasoner **Phone Number/Ext.:** 319-286-5806
E-mail Address: j.reasoner@cedar-rapids.org

Description of Agenda Item: Final plats
Resolution approving the Final Plat of Jackpine First Addition to Cedar Rapids, Linn County, Iowa for land located at 4401 Bowling Street SW.
CIP/DID #FLPT-022561-2016

EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.

Background: The property owner submitted the Final Plat of Jackpine First Addition in conformance with the minor preliminary plat approved by the City. Development Services Department staff reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats. The final plat contains two (2) lots and a total plat area of 37.7 acres.

Action/Recommendation: City staff recommends approval of the resolution.

Alternative Recommendation: City Council may table this item and request further information.

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

LOCATION MAP

Location of the Final Plat of Jackpine First Addition

DSD
ASR IT
PD FIR
WTR SWM
STR BSD
FLPT-022561-2016

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF Jackpine First Addition IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing two (2) lots, numbered 1 and 2, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

WHEREAS, the property owner(s) has submitted the following executed agreement(s), and are included as part of the final plat documents:

1. Development Agreement
2. Agreement for Private Storm Water Detention

and

WHEREAS, the agreement(s) as submitted are recommended for approval by the City Development Services Department, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The City Council concurs with the recommendation of the City Development Services Department, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said Jackpine First Addition in the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 10th day of May, 2016.

ClerkSignature

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander **Phone Number/Ext.:** 319-286-5822
E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: John Reasoner **Phone Number/Ext.:** 319-286-5806
E-mail Address: j.reasoner@cedar-rapids.org

Description of Agenda Item: Final plats
Resolution approving the Final Plat of Menards First Addition to Cedar Rapids, Linn County, Iowa for land located at 2800 Wiley Boulevard SW.
CIP/DID #FLPT-022608-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The property owner submitted the Final Plat of Menards First Addition in conformance with the minor preliminary plat approved by the City. Development Services Department staff reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats. The final plat contains one (1) lot and a total plat area of 3.23 acres.

Action/Recommendation: City staff recommends approval of the resolution.

Alternative Recommendation: City Council may table this item and request further information.

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

LOCATION MAP

Location of the Final Plat of Menards First Addition

DSD
ASR IT
PD FIR
WTR SWM
STR BSD
FLPT-022608-2016

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF MENARDS FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing one (1) lot, numbered 1, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

WHEREAS, the property owner(s) has submitted the following executed agreement, and is included as part of the final plat documents:

1. Development Agreement

and

WHEREAS, the agreement as submitted is recommended for approval by the City Development Services Department, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The City Council concurs with the recommendation of the City Development Services Department, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement, as noted above.
3. Said plat and dedication of said MENARDS FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the frontage road easement and public easements for the purposes as shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 10th day of May, 2016.

ClerkSignature

Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Amanda Vande Voorde **Phone Number/Ext.:** 319 286-5406
E-mail Address: e.kubly@cedar-rapids.org

Alternate Contact Person: Paula Mitchell **Phone Number/Ext.:** 319 286-5852
E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolutions authorizing execution of Amendment No. 1 to Development Agreements with Jim Sattler, Inc. for properties participating in the fourth round of the Single Family New Construction program (**FLOOD**). CIP/DID #OB540257

a. 6001 Ridgewood Meadows Lane NE
b. 6300 Ridgewood Meadows Lane NE
c. 6318 Ridgewood Meadows Lane NE
d. 8615 Flatbush Court NE
e. 8621 Flatbush Court NE
f. 8627 Flatbush Court NE
g. 8703 Flatbush Court NE
h. 9407 Grand Oaks Drive NE
i. 9413 Grand Oaks Drive NE
j. 9425 Grand Oaks Drive NE
k. 9426 Grand Oaks Drive NE
l. 9500 Grand Oaks Drive NE

EnvisionCR Element/Goal: StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

Background: On August 11, 2015, City Council approved execution of Development Agreements with Jim Sattler, Inc. for property at 6001 Ridgewood Meadows Lane NE, 6300 Ridgewood Meadows Lane NE, and 6318 Ridgewood Meadows Lane NE; and

On September 8, 2015, City Council approved execution of Development Agreements with Jim Sattler, Inc. for property at 8615 Flatbush Court NE, 8621 Flatbush Court NE, 8627 Flatbush Court NE, 8703 Flatbush Court NE, 9407 Grand Oaks Drive NE, 9413 Grand Oaks Drive NE, 9425 Grand Oaks Drive NE, 9426 Grand Oaks Drive NE, and 9500 Grand Oaks Drive NE.

The above referenced properties are part of Round 4 of the Single Family New Construction program. Amendment No. 1 to the Development Agreements will reflect a change in the commencement of construction deadline date, ranging from April 2016 – June 2016, and/or will reflect the new completion of construction deadline date of September 30, 2016.

Action/Recommendation: City staff recommends approval of the resolution

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: May 10, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated August 11, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 6001 Ridgewood Meadows Lane NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for commencement and completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.2 (a) of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.2 (a) is substituted as follows:

   (a) Subject to Unavoidable Delays, the Developer shall cause the construction of the Improvements on the Development Property to begin by May 20, 2016.

2) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 6001 Ridgewood Meadows Lane NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated August 11, 2015 (the "Agreement") pursuant to the terms of which, the Developer has agreed to construct a single-family home at 6300 Ridgewood Meadows Lane NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 6300 Ridgewood Meadows Lane NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated August 11, 2015, (the "Agreement") pursuant to the terms of which, the Developer has agreed to construct a single-family home at 6318 Ridgewood Meadows Lane NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.2 (a) of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.2 (a) is substituted as follows:

   (a) Subject to Unavoidable Delays, the Developer shall cause the construction of the Improvements on the Development Property to begin by May 15, 2016.

2) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 6318 Ridgewood Meadows Lane NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 8615 Flatbush Court NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for commencement and completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.2 (a) of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.2 (a) is substituted as follows:

   (a) Subject to Unavoidable Delays, the Developer shall cause the construction of the Improvements on the Development Property to begin by April 29, 2016.

2) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 8615 Flatbush Court NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 8621 Flatbush Court NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for commencement and completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.2 (a) of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.2 (a) is substituted as follows:

   (a) Subject to Unavoidable Delays, the Developer shall cause the construction of the Improvements on the Development Property to begin by June 6, 2016.

2) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 8621 Flatbush Court NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 8627 Flatbush Court NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for commencement and completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.2 (a) of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.2 (a) is substituted as follows:

   (a) Subject to Unavoidable Delays, the Developer shall cause the construction of the Improvements on the Development Property to begin by April 29, 2016.

2) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 8627 Flatbush Court NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 8703 Flatbush Court NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for commencement and completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.2 (a) of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.2 (a) is substituted as follows:

   (a) Subject to Unavoidable Delays, the Developer shall cause the construction of the Improvements on the Development Property to begin by April 29, 2016.

2) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 8703 Flatbush Court NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 9407 Grand Oaks Drive NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 9407 Grand Oaks Drive NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 9413 Grand Oaks Drive NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 9413 Grand Oaks Drive NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 9425 Grand Oaks Drive NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 9425 Grand Oaks Drive NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 9426 Grand Oaks Drive NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 9426 Grand Oaks Drive NE.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the parties have entered into a Development Agreement dated September 8, 2015 (the "Agreement") pursuant to the terms of which, Jim Sattler, Inc. (the "Developer") has agreed to construct a single-family home at 9500 Grand Oaks Drive NE for participation in the Single Family New Construction program ("Program"); and

WHEREAS, the City and Developer wish to amend the Agreement to reflect a change in the deadline for completion of construction, which together with those terms in the Agreement remaining in full force and effect will provide a benefit to the community as a whole by allowing for participation of the Development Property in the Program; and

WHEREAS, City approval of the Changes will allow the Project to proceed.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this First Amendment, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, as of the Effective Date and thereafter, it is agreed as follows:

1) Section 2.3 of the Agreement shall be amended by the deletion thereof and in its place a new Section 2.3 is substituted as follows:

   The Developer covenants and agrees that the sales price, as evidence by the Subject to Unavoidable Delays, the Developer shall cause Improvements of the Development Property to complete (i) no later than September 30, 2016 or (ii) by such other date as the parties shall mutually agree upon in writing.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 9500 Grand Oaks Drive NE.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Sandi Fowler **Phone Number/Ext.:** x5077
E-mail Address: s.fowler@cedar-rapids.org

Alternate Contact Person: Rebecca Johnson **Phone Number/Ext.:** x5062
E-mail Address: r.johnson2@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 2 to the Contract with Recreation Accessibility Consultants, LLC for ADA Compliance Consulting and ILA Services for the City Manager's Office to add additional services to the scope for an amount not to exceed $66,515.50 (original contract amount was $935,120; total contract amount with this amendment is $1,001,635.50).
CIP/DID #PUR0415-212

EnvisionCR Element/Goal: StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

Background:

Proposals were solicited by the Purchasing Services Division on behalf of the City Manager's Office for ADA Compliance Consulting and ILA Services. The ADA Settlement Agreement between the City of Cedar Rapids and the United States requires that the City execute a Contract with in Independent Licensed Architect (ILA) within three (3) months of the July 28, 2015 effective date.

The contract was awarded to Recreation Accessibility Consultants, LLC for the contract period of October 26, 2015 through July 28, 2019 for a total amount not to exceed $935,120 Funding for services under this Contract are covered by ADA bonds.

Amendment No. 2 is to add additional services to the contract to provide additional topographical information and to perform plan reviews of designs prepared by other consultants for the Parks and Recreation Department in order to assure compliance of plans with all required standards prior to construction. The additional services will not exceed $66,515.50 for a revised contract amount not to exceed $1,001,635.50.

Summary of contract to date:

	Price	Description
Original Contract	$935,120.00	Resolution No. 1528-10-15
Amendment No. 1	$0.00	Revised compensation schedule, no change to total amount
Amendment No. 2	$66,515.50	Add services to scope, authorization pending
Total	$1,001,635.50	Not to exceed, except by written amendment

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: ADA Bonds, Class 18401

Local Preference Policy: Yes

Explanation: None of the firms who submitted a proposal are certified local businesses. Several proposals include partnering with a local firm to serve as the ILA but this does not qualify them for local preference.

Recommended by Council Committee: NA

Explanation: NA

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PUR0415-212
18401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Recreation Accessibility Consultants, LLC are parties to a contract for ADA Compliance Consulting and ILA Services for the City Manager's Office; and

WHEREAS, both parties have agreed to amend the contract to reflect an increase in services in the amount of $66,515.50; and

WHEREAS a summary of the Contract is as follows:

	Price	Description
Original Contract	$935,120.00	Resolution No. 1528-10-15
Amendment No. 1	$0.00	Revised compensation schedule, no change to total amount
Amendment No. 2	$66,515.50	Add services to scope, authorization pending
Total	$1,001,635.50	Not to exceed, except by written amendment

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 2 to amend the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons

Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Andy Hoenig **Phone Number/Ext.:** 5066
E-mail Address: a.hoenig@cedar-rapids.org

Alternate Contact Person: Diane Muench **Phone Number/Ext.:** 5023
E-mail Address: d.muench@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing RSM US LLP to perform annual audits for the fiscal years ending June 30, 2016, 2017, 2018, 2019 and 2020 in the amount of $429,745 plus $2,900 for FY2016, plus $2,900 for FY2017, plus $3,100 for FY2018, plus $3,100 for FY2019 and for FY2020 plus $3,100 per additional major program audits above four major program audits.
CIP/DID #PUR0216-156

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background:
Purchasing Services solicited proposals on behalf of the Finance Department for professional auditing services. Four proposals were received. An evaluation committee reviewed the proposals and recommends award of the auditing services to RSM US LLP.

Proposals received:

Company Name	Location	Scoring
RSM US LLP	Cedar Rapids	50
CliftonLarsonAllen LLP	Cedar Rapids	48
Eide Bailly LLP	Dubuque	47
BKD LLP	Kansas City	46

Pricing:

Company Name	RSM US, LLP	CliftonLarson Allen, LLP	Eide Bailly, LLP	BKD, LLP
FY 2016	$76,125 ($2,900)	$74,465 ($3,850)	$84,160 ($3,580)	$94,980 ($3,345)
FY 2017	$76,205 ($2,900)	$75,765 ($3,920)	$87,166 ($3,708)	$96,885 ($3,415)
FY 2018	$78,940 ($3,100)	$77,715 ($4,025)	$90,172 ($3,836)	$98,810 ($3,480)
FY 2019	$79,030 ($3,100)	$79,665 ($4,130)	$93,522 ($3,976)	$100,790 ($3,550)
FY 2020	$81,035 ($3,100)	$81,062 ($4,205)	$96,872 ($4,116)	$102,805 ($3,620)
Total (City Only)	$391,335	$388,672	$451,892	$494,270
FY 2016	$7,500	$10,425	$10,575	$9,220
FY 2017	$7,500	$10,605	$10,955	$9,400
FY 2018	$7,725	$10,875	$11,335	$9,590

Company Name	RSM US, LLP	CliftonLarson Allen, LLP	Eide Bailly, LLP	BKD, LLP
FY 2019	$7,725	$11,145	$11,760	$9,780
FY 2020	$7,960	$11,340	$12,185	$9,980
Total (MPO Only)	$38,410	$54,390	$56,810	$47,970
FY 2016	$83,625	$84,890	$94,735	$104,200
FY 2017	$83,705	$86,370	$98,121	$106,285
FY 2018	$86,665	$88,590	$101,507	$108,400
FY 2019	$86,755	$90,810	$105,282	$110,570
FY 2020	$88,995	$92,402	$109,057	$112,785
Total (Combined)	$429,745	$443,062	$508,702	$542,240

Action/Recommendation: Authorize RSM US LLP to perform annual auditing services as described herein.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: May 10, 2016

Budget Information: 101-103240

Local Preference Policy: Yes
Explanation: RSM US LLP is a certified local vendor

Recommended by Council Committee: No
Explanation: NA

PUR
FIN
PUR0216-156

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Proposal for Professional Auditing Services for the fiscal years 2016, 2017, 2018, 2019 and 2020; and

WHEREAS, proposals were received from four Firms; and

WHEREAS, a committee has carefully evaluated and ranked each proposal based on the evaluation criteria and recommends that RSM US LLP be authorized and directed to perform the annual audits of the City of Cedar Rapids for the fiscal years ending June 30, 2016, 2017, 2018, 2019 and 2020 for the annual fees as follows (Prices assume four federal major programs with additional program costs in parenthesis):

Company Name	**RSM US, LLP**
FY 2016	$76,125 ($2,900)
FY 2017	$76,205 ($2,900)
FY 2018	$78,940 ($3,100)
FY 2019	$79,030 ($3,100)
FY 2020	$81,035 ($3,100)
Total (City Only)	$391,335
FY 2016	$7,500
FY 2017	$7,500
FY 2018	$7,725
FY 2019	$7,725
FY 2020	$7,960
Total (MPO Only)	$38,410
FY 2016	$83,625
FY 2017	$83,705
FY 2018	$86,665
FY 2019	$86,755
FY 2020	$88,995
Total (Combined)	$429,745

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that RSM US LLP be authorized to perform annual auditing services as described herein.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Finance

Presenter at Meeting: Casey Drew **Phone Number/Ext.:** 286-5097
E-mail Address: c.drew@cedar-rapids.org

Alternate Contact Person: Yvonne Aubrey **Phone Number/Ext.:** 286-5008
E-mail Address: y.aubrey@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing purchase of National Flood Insurance Program coverage through Selective Insurance Company of America for a one year period at a cost not to exceed $150,000.
CIP/DID #FIN2016-19

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background: Annually the City purchases flood insurance for compliance with FEMA requirements as a condition for receiving assistance to repair flood damage at public facilities. Flood insurance coverage is from the National Flood Insurance Program obtained thru Aon Risk Services with payment made directly to Selective Insurance Company of America.

Action/Recommendation: City Council to approve annual renewal premiums for purchase of National Flood Insurance Program coverage in the amount of $150,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: May 10, 2016

Budget Information:

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: (Click here to select)
Explanation: NA

FIN
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FIN2016-19

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, a condition for receiving assistance from FEMA to repair flood damage at public facilities, the City must obtain and maintain flood insurance in the amount of the actual or estimated eligible project repairs not exceeding the limits available thru the National Flood Insurance Program for each facility,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Department is authorized to renew flood insurance coverage from the National Flood Insurance Program obtained thru Aon Risk Services with payment made directly to Selective Insurance Company of America for a one year period at a cost not to exceed $150,000.

Funding will be from the Risk Fund budget (525107-011-011000).

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MayorSignature

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ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Mark A. English **Phone Number/Ext.:** 286-5220
E-mail Address: m.english@cedar-rapids.org

Alternate Contact Person: Gregory Smith **Phone Number/Ext.:** 286-5224
E-mail Address: g.smith@cedar-rapids.org

Description of Agenda Item: PURCHASES, CONTRACTS, AND AGREEMENTS
Resolution authorizing City Manager to execute contract with Pierce Manufacturing for the purchase of one Velocity Heavy Rescue Truck for the Fire Department; purchase price from Capital Improvement Fund is $722,783.00.
CIP/DID #FIR0510-0012

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the community.

Background: The Fire Department established a truck committee that worked in conjunction with fire department staff and Fleet Services representatives to conceptualize functional needs and create design specifications for a replacement rescue truck. The truck committee and Fleet Services representatives concur that continuing to purchase from Pierce as the preferred manufacturer provides the best value to the City. Pierce Manufacturing has been in business since 1913, is a technology leader, and provides excellent after-sale customer support. Cedar Rapids has purchased fire pumpers, aerial trucks and Quint apparatus from Pierce since 1988. The rescue truck is being purchased to replace a similar vehicle that is 10 years old and due to forecasted operational changes within the fire department along with the age and use of the vehicle, Rescue 1 has been identified to be replaced. The purchase is part of a comprehensive, multi-year fleet replacement plan.

Action/Recommendation: The Fire Department recommends approval of this purchase.

Alternative Recommendation: If the purchase is not approved at this time, the Fire Department will continue to operate with current apparatus. The Fire Department would need to modify the apparatus replacement schedule and could possibly incur higher maintenance costs or have equipment out-of-service for repairs.

Time Sensitivity: N/A

Resolution Date: May 10, 2016

Budget Information: Cost of the Velocity heavy duty rescue truck is $722, 783 with funding from the CIP Account 554000-308-308000 Project # 308152.

Local Preference Policy:
Explanation:
Recommended by Council Committee:
Explanation:

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FIR0510-0012

RESOLUTION NO. LEG_NUM_TAG

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to execute the contract with Pierce Manufacturing, 2600 American Drive, P.O. Box 201, Appleton, WI 54913, for the purchase of one Velocity Heavy Duty Rescue Truck to be supplied to the City of Cedar Rapids for a total purchase price of $722,783. Funds for this purchase are from CIP Account #55400-308-308000 Project #308152.

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MayorSignature

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ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Brent Schlotfeldt **Phone Number/Ext.:** x5809
E-mail Address: b.schlotfeldt@cedar-rapids.org

Alternate Contact Person: Rebecca Johnson **Phone Number/Ext.:** x5062
E-mail Address: r.johnson2@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 2 to the Contract with Ament Design for Design Services for ADA Compliance at the Cedar Rapids Ice Arena to extend the contract and reflect the additional cost to increase the scope for an amount not to exceed $23,500 (original contract amount was $29,750; total contract amount with this amendment is $53,250).
CIP/DID #PUR0715-010

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background: Proposals were solicited for design services for ADA compliance at the Cedar Rapids Ice Arena with two (2) vendors responding. Award was made to Ament Design who submitted the lowest responsive and responsible proposal for an initial period of December 4, 2015 through March 31, 2016.

Amendment No. 2 extends the contract and increases the scope of services to incorporate additional items that were identified by the City's contracted ILA, Recreation Accessibility Consultants. The additional items were not included in the original DOJ reports in the Settlement Agreement but are required in order to achieve full ADA compliance at the Ice Arena. This amendment extends the expiration date of the contract through September 30, 2016 and increases the dollar amount by $23,500 for a new total contract amount of $53,250.

The increased amount of $53,250 is still less than the other proposal submitted in response to the RFP. The financial proposal submitted by Shive-Hattery was $78,500.

Summary of Contract to date:

	Price	Description
Original Contract	$ 29,750	Signed by the CITY 12/04/2015
Amendment No. 1	$ 0	Extend Expiration Date through 06/30/2016
Amendment No. 2	$ 23,500	Add to Scope and extend Expiration Date through 09/30/2016
Total	$ 53,250	Not to exceed, except by written amendment

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: ADA Bonds – Class 184001 – Project #555100

Local Preference Policy: Yes

Explanation: Local preference was applied at time the RFP was awarded but had no impact because both companies who submitted a proposal are local.

Recommended by Council Committee: NA

Explanation: NA

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184001

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Ament Design are parties to a contract for Design Services for ADA Compliance at the Cedar Rapids Ice Arena; and

WHEREAS, both parties have agreed to amend the contract to reflect an increased scope of services in the amount of $23,500; and

WHEREAS, the contract completion date is being extended from June 30, 2016 to September 30, 2016; and

WHEREAS a summary of the Contract is as follows:

	Price	Description
Original Contract	$ 29,750	Signed by the CITY 12/04/2015
Amendment No. 1	$ 0	Extend Expiration Date through 06/30/2016
Amendment No. 2	$ 23,500	Add to Scope and extend Expiration Date through 09/30/2016
Total	$ 53,250	Not to exceed, except by written amendment

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 2 to amend the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Brent Schlotfeldt **Phone Number/Ext.:** 5809
E-mail Address: b.schlotfeldt@cedar-rapids.org

Alternate Contact Person: Diane Muench **Phone Number/Ext.:** 5023
E-mail Address: d.muench@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Contract with Cedar Service Company for Roofing Services for Facilities Maintenance Services for two years for an annual amount not to exceed $70,000.
CIP/DID #PUR0416-175

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background:
Purchasing Services solicited bids on behalf of Facilities Maintenance Services for as-needed roofing services. Five Contractors submitted bids and Facilities Maintenance Services recommends award to Cedar Service Company as the overall most responsive and responsible bidder. The lowest priced Contractor did not meet the necessary qualifications.

The two year contract period will be June 1, 2016 through May 31, 2018. Two additional two-year renewal options remain. These services are for as-needed roofing projects less than $25,000. Projects estimated to be greater than $25,000 will be bid. Contractor will be compensated for actual work performed based on the hourly rates as bid.

Bids received:

VENDORS		Advance Builders Corp.	Cedar Service Company	Jim Giese Commercial Roofing, Inc.	Pa's Construction LLC	T&K Roofing Company
Vendor Location		Cedar Rapids	Cedar Rapids	Dubuque	Hiawatha	Ely
	Description					
1	Standard Hourly Rate, 40 hour work week					
	Foreman	$65.00	$55.00	$81.85	$50.00	$68.06
	Journeyman	$65.00	$52.00	$72.71	$45.00	$62.00
	Apprentice-Helper	$65.00	$47.00	$52.22	$35.00	$46.66
2	40+ Hours and Saturday					
	Foreman	$90.00	$82.50	$122.00	$75.00	$88.01
	Journeyman	$90.00	$78.00	$108.91	$67.50	$78.81
	Apprentice-Helper	$90.00	$70.50	$83.47	$52.50	$59.80
3	Sundays and Holidays					
	Foreman	$100.00	$110.00	$147.53	$75.00	$107.96
	Journeyman	$100.00	$104.00	$138.39	$67.50	$96.30
	Apprentice-Helper	$100.00	$94.00	$103.79	$52.50	$72.94
4	Lead time for regular service calls	1 day	24 hours	24 hours	24 hours	24 hours
5	Lead time for emergency calls	2 hours	2-3 hours	4 hours	2 hours	2-3 hours
6	Minimum service call charge	$150.00	$52.00	$750.00	$150.00	$150.00
7	Percent mark-up on material/rental	10%	10%	10%	10%	10%

Action/Recommendation: Authorize the City Manager and the City Clerk to execute the Contract as described herein.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: May 10, 2016

Budget Information: Various budgets

Local Preference Policy: Yes
Explanation: Cedar Service Company is a certified local vendor

Recommended by Council Committee: No
Explanation: NA

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PUR0416-175

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for as-needed Roofing Services on behalf of Facilities Maintenance Services; and

WHEREAS, bids were received from five Contractors; and

WHEREAS, Facilities Maintenance Services recommends that the contract be awarded to Cedar Service Company as the overall lowest responsive and responsible bidder for a an annual amount not to exceed $70,000 (two year contract total of $140,000); and

WHEREAS, a two-year contract with the option of two additional two-year renewal periods has been prepared for the contract period June 1, 2016 through May 31, 2018.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Shawn Lampe **Phone Number/Ext.:** x5119
E-mail Address: s.lampe@cedar-rapids.org

Alternate Contact Person: Heather Mell **Phone Number/Ext.:** x5117
E-mail Address: h.mell@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Amendment No. 2 to the contract for Palo Alto Firewalls with Torus Technologies, Inc for the Information Technology Department to add an additional firewall to the contract and to reflect the additional cost for an amount not to exceed $21,967 (original contract amount was $168,030; total contract amount with this amendment is $207,598).
CIP/DID #1214-133

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background: Purchasing Services solicited bids on behalf of the Information Technology Department in January 2015 for the purchase of Palo Alto Firewalls and Support. The Information Technology Department is in need of an additional firewall for the update to the Traffic Network System. Torus Technologies has agreed to provide the new firewall and 3 years of support for the amount of $21,967.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

Alternative Recommendation:

Time Sensitivity: low

Resolution Date: May 10, 2016

Budget Information: 354-354000-354009

Local Preference Policy: Yes
Explanation: No local companies bid on the original request.

Recommended by Council Committee: NA
Explanation: NA

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1214-133

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Torus Technologies, Inc. are parties to a contract for the Palo Alto Firewalls for the Information Technology Department; and

WHEREAS, both parties have agreed to amend the contract to add an additional firewall and 3 years of support in the amount of $21,967; and

WHEREAS, a summary of the Contract is as follows:

Original Contract	Resolution No. 0158-01-15	$168,030
Amendment No. 1	Resolution No. 0841-06-15	$17,601
Amendment No. 2	Pending	$21,967
Total, not to exceed except by written amendment		$207,598

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No.2 to amend the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: John Witt **Phone Number/Ext.:** 5800
E-mail Address: j.witt@cedar-rapids.org

Alternate Contact Person: Diane Muench **Phone Number/Ext.:** 5023
E-mail Address: d.muench@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Contract with Traffic Control Corporation for the Traffic Signal System Software and Controller project for the Traffic Engineering Division for an amount not to exceed $736,044.
CIP/DID #PUR0216-154

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background:
Purchasing Services solicited proposals on behalf of the Traffic Engineering Division for the traffic signal system software and controller project. The objective of the project is to upgrade the City's 15 year old traffic signal system software, which is used to communicate with the City's 230 signalized intersections. The software will be used to change/update traffic signal timings remotely, monitor the real time status of the traffic signals, and to alert City personnel of any malfunctions. In addition, the traffic signal controllers at all 230 intersections will be upgraded to allow for improved communication and add additional functionality not available with the City's current controllers.

Six proposals were received. An evaluation committee carefully reviewed and scored the proposals and recommends award of the contract to Traffic Control Corporation as the overall most responsive and responsible proposer. This project is scheduled to be completed by September 30, 2016 for an amount not to exceed $736,044.

Proposals received:

Company Name	Location	Price	Scoring
Traffic Control Corporation	Ankeny	$736,044	890
MoboTrex	Davenport	$526,900	725
General Traffic Controls, Inc.	Spencer	$675,820	
Mid-American Signal, Inc.	Kansas City, KS	$1,022,965	
Trafficware Group, Inc.	Sugar Land, TX	$841,000	
Transcore ITS, LLC	Nashville, TN	Did not bid on all items	

Action/Recommendation: Authorize the City Manager and the City Clerk to execute the Contract as described herein.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: May 10, 2016

Budget Information: 306-306265

Local Preference Policy: Yes
Explanation: No local company submitted a proposal

Recommended by Council Committee: No
Explanation: NA

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PUR0216-154

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Proposal for Traffic Signal System Software and Controller on behalf of the Traffic Engineering Division; and

WHEREAS, the objective of the project is to upgrade the City's 15 year old traffic signal system software, which is used to communicate with the City's 230 signalized intersections. The software will be used to change/update traffic signal timings remotely, monitor the real time status of the traffic signals, and to alert City personnel of any malfunctions. In addition, the traffic signal controllers at all 230 intersections will be upgraded to allow for improved communication and add additional functionality not available with the City's current controllers; and

WHEREAS, proposals were received from six Vendors; and

WHEREAS, a committee has carefully evaluated and ranked each proposal based on the evaluation criteria and recommends that the contract be awarded to Traffic Control Corporation in the amount of $736,044; and

WHEREAS, a contract has been prepared for this project, estimated to be completed by September 30, 2016.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: John Witt **Phone Number/Ext.:** 5800
E-mail Address: j.witt@cedar-rapids.org

Alternate Contact Person: Diane Muench **Phone Number/Ext.:** 5023
E-mail Address: d.muench@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Traffic Engineering Division purchase of 70 Axis PTZ Cameras from Electronic Technology Inc. in the amount of $189,350.
CIP/DID #PUR1215-116

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background:
The Traffic Engineering Division is working on a project to install cameras at 70 intersections in order to monitor traffic flow. The objective of the project is to add 70 additional Pan/Tilt/Zoom (PTZ) cameras at signalized intersections throughout the City. Currently the City has 20 intersections with PTZ cameras and they are used for monitoring traffic flow and for helping with traffic signal timing. The cameras will help make City staff more efficient and help cut down on unnecessary maintenance trips to intersections.

The Iowa Department of Transportation has a contract with Electronic Technology Inc. for Axis PTZ Cameras and Traffic Engineering is piggybacking onto this contract for the purchase of 70 Axis PTZ cameras with mounting hardware and power supply for an amount not to exceed $189,350. Purchasing Services will solicit bids for a Contractor to install these cameras.

Action/Recommendation: Authorize the Traffic Engineering Division to purchase the Axis PTZ Cameras as described herein.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: May 10, 2016

Budget Information: 306265

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: No
Explanation: NA

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PUR1215-116

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Traffic Engineering Division is working on a project to install cameras at 70 intersections in order to monitor traffic flow; and

WHEREAS, the objective of the project is to add 70 additional Pan/Tilt/Zoom (PTZ) cameras at signalized intersections throughout the City. Currently the City has 20 intersections with PTZ cameras and they are used for monitoring traffic flow and for helping with traffic signal timing. The cameras will help make City staff more efficient and help cut down on unnecessary maintenance trips to intersections; and

WHEREAS, The Iowa Department of Transportation has a contract with Electronic Technology Inc. for Axis PTZ Cameras; and

WHEREAS, Traffic Engineering is piggybacking onto this contract for the purchase of 70 Axis PTZ camera with mounting hardware and power supply for an amount not to exceed $189,350; and

WHEREAS, a Contractor to install these cameras will be procured via a Request for Bid.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Traffic Engineering Division is authorized to purchase the Axis PTZ Cameras as described herein.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Russ Camp **Phone Number/Ext.:** x5086
E-mail Address: russc@cedar-rapids.org

Alternate Contact Person: Rebecca Johnson **Phone Number/Ext.:** x5062
E-mail Address: r.johnson2@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Amendment No. 6 to the contract with Pro-West & Associates, Inc. for GIS One-Call Utility Locate System for various City departments to extend contract and reflect additional maintenance and support services for an amount not to exceed $10,000 (original contract amount was $43,000; total contract amount with this amendment is $80,050).
CIP/DID #1209-125

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background: Proposals were solicited in 2010 on behalf of the Utilities, Public Works and IT Departments for the GIS One-Call Utility Locate System with six (6) firms responding. Award was made to Pro-West & Associates, Inc. as the firm who submitted the most responsive proposal determined to be the best value for the City.

This Amendment No. 6 extends the contract through June 30, 2016 and amends the scope of work for an additional amount not to exceed $10,000 to include additional maintenance and support services. The additional services bring the revised total for this Contract to $80,050.

Summary of Contract to Date:

Description	Amount	Authorization	Dates
Original Contract	$43,000	Resolution No. 0415-04-10	5/6/2010-4/30/2012
Amendment No. 1 to renew	$0	Signed by City 05/04/2012	5/1/2012-4/30/2014
Amendment No. 2 to amend	$10,250	Resolution No. 0203-02-13	Effective 2/13/2013
Amendment No. 3 to renew/amend	$2,300	Resolution No. 0512-04-14	5/1/2014-4/30/2016
Amendment No. 4 to amend	$5,500	Resolution No. 0848-06-14	Effective 6/27/2014
Amendment No. 5 to amend	$9,000	Resolution No. 1258-08-15	Effective 8/26/2015
Amendment No. 6 to amend/extend	$10,000	Pending	Effective 3/10/2016
Total amount for project:	$80,050	Not to exceed, except by written amendment	

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 5 as described herein.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: May 10, 2016

Budget Information: Equally divided between fund 671 department ID 671000 and fund 651 department ID 651500 and program 65155

Local Preference Policy: NA

Explanation: If proposals were solicited today, local preference would apply; however, this RFP was issued prior to implementation of the buy local program. There were no local proposers.

Recommended by Council Committee: NA

Explanation: NA

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1209-125

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Pro-West & Associates, Inc. are parties to a contract for the GIS One-Call Utility Locate System for various City departments; and

WHEREAS, both parties have agreed to amend the contract to extend through June 30, 2016 and reflect additional cost to include additional maintenance and support services for an amount not to exceed $10,000; and

WHEREAS, the total not to exceed amount for this contract shall increase from $70,050 to $80,050; and

WHEREAS, the history of the contract to date is as follows:

Description	Amount	Authorization	Dates
Original Contract	$43,000	Resolution No. 0415-04-10	5/6/2010-4/30/2012
Amendment No. 1 to renew	$0	Signed by City 05/04/2012	5/1/2012-4/30/2014
Amendment No. 2 to amend	$10,250	Resolution No. 0203-02-13	Effective 2/13/2013
Amendment No. 3 to renew/amend	$2,300	Resolution No. 0512-04-14	5/1/2014-4/30/2016
Amendment No. 4 to amend	$5,500	Resolution No. 0848-06-14	Effective 6/27/2014
Amendment No. 5 to amend	$9,000	Resolution No. 1258-08-15	Effective 8/26/2015
Amendment No. 6 to amend/extend	$10,000	Pending	Effective 3/10/2016
Total amount for project:	$80,050	Not to exceed, except by written amendment	

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 6 to amend the contract as described herein.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Nate Kampman, PE **Phone Number/Extension:** 5628
E-mail Address: n.kampman@cedar-rapids.org

Alternate Contact Person: Gary Petersen, PE **Phone Number/Extension:** 5153
E-mail Address: g.petersen@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed $49,149 for professional services in connection with the 1st Avenue E from 27th Street to 40th Street Pavement Rehabilitation, Infrastructure, and Trail Improvements Final Design Services project (original contract amount was $420,445; total contract amount with this amendment is $469,594) (Paving for Progress).
CIP/DID # 301240-05

EnvisionCR Element/Goal: ConnectCR Goal 3: Establish a network of complete streets.

Background:
The purpose of this amendment is to provide additional design services for extending the CEMAR Trail – Phase 3 project from 32nd Street Drive SE northeasterly along the abandoned railroad grade to the east city limits near 3rd Avenue & 33rd Street Drive SE (Mt. Calvary Cemetery), provide potholing services to finalize the storm sewer design for the Phase 3 project, and prepare an additional set of preliminary and final assessment documents for new sidewalk construction and sidewalk repairs along 1st Avenue E as part of the Phase 4 and Phase 5 construction projects.

Action/Recommendation: The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 1 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed $49,149.

Alternative Recommendation: The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing, or delay the project until City staff has the resources available to proceed with design. The potholing services were approved with an Authorization to Proceed with Immediate Needs Services due to the required project schedule for bidding the Phase 3 project (July 19, 2016 Iowa DOT Bid Letting).

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: CIP No. 301240; 301240, NA, and 325042

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

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301240-05
7970

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Council authorized execution of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in connection with the 1st Avenue E from 27th Street to 40th Street Pavement Rehabilitation, Infrastructure, and Trail Improvements Final Design Services project on May 13, 2014, and

WHEREAS, the City desires to provide additional design services for extending the CEMAR Trail – Phase 3 project from 32nd Street Drive SE northeasterly along the abandoned railroad grade to the east city limits near 3rd Avenue & 33rd Street Drive SE, provide potholing services to finalize storm sewer design for the Phase 3 project, and prepare an additional set of preliminary and final assessment documents for new sidewalk construction and sidewalk repairs along 1st Avenue E as part of the Phase 4 and Phase 5 construction projects

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 1 to the engineering consultant agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed $49,149 for the First Avenue East from 27th Street to 40th Street Pavement Rehabilitation, Infrastructure, and Trail Improvements project (CIP No. 301240-05). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	$420,445
Amendment No. 1	$49,149
Amended Contract Amount	$469,594

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000, Project 301240, 7970	$ 5,594
Fund 301, Dept ID 301100, Project 301240, NA	$14,662
Fund 325, Dept ID 325000, Project 325042, NA	$28,893

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MayorSignature

Attest:

ClerkSignature

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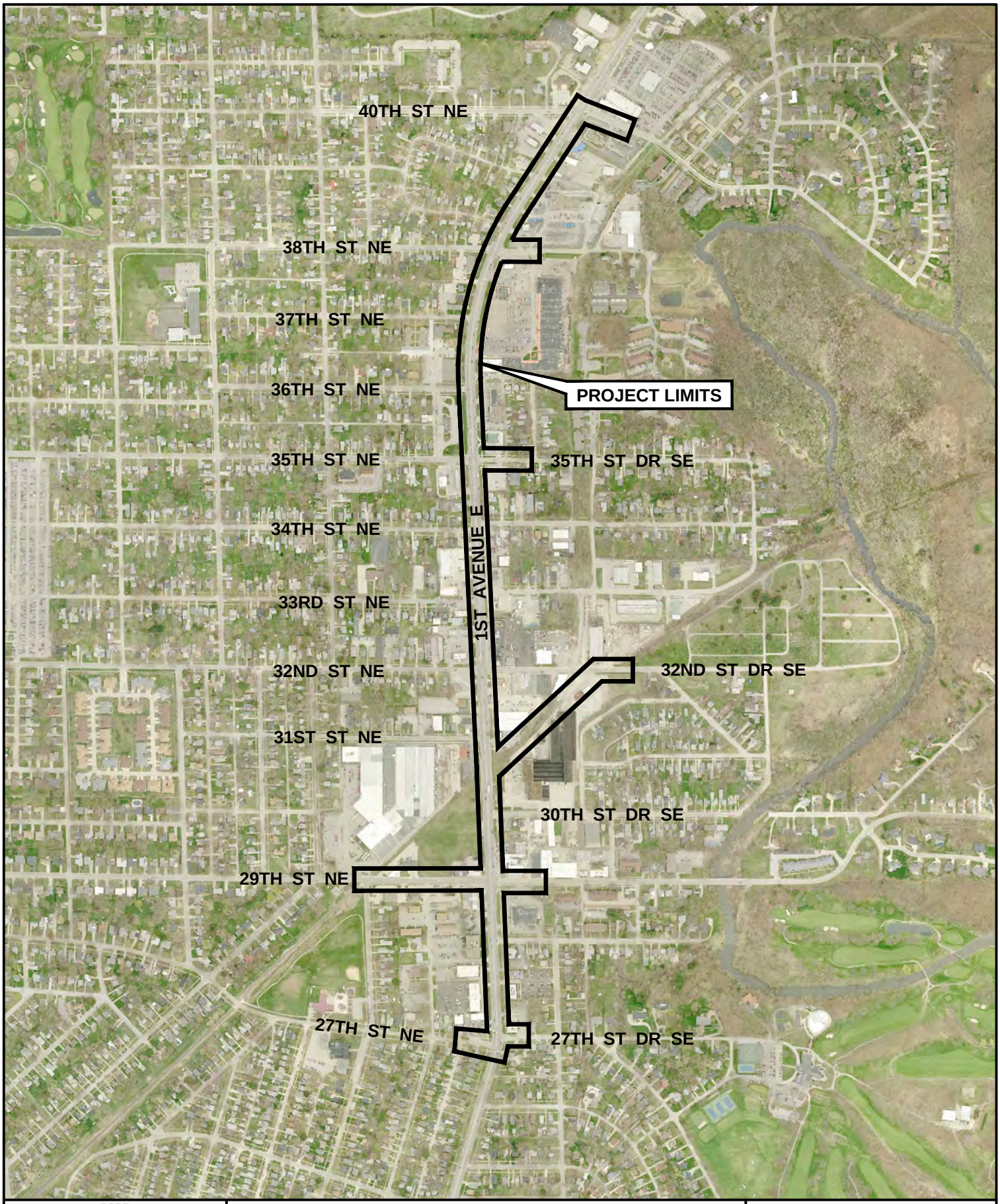

CEDAR RAPIDS
City of Five Seasons

1ST AVENUE E FROM 27TH STREET TO 40TH STREET
FINAL DESIGN
PROFESSIONAL SERVICES AGREEMENT

N

0 FEET 800

301240-05

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Rob Davis, PE **Phone Number/Extension:** 5808
E-mail Address: robd@cedar-rapids.org

Alternate Contact Person: Sandy Pumphrey, PE, CFM **Phone Number/Extension:** 5363
E-mail Address: s.pumphrey@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of Amendment No. 3 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed $189,348 for consulting services in connection with the Cedar Rapids Flood Mitigation System - West Side Phase 1 Consulting Services project (original contract price was $3,409,543; total contract price with this amendment is $5,216,350).
CIP/DID #331001-01

EnvisionCR Element/Goal: ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

Background: The Flood Control System (FCS) initiative currently has two main consultants, HR Green on the west side of the Cedar River and Stanley Consultants on the east side of the Cedar River. A third consultant is anticipated to be added in 2016 for the replacement and raising of the 8th Avenue bridge over the Cedar River. The FCS is dynamic and the contracts of the main consultants are set up to be extended approximately every 12-18 months over an initial selection of a five year service period. In addition, occasional amendment will occur during a current period of service as issues and needs arise.

HR Green has been performing services adequately in accordance with current contract terms. A summary of the amendment are as follows:

Amendment No. 1: This was a zero dollar amendment to add an additional billing category for professional staff.

Amendment No. 2: Replace the generic scope of services in the original contract to match the specific adoption of the subsequent adopted FCS Master Plan and subsequent development of a 5-year CIP plan. The scope was expanded to initiate several designs of varying duration to be ready for each year's construction needs. The term was also extended through December 31, 2016. These multiple bid packages were predominantly in the Czech Village area, but also some initial utility relocation in Time Czech neighborhood from J Avenue NE to I-380.

Amendment No. 3

The added work includes:

- QA/QC and peer review of the proposed LANDINGS development project in the Time Czech neighborhood – to ensure compliance with US Army Corps standards and the City's FCS Master Plan.
- Archaeological investigations and documentation in Czech Village neighborhood.
- Environmental screening investigations for contamination in potential construction zones.
- Water main (CIP 625884-2016084) and storm sewer upgrades (CIP 304416) bounded by 17th Avenue SW, C Street SW and landfill site.

Action / Recommendation: The Public Works Department Recommends approval of Cedar Rapids Flood Mitigation System - West Side Phase 1 Contract Amendment No. 3.

Alternative Recommendation: None.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: GRI – Flood = $165,008
CIP 625884-2016084 Water = $4,132
CIP 304416 Storm Sewer = $20,208

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

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331001-01

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, HR Green, Inc. is currently under contract for designing the west side Flood Control System projects, and

WHERAS, the Flood Control Manager, Sewer Utility Engineering Manager, and Water Utility Engineering Manager have requested HR Green perform additional services associated with the Flood Control System and its associated utilities to protect and efficiently serve Czech Village, and

WHEREAS, the Public Works Department recommends approval of Amendment No. 3 to the HR Green design contract on the west side of the Cedar River,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 3 to the engineering consultant agreement with HR Green , Inc. in the amount of $189,348 for the Cedar Rapids Flood Mitigation System – West Side Phase 1 Consulting Services (Contract No. 331001-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	$3,409,543
Amendment No. 1	$0
Amendment No. 2	$1,617,459
Amendment No. 3	$189,348
Amended Contract Amount	$5,216,350

General ledger coding for this amendment to be as follows:

Fund 331, Dept ID 331100 Project 3311400 GRI	$18,314
Fund 331, Dept ID 331100 Project 3313400 GRI	$146,694
Fund 304, Dept ID 304000 Project 304416	$20,208
Fund 625, Dept ID 625000 Project 625884-2016084	$4,132

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Rob Davis, PE **Phone Number/Extension:** 5808
E-mail Address: robd@cedar-rapids.org

Alternate Contact Person: Sandy Pumphrey, PE, CFM **Phone Number/Extension:** 5363
E-mail Address: s.pumphrey@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with Stanley Consultants, Inc. specifying an increased amount not to exceed $3,714,764 for consulting services in connection with the Cedar Rapids Flood Mitigation System - East Side Phase 1 Consulting Services project (original contract price was $3,959,599; total contract price with this amendment is $7,674,363).
CIP/DID #331001-02

EnvisionCR Element/Goal: ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

Background: The Flood Control System (FCS) initiative currently has two main consultants, HR Green on the west side of the Cedar River and Stanley Consultants on the east side of the Cedar River. The initial contracts for both were prepared approximately 9 months before the adoption of the FCS Master Plan. Because the FCS Master Plan did not exist at the time Stanley's initial contract was written, all the work after the FCS Master Plan was roughly and generically written. The contract simply stated final design would be done for one segment of the west side system and be completed by June 30, 2016. The contract was intended to be amended occasionally for both additional scope and duration during the next 3-5 years as specific project needs were developed. Stanley Consultants has been performing services adequately in accordance with current contract terms and has accelerated work to the point the initial funds and services have been fully expended. An amendment is necessary now to continue services.

Amendment No. 1: With the adoption of the FCS Master Plan and the subsequent development of a 5-year CIP plan, the scope of services can be specifically written as to details of bid packages Stanley Consultants will prepare for 2016 and 2017 construction seasons. This amendment can be categorized in three main areas: design, environmental and construction phase services.

Design: In order for a successful implementation of the 5-year CIP, it is necessary to expand the scope to initiate several designs of varying duration to be ready for each year's construction needs. Design work in the amendment is predominantly in the NewBo and Sinclair neighborhoods, with lesser work at the Tree of Five Seasons Park, and verification of CRST floodwall compliance with Army Corps Standards.

Environmental: Coordination and permitting with State Historical Preservation Office (SHPO), US Army Corps of Engineers and Iowa DNR on two archaeological sites north of the Sinclair site and an asbestos contamination clean-up on the Sinclair site. Physical recovery of the archaeological artifacts and clearing of the sites are included.

Construction: In addition, all levees, walls and gate construction will need to be accredited in the future by FEMA and US Army Corps of Engineers. This amendment includes construction phase services for the Stanley team to provide necessary inspection and testing of the levee, wall, and pump station construction in order to provide documentation and certifications that will achieve said accreditation.

Timeframe: This contract amendment will include services into first quarter of 2018, when construction closeout on the Parking Lot 44 pump station and Sinclair levee is anticipated. A future amendment within Amendment #1 service period is anticipated to initiate designs for 2018 and 2019 construction seasons.

This amendment includes a 3% escalation of rates in the original contract.

Action / Recommendation: The Public Works Department Recommends approval of Cedar Rapids Flood Mitigation System - East Side Phase 1 Contract Amendment No. 1

Alternative Recommendation: Abbreviate the amendment to consummate only current initiated designs in the NewBo and Sinclair neighborhoods, along with associated construction phase services, and re-initiate the consultant selection process for additional east side FCS design.

Time Sensitivity: High. Services will have to be suspended without an amendment.

Resolution Date: May 10, 2016

Budget Information: GRI, CDBG

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

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331001-02

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Stanley Consultants, Inc. is currently under contract for designing the east side Flood Control System projects, and

WHERAS, the initial contract included services through design of one segment of the Flood Control System through June 30, 2016 and included no construction administration services necessary to certify the current construction projects for FEMA and US Army Corps of Engineers accreditation, and

WHEREAS, the Flood Control Program Manager recommends extending Stanley Consultants contract to include design efforts for multiple construction contracts though the 2017 construction season and associated construction phase services, along with associated and necessary construction phase services to certify said construction on the east side of the Cedar River,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 1 to the engineering consultant agreement with Stanley Consultants, Inc. in the amount of $3,714,764 for the Cedar Rapids Flood Mitigation System – East Side Phase 1 Consulting Services (Contract No. 331001-02). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	$3,959,599
Amendment No. 1	$3,714,764
Amended Contract Amount	$7,674,363

General ledger coding for this amendment to be as follows:

Fund 331, Dept ID 331100 Project 3316409	CDBG	$1,590,284
Fund 331, Dept ID 331100 Project 3313400	GRI	$70,751
Fund 331, Dept ID 331100 Project 3314400	GRI	$361,473
Fund 331, Dept ID 331100 Project 3315400	GRI	$624,010
Fund 331, Dept ID 331100 Project 3316400	GRI	$954,402
Fund 331, Dept ID 331100 Project 3317400	GRI	$113,844

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Rob Davis, PE **Phone Number/Extension:** 5808
E-mail Address: robd@cedar-rapids.org

Alternate Contact Person: Jen Winter, PE **Phone Number/Extension:** 5803
E-mail Address: j.winter@ceda-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution awarding and approving contract in the amount of $5,950,000, plus Alternate Bid of $0, bond and insurance of Williams Brothers Construction, Inc. for the NewBo/Parking Lot 44 Pump Station at 10th Ave SE project (estimated cost is $7,000,000).
CIP/DID #3316510-10

EnvisionCR Element/Goal: ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

Background:

Williams Brothers Construction, Inc., Peoria, IL		
	Base Bid	$5,950,000
	Alternate Bid	$No Change
	Total Award	$5,950,000
Tricon General Construction, Cedar Rapids, IA		
	Base Bid	$5,963,663
	Alternate Bid	$ 92,225
	Total Base Bid + Alternate Bid	$6,055,888
Iowa Bridge & Culvert, LC, Washington, IA		
	Base Bid	*$6,834,680
	Alternate Bid	$ - 350,000
	Total Base Bid + Alternate Bid	*$6,484,680
WRH, Inc., Amana, IA		
	Base Bid	$8,051,290
	Alternate Bid	$-2,000,000
	Total Base Bid + Alternate Bid	$6,051,290

*'Addition error found in bid

Williams Brothers Construction, Inc. submitted the lowest of the bids received on April 6, 2016 for the NewBo/Parking Lot 44 Pump Station at 10th Ave SE project. The bid is within the approved budget. Construction work is anticipated to begin this spring and expected to be completed within 500 working days (10/15/17).

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the base bid of Iowa Bridge & Culvert, LC was corrected to be $6,816,680 for a total bid of $6,466,680 based on the unit prices submitted and the correct bid quantity totals.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of $5,950,000 plus Alternate Bid of $0, bond and insurance of Williams Brothers Construction, Inc. for the NewBo/Parking Lot 44 Pump Station at 10th Ave SE project.

Alternative Recommendation: If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after April 26, 2016 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: May 10, 2016

Budget Information: CIP No. 3316510 – GRI funded 100%

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: Yes
Explanation: Flood Control Committee

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3316510-10
7972

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on March 8, 2016 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the NewBo/Parking Lot 44 Pump Station at 10th Ave SE project (Contract No. 3316510-10) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on March 12, 2016 pursuant to which a public hearing was held on March 22, 2016, and

WHEREAS, the following bids were received, opened and announced on April 6, 2016 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on April 12, 2016:

Williams Brothers Construction, Inc., Peoria, IL		
	Base Bid	$5,950,000
	Alternate Bid	$No Change
	Total Award	$5,950,000
Tricon General Construction, Cedar Rapids, IA		
	Base Bid	$5,963,663
	Alternate Bid	$ 92,225
	Total Base Bid + Alternate Bid	$6,055,888
Iowa Bridge & Culvert, LC, Washington, IA		
	Base Bid	*$6,834,680
	Alternate Bid	$ - 350,000
	Total Base Bid + Alternate Bid	*$6,484,680
WRH, Inc., Amana, IA		
	Base Bid	$8,051,290
	Alternate Bid	$-2,000,000
	Total Base Bid + Alternate Bid	$6,051,290

*Addition error found in bid

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Iowa Bridge & Culvert, LC was corrected to be $6,816,680 for a total bid of $6,466,680, based on the unit prices submitted and the correct bid quantity totals, and

WHEREAS, general ledger coding for this public improvement shall be as follows: $5,950,000 331-331000-7972-3316510.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
3. Williams Brothers Construction, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid plus alternate bid, and award the contract to it;
4. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Williams Brothers Construction, Inc. is hereby accepted, with the inclusion of the alternate bid, and the contract for this public improvement is hereby awarded to Williams Brothers Construction, Inc.
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Pat Wieneke **Phone Number/Extension:** 5848
E-mail Address: p.wieneke@cedar-rapids.org

Alternate Contact Person: Jason Junk **Phone Number/Extension:** 5724
E-mail Address: j.junk@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Authorizing Change Order No. 1 Final in the amount of $5,112.44 with Eastern Iowa Excavating & Concrete, LLC for the 1st Avenue East & 12th Street SE Sidewalk and Curb Repair project (original contract amount was $40,483.00; total contract amount with this amendment is $44,095.44).
CIP/DID #301937-00

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background: This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted base on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The 6" driveway item replaced a portion of the 4" sidewalk that was not originally in the plans. Frost protection was needed for an entrance door to Zio Johno's. The plastic edge restraint was needed to properly secure the brick pavers.

Action/Recommendation: The Public Works Department recommends approval of Change Order No. 1 Final submitted by Eastern Iowa Excavating & Concrete, LLC.

Alternative Recommendation: If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: 301937

Local Preference Policy: NA

Explanation: This project is a Public Improvement Project and as such per State Code the City is required to award the construction contract to the lowest responsive, responsible bidder. The Buy Local policy does not apply in this situation

Recommended by Council Committee: NA

Explanation: NA

ENG
FIN
CLK
AUD FILE
301937-00

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 1 Final in the amount of $5,112.44 with Eastern Iowa Excavating & Concrete, LLC for the 1st Avenue East & 12th Street SE Sidewalk and Curb Repair project, Contract No. 301937-00. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	$38,983.00
Original Incentive Value	1,500.00
Change Order No. 1	5,112.44
Removal of Original Incentive	-1,500.00
Amended Contract Amount	$44,095.44

General ledger coding for this Change Order to be as follows: $5,112.44 301-301000-301937

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons

1ST AVENUE EAST AND 12TH STREET SE
SIDEWALK AND CURB REPAIR

N

0 FEET 100

Cadd File Name: W:\PROJECTS\CIP\301\301937\301937 Council Map.dwg

301937

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen **Phone Number/Extension:** 5807
E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Doug Wilson **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Purchase Agreement in the amount of $8,500 and accepting an easement for retaining wall and a temporary grading easement for construction from Dorothy Beardsley from land located at 1600 11th Street NW in connection with the O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard **(Paving for Progress)**.
CIP/DID #3012121-00

EnvisionCR Element/Goal: ConnectCR Goal 1: Provide choices for all transportation users: inter- and intra-city.

Background: These easements are required to accommodate the proposed O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard project. The project will utilize the Complete Streets Policy to develop a multimodal corridor and is funded by the Local Option Sales Tax (LOST), approved for maintenace, repair, and reconstruction of City streets. Compensation amounts proposed are based on comparable land sales in the area provided by a qualified appraiser.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of $8,500 and accepting an easement for retaining wall and a temporary grading easement for construction from Dorothy Beardsley.

Alternative Recommendation: Do not proceed with acquiring the proposed easements and direct City staff to abandon or reconfigure the O Avenue NW Reconstruction project.

Time Sensitivity: Normal
Resolution Date: May 10, 2016
Budget Information: 301/3010000/3012121 LOST
Local Preference Policy: NA
Explanation: Local Preference Policy does not apply to the acquisition of easements.
Recommended by Council Committee: NA
Explanation: NA

ENG
FIN
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AUD FILE
3012121-00
7970

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an easement for retaining wall and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Dorothy Beardsley, 1600 11th Street NW, Cedar Rapids, Iowa 52405, OWNER of the real property known and described as:

See Attached Permanent Easement Exhibit

has agreed to convey the necessary easement for retaining wall and a temporary grading easement for construction at 1600 11th Street NW to the City of Cedar Rapids for consideration as follows:

Permanent Easement	$3,634
Temporary Easement	$1,166
Damages	$3,700
TOTAL	$8,500

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the easement for retaining wall and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard (Fund 301, Dept. ID 3010000, Project 3012121 LOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the easement for retaining wall be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Prepared by Jody Budde, 3950 River Ridge Drive NE, Suite A, Cedar Rapids, IA 52402 Phone: 319-365-9565

PERMANENT EASEMENT EXHIBIT

PERMANENT RETAINING WALL EASEMENT BEING CONVEYED TO THE CITY OF CEDAR RAPIDS
O AVENUE IMPROVEMENTS
PARCEL 173
CITY CONTRACT NO. 3012121-01

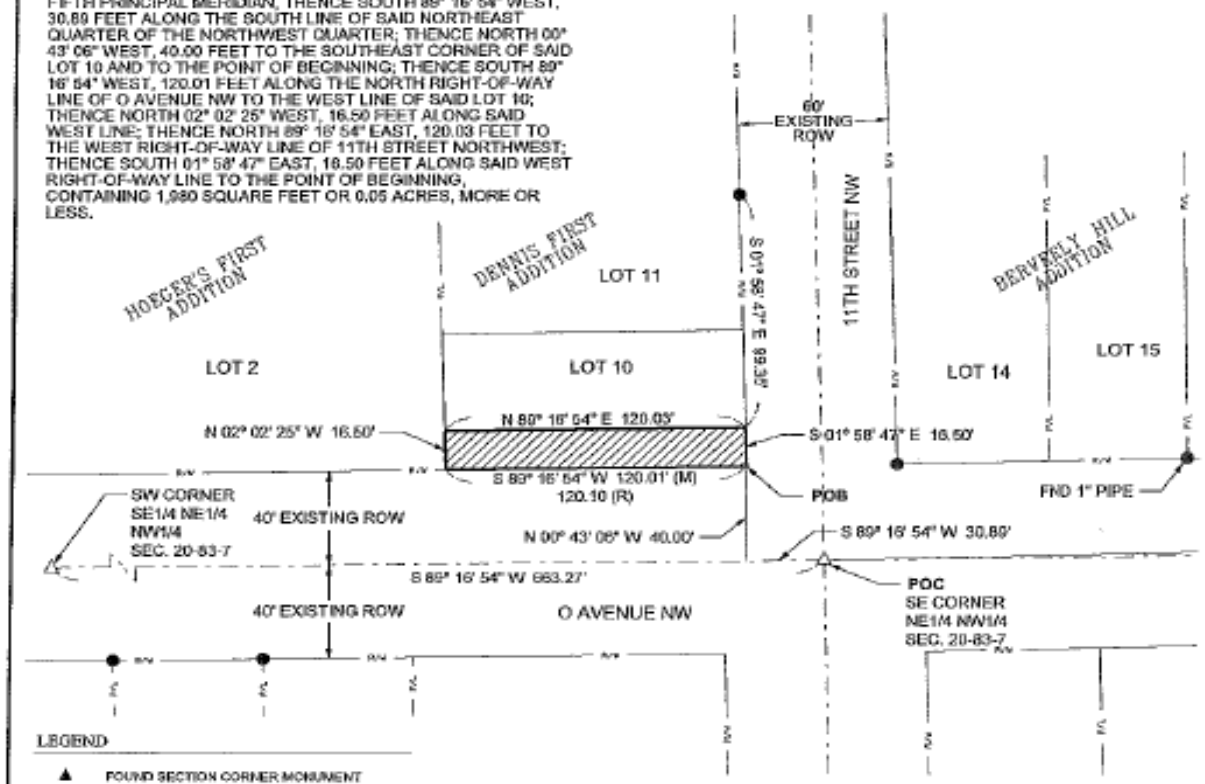
PROPERTY OWNER:
BEARDSLEY, DOROTHY
1600 11TH ST NW
CEDAR RAPIDS, IA 52405
BOOK 4075, PAGE 565

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN LOT 10 OF DENNIS FIRST ADDITION, AS RECORDED IN BOOK 8, PAGE 340 OF THE LINN COUNTY RECORDER'S OFFICE, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, THENCE SOUTH 89° 16' 54" WEST, 30.89 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 00° 43' 06" WEST, 40.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10 AND TO THE POINT OF BEGINNING; THENCE SOUTH 89° 16' 54" WEST, 120.01 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF O AVENUE NW TO THE WEST LINE OF SAID LOT 10; THENCE NORTH 02° 02' 25" WEST, 16.50 FEET ALONG SAID WEST LINE; THENCE NORTH 89° 16' 54" EAST, 120.03 FEET TO THE WEST RIGHT-OF-WAY LINE OF 11TH STREET NORTHWEST; THENCE SOUTH 01° 58' 47" EAST, 16.50 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 1,980 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.

NOTE: MONUMENTS SHOWN TO BE SET WILL BE ESTABLISHED AFTER CONSTRUCTION IS COMPLETED



LEGEND

- ▲ FOUND SECTION CORNER MONUMENT
- △ SET SECTION CORNER MONUMENT
- ● FOUND 1/2" IRON ROD (UNLESS NOTED)
- ○ SET 5/8" REROD W/PINK CAP#22647 (UNLESS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORDED DIMENSION
- SECTION LINE
- R/W RIGHT-OF-WAY LINE
- EASEMENT LINE
- P/L PROPERTY LINE
- CENTERLINE
- EXISTING LOT LINE
- PERMANENT EASEMENT

FIELD SURVEY COMPLETED: NOVEMBER 2014

LICENSED PROFESSIONAL LAND SURVEYOR JODY A. BUDDE 22647 IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

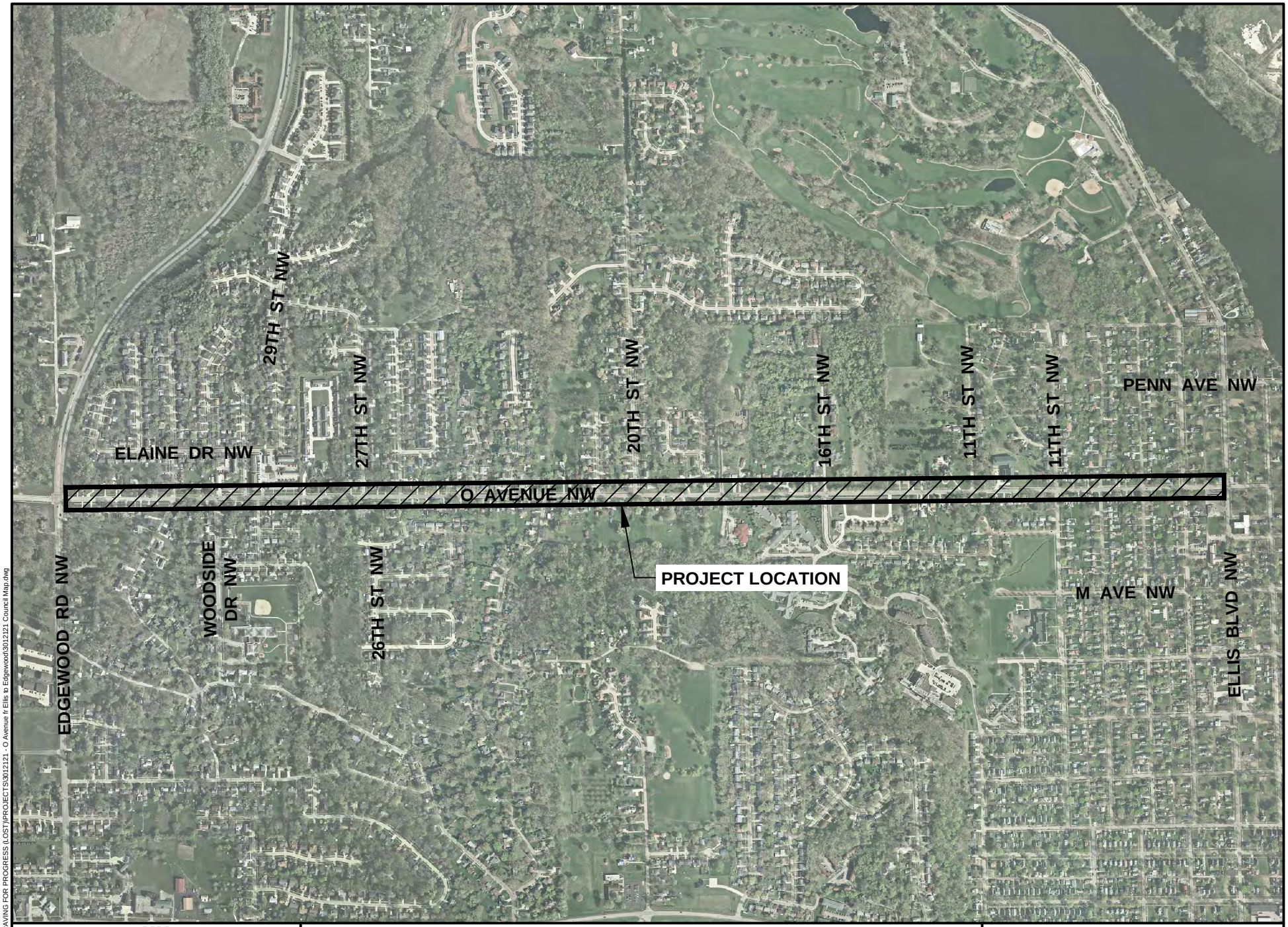
4-26-2016
JODY A. BUDDE, L.S. DATE
License Number: 22647
My license renewal date is DECEMBER 31, 2016.
Pages or sheets covered by this seal: 1 of 1

SURVEY FOR:
CITY OF CEDAR RAPIDS
500 15TH AVENUE SW
CEDAR RAPIDS, IA 52404
PHONE: (319) 286-5802

FOTH PROJECT NO. 14C001-05 DATE: 2/23/2016

Foth
Foth Infrastructure & Environment, LLC
3950 River Ridge Drive NE, Suite A
Cedar Rapids, IA 52402
Phone: 319-365-9565 Fax: 319-365-9631

SHEET
1 OF 1



CEDAR RAPIDS
City of Five Seasons

O AVENUE NW ROADWAY IMPROVEMENTS
FROM EDGEWOOD ROAD TO ELLIS BOULEVARD

N

0 FEET 1000

Caddl File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012121 - O Avenue fr Ellis to Edgewood\3012121 Council Map.dwg

3012121

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen **Phone Number/Extension:** 5807
E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Doug Wilson **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Purchase Agreement in the amount of $2,200 and accepting an easement for retaining wall and a temporary grading easement for construction from Kevin Rolfs from land located at 1326 O Avenue NW in connection with the O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard **(Paving for Progress)**.
CIP/DID #3012121-00

EnvisionCR Element/Goal: ConnectCR Goal 1: Provide choices for all transportation users: inter- and intra-city.

Background: These easements are required to accommodate the proposed O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard. The project will utilize the Complete Streets Policy to develop a multimodal corridor and is funded by the Local Option Sales Tax (LOST), approved for maintenace, repair, and reconstruction of City streets. Compensation amounts proposed are based on comparable land sales in the area provided by a qualified appraiser.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of $2,200 and accepting an easement for retaining wall and a temporary grading easement for construction from Kevin Rolfs.

Alternative Recommendation: Do not proceed with acquiring the proposed easements and direct City staff to abandon or reconfigure the O Avenue NW Reconstruction project.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: 301/3010000/3012121 LOST

Local Preference Policy: NA
Explanation: Local Preference Policy does not apply to the acquisition of easements.

Recommended by Council Committee: NA
Explanation: NA

ENG
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AUD FILE
3012121-00
7970

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for an easement for retaining wall and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Kevin Rolfs, 1326 O Avenue NW, Cedar Rapids, Iowa 52405, OWNER of the real property known and described as:

See Attached Permanent Easement Exhibit

has agreed to convey the necessary easement for retaining wall and a temporary grading easement for construction at 1326 O Avenue NW to the City of Cedar Rapids for consideration as follows:

Permanent Easement	$1,250
Temporary Easement	$950
TOTAL	$2,200

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the easement for retaining wall and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard (Fund 301, Dept. ID 3010000, Project 3012121 LOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED, that the easement for retaining wall be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Prepared by Jody Budde, 3960 River Ridge Drive NE, Suite A, Cedar Rapids, IA 52402 Phone: 319-365-9565

PERMANENT EASEMENT EXHIBIT

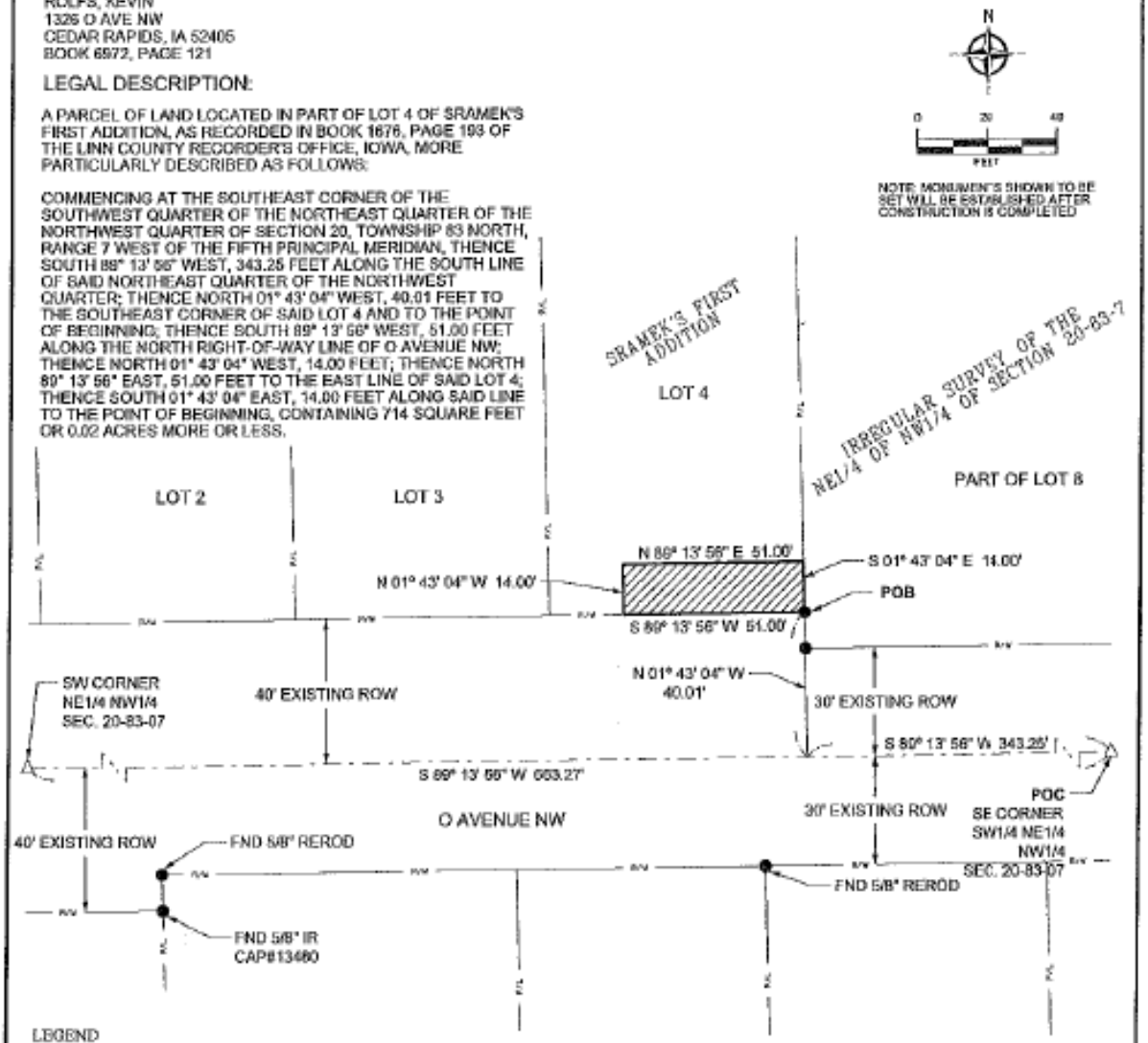
PERMANENT RETAINING WALL EASEMENT BEING CONVEYED TO THE CITY OF CEDAR RAPIDS
O AVENUE IMPROVEMENTS
PARCEL 179
CITY CONTRACT NO. 3012121-01

PROPERTY OWNER:
ROLFS, KEVIN
1326 O AVE NW
CEDAR RAPIDS, IA 52405
BOOK 6973, PAGE 121

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN PART OF LOT 4 OF SRAMEK'S FIRST ADDITION, AS RECORDED IN BOOK 1676, PAGE 193 OF THE LINN COUNTY RECORDER'S OFFICE, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, THENCE SOUTH 88° 13' 56" WEST, 343.25 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 01° 43' 04" WEST, 40.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4 AND TO THE POINT OF BEGINNING; THENCE SOUTH 89° 13' 56" WEST, 51.00 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF O AVENUE NW; THENCE NORTH 01° 43' 04" WEST, 14.00 FEET; THENCE NORTH 89° 13' 56" EAST, 51.00 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 01° 43' 04" EAST, 14.00 FEET ALONG SAID LINE TO THE POINT OF BEGINNING, CONTAINING 714 SQUARE FEET OR 0.02 ACRES MORE OR LESS.



LEGEND

- ▲ FOUND SECTION CORNER MONUMENT
- △ SET SECTION CORNER MONUMENT
- ● FOUND 1/2" REROD (UNLESS NOTED)
- O SET 5/8" REROD W/PINK CAP#22847 (UNLESS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORDED DIMENSION
- SECTION LINE
- R/W RIGHT-OF-WAY LINE
- EASEMENT LINE
- P/L PROPERTY LINE
- PERMANENT EASEMENT

FIELD SURVEY COMPLETED: NOVEMBER 2014

LICENSED PROFESSIONAL LAND SURVEYOR JODY A. BUDDE 22847 IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

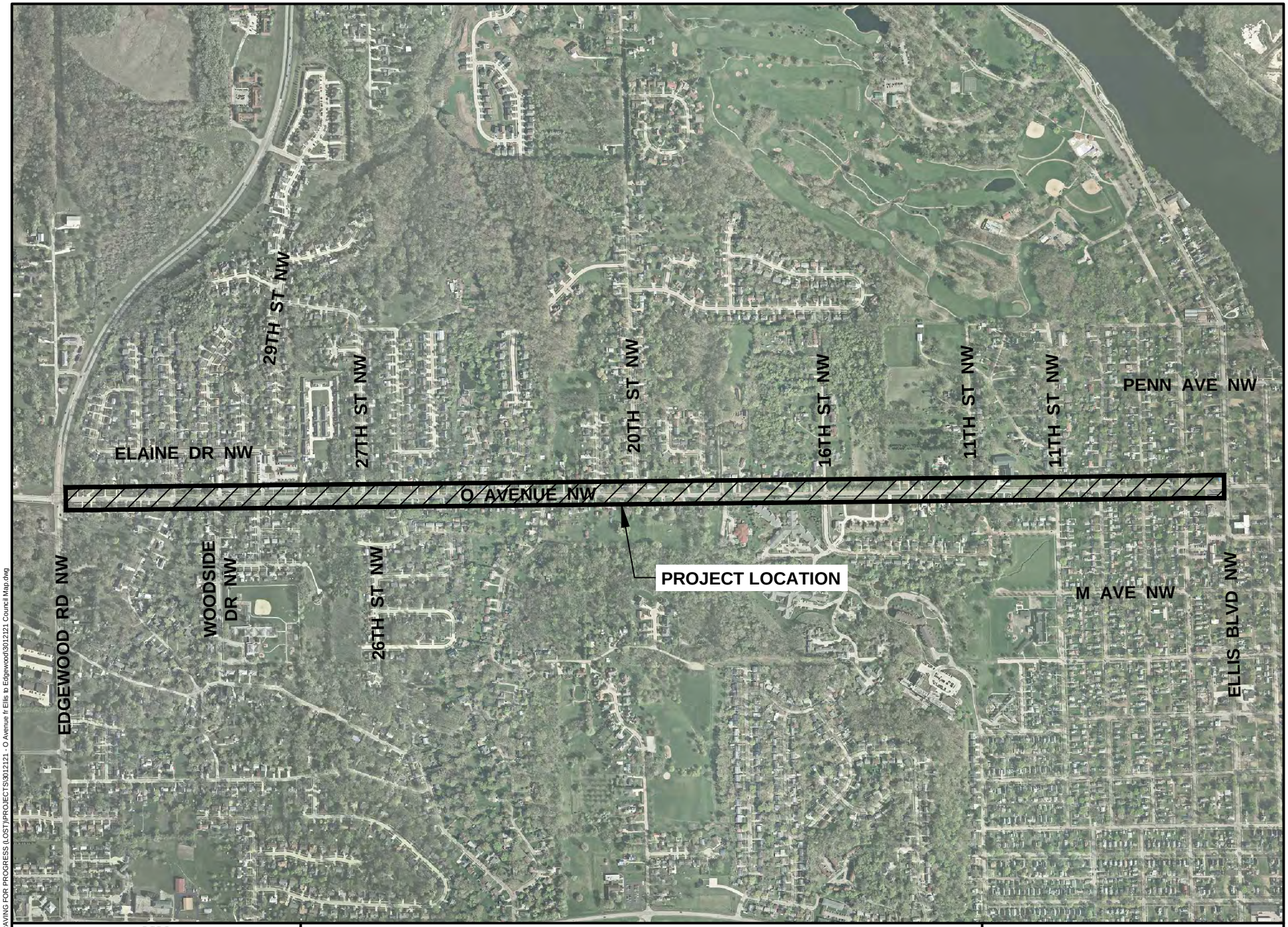
4-26-2016
JODY A. BUDDE, L.S. DATE
License Number: 22847
My license renewal date is DECEMBER 31, 2016.
Pages or sheets covered by this seal: 1 OF 1

SURVEY FOR:
CITY OF CEDAR RAPIDS
500 15TH AVENUE SW
CEDAR RAPIDS, IA 52404
PHONE: (319) 286-5802

FOTH PROJECT NO. 14C001-05 DATE: 2/23/2016

Foth
Foth Infrastructure & Environment, LLC
3960 River Ridge Drive NE, Suite A
Cedar Rapids, IA 52402
Phone: 319-365-9565 Fax: 319-365-0531

SHEET
1 OF 1



CEDAR RAPIDS
City of Five Seasons

O AVENUE NW ROADWAY IMPROVEMENTS
FROM EDGEWOOD ROAD TO ELLIS BOULEVARD

N

0 FEET 1000

Caddl File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012121 - O Avenue fr Ellis to Edgewood\3012121 Council Map.dwg

3012121

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen **Phone Number/Extension:** 5807
E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Douglas Wilson **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Purchase Agreement in the amount of $2,501 and accepting a Warranty Deed for right-of-way and a temporary grading easement for construction from the Cedar Rapids Community School District from land located at 4343 Marilyn Drive NE in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project **(Paving for Progress)**.
CIP/DID #3012092-00

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background: The right-of-way acquisition and temporary easement from the Cedar Rapids Community School District is required to accommodate a proposed sidewalk ramp at the corner of 42nd Street NE and Northwood Drive NE for this project. The project consists of replacing 42nd Street NE pavement from Wenig Road to I-380, storm and sanitary improvements, and water main rehabilitation from Northwood Drive to I-380. Compensation amounts proposed for the right-of-way are based on comparable land sales in the area.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of $2,501 and accepting a warranty deed and temporary easement document required from the Cedar Rapids Community School District.

Alternative Recommendation: Do not proceed with acquiring the proposed right-of-way and temporary easement and direct City staff to abandon or reconfigure the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project.

Time Sensitivity: Normal
Resolution Date: May 10, 2016
Budget Information: 301/3010000/3012092 SLOST
Local Preference Policy: NA
Explanation: Local Preference Policy does not apply to the acquistion of right-of-way.
Recommended by Council Committee: NA
Explanation: NA

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3012092-00
7970

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need for right-of-way and temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, The Cedar Rapids Community School District, 4343 Marilyn Drive NE, Cedar Rapids, IA, OWNER, of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 4343 Marilyn Drive NE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	$1
Temporary Easement	$0
Transaction Fee	$2,500
TOTAL	$2,501

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation Project (Fund 301, Dept ID 3010000, Project 3012092 SLOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Groundwater Hazard Statement from the Cedar Rapids Community School District be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

ACQUISITION PLAT

PART OF LOT 20, AUDITOR'S PLAT #104, AND PART OF THE SE1/4 SE1/4 OF SECTION 5, TOWNSHIP-83-NORTH, RANGE-7-WEST OF THE 5TH P.M., LINN COUNTY, IOWA

Prepared by R. Rodney Klien
Anderson-Bogert Engineers & Surveyors, Inc.
4001 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402 (319) 377-4629

0 40

NOTES:
1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.

2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE

PROPRIETOR:
CEDAR RAPIDS COMMUNITY SCHOOL DISTRICT
GPN: 14045-53011-00000

Legal Description

PART OF LOT 20, AUDITOR'S PLAT #104, AND PART OF THE SE1/4 SE1/4 OF SECTION 5, TOWNSHIP-83-NORTH, RANGE-7-WEST OF THE 5TH P.M., LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

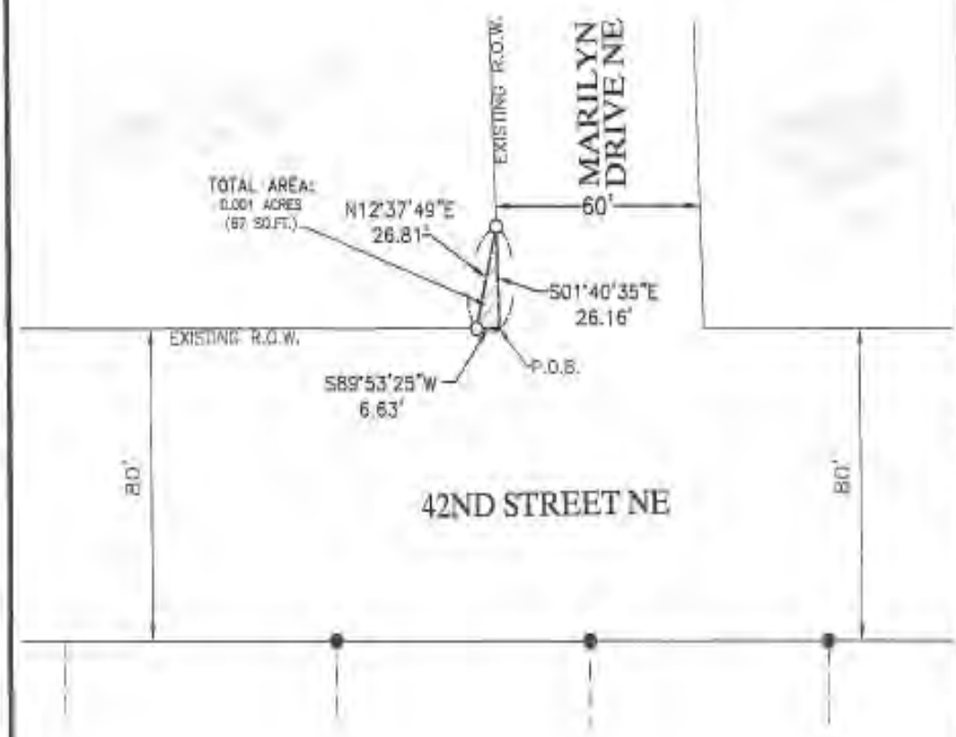
BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 42ND STREET NE AND THE WEST RIGHT-OF-WAY LINE OF MARILYN DRIVE NE;

THENCE S89°53'25"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 6.63 FEET;

THENCE N12°37'49"E, 26.81 FEET TO THE WEST RIGHT-OF-WAY LINE OF MARILYN DRIVE NE;

THENCE S01°40'35"E ALONG SAID WEST RIGHT-OF-WAY LINE, 26.16 FEET TO THE POINT OF BEGINNING CONTAINING 0.001 ACRES (67 SQ.FT.) MORE OR LESS.

SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.



Legend

Boundary Line	
Adjoining Lot Line	
Section Line	
Building Setback Line	
Found 1/2" Rebar (Unless Noted)	●
Set ½"x30" Rebar w/Orange Cap #18646	○
Set Section/Quarter Corner	△
Found Section/Quarter Corner	▲
Measured	(M)
Record	
Acquisition	

PROFESSIONAL LAND SURVEYOR
R. RODNEY KLIEN
18646
IOWA

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: 11-12-15 DATE:
R. RODNEY KLIEN, PROF. LAND SURVEYOR
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2015
PAGES OR SHEETS COVERED BY THIS SEAL:
THIS SHEET

ACQUISITION PLAT
Project Number: 215079

4343 MARILYN DRIVE NE

Drawn by: MAS Approved by: RRK
Date: 11/12/15 Scale: 1"=40'
Field Book # 174

CEDAR RAPIDS COMMUNITY SCHOOLS

client

ANDERSON BOGERT

Sheet No.
1
of 1

T:\ACAD\215079\DWG\easement plats\4343 marilyn dr.dwg 11-12-15 11:13:26 AM MLS287

CEDAR RAPIDS
City of Five Seasons

42ND STREET NE FROM INTERSTATE 380 TO WENIG ROAD IMPROVEMENTS PROJECT

N

0 FEET 400

3012092

Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012092 - 42nd St I-380 to Wenig NE\3012092 Council Map.dwg

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen **Phone Number/Extension:** 5807
E-mail Address: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Gary Petersen **Phone Number/Extension:** 5153
E-mail Address: g.petersen@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements
Resolution authorizing execution of a Total Real Estate Acquisition Purchase Agreement in the amount of $141,000, plus an amount estimated to be $46,000 in relocation benefits to Juan M. Trevino, Jr. and Holly L. Trevino, and accepting a warranty deed for property located at 4509 C Avenue NE, in connection with the Collins Road (IA 100) from Council Street NE to 1st Avenue project.
CIP/DID #301446-00

EnvisionCR Element/Goal: ConnectCR Goal 5: Support the development of an effective, regional, multimodal transportation system.

Background: In 1999, the City Council adopted the Collins Road Corridor Study. This document has become the basis for:

1) Phase I improvements currently under construction on 1st Avenue East from 40th Street to Tama Street, and Collins Road NE from Twixt Town Road NE to Commerce Way SE.
2) Environmental Assessment (EA) for the Phase I segment, plus Collins Road from Center Point Road to Twixt Town Road. The Environmental Assessment included improvements to C Avenue NE from Collins Road to Nilsen Road (south of Old Marion Road) and the Environmental Assessment was approved by the Federal Highway Administration in December 2009.
3) Adjacent coordination of development/redevelopment of adjoining parcels.
4) Grant funding applications and approval of Agreements.
5) Revenue funding in multiple fiscal year Capital Improvement Program budgets since completion of Collins Road Corridor Study in 1999.

This purchase is needed to accommodate the proposed Collins Road (IA 100) roadway improvements, including the installation of sidewalks, street paving and utility extensions, including the improvements along C Avenue NE from Collins Road to Nilsen Road. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and/or a review appraiser's recommendation hired by the City. The relocation benefits are based on a replacement housing payment, moving and incidental expenses estimated to be $46,000 as required per the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Public Law 91-646).

Alternative Recommendation: The Public Works Department recommends adopting the resolution authorizing the offer to purchase and the execution of a Total Real Estate Acquisition Purchase Agreement from Juan M. Trevino, Jr. and Holly L. Trevino in the amount of $141,000, plus an amount estimated to be $46,000 in relocation benefits.

Time Sensitivity: Normal

Resolution Date: May 10, 2016

Budget Information: 301/301000/301446 NA

Local Preference Policy: NA
Explanation: Local Preference Policy does not apply to the acquistion of right-of-way.

Recommended by Council Committee: NA
Explanation: NA

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301446-00

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Public Works Director has determined the need to acquire the property at 4509 C Avenue NE, Cedar Rapids, Iowa 52402 from Juan M. Trevino, Jr. and Holly L. Trevino, OWNERS, in association with the Collins Road (IA 100) from Council Street NE to 1st Avenue project, and

WHEREAS, the OWNERS have agreed to convey 4509 C Avenue NE by Warranty Deed to the City of Cedar Rapids for consideration of $141,000, and

WHEREAS, the Public Works Department provided Relocation Assistance to the OWNERS in an amount estimated to be $46,000, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the property and provide relocation assistance in accordance with the terms set forth in the Total Real Estate Acquisition Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Collins Road (IA 100) from Council Street NE to 1st Avenue project (Fund 301, Dept ID 301000, Project 301446 NA),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Total Real Estate Acquisition Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the City Attorney is authorized to review the abstract of title and upon approval by the City Attorney, the Public Works Department shall finalize the transaction and the City of Cedar Rapids Finance Director be authorized to issue payment(s) necessary in the amount of $141,000, plus relocation benefits estimated to be $46,000 to Juan M. Trevino, Jr. and Holly L. Trevino, Linn County Treasurer and lien holders, if applicable.

BE IT FURTHER RESOLVED that the Warranty Deed from Juan M. Trevino, Jr. and Holly L. Trevino be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons

PROPERTY ACQUISITION
4509 C AVENUE NE

N

0 FEET 125

Cadd File Name: W:\PROJECTS\CIP\2013\301446\301446 C Ave NE Property Exhibit.dwg

301446

Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Amanda Vande Voorde **Phone Number/Ext.:** 319-286-5817
E-mail Address: a.vandevoorde@cedar-rapids.org

Alternate Contact Person: Paula Mitchell **Phone Number/Ext.:** 319-286-5852
E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing execution of Development Agreement and Special Warranty Deed with Scallon Custom Homes, L.L.C. for City-owned property at 211 10th Avenue SW participating in the fourth round of the Single Family New Construction program (**FLOOD**).
CIP/DID #OB540257

EnvisionCR Element/Goal: StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

Background: The resolution for City Council consideration provides for the execution of Development Agreement and deed with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The property has been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreement and deed to allow construction on the home to begin. To date, 83 such agreements and deeds for City-owned property have been executed for the fourth round of the ROOTs program.

Highlights of the terms and conditions contained in the Development Agreements are as follows:

a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
b. Developer agrees to commence construction within 30 days of the execution of the Development Agreement, and complete all projects by September 30, 2016;
c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
d. Developer is responsible for maintaining the property in accordance with all City and State codes;
e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

On March 12, 2015, by Resolution No. 0336-03-15, the City Council approved Amendment No. 2 to the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The modifications to the administrative plan allow for development in Tiers 1, 2, and 3 under the following circumstances:

- Builders will be eligible to be allocated a maximum of 1 unit outside Tier 1 for every unit they have constructed in a previous program round. Actual allocation outside Tier 1 will be subject to application review and funding availability.
- Shovel readiness will receive scoring consideration.
- The order of priority for allocation will be lots in Tier 1, followed by lots in Tier 2, with lots in Tier 3 receiving the lowest point value for location.
- Ongoing process for reallocation of lots that do not move forward to ensure full expenditure of grant resources.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives evaluated the proposals based on:

- financial and performance capacity;
- experience with projects of similar scope;
- architectural design;
- compatibility with the existing neighborhood;
- green building practices; and
- marketing plan.

A total of 186 properties have been identified by 21 developers in the current phase of property allocation for this program.

Action/Recommendation: City staff recommends approval of the resolution

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

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OB540257
OB377545

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC), and

WHEREAS, the guidelines adopted in the administrative plan for the Single Family New Construction (SFNC) program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area, and

WHEREAS, the City purchased property at 211 10th Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

WHEREAS, a public hearing was held on February 25, 2014 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council has determined that the private investment made by the Developer to construct a single-family dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Scallon Custom Homes, L.L.C.

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property at 211 10th Avenue SW to Scallon Custom Homes, L.L.C. in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Amanda Vande Voorde **Phone Number/Ext.:** 319-286-5817
E-mail Address: a.vandevoorde@cedar-rapids.org

Alternate Contact Person: Paula Mitchell **Phone Number/Ext.:** 319-286-5852
E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing execution of Development Agreements with NewBo Development Group LLC for properties at 2204 Tranquil Court NW, 2206 Tranquil Court NW, 2208 Tranquil Court NW, 2210 Tranquil Court NW, and 2212 Tranquil Court NW participating in the third round of the Single Family New Construction Program (**FLOOD**).
CIP/DID #OB540257

EnvisionCR Element/Goal: StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

Background: The resolution for City Council consideration provides for the execution of Development Agreements with the above listed developer and associated properties through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreements to allow construction on the homes to begin. To date, 31 such agreements for privately-owned property have been executed for the third round of the ROOTs program.

Highlights of the terms and conditions contained in the Development Agreements are as follows:

a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
b. Developer agrees to commence construction within 30 days of the execution of the Development Agreements, and complete all projects by September 30, 2016;
c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
d. Developer is responsible for maintaining the property in accordance with all City and State codes;
e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third round of the Single Family New Construction Program (SFNC). The guidelines adopted in the administrative plan for the SFNC program limits redevelopment sites to private and City owned lots. The City believes that the redevelopment of the Development Properties are in the best interests of the City and in accord with the public purposes and provisions of the applicable State and local laws and requirements under which the foregoing project has been undertaken and is being assisted.

A total of 216 properties have been identified by 23 developers in the third round of property allocation for this program.

Action/Recommendation: City staff recommends approval of the resolution

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third round of the Single Family New Construction Program (SFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the SFNC program limits redevelopment sites to private and City owned lots; and

WHEREAS, the Developer agrees to construct single-family units on privately-owned property at 2204 Tranquil Court NW, 2206 Tranquil Court NW, 2208 Tranquil Court NW, 2210 Tranquil Court NW, and 2212 Tranquil Court NW, for which the City will provide down payment assistance to the home buyer(s) upon purchase through the SFNC program; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreements which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreements with NewBo Development Group LLC for properties at 2204 Tranquil Court NW, 2206 Tranquil Court NW, 2208 Tranquil Court NW, 2210 Tranquil Court NW, and 2212 Tranquil Court NW.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Amanda Vande Voorde **Phone Number/Ext.:** 319-286-5817
E-mail Address: a.vandevoorde@cedar-rapids.org

Alternate Contact Person: Paula Mitchell **Phone Number/Ext.:** 319-286-5852
E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA
Resolution authorizing execution of Development Agreements with NewBo Development Group LLC for properties at 2214 Tranquil Court NW, 2216 Tranquil Court NW, 2218 Tranquil Court NW, 2220 Tranquil Court NW, and 2222 Tranquil Court NW, participating in the fourth round of the Single Family New Construction Program **(FLOOD).**
CIP/DID #OB540257

EnvisionCR Element/Goal: StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

Background: The resolution for City Council consideration provides for the execution of Development Agreements with the above listed developer and associated properties through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The City and developer are ready to execute the Development Agreements to allow construction on the homes to begin. To date, 91 such agreements for privately-owned property have been executed for the fourth round of the ROOTs program.

Highlights of the terms and conditions contained in the Development Agreements are as follows:

a. Developer agrees to commence construction within 30 days of the execution of the Development Agreements, and complete construction by September 30, 2016;
b. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
c. Developer is responsible for maintaining the property in accordance with all City and State codes;
d. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

On March 12, 2015, by Resolution No. 0336-03-15, the City Council approved Amendment No. 2 to the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The modifications to the administrative plan allow for development in Tiers 1, 2, and 3 under the following circumstances:

- Builders will be eligible to be allocated a maximum of 1 unit outside Tier 1 for every unit they have constructed in a previous program round. Actual allocation outside Tier 1 will be subject to application review and funding availability.
- Shovel readiness will receive scoring consideration.
- The order of priority for allocation will be lots in Tier 1, followed by lots in Tier 2, with lots in Tier 3 receiving the lowest point value for location.
- Ongoing process for reallocation of lots that do not move forward to ensure full expenditure of grant resources.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives evaluated the proposals based on:

- financial and performance capacity;
- experience with projects of similar scope;
- architectural design;
- compatibility with the existing neighborhood;
- green building practices; and
- marketing plan.

A total of 187 properties have been identified by 21 developers in the current phase of property allocation for this program.

Action/Recommendation: City staff recommends approval of the resolution

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity:

Resolution Date:

Budget Information:

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: (Click here to select)
Explanation: NA

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OB377545

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth round of the Single Family New Construction Program (SFNC); and

WHEREAS, on April 12, 2015, the City Council passed Resolution 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct single-family units on privately-owned property at 2214 Tranquil Court NW, 2216 Tranquil Court NW, 2218 Tranquil Court NW, 2220 Tranquil Court NW, and 2222 Tranquil Court NW, for which the City will provide down payment assistance to the home buyer(s) upon purchase through the SFNC program; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreements which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreements with NewBo Development Group LLC for properties located at 2214 Tranquil Court NW, 2216 Tranquil Court NW, 2218 Tranquil Court NW, 2220 Tranquil Court NW, and 2222 Tranquil Court NW.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Dave Wallace, PE **Phone Number/Extension:** 5814
E-mail Address: d.wallace@cedar-rapids.org

Alternate Contact Person: Garrett Prestegard, PE **Phone Number/Extension:** 5115
E-mail Address: g.prestegard@cear-rapids.org

Description of Agenda Item: REGULAR AGENDA
Report on bids and resolution awarding and approving contract in the amount of $155,005 plus incentive up to $4,000, bond and insurance of Ricklefs Excavating, Ltd. for the Beverly Road SW Culvert Replacement project (estimated cost is $206,000). (Dave Wallace)
CIP/DID #304421-02

EnvisionCR Element/Goal: ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

Background:

Connolly Construction, Inc., Peosta, IA	$157,710.95
Rathje Construction Co., Marion, IA	$158,712.00
Ricklefs Excavating, Ltd., Anamosa, IA	*$164,467.00
Peterson Contractors, Inc., Reinbeck, IA	$167,087.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	$177,970.00
Borst Brothers Construction, Inc., Marion, IA	$185,746.75
Bushman Excavating, Inc.,	$186,929.00
Lodge Construction, Inc., Clarksville, IA	$188,645.00
Minturn, Inc., Brooklyn, IA	*$202,515.20
B.G. Brecke, Inc., Cedar Rapids, IA	*$203,907.30
Horsfield Construction, Inc., Epworth, IA	$223,232.50

*Addition/Multiplication errors found in bid

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Ricklefs Excavating, Ltd. was corrected to be $155,005, based on the unit prices submitted and the correct bid quantity totals.

Ricklefs Excavating, Ltd., Anamosa, IA	$155,005.00
Incentive up to	$ 4,000.00
Total	$159,005.00

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Minturn, Inc. was corrected to be $202,164.20, based on the unit prices submitted and the correct bid quantity totals.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of B.G. Brecke, Inc. was corrected to be $8,568,371.10, based on the unit prices submitted and the correct bid quantity totals.

Ricklefs Excavating, Ltd. submitted the lowest of the bids received on April 27, 2016 for the Beverly Road SW Culvert Replacement project. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed within 25 working days.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of $155,005 plus incentive up to $4,000, bond and insurance of Ricklefs Excavating, Ltd. for the Beverly Road SW Culvert Replacement project.

Alternative Recommendation: If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after May 10, 2016 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: May 10, 2016

Budget Information: Fund 304, Dept ID 304000, Project 304421 ($249,145.60) NA
Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA

CEDAR RAPIDS
City of Five Seasons®

April 27, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the Beverly Road SW Culvert Replacement, Contract Number 304421-02

Dear City Council:

Bids were received on April 27, 2016 for the Beverly Road SW Culvert Replacement project as follows:

Connolly Construction, Inc., Peosta, IA	$157,710.95
Rathje Construction Co., Marion, IA	$158,712.00
Ricklefs Excavating, Ltd., Anamosa, IA	$164,467.00
Peterson Contractors, Inc., Reinbeck, IA	$167,087.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	$177,970.00
Borst Brothers Construction, Inc., Marion, IA	$185,746.75
Bushman Excavating, Inc.,	$186,929.00
Lodge Construction, Inc., Clarksville, IA	$188,645.00
Minturn, Inc., Brooklyn, IA	$202,515.20
B.G. Brecke, Inc., Cedar Rapids, IA	$203,907.30
Horsfield Construction, Inc., Epworth, IA	$223,232.50

The engineers cost opinion for this work is $206,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

Garrett Prestegard, P.E.
Project Engineer I

GP/cap

cc: Jennifer L. Winter, P.E. Public Works Director
Nathan Kampman, P.E., City Engineer

Public Works Department
500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653

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AUD FILE
304421-02

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on April 12, 2016 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Beverly Road SW Culvert Replacement (Contract No. 304421-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on April 16, 2016 pursuant to which a public hearing was held on April 26, 2016, and

WHEREAS, the following bids were received, opened and announced on April 27, 2016 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on May 10, 2016:

Connolly Construction, Inc., Peosta, IA	$157,710.95
Rathje Construction Co., Marion, IA	$158,712.00
Ricklefs Excavating, Ltd., Anamosa, IA	*$164,467.00
Peterson Contractors, Inc., Reinbeck, IA	$167,087.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	$177,970.00
Borst Brothers Construction, Inc., Marion, IA	$185,746.75
Bushman Excavating, Inc.,	$186,929.00
Lodge Construction, Inc., Clarksville, IA	$188,645.00
Minturn, Inc., Brooklyn, IA	*$202,515.20
B.G. Brecke, Inc., Cedar Rapids, IA	*$203,907.30
Horsfield Construction, Inc., Epworth, IA	$223,232.50

*Addition/Multiplication errors found in bid

AND WHEREAS, the instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Ricklefs Excavating, Ltd. was corrected to be $155,005, based on the unit prices submitted and the correct bid quantity totals.

Ricklefs Excavating, Ltd., Anamosa, IA	$155,005.00
Incentive up to	$ 4,000.00
Total	$159,005.00

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Minturn, Inc. was corrected to be $202,164.20, based on the unit prices submitted and the correct bid quantity totals, and

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of B.G. Brecke, Inc. was corrected to be $8,568,371.10, based on the unit prices submitted and the correct bid quantity totals, and

WHEREAS, general ledger coding for this public improvement shall be as follows: $159,005 304-304000-304421,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
3. Ricklefs Excavating, Ltd. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
4. Subject to registration with the Department of Labor, the Bid of Ricklefs Excavating, Ltd. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Ricklefs Excavating, Ltd.
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons

BEVERLY ROAD SW
CULVERT REPLACEMENT PROJECT

N

0 FEET 400

Cadd File Name: W:\PROJECTS\CIP\304\304421 Beverly Road SW Culvert\304421 Council Map.dwg

304421

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Tim Mroch, PE **Phone Number/Extension:** 5703
E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: REGULAR AGENDA
Report on bids and resolution awarding and approving contract in the amount of $1,174,134.65 plus incentive up to $50,000, bond and insurance of Dave Schmitt Construction Co., Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project (estimated cost is $1,400,000) **(Paving for Progress)** (Doug Wilson)
CIP/DID #3012111-04

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background:

Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	$1,174,134.65
Incentive up to	$ 50,000.00
Total	$1,224,134.65
Ricklefs Excavating, Ltd, Anamosa, IA	$1,277,417.34
Rathje Construction Co., Marion, IA	$1,298,192.91
Pirc-Tobin Construction, Inc., Alburnett, IA	$1,300,367.59

Dave Schmitt Construction Co., Inc. submitted the lowest of the bids received on April 27, 2016 for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed within 100 calendar days.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of $1,174,134.65 plus incentive up to $50,000, bond and insurance of Dave Schmitt Construction Co., Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project.

Alternative Recommendation: If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after May 10, 2016 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: May 10, 2016

Budget Information: 301/301000/3012111 SLOST
625/6250000/6250051-2014088

Local Preference Policy: NA
Explanation: NA
Recommended by Council Committee: NA
Explanation: NA

CEDAR RAPIDS
City of Five Seasons®

April 27, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion, Contract Number 3012111-04

Dear City Council:

Bids were received on April 27, 2016 for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project as follows:

Dave Schmitt Construction Co., Inc. Cedar Rapids, IA	$1,174,134.65
Ricklefs Excavating, Ltd, Anamosa, IA	$1,277,417.34
Rathje Construction Co., Marion, IA	$1,298,192.91
Pirc-Tobin Construction, Inc., Alburnett, IA	$1,300,367.59

The engineers cost opinion for this work is $1,400,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

Garrett Prestegard, P.E.
Project Engineer I

GP/cap

cc: Jennifer L. Winter, P.E. Public Works Director
Nathan Kampman, P.E., City Engineer

Public Works Department
500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653

ENG
CLK
FIN
AUD FILE
3012111-04
7970

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on April 12, 2016 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion (Contract No. 3012111-04) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on April 16, 2016 pursuant to which a public hearing was held on April 26, 2016, and

WHEREAS, the following bids were received, opened and announced on April 27, 2016 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on May 10, 2016:

Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	$1,174,134.65
Incentive up to	$ 50,000.00
Total	$1,224,134.65
Ricklefs Excavating, Ltd, Anamosa, IA	$1,277,417.34
Rathje Construction Co., Marion, IA	$1,298,192.91
Pirc-Tobin Construction, Inc., Alburnett, IA	$1,300,367.59

WHEREAS, general ledger coding for this public improvement shall be as follows: $1,224,134.65; $1,163,952.65 301-301000-7970-3012111, $60,182 625-625000-6250051-6252014088

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
2. Dave Schmitt Construction Co., Inc., is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Dave Schmitt Construction Co., Inc., is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Dave Schmitt Construction Co., Inc.,.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons®

7TH STREET SE FROM 4TH AVENUE SE TO 12TH AVENUE SE ROADWAY RECONSTRUCTION AND ONE-WAY TO TWO-WAY CONVERSION PROJECT

Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Doug Wilson, PE **Phone Number/Extension:** 5141
E-mail Address: d.wilson@cedar-rapids.org

Alternate Contact Person: Tim Mroch, PE **Phone Number/Extension:** 5703
E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: REGULAR AGENDA
Report on bids and resolution awarding and approving contract in the amount of $1,844,713.03 plus incentive up to $85,000, bond and insurance of Peterson Contractors, Inc. for the 1st Avenue Bridge Over Cedar River Repair Project (estimated cost is $1,765,000) **(Paving for Progress)** (Doug Wilson)
CIP/DID #305132-02

EnvisionCR Element/Goal: ConnectCR Goal 4: Improve the function and appearance of our key corridors.

Background:

Peterson Contractors, Inc., Reinbeck, IA	$1,844,713.03
Incentive up to	$ 85,000.00
Total	$1,929,713.03
Cramer & Associates, Inc., Grimes, IA	$2,091,552.03
Iowa Erosion Control, Inc., Victor, IA	*$2,177,952.59

*multiplication/addition error found in bid

Peterson Contractors, Inc. submitted the lowest of the bids received on May 4, 2016 for the 1st Avenue Bridge Over Cedar River Repair Project. The bid is within the approved budget. Construction work is expected to begin this summer and anticipated to be completed within 119 calendar days.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Iowa Erosion Control, Inc. was corrected to be $2,177,952.59, based on the unit prices submitted and the correct bid quantity totals.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of 1,844,713.03 plus incentive up to $85,000, bond and insurance of Peterson Contractors, Inc. for the 1st Avenue Bridge Over Cedar River Repair Project.

Alternative Recommendation: If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after May 10, 2016 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: May 10, 2016

Budget Information: 305/305000/305132 SLOST

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

CEDAR RAPIDS
City of Five Seasons®

May 4, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the 1st Avenue Bridge Over Cedar River Repair Project, Contract Number 305132-02

Dear City Council:

Bids were received on May 4, 2016 for the 1st Avenue Bridge Over Cedar River Repair Project as follows:

Peterson Contractors, Inc., Reinbeck, IA	$1,844,713.03
Cramer & Associates, Inc., Grimes, IA	$2,091,552.03
Iowa Erosion Control, Inc., Victor, IA	$2,178,196.99

The engineers cost opinion for this work is $1,765,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

Lee Tippe, P.E.
Project Engineer II

LJT/cap

cc: Jennifer L. Winter, P.E. Public Works Director
Nathan Kampman, P.E., City Engineer

Public Works Department
500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653

ENG
CLK
FIN
AUD FILE
305132-02
7970

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on April 12, 2016 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the 1st Avenue Bridge Over Cedar River Repair Project (Contract No. 305132-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on April 16, 2016 pursuant to which a public hearing was held on April 26, 2016, and

WHEREAS, the following bids were received, opened and announced on May 4, 2016 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on May 10, 2016:

Peterson Contractors, Inc., Reinbeck, IA	$1,844,713.03
Incentive up to	$ 85,000.00
Total	$1,929,713.03
Cramer & Associates, Inc., Grimes, IA	$2,091,552.03
Iowa Erosion Control, Inc., Victor, IA	*$2,177,952.59

*multiplication/addition error found in bid

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Iowa Erosion Control, Inc. was corrected to be $2,177,952.59, based on the unit prices submitted and the correct bid quantity totals, and

WHEREAS, general ledger coding for this public improvement shall be as follows: $1,929,713.03 305-305000-7970-305132,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
3. Peterson Contractors, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
4. Subject to registration with the Department of Labor, the Bid of Peterson Contractors, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Peterson Contractors, Inc.
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CEDAR RAPIDS
City of Five Seasons

1ST AVENUE BRIDGE OVER
CEDAR RIVER REPAIR PROJECT

N

0 FEET 300

305132

Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\305132 - 1st Ave Bridge Deck Repair\305132 Council Map.dwg

Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason **Phone Number/Ext.:** 319 286-5188
E-mail Address: c.mason@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt **Phone Number/Ext.:** 319 286-5047
E-mail Address: j.pratt@cedar-rapids.org

Description of Agenda Item: REGULAR AGENDA
Discussion and Resolution of Support authorizing City participation in the Grand Living Senior Housing Project proposed by Ryan Companies, Inc. located south and west of 1st Avenue and Collins Road SE. (Caleb Mason)
CIP/DID #TIF-0006-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background:
The Resolution authorizes City participation in the proposed Grand Living senior housing project proposed by Ryan Companies and directs staff to negotiate a Development Agreement and initiate proceedings to establish and Urban Renewal Area as a mechanism for the City participation. The site of the proposed senior housing project is on 14 acres generally located south and west of 1st Avenue and Collins Road SE.

The project consists of the construction of an approximately 192,000 square foot senior housing facility which provides independent living, memory care, assisted living units. Highlights of the proposed project are as follows:

- $32 million investment
- 164 units (independent living, memory care, assisted living)
- 35% common space in the facility (spa, fitness, salon, club room, performance theatre)
- Creation of new jobs
  - 85 full-time employees
  - 12 or more jobs meeting the State's High Quality Jobs wage threshold
  - $3.4 million in annual wages estimated

The City received a request from Ryan Companies for participation in the project under the City's Community Benefit – Economic Development Program. The community benefits provided by the proposed project include:

- Infill development;
- Providing housing option for seniors;
- Meeting a need for community demographic.

Staff has reviewed the project's financials and is recommending providing City support of 4-years, 50% of the increase in taxes generated by the improvements. This participation bridges the gap keeping property tax expenses consistent until the multi-residential rollback is in full effect in 2022.

The proposed project is estimated to generate approximately $4.5 million in total taxes over 10-years based on a post-development assessed value of $18.1 million. The City's reimbursement of 50% of the increased taxes over 4-years is estimated to provide approximately $727,000. The property is currently owned by the Indian Creek Nature Center and exempt from property taxes.

If the City Council approves the Resolution, staff will initiate the proceedings to establish an Urban Renewal Area based on the following schedule beginning at the May 24 meeting.

Action/Recommendation: City staff recommends approval of the Resolution

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

CD
DSD
TIF-0006-2016

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids has received a request by Ryan Companies, Inc. for City participation under the City's Community Benefit program for the construction of a new 164 unit senior housing project; and

WHEREAS, the City Council supports such activities which promote and facilitate economic development objectives of the City, including growth of all areas of housing products; and

WHEREAS, the proposed financial assistance will be used to aid in the construction of a new 192,000 square foot senior housing facility which provides for independent living, memory care, and assisted living housing units;

WHEREAS, the estimated total investment in the project is $32 million;

WHEREAS, staff has reviewed the request for City participation in accordance with the City's Community Benefit Economic Development Program and is recommending to provide City participation of 4-years, 50% reimbursement of the increase in taxes generated by the improvements; and

WHEREAS, the following project characteristics are consistent with City Council goals and combine to establish the public purpose and overall benefit to the community:

- Job creation of 85 full-time employees
- 12 or more jobs above the High Quality wage threshold
- Economic grow in areas with existing infrastructure
- Fulfills an identified housing need in the community

WHEREAS, the City Council desires to express its support for the Grand Living project proposed by Ryan Companies as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

1. The request for 4-year, 50% tax increment financing is approved, subject to meeting all required legislative procedures to establish and Urban Renewal Area, requirements of the City's Community Benefit program, and approval of a Development Agreement.
2. The City Manager, or designee, is hereby authorized to initiate all applicable proceedings under Iowa Code to establish and Urban Renewal Area which provides a financial mechanism for the City participation as provided for herein.
3. The City Manager, or designee, is hereby authorized to negotiate a Development Agreement which secures the City participation in the project and at such time the terms and conditions of the agreement are clear and definite that the Development Agreement be brought to the City Council for consideration.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Treasury

Presenter at Meeting: Michele Tamerius **Phone Number/Ext.:** 5113
E-mail Address: m.tamerius@cedar-rapids.org

Alternate Contact Person: Casey Drew **Phone Number/Ext.:** 5097
E-mail Address: c.drew@cedar-rapids.org

Description of Agenda Item: REGULAR AGENDA

1. Report of the receipt of bids for General Obligation Bonds, Series 2016A; Taxable General Obligation Bonds, Series 2016B; Sewer Revenue Bonds, Series 2016C; and Water Revenue Bonds, Series 2016D. (Michele Tamerius and Jon Burmeister, PFM)

    a. Resolution directing the sale of $39,615,000 (subject to adjustment per term of offering) General Obligation Bonds, Series 2016A. CIP/DID #FIN2016-16

    b. Resolution directing the sale of $1,635,000 (subject to adjustment per term of offering) Taxable General Obligation Bonds, Series 2016B. CIP/DID #FIN2016-16

    c. Resolution directing the sale of $5,135,000 (subject to adjustment per term of offering) Sewer Revenue Bonds, Series 2016C. CIP/DID #FIN2016-16

    d. Resolution directing the sale of $14,935,000 (subject to adjustment per term of offering) Water Revenue Bonds, Series 2016D. CIP/DID #FIN2016-16

    e. Resolution authorizing the redemption of outstanding General Obligation Refunding Bonds, Series 2007A, dated April 1, 2007, directing that notice be given, and approving anticipatory remedial action. CIP/DID #FIN2016-16

    f. Resolution authorizing the redemption of outstanding General Obligation Bonds, Series 2008A, dated May 1, 2008, and directing that notice be given. CIP/DID #FIN2016-16

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background:
Bids for Series 2016ABC&D Bonds were received at 9:00 am this morning and now Council action is required to direct the sale of these bonds and authorize the refunding of Series 2007A and 2008A.

Action/Recommendation:
Recommend that the resolutions be approved.

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: 5/10/16

Budget Information: N/A

Local Preference Policy: (Click here to select)
Explanation: NA

Recommended by Council Committee: (Click here to select)
Explanation: NA

May 10, 2016

The City Clerk of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 9:00 A.M., on the above date, to open sealed bids received, access electronic bids and to refer the sale of the Bonds to the best and most favorable bidder for cash, subject to approval by the City Council at 12:00 P.M. (NOON) on the above date.

The following persons were present:

_____

_____

_____

* * * * * * * *

This being the time and place for the opening of bids for the sale of $39,615,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2016A, the meeting was opened for the receipt of bids for the Bonds. The following actions were taken:

1. Sealed bids were filed and listed in the minutes while unopened, as follows:

Name & Address of Bidders:

(Attach List of Bidders)

2. The City Clerk then declared the time for filing of sealed bids to be closed and that the sealed bids be opened. The sealed bids were opened and announced.

3. Electronic bids received were accessed and announced as follows:

Name & Address of Bidders:

(Attach List of Bidders)

4. The best bid was determined to be as follows:

Name & Address of Bidder: _____

True Interest Rate (as-bid): _____%

Net Interest Cost (as-bid): $_____

In consultation with Public Financial Management, Inc., the City considered the adjustment of the aggregate principal amount of the Bonds and each scheduled maturity thereof in accordance with the Terms of Offering and the following actions were taken:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $_____

All bids were then referred to the Council for action.

FIN
TRS
FIN2016-16

May 10, 2016

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 12:00 P.M. (NOON), on the above date. There were present Mayor Ron J. Corbett, in the chair, and the following named Council Members:

_____

Absent: _____

* * * * * * *

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DIRECTING SALE OF $39,615,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION BONDS, SERIES 2016A

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

$39,615,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION BONDS, SERIES 2016A

Bidder: _____ of _____

The terms of award:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $ _____

True Interest Rate: _____%

Net Interest Cost: $_____

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA:

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Mayor and Clerk are authorized to execute the same on behalf of the City.

Section 3. That the notice of the sale of the Bonds heretofore given and all acts of the Clerk done in furtherance of the sale of the Bonds are hereby ratified and approved.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

_____
Amy Stevenson, City Clerk, City of Cedar Rapids,
State of Iowa

(SEAL)

01233259-1\10120-182

May 10, 2016

The City Clerk of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 9:00 A.M., on the above date, to open sealed bids received, access electronic bids and to refer the sale of the Bonds to the best and most favorable bidder for cash, subject to approval by the City Council at 12:00 P.M. (NOON) on the above date.

The following persons were present:

_____

_____

_____

* * * * * * * *

This being the time and place for the opening of bids for the sale of $1,635,000 (Subject to Adjustment per Terms of Offering) Taxable General Obligation Urban Renewal Bonds, Series 2016B, the meeting was opened for the receipt of bids for the Bonds. The following actions were taken:

1. Sealed bids were filed and listed in the minutes while unopened, as follows:

Name & Address of Bidders:

(Attach List of Bidders)

2. The City Clerk then declared the time for filing of sealed bids to be closed and that the sealed bids be opened. The sealed bids were opened and announced.

3. Electronic bids received were accessed and announced as follows:

Name & Address of Bidders:

(Attach List of Bidders)

4. The best bid was determined to be as follows:

Name & Address of Bidder: _____

True Interest Rate (as-bid): _____%

Net Interest Cost (as-bid): $_____

In consultation with Public Financial Management, Inc., the City considered the adjustment of the aggregate principal amount of the Bonds and each scheduled maturity thereof in accordance with the Terms of Offering and the following actions were taken:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $_____

All bids were then referred to the Council for action.

FIN
TRS
FIN2016-16

May 10, 2016

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 12:00 P.M. (NOON), on the above date. There were present Mayor Ron J. Corbett, in the chair, and the following named Council Members:

_____

Absent: _____

* * * * * * *

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DIRECTING SALE OF $1,635,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) TAXABLE GENERAL OBLIGATION BONDS, SERIES 2016B

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

$1,635,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) TAXABLE GENERAL OBLIGATION BONDS, SERIES 2016B

Bidder: _____ of _____

The terms of award:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $ _____

True Interest Rate: _____%

Net Interest Cost: $_____

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA:

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Mayor and Clerk are authorized to execute the same on behalf of the City.

Section 3. That the notice of the sale of the Bonds heretofore given and all acts of the Clerk done in furtherance of the sale of the Bonds are hereby ratified and approved.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

_____
Amy Stevenson, City Clerk, City of Cedar Rapids,
State of Iowa

(SEAL)

01233294-1\10120-188

May 10, 2016

The City Clerk of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 9:00 A.M., on the above date, to open sealed bids received, access electronic bids and to refer the sale of the Bonds to the best and most favorable bidder for cash, subject to approval by the City Council at 12:00 P.M. (NOON) on the above date.

The following persons were present:

_____

_____

_____

* * * * * * * *

This being the time and place for the opening of bids for the sale of $5,135,000 (Subject to Adjustment per Terms of Offering) Sewer Revenue Bonds, Series 2016C, the meeting was opened for the receipt of bids for the Bonds. The following actions were taken:

1. Sealed bids were filed and listed in the minutes while unopened, as follows:

Name & Address of Bidders:

(Attach List of Bidders)

2. The City Clerk then declared the time for filing of sealed bids to be closed and that the sealed bids be opened. The sealed bids were opened and announced.

3. Electronic bids received were accessed and announced as follows:

Name & Address of Bidders:

(Attach List of Bidders)

4. The best bid was determined to be as follows:

Name & Address of Bidder: _____

True Interest Rate (as-bid): _____%

Net Interest Cost (as-bid): $_____

In consultation with Public Financial Management, Inc., the City considered the adjustment of the aggregate principal amount of the Bonds and each scheduled maturity thereof in accordance with the Terms of Offering and the following actions were taken:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $_____

All bids were then referred to the Council for action.

FIN
TRS
FIN2016-16

May 10, 2016

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 12:00 P.M. (NOON), on the above date. There were present Mayor Ron J. Corbett, in the chair, and the following named Council Members:

_____

Absent: _____

* * * * * * *

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DIRECTING SALE OF $5,135,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) SEWER REVENUE BONDS, SERIES 2016C

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

$5,135,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) SEWER REVENUE BONDS, SERIES 2016C

Bidder: _____ of _____

The terms of award:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $ _____

True Interest Rate: _____%

Net Interest Cost: $_____

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA:

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Mayor and Clerk are authorized to execute the same on behalf of the City.

Section 3. That the notice of the sale of the Bonds heretofore given and all acts of the Clerk done in furtherance of the sale of the Bonds are hereby ratified and approved.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

_____
Amy Stevenson, City Clerk, City of Cedar Rapids,
State of Iowa

(SEAL)

01233309-1\10120-190

May 10, 2016

The City Clerk of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 9:00 A.M., on the above date, to open sealed bids received, access electronic bids and to refer the sale of the Bonds to the best and most favorable bidder for cash, subject to approval by the City Council at 12:00 P.M. (NOON) on the above date.

The following persons were present:

_____

_____

_____

* * * * * * * *

This being the time and place for the opening of bids for the sale of $14,935,000 (Subject to Adjustment per Terms of Offering) Water Revenue Bonds, Series 2016D, the meeting was opened for the receipt of bids for the Bonds. The following actions were taken:

1. Sealed bids were filed and listed in the minutes while unopened, as follows:

Name & Address of Bidders:

(Attach List of Bidders)

2. The City Clerk then declared the time for filing of sealed bids to be closed and that the sealed bids be opened. The sealed bids were opened and announced.

3. Electronic bids received were accessed and announced as follows:

Name & Address of Bidders:

(Attach List of Bidders)

4. The best bid was determined to be as follows:

Name & Address of Bidder: _____

True Interest Rate (as-bid): _____%

Net Interest Cost (as-bid): $_____

In consultation with Public Financial Management, Inc., the City considered the adjustment of the aggregate principal amount of the Bonds and each scheduled maturity thereof in accordance with the Terms of Offering and the following actions were taken:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $_____

All bids were then referred to the Council for action.

FIN
TRS
FIN2016-16

May 10, 2016

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 12:00 P.M. (NOON), on the above date. There were present Mayor Ron J. Corbett, in the chair, and the following named Council Members:

_____

Absent: _____

* * * * * * *

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DIRECTING SALE OF $14,935,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) WATER REVENUE BONDS, SERIES 2016D

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

$14,935,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) WATER REVENUE BONDS, SERIES 2016D

Bidder: _____ of _____

The terms of award:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $ _____

True Interest Rate: _____%

Net Interest Cost: $_____

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA:

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Mayor and Clerk are authorized to execute the same on behalf of the City.

Section 3. That the notice of the sale of the Bonds heretofore given and all acts of the Clerk done in furtherance of the sale of the Bonds are hereby ratified and approved.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

_____
Amy Stevenson, City Clerk, City of Cedar Rapids,
State of Iowa

(SEAL)

01233328-1\10120-189

38e

FIN
TRS
FIN2016-16

May 10, 2016

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 12:00 P.M., on the above date. There were present Mayor Ron J. Corbett, in the chair, and the following named Council Members:

_____

Absent: _____

* * * * * * * *

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS, SERIES 2007A, OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA, DATED APRIL 1, 2007, AND DIRECTING NOTICE BE GIVEN; AND APPROVING ANTICIPATORY REMEDIAL ACTION

WHEREAS, the City did by resolution dated March 28, 2007, authorize the issuance of $66,870,000 General Obligation Refunding Bonds, Series 2007A, (the "Bonds") dated April 1, 2007; and

WHEREAS, the Bonds are redeemable in any order of their numbering on June 1, 2016 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Bonds; and

WHEREAS, it is deemed necessary and advisable that $21,360,000 be so redeemed on June 15, 2016 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA:

Section 1. That outstanding General Obligation Refunding Bonds, dated April 1, 2007, in the principal amount of $21,360,000, be and the same are hereby redeemed as of June 15, 2016.

Section 2. The Registrar and Paying Agent, City Treasurer, is hereby authorized and directed to cause notice of such redemption be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be mailed to the registered owners of the Bonds by ordinary mail, and to notify DTC.

Section 3. The City Treasurer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Bonds to the date of redemption and to notify the City's dissemination agent to post the Notice of Redemption to the MSRB's website (EMMA) in searchable PDF format for the refunded Bonds in accordance with the Continuing Disclosure Certificate for the Bonds.

Section 4. That the form of such notice be substantially as follows:

NOTICE OF THE CALL OF BONDS FOR REDEMPTION TO THE HOLDERS OF THE FOLLOWING DESCRIBED BONDS:

Please take notice that the Bonds described below have been called for redemption. Owners of the Bonds should present their Bonds for payment on the redemption date.

Issuer: City of Cedar Rapids, State of Iowa

Original Issue Amount: $66,870,000

Bond Issue: General Obligation Refunding Bonds, Series 2007A

Dated Date: April 1, 2007

Redemption Date: June 15, 2016

Redemption Price: Par, plus accrued interest

Bonds Called for Redemption

CUSIP Numbers	Bond Numbers	Principal Amount	Interest Rate	Maturity Date
150528 BY2	9	$5,730,000	4.25%	June 1, 2017
150528 BZ9	10	$5,400,000	4.25%	June 1, 2018
150528 CA3	11	$4,835,000	4.25%	June 1, 2019
150528 CB1	12	$3,740,000	4.25%	June 1, 2020
150528 CC9	13	$1,655,000	4.25%	June 1, 2021

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Bonds.

The above Bonds should be presented to City Treasurer, Cedar Rapids, Iowa. This represents a full call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

CITY TREASURER, Cedar Rapids, Iowa

_____

(End of Notice)

Section 5. Anticipatory Remediation. The Bonds advance refunded prior issues that funded, in part, the City's Sewer Utility, or Water Pollution Control (WPC) Facility. The City plans to enter into a contract related to Industrial Pretreatment at the WPC which could rise to the level of private activity. Accordingly, pursuant to proposed regulation under Section 141 of the Tax Code of 1986, as amended, the City seeks to take anticipatory remedial action redeeming the pro-rata allocation of the Bonds applicable to the WPC. Accordingly, $5,255,000 of the Bonds allocable to the WPC shall be redeemed on the redemption date stated herein from City cash on hand. The balance ($16,105,000), applicable to other governmental purposes of the City, is to be redeemed from proceeds of the City's General Obligation Bonds, Series 2016A, slated to be sold on May 10, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

_____
Amy Stevenson, City Clerk, City of
Cedar Rapids, State of Iowa

(SEAL)

01233158-1\10120-182

38f

FIN
TRS
FIN2016-16

May 10, 2016

The City Council of the City of Cedar Rapids, State of Iowa, met in regular session, in the Council Chambers, City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at 12:00 P.M., on the above date. There were present Mayor Ron J. Corbett, in the chair, and the following named Council Members:

_____

Absent: _____

* * * * * * * *

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2008A, OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA, DATED MAY 1, 2008, AND DIRECTING NOTICE BE GIVEN

WHEREAS, the City did by resolution dated April 23, 2008, authorize the issuance of $22,130,000 General Obligation Bonds, Series 2008A, (the "Bonds") dated May 1, 2008; and

WHEREAS, the Bonds are redeemable in any order of their numbering on June 1, 2016 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Bonds; and

WHEREAS, it is deemed necessary and advisable that $12,750,000 be so redeemed on June 15, 2016 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, STATE OF IOWA:

Section 1. That outstanding General Obligation Bonds, dated May 1, 2008, in the principal amount of $12,750,000, be and the same are hereby redeemed as of June 15, 2016.

Section 2. The Registrar and Paying Agent, Finance Director, is hereby authorized and directed to cause notice of such redemption be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be mailed to the registered owners of the Bonds by ordinary mail, and to notify DTC.

Section 3. The City Treasurer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Bonds to the date of redemption and to notify the City's dissemination agent to post the Notice of Redemption to the MSRB's website (EMMA) in searchable PDF format for the refunded Bonds in accordance with the Continuing Disclosure Certificate for the Bonds.

Section 4. That the form of such notice be substantially as follows:

NOTICE OF THE CALL OF BONDS FOR REDEMPTION TO THE HOLDERS OF THE FOLLOWING DESCRIBED BONDS:

Please take notice that the Bonds described below have been called for redemption. Owners of the Bonds should present their Bonds for payment on the redemption date.

Issuer: City of Cedar Rapids, State of Iowa

Original Issue Amount: $22,130,000

Bond Issue: General Obligation Bonds, Series 2008A

Dated Date: May 1, 2008

Redemption Date: June 15, 2016

Redemption Price: Par, plus accrued interest

Bonds Called for Redemption

CUSIP Numbers	Bond Numbers	Principal Amount	Interest Rate	Maturity Date
150528 CM7	9	$1,160,000	4.000%	June 1, 2017
150528 CN5	10	$1,160,000	4.000%	June 1, 2018
150528 CP0	11	$1,160,000	4.000%	June 1, 2019
150528 CQ8	12	$1,160,000	4.000%	June 1, 2020
150528 CR6	13	$1,160,000	4.000%	June 1, 2021
150528 CS4	14	$1,160,000	4.000%	June 1, 2022
150528 CT2	15	$1,160,000	4.125%	June 1, 2023
150528 CU9	16	$1,160,000	4.250%	June 1, 2024
150528 CV7	17	$1,160,000	4.375%	June 1, 2025
150528 CW5	18	$1,160,000	4.375%	June 1, 2026
150528 CX3	19	$1,150,000	4.500%	June 1, 2027

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Bonds.

The above Bonds should be presented to Finance Director, Cedar Rapids, Iowa. This represents a full call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

FINANCE DIRECTOR, Cedar Rapids, Iowa

_____

(End of Notice)

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF LINN)

I, the undersigned City Clerk of the City of Cedar Rapids, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

_____
Amy Stevenson, City Clerk, City of
Cedar Rapids, State of Iowa

(SEAL)

01233170-1\10120-182

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Johnny Alcivar **Phone Number/Ext.:** 319 286-5132
E-mail Address: j.alcivar@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext.:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Description of Agenda Item: ORDINANCES – Third Reading
Ordinance granting a change of zone for property at 4200 C Street SW from I-2, General Industrial Zone District, to I-1, Light Industrial Zone District as requested by Hill's Maple Crest Farms Partnership.
CIP/DID #RZNE-022666-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The request for a Rezoning was reviewed by the City Planning Commission on March 31, 2016 and approval was recommended unanimously. A City Council Public Hearing and First Reading of the Ordinance were held on April 12, 2016.

This is a request to rezone 12.5 acres to the I-1 Zoning District to allow the existing building on the property to be used as a data processing office. The property is currently zoned I-2, where the proposed use is not permitted. The site plan shows a small addition to the existing entrances of just over 1,000 SF. The property is identified as "Urban-High Intensity" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan.

Application Process/Next Steps:

Actions	Comments
City staff review	• City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	• The City Planning Commission reviewed the application on March 31, 2016 and approval was recommended unanimously. There were no objectors.
City Council consideration	• A Public Hearing to allow for public input and the First Reading of the Ordinance were held on April 12, 2016. There were no objectors. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends approval of the Third Reading.

Alternative Recommendation: City Council may table and request further information.

Time Sensitivity: NA

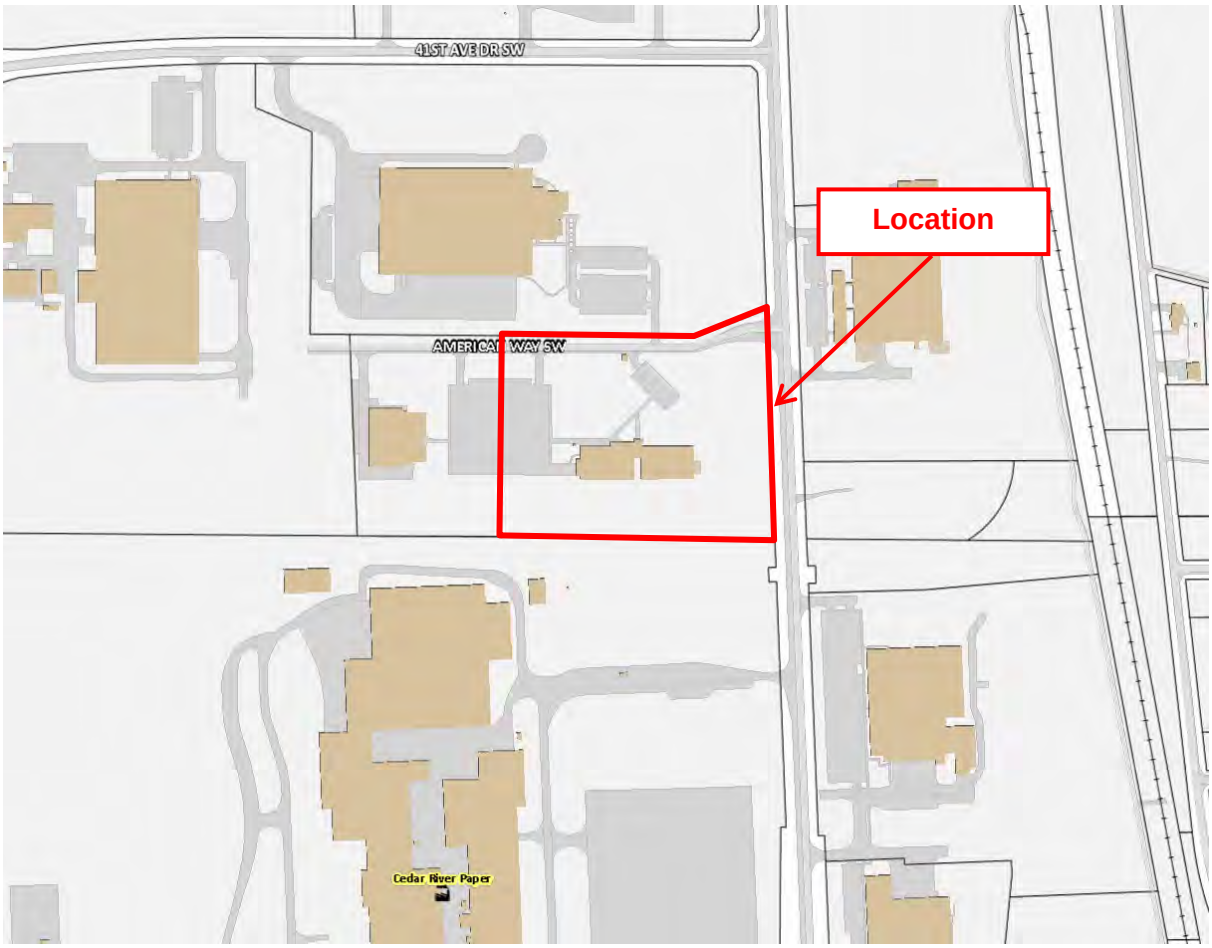
Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map



City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, March 31, 2016 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Jim Halverson, Chair
Richard Pankey, Vice Chair
Virginia Wilts
Samantha Dahlby
Kim King
Dominique Blank
Anthony Brown

Members Absent: Carletta Knox-Seymour

DSD Staff: Joe Mailander, Manager
Dave Houg, Plats & Zoning Conditions Coordinator
Johnny Alcivar, Development Services Specialist

CD Staff: Jennifer Pratt, Director
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

Call Meeting to Order

The meeting was called to order at 3:00 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll Call

Roll call was answered with seven (7) Commissioners present.

A. Approval of the Minutes

Commissioner Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the March 10, 2016. Minutes stand approved.

B. Adoption of the Agenda

Commissioner Halverson called for any additions or corrections to the agenda. Commissioner Halverson stated with no additions or corrections, the agenda stands approved.

C. Action Items

1. Case Name: 4200 C Street SW (Rezoning)

Consideration of a change of zone from I-2, General Industrial Zone District to I-1, Light Industrial Zone District as requested by Hill's Maple Crest Farms Partnership (Applicant/Titleholder)
Case No. RZNE-022666-2016; Case Manager: **Johnny Alcivar**

Mr. Alcivar presented the Criteria for Recommendation and Action for Rezoning Requests.

A Public Hearing was presented for a Rezoning. The applicant is requesting rezoning from I-2, General Industrial Zone District to I-1, Light Industrial Zone District to allow for the existing building to be used as a data processing office facility. Mr. Alcivar presented a Location Map, General Information, Aerial Views, Street Views, Zoning, Zoning Map and Rendering. A public hearing on this rezoning will be held on April 12, 2016 City Council Meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Pankey made a motion to approve the change of zone from I-2, General Industrial Zone District to I-1, Light Industrial Zone District. Commissioner Brown seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 3:42 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning Department

DSD
WTR BSD
ENG STR
FIR TED
CLK PKS
RCR
«CASE_TYPE_NUMBER»

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA, BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

Lot 1, Verizon Addition to Cedar Rapids, Iowa

and located at 4200 C Street SW, now zoned I-2, General Industrial Zone District, and as shown on the "District Map," be rezoned and changed to C-3, Regional Commercial Zone District, and that the property be used for such purposes as outlined in the C-3, Regional Commercial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the conditions which have been agreed to and accepted prior to the passage of this Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the owners, successors, heirs, and assigns, as follows:

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk along public streets adjoining this site. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 12th day of April, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

ACCEPTANCE OF CONDITIONS OF REZONING
ORDINANCE NO. 022-16

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 5th day of April, 2016.

Hill's Maple Crest Farms Partnership

Randy Rundle
Signature

Randy Rundle
Printed name Randy Rundle

Property Manager
Printed title Property Manager

MAP HERE

Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Caleb Mason **Phone Number/Ext.:** 319 286-5188
E-mail Address: c.mason@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt **Phone Number/Ext.:** 319 286-5047
E-mail Address: j.pratt@cedar-rapids.org

Description of Agenda Item: ORDINANCES – Third Reading
Ordinance establishing the IGD Industries, Inc. Urban Revitalization Area designation at 4200 C Street SW.
CIP/DID #URTE-0009-2016

EnvisionCR Element/Goal: InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

Background:
The Resolution and Ordinance provide for the establishment of an Urban Revitalization Area at 4200 C Street SW for IGD Industries, Inc. On March 22, 2016 the City Council adopted a Resolution of supporting providing sponsorship of an application for tax credit funds through Iowa Economic Development Authority (IEDA) for Vspec, LLC, a subsidiary of IGD Industries, Inc., and providing local match funds for the project. The project qualifies under the City's Local Match Economic Development Program.

Vspec is acquiring and remodeling the vacant commercial building at 4200 C Street SW to relocate its business operations from 4150 C St SW. The new facility allows for physical space for expansion of new employees being added by the company.

Project Details:
- Redevelopment of vacant 38,234 sq. ft. office building
- Total investment of $3.6 million
- Creation of 30 new jobs, 21 of which meet the High Quality Jobs wage threshold
- Retention of 50 employees

The partial tax exemption provides a ten-year, declining scale exemption averaging 44% per year, applied only to the increased property valuation. The current assessed value of the property is $1,718,300. Based on the scope of the proposed project, an additional assessed value of $1,050,000 is estimated to be added.

Upon the completion of the project and additional value added, the 10-year projection of taxes is as follows:

- $597,077 in taxes based on existing value
- $234,711 in additional taxes paid resulting from the improvements
- $174,606 in taxes exempted

Action/Recommendation: City staff recommends approval of the Third Reading.

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: May 10, 2016

Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

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URTE-0009-2016

ORDINANCE NO. LEG_NUM_TAG

ORDINANCE ESTABLISHING THE
IGD INDUSTRIES, INC. REVITALIZATION AREA

WHEREAS, Chapter 404 of the Code of Iowa allows the Cedar Rapids City Council to enact ordinances designating areas of Cedar Rapids as urban revitalization areas; and

WHEREAS, such urban revitalization areas, once designated, allow for qualified real estate located within such areas to be eligible for exemption from taxation based on the actual value added by improvements thereto; and

WHEREAS, Chapter 17A of the Cedar Rapids Municipal Code establishes the procedures to be followed in the designation of urban revitalization areas in Cedar Rapids in accordance with Chapter 404 of the Code of Iowa; and

WHEREAS, in accordance with both Chapter 404 of the Code of Iowa and Chapter 17A of the Cedar Rapids Municipal Code, and following public hearing and notice as required by applicable law, the Cedar Rapids City Council has adopted Resolution No. 0403-04-16 establishing the IGD Industries, Inc. Revitalization Area ("IGD Industries, Inc. Revitalization Area") for the property legally described herein below; and

WHEREAS, the terms and conditions of Resolution No. 0403-04-16 are by this reference incorporated herein as if set out in full.

NOW THEREFORE BE IT ORDAINED BY THE CEDAR RAPIDS CITY COUNCIL AS FOLLOWS:

Section 1. The Recitals contained herein above are hereby adopted by this reference and incorporated herein.

Section 2. The IGD Industries, Inc. Revitalization Area for the property legally described as:

LOT 1, VERIZON ADDITION TO CEDAR RAPIDS, IOWA

is established as a revitalization area, and specifically an economic development area pursuant to Iowa Code Section 404.1(4) (2016), as well as a new revitalization area as contemplated by Cedar Rapids Municipal Code Section 17A.06, though it will not be added as a new division to the existing listing of previously established areas contained within said section.

Section 3. All qualified real estate within the IGD Industries, Inc. Revitalization Area shall be eligible to receive an exemption from taxation as provided for in Iowa Code Section 404.3 (2016).

Section 4. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

Section 5. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 6. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 14th day of April, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

DSD
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CLK PKS
RCR
RZNE-022675-2016

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA, BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

> LOTS 1, 2, & 10, BLOCK 18, COLLEGE PARK ADDITION TO CEDAR RAPIDS, IOWA, EXCEPTING THEREFROM ALL THAT PART OF LOT 10 THAT LIES WESTERLY OF A LINE BEGINNING AT A POINT 15 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID LOT 10, ON THE SOUTH LINE THEROF; THENCE NW-LY TO A POINT ON THE WESTERLY LINE OF SAID LOT 10, SAID POINT BEING 30 FEET NORMALLY (MEASURED AT RIGHT ANGLES) DISTANT NORTHERLY FROM THE SOUTH LINE, OF SAID LOT 10, EXTENDED WESTERLY.

and located at 1140 Lincoln Avenue and 1135 Weare Avenue NE, now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be rezoned and changed to I-1, Light Industrial Zone District, and that the property be used for such purposes as outlined in the I-1, Light Industrial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the conditions which have been agreed to and accepted prior to the passage of this Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the owners, successors, heirs, and assigns, as follows:

1. Said lots are to be combined with adjacent property so as to constitute a single zoning lot and tax parcel prior to the Third Reading of the Ordinance to rezone.
2. That future development under this rezoning action shall be subject to the PSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such development shall meet all City development standards in effect at the time of plan submittal in addition to Commercial Design Standards and Guidelines as specified in Subsection 32.05.030.C. given the proximity to a residential area.
3. That prior to occupancy of the structure, it must be inspected and comply with applicable codes, including, but not limited to, building, electrical, mechanical and plumbing, and a certificate of occupancy must be obtained.

4. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct concrete sidewalk along public streets adjoining this plan. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer. The property owner may request deferral of the sidewalk installation requirement if in accordance with the sidewalk installation policy. If a deferral is requested, please submit a formal request with documentation verifying deferral eligibility (cross sections, drawings, etc.).

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 26 day of April, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander **Phone Number/Ext.:** 319 286-5822
E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: Johnny Alcivar **Phone Number/Ext.:** 319 286-5132
E-mail Address: j.alcivar@cedar-rapids.org

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Ordinance granting a change of zone for property at 1140 Lincoln Avenue NE and 1135 Weare Avenue NE from R-3, Single Family Residence Zone District, to I-1, Light Industrial Zone District as requested by Randy Oxley and Ruth Cadwallader.
CIP/DID #RZNE-022675-2016

EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.

Background: The request for a Rezoning was reviewed by the City Planning Commission on March 31, 2016 and approval was recommended unanimously on a 7-0 vote. A City Council public hearing was held on April 26, 2016.

This is a request to rezone 20,292SF to the I-1 Zoning District to allow the current use of the property to become conformant with the zoning district. The property is currently zoned R-3 and has historically been used as a warehouse under a legal-nonconforming status. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan.

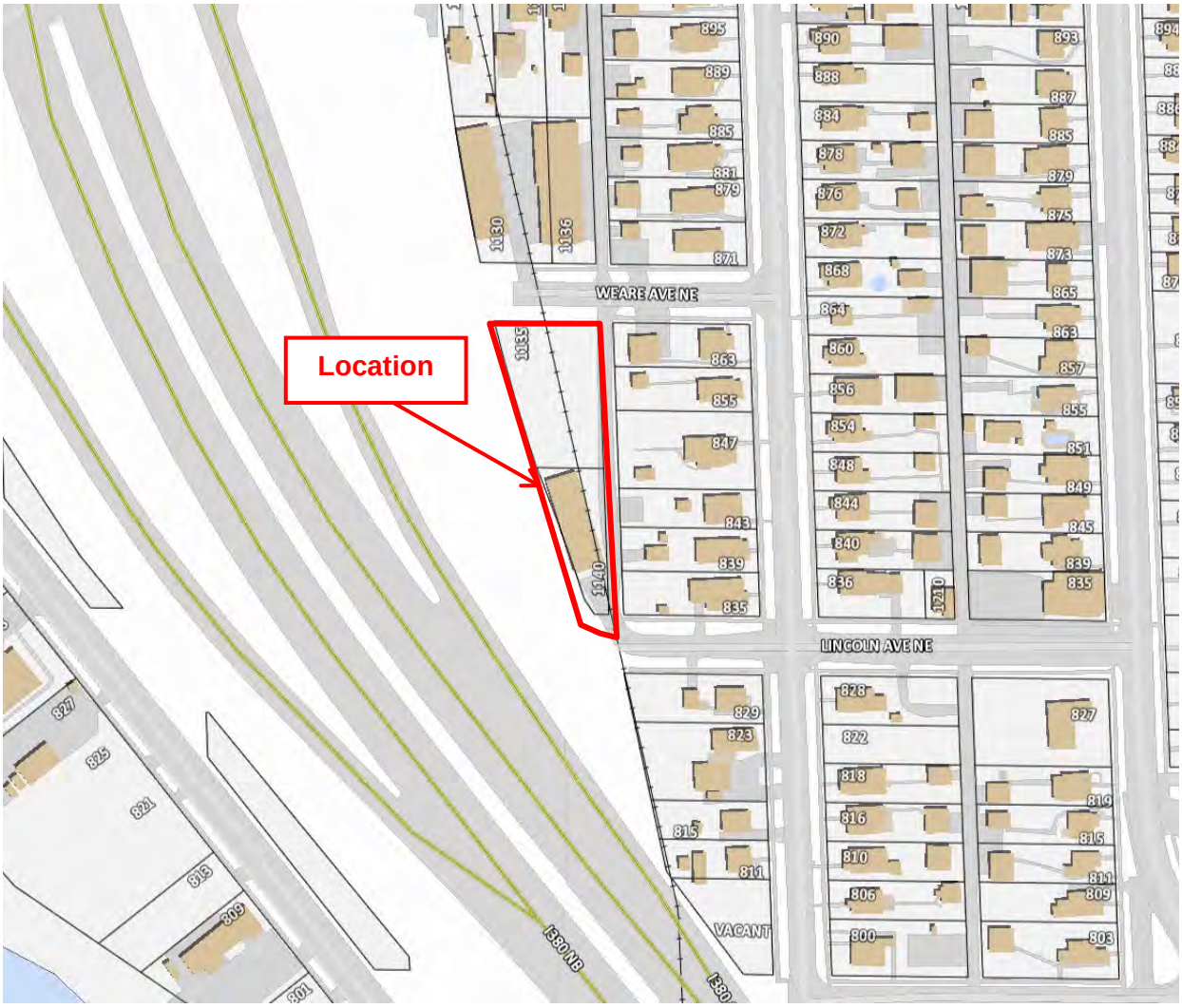
Application Process/Next Steps:

Actions	Comments
City staff review	• City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	• The City Planning Commission reviewed the application on March 31, 2016 and approval was recommended unanimously on a 7-0 vote. A portion of the minutes will be included prior to the public hearing.
City Council consideration	• A Public Hearing to allow for public input and the First Reading of the Ordinance were held on April 26, 2016. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

Action/Recommendation: City staff recommends approval of the Second and Third Reading.

Alternative Recommendation: City Council may table and request further information.
Time Sensitivity: NA
Resolution Date: NA
Budget Information: NA
Local Preference Policy: NA
Recommended by Council Committee: NA

Location Map



City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

MINUTES OF
CITY PLANNING COMMISSION MEETING,
Thursday, March 31, 2016 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Jim Halverson, Chair
Richard Pankey, Vice Chair
Virginia Wilts
Samantha Dahlby
Kim King
Dominique Blank
Anthony Brown

Members Absent: Carletta Knox-Seymour

DSD Staff: Joe Mailander, Manager
Dave Houg, Plats & Zoning Conditions Coordinator
Johnny Alcivar, Development Services Specialist

CD Staff: Jennifer Pratt, Director
Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

Call Meeting to Order

The meeting was called to order at 3:00 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll Call

Roll call was answered with seven (7) Commissioners present.

A. Approval of the Minutes

Commissioner Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the March 10, 2016. Minutes stand approved.

B. Adoption of the Agenda

Commissioner Halverson called for any additions or corrections to the agenda. Commissioner Halverson stated with no additions or corrections, the agenda stands approved.

C. Action Items

1. Case Name: 1140 Lincoln Avenue NE and 1135 Weare Avenue NE (Rezoning)

Consideration of a change of zone from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District as requested by Randy Oxley (Applicant) and Ruth M. Cadwallader (Titleholders)
Case No. RZNE-022675-2016; Case Manager: **Johnny Alcivar**

A Public Hearing was presented for a Rezoning. The applicant is requesting rezoning from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District to allow for the existing legal nonconforming use to become conforming and in the future allow for a possible expansion of the existing warehouse on the site. Mr. Alcivar presented a Location Map, General Information, Zoning Map, Aerials and Street Views. A public hearing on this rezoning will be held on the April 26, 2016 City Council Meeting.

Following discussion, Commissioner Halverson called for a motion. Commissioner Dahlby made a motion to approve the change of zone from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District. Commissioner King seconded the motion.

No further discussion was held; Commissioner Halverson called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 3:42 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development and Planning Department

Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Seth Gunnerson **Phone Number/Ext.:** 319 286-5129
E-mail Address: s.gunnerson@cedar-rapids.org

Alternate Contact Person: Jeff Hintz **Phone Number/Ext.:** 319 286-5781
E-mail Address: j.hintz@cedar-rapids.org

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to fix scriveners errors, allows projecting signage on multi-family buildings within a Design Review Overlay District, and update definitions.
CIP/DID #ZONE-0003-2016

EnvisionCR Element/Goal: StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

Background: This item considers several minor amendments to Chapter 32, the Zoning Ordinance. These amendments correct scrivener's errors, clarify definitions, and make a change to signage regulations to match the intent of the Design Review Overlay Districts. The City is in the process of a comprehensive rewrite of the Zoning Ordinance. These amendments are meant to provide clarity to the code prior to consideration of the full Zoning Ordinance.

Action/Recommendation: Staff recommends approval of the Second and possible Third Reading.

Alternative Recommendation: City Council may table and request additional information.

Time Sensitivity: Adoption of the Motion would delay ordinance consideration until May.

Resolution Date:

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: Yes
Explanation: The Ordinance was reviewed by the Development Committee on April 20, 2016 prior to the public hearing.

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ZONE-0003-2016

ORDINANCE NO. LEG_NUM_TAG

ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE ZONING ORDINANCE, TO FIX SCRIVENERS ERRORS, ALLOW PROJECTING SIGNAGE ON MULTI-FAMILY BUILDINGS WITHIN A DESIGN REVIEW OVERLAY DISTRICT, AND UPDATE DEFINITIONS.

WHEREAS, the attached Ordinance corrects minor errors within the text of the City's Zoning Ordinance that are in need of correction, clarifies definition of Self-Service Storage Facilities, and allows for projecting signage on residential buildings within Design Review Overlay Districts consistent with the design criteria for those districts, and

WHEREAS, the proposed ordinance was reviewed by the City Council's Development Committee on April 20, 2016 and recommended for review by the City Planning Commission, and

WHEREAS, the City Planning Commission reviewed the proposed ordinance on April 21, 2016 and recommended approval by the City Council,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Table 32.06-1: ON-PREMISE SIGNS – Residential District, and the following Table 32.06-1 is hereby adopted in lieu of:

TABLE 32.06-1: ON-PREMISE SIGNS - Residential Districts						
	Maximum Surface Area (SA = Surface Area)	Location & Setbacks (If Applicable)	Height	Maximum Number Permitted	Illumination	Other Conditions
Permanent Signs (All Residential Districts)						
Information Sign For Single Family Residential Use, Bed and Breakfast, or Home Occupation	2 sq ft	In required yard or flat against building	5 ft maximum	1 per each dwelling unit street frontage	Not Permitted	
Information Sign For All Other Non-Residential Use						

Flat Against Building	24 sq ft	Flat against the building		1 per lot frontage establishment	Not Permitted	
Free-standing	48 sq ft	In required yard; 5 ft minimum from any lot line (if yard is less than 5 ft in width or depth, sign shall be set back against building)	8 ft maximum above grade	1 per lot frontage	Permitted	
Information Sign Accessory to Multiple Family Dwelling Buildings	2 sq ft for each dwelling unit contained in the building; (32 sq ft maximum SA) (Note 2)	In required yard	15 ft. maximum above grade	1 sign for each building's street frontage	Not Permitted	
	32 sq ft	Wall sign/Projecting Sign	Cannot extend above the wall to which it is attached by more than 5 ft; subject to minimum clearance.	1 sign for each building's street frontage	Not Permitted	Only permitted in Design Review Overlay Districts (Sec 32.03.010.C. 6)
Signs Accessory to Parking Areas (entrances or exits)	2 sq ft	In required yard	12 ft maximum above grade	1 sign per exit or entrance; one sign per parking area	Not Permitted	
Signs Accessory to Roadside Stands	12 sq ft	Located on the same lot as the roadside stand; Not less than 15 ft from any lot line	12 ft maximum	1 for each lot frontage	Not Permitted	
Entryway Signs Accessory to Subdivision, Mobile Home Park, or Estate Uses	64 sq ft	In required yard or outparcel	15 ft maximum	2 signs located at each entrance to the subdivision, park, or estate	Permitted	

Section 2. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Table 32.05-4– MINIMUM OFF-STREET PARKING REQUIREMENTS, and the following Table 32.05-4 is hereby adopted in lieu of:

TABLE 32.05-4: MINIMUM OFF-STREET PARKING REQUIREMENTS GFA — GROSS FLOOR AREA; GLA = GROSS LAND AREA	
Land Use	Minimum Number of Parking Spaces Required
RESIDENTIAL USES	
Household Living	
Single-family detached dwelling	2 per DU
Single-family attached dwelling, 2 unit maximum	2 per DU
Two family dwelling	2 per DU
Dwelling units located on ground floor	2 per DU
Dwelling or rooming units located above ground floor	1.5 per DU
Mobile home	2 per mobile home
Multiple family dwelling	A) General Use: Studio: 1 per unit; 1 bedroom or more: 2 per unit
	B) Elderly: 1 per unit if occupancy restricted to persons 55 years of age and over
	C) Students: 1 per bedroom if Development Services determines that due to location and design of facility it is likely to be occupied by students.
	D) Guest parking: 10% of total
Row house	2 per DU
Group Living	
Assisted Living, Large	2 + 0.5 per dwelling unit
Assisted Living, Small	2 + 0.5 per dwelling unit
Boarding or rooming house	1 per guest room
Continuing Care Community	1 per dwelling unit
Emergency residential shelter	2 + 1 per guest room
Family home	1 per 1,000 SF GFA
Fraternity or sorority house	1 per each Student, based on design capacity
Group home	2 + 1 per 5 beds
Rehabilitation house	1 per each 2 employees
CIVIC AND INSTITUTIONAL USES	
Education Uses	
College	1 per each 3 students, based on design capacity
Day care center	2 per 1,000 SF GFA
Elementary, middle, or high school; boarding school (private)	Elementary & Middle School: 2 per 3 employees at peak hour

TABLE 32.05-4: MINIMUM OFF-STREET PARKING REQUIREMENTS GFA — GROSS FLOOR AREA; GLA = GROSS LAND AREA	
Land Use	Minimum Number of Parking Spaces Required
	High School: 2 per 3 employees at peak hour + 1 per 3 students based on design capacity
School, Music or Dance	4 per 1,000 SF GFA
Vocational or trade school	1 per each 2 students, based on design capacity
Institutional Assembly Uses	
Athletic facility, public or non-profit	As required by City Council after recommendation by City Planning Commission
Clubs or lodge	6 per 1,000 SF GFA
Community center	4 per 1,000 SF GFA
Convention or exhibition hall	1 per 6 persons maximum fire-rated capacity
Crisis counseling center	3 per 1,000 SF GFA
Fairground	1 per each 4 seats provided in the main seating area
Game or forest preserve	Spaces as required by the City Council after recommendation by the City Planning Commission
Group day care home	2 + 1 per non-resident employee
Health care facility	1 per 200 SF GFA medical office Space
Hospital or sanitarium	1 per 3 hospital beds + 1 per 2 employees on largest shift
Library, museum or art gallery	1 per 1,000 SF GFA for museum and art gallery; 3 per 1000 SF GFA for library
Post office or postal substation	4 per 1,000 SF GFA
Religious facility	1 per 4 seats in worship area or 1 per 100 SF GFA in worship area without seats
Retirement home	1 per 2 beds
Stadium, auditorium, or arena	1 per each four seats provided in the main seating area
Other Public Uses	
Cemetery	1 per employee on largest shift
Correctional facility	1 per employee on largest shift + 1 per 10 cells
Public safety facility	1 per employee on largest shift
COMMERCIAL USES	
Animal and Pet Sales or Service	
Animal hospital/veterinary clinic	4 per 1,000 SF GFA
Kennel	2.5 per 1,000 SF GFA
Pet grooming and pet Shop	2.5 per 1,000 SF GFA
Stable	1 per 10 horses boarding capacity
Business and Professional Offices (Not Otherwise Classified)	
Computer or data processing Service	3 per 1000 SF GFA
Financial Institution	4 per 1,000 SF GFA + stacking spaces if applicable
Medical including medical centers, dental, optical, or therapy clinic	Medical, dental or optical: 4.5 per 1,000 SF GFA

TABLE 32.05-4: MINIMUM OFF-STREET PARKING REQUIREMENTS GFA — GROSS FLOOR AREA; GLA = GROSS LAND AREA	
Land Use	Minimum Number of Parking Spaces Required
	Therapy: 4 per 1,000 SF GFA
Medical, dental, or optical laboratory	1 per 500 SF GFA
Office; business, professional or governmental -not listed separately	4 per 1000 SF GFA
Radio, television, recording, telecommunication studio, audio or visual material production or sale	3 per 1,000 SF GFA
Call center	5 per 1,000 SF GFA
Retail Sales or Service (Not Otherwise Classified) — No Drive-Through Facilities	
Retail, Shopping centers	6 per 1,000 SF GFA for the first 18,000 SF + 4 per 1,000 SF for additional SF GFA over 18,000 SF
Retail, General	3 Per 1,000 SF GFA
Art, sculptor and composer studio	2 per 1,000 SF GFA
Auction house	5 per 1,000 SF GFA
Fuel and ice sale	1 per 3,000 SF GLA + 1 per each 2 employees of the largest shift
Furniture store	2 per 1,000 SF GFA
Garden supply, tool, or seed store	3 per 1,000 SF GFA
Grave marker or monuments display and sales	2 per 1,000 SF Indoor GFA
Machinery sales - farm, industrial, business, and construction	1 per each employee of the largest shift
Photography studio	3 per 1,000 SF GFA
Secondhand store or rummage Shop	3 per 1,000 SF GFA
Taxidermist	1 per each employee of the largest shift
Rental or Leasing Establishment — All Activities Within Enclosed Building	
Rental establishment, general	2.5 per 1,000 SF GFA + 1 per 1,000 SF outdoor display area
Rental establishment, heavy equipment	2. 5 per 1,000 SF GFA + 1 per 5, 000 SF outdoor display area
Personal Services — No Drive-Through Facilities	
General personal Service, not listed separately	4 per 1,000 under 2000 SF GFA 3 per 1,000 SF over 2000 SF GFA
Barber or beauty shop	5 per 1,000 SF GFA
Copying or reproduction store	2.5 per 1,000 SF GFA
Funeral home	1 per each 4 seats provided in main seating area(s)
Laundromat	4 per 1,000 SF GFA
Receiving Station for dry cleaning or laundry	4 per 1,000 SF GFA
Eating and/or Drinking Establishment	
Bar or brewpub	10 per 1,000 SF GFA
Outdoor service area with or without	1 per each 2. 5 seats provided

TABLE 32.05-4: MINIMUM OFF-STREET PARKING REQUIREMENTS GFA — GROSS FLOOR AREA; GLA = GROSS LAND AREA	
Land Use	Minimum Number of Parking Spaces Required
serving of alcohol	
Restaurant	10 per 1,000 SF GFA + stacking
Entertainment and Recreation Uses	
Adult entertainment establishment	1 per 200 SF GFA
Amusement, indoor, not listed separately	Indoor: 6 per 1,000 SF GFA
Go-cart track, indoor	1 per 2 go carts + 1 per employee
Health club	5 per 1,000 SF GFA
Tennis, squash and handball court	2 per court
Theater, indoor	1 per each 3.5 seats provided
Volleyball facility, indoor	4 per playing area
Amusement, outdoor, not listed separately	1 per 4 persons maximum design capacity
Go-cart track, outdoor	1 per 2 go carts + 1 per employee
Golf course	75 per 9 holes (regular golf), or 40 per 9 holes (Par "3")
Golf driving range, pitch and putt, or miniature golf course	Driving ranges: 1 per driving tee; Pitch and putt golf courses: 75/9 holes (regular golf), or 40/9 holes (Par "3"); Miniature golf: 6 per 1,000 SF GFA + 2 per hole for outdoor recreational areas
Racetrack	1 per each four seats provided in the main seating area(s)
Tennis, squash and handball court	2 per court
Theater, drive-in	Reservoir of 10 percent of capacity of use
Trap or skeet shooting range	1 per 2 shooting stations
Campground or recreational vehicle park	2 + 1 per employee
Volleyball facility, outdoor	4 per playing area
Visitor Accommodations	
Bed and breakfast home	2 + 1 space for each guest room
Hotel or motel	1 per room + 1 per 300 SF meeting or restaurant and bar area
Vehicle Sales or Services Establishments	
Automotive repair garage	4 per 1,000 SF GFA
Automobile Service Station	4 per 1,000 SF GFA
Car wash	Self-service: see stacking requirements; Full service: 1 per 1000 SF GFA
Truck wash	N/A
Vehicle sales	4 per 1,000 SF GFA
Communications and Information Service Uses	
Antenna	N/A
Communication tower	1 per each employee of the largest shift
INDUSTRIAL, WHOLESALE, AND STORAGE USES	
Manufacturing, Assembly, or Processing Use	

TABLE 32.05-4: MINIMUM OFF-STREET PARKING REQUIREMENTS GFA — GROSS FLOOR AREA; GLA = GROSS LAND AREA	
Land Use	Minimum Number of Parking Spaces Required
General manufacturing, light	1 per 1,500 SF GFA
General manufacturing, heavy	1 per 1,500 SF GFA
Assembly	1 per 1500 SF GFA
Bottling works	1 per 1,500 SF GFA
Concrete or asphalt manufacture or mixing	1 per each employee of the largest shift
Dry cleaning or laundry plant	1 per each employee of the largest shift
Exterminating shop	1 per each employee of the largest shift
Electronic or precision instrument manufacturing	1 per 1,500 SF GFA
Heavy equipment repair	1 per 500 SF + 1 per 5,000 SF outdoor storage area
Laboratory, research, development, or testing	1 per 800 SF GFA
Machine shop	1 per 1,500 SF GFA
Printing or Publishing, newspaper or magazine distribution agency	1 per 1,500 SF GFA
Building and Contracting Uses	
Building materials or product sales or storage	2 per 1,000 SF GFA + 1 per 5000 SF Outdoor
Contractor Shop or yard	2 per each employee on the largest shift
Wholesale Trade Uses	
Bakery, wholesale	1 per each employee of the largest shift
Manufacturers supply establishment	1 per each employee of the largest shift
Warehouse and Storage Services	
Outdoor storage	1 per 3,000 SF GLA + 1/Each two employees of the largest shift
Self-Service Storage Facilities	1 per 3,000 SF GFA + 1/Each two employees of the largest shift
Warehousing, wholesale or distributor establishment, cartage or express facility	1 per each employee of the largest shift + 4 per 2,000 SF GFA office
Waste and Salvage Uses	
Hazardous waste facility	1 per employee
Recycling collection facility	1 per employee
Refuse hauling facility	1 per employee
Salvage yard	1 per 250 SF GFA + 1 per employee
Solid waste facility	1 per employee
TRANSPORTATION, PARKING, AND UTILITY USES	
Essential Services, not listed separately	NA unless specified by City Council
Airport/heliport	N/A
Bus Station, terminal, or passenger railroad	4 per 1,000 SF GFA

TABLE 32.05-4: MINIMUM OFF-STREET PARKING REQUIREMENTS GFA — GROSS FLOOR AREA; GLA = GROSS LAND AREA	
Land Use	Minimum Number of Parking Spaces Required
Major Utility	1 per employee
Parking lot or structure	N/A
Taxicab business	4 per 1,000 SF GFA
Utility office, shop, or yard	1 per employee
Utility substation	N/A
AGRICULTURAL AND RESOURCE USES	
Agriculture	1 per employee
Aquaculture	1 per employee
Dairy products processing	1 + 1 per 250 SF GFA office Space
Farm implement store	4 per 1,000 SF GFA
Feed and seed processing or sale	1 per employee
Grain processing and storage	1 per employee
Greenhouse, nursery, orchard or truck farm	Wholesale: 2 per each employee of the largest shift; Retail: 4 per 1,000 SF GFA + 1 per 2,000 SF GLA Truck farm: 1 per employee
Mining	1 per employee
Quarrying or rock, sand, or gravel production or preparation	1 per employee
ACCESSORY AND TEMPORARY USES	
Home occupation	Not more than one customer's motor vehicle and additionally one motor vehicle associated with the home occupation shall be permitted in conjunction with the activity.
Model homes or garage display	1 per employee

Section 3. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Subsection 32.05.030.A.2.a.ii – Multi-Family and Nonresidential Uses, including PUD, and the following Subsection 32.05.030.A.2.a.ii is hereby adopted in lieu of:

32.05.030.A.2.a.ii Multi-Family and Nonresidential Uses, including PUD

Within the Core Area identified in Sec. 32.01.070.F, all requirements of Sec. 32.05.030.A.5 apply. Outside the Core Area, all requirements of Sec. 32.05.030.A.4 apply.

Section 4. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

Section 5. That all ordinances or parts of ordinances in conflict herewith are repealed.

Section 6. That the afore described Amended Chapter 32 shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 8. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 26th day of April, 2016.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Sandy Pumphrey, PE, CFM **Phone Number/Extension:** 5363
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Alternate Contact Person: Jon Durst **Phone Number/Extension:** 5856
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Description of Agenda Item: ORDINANCES – First Reading
Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, revising the stormwater utility fee structure and incentives.
CIP/DID 43-16-061

EnvisionCR Element/Goal: ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

Background:
Over the last few years, the City's stormwater utility fee structure has evolved from a flat fee per property, regardless of size, to a tiered rate system based on contiguous property area, tenancy and whether a property is considered developed or undeveloped. Based on continued public feedback, City Staff is proposing an overhaul of the fee structure for FY17 onward to a system that is more equitable and incentivizes green infrastructure. Our current ordinance has 15 fee tiers. Currently, the top tier is for non-residential properties with 40 or more acres, with a maximum fee of $261.10/month ($3,133.20 per year).

It is clear that the City needs to do more to mitigate localized flooding. A large proportion of these future efforts will be funded by the Stormwater Utility. Therefore a fee structure that better incentivizes the reduction of runoff and increase in stormwater infiltration is necessary. The proposal is for a property's stormwater utility fee to be based on "Equivalent Residential Units" or ERU's – a measure of imperviousness, rather than overall property size. The City of Cedar Rapids will define one (1) ERU as 0.1 acres of impervious area which also equates to the average impervious area on a single residential lot located within the City. The current Stormwater Utility fee structure garners approximately $4,000,000 annually. The new fee structure will garner approximately $5,000,000 for FY17. This new fee structure will also require less ongoing staff time to administer.

Most properties will see a reduction or modest increases consistent with prior rate changes. However, some of our larger property owners with large impervious areas will see significant increases. Since the fee structure change was originally proposed in December 2015, City Staff has actively reached out to those customers who are most impacted to garner feedback. As a result of that feedback, the following changes have been made:

1. The process has slowed down to allow more time for dialogue with our customers.
2. A multi-year transition plan for large properties has been incorporated capping the number of ERU's that can be charged to any one particular property. The schedule proposed is as follows:
    a. Currently – Max bill $3,133/year
    b. FY17 – 100 ERU Cap – Max bill $6,212.30/year – 66 lots capped
    c. FY18 – 200 ERU Cap – 23 lots capped
    d. FY19 – 300 ERU Cap - 13 lots capped
    e. FY20 – 400 ERU Cap - 8 lots capped
    f. FY21 – 500 ERU Cap - 4 lots capped
    g. FY22 – All lots charged their full ERU rate
3. The suite of options for reducing a bill has been expanded to include the following (additive) options up to a total of a maximum potential 75% discount.
    a. Water Quality and Quantity Credit (i.e. installation of infiltration practices)
    b. Discharge to a Major Waterway – for those right on the Cedar River
    c. Education Program – for those who conduct stormwater-based training
    d. Pervious Non-compacted Fill
    e. Zero Discharge Credit – for properties with zero-runoff in a 100-year/24hr storm.
    f. Expansion and enhancement of the best management practice cost-share program to further incentivize reduction of stormwater runoff.
        i. The program is proposed to be funded out of the Stormwater Utility.
        ii. The program will provide a cost-share up to 50% of a BMP's project cost.
        iii. Priority will be given to those properties within Cedar Rapids where high priority projects have been identified under the Stormwater Master Plan.

Action/Recommendation: City Staff recommends approval of the Second and possible Third Reading.

Alternative Recommendation: City Council may table and request additional information

Time Sensitivity: Timely. The proposed plan is to implement the new fee structure and incentives beginning FY17, July 1, 2016

Resolution Date: Proposed timeline as follows:
Public Hearing Date: April 12, 2016
1st reading of Ordinance: May 10, 2016
2nd reading of Ordinance: May, 24 2016
Possible 3rd reading of Ordinance: June14, 2016

Budget Information: 43-16-061

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: Yes
Explanation: Infrastructure Committee on March 1, 2016

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43-16-061

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE AMENDING CHAPTER 72 (STORMWATER MANAGEMENT) OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND ENACTING SUBSTITUTIONS IN LIEU THERE OF ESTABLISHING CERTAIN STORMWATER UTILITY CHARGES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 72.102 - Definitions. That section of chapter 72 of the Municipal Code, City of Cedar Rapids, be modified adding the following definitions:

16. Director means the Public Works (PW) Director.

20. Flood Control System means the system of levees, floodwalls, removable walls, valves, stormwater lift stations, and other equipment or facilities which are intended to provide flood control.

21. Lot or Parcel means a measured area of land having fixed boundaries, designated on a plat or survey, and having an individual identifier and Legal Description as recorded by the Cedar Rapids City Assessor.

23. Multi-family Residential Property means a residential property designed with two or more dwelling units to accommodate two or more families or groups of individuals living separately and not sharing the same living space.

28. Residential Property means any developed property on which a single-family dwelling, duplex dwelling, multiple-family dwelling or townhome dwelling has been constructed.

32. Stormwater Drainage System means the system of publicly owned or operated rivers, creeks, lakes, and manmade conveyance structures within the City through which or into which stormwater runoff, surface water, or subsurface water is conveyed or deposited.

36. Stormwater Utility Charge means the charge authorized by state law and this chapter established to pay for the costs of construction, operations and maintenance, storm sewer capital improvement projects, debt service, and all other costs reasonably related to the stormwater utility.

37. Stormwater Utility or Utility means the enterprise fund created by this chapter to operate, maintain, and improve the storm sewer system and for other such purposes as stated in this chapter.

38. Storm Sewer System means the existing stormwater management facilities, stormwater drainage system, and flood control system of the city and all improvements thereto which by this chapter are constituted as the property and responsibility of the Utility, to be operated as an enterprise fund to, among other things, operate, maintain, and improve the system in accordance with Federal, State, and Local laws, regulations, and standards.

39. Undeveloped property means real property that has no impervious area.

47. Developed Property means real property upon which a structure or impervious surface has been placed or constructed contributing to greater stormwater runoff.

48. Equivalent Residential Unit (ERU) means the average impervious area of residential property located within the City as periodically determined and established per this Chapter.

49. ERU Rate means the dollar value periodically determined and assigned to each ERU as the stormwater utility charge, and set under 72.305 (d) 3.

50. Impervious Area means the number of square feet of hard-surfaced areas which either prevent or retard the entry of water into soil mantle, or cause water to run off the surface in greater quantities or at an increased rate of flow than was present under natural conditions as undeveloped property; including but not limited to: roofs, roof extensions, patios, porches, driveways, sidewalks, pavement and athletic courts.

Section 72.304. That section 304 of chapter 72 of the Municipal Code, City of Cedar Rapids, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof, effective July 1st, 2016.

72.304 – Stormwater Utility Rate Exemptions.

a) Stormwater Utility rate shall not be imposed on the following types of property:

   1. publically owned streets, rights-of-way, sidewalks, and pathways;

   2. all real property owned and operated by the City;

   3. railroad track and associated right of way, but not including any rail yards, buildings, or other paved or graveled surfaces;

   4. undeveloped property.

b) The Eastern Iowa Airport shall have its impervious surface area reported by the Airport Commission to the City Council. The reported impervious surface area shall be reported in acres and include all impervious surface area at the Eastern Iowa Airport that is not owned and operated by the City of Cedar Rapids for the application of a storm sewer utility fee.

Section 72.305. That section 305 of chapter 72 of the Municipal Code, City of Cedar Rapids, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof, effective July 1st, 2016.

72.305 - Stormwater utility charge; establishment of policy regarding expenditure of utility revenues.

a) There is hereby established a stormwater utility charge. The purpose of the stormwater utility charge is to recover the costs associated with the planning, design, land acquisition, construction, operation and maintenance, extension and replacement, and debt service associated with the stormwater utility. The stormwater utility charge shall be billed to lots as set forth herein. The stormwater utility charge shall be determined by taking into account the impervious area on each lot, determining an ERU, and billing lots at a flat rate based on the number of ERU contained within the lot.

b) A stormwater utility charge will apply to every lot within the limits of the City of Cedar Rapids even if the lot receives no other utilities unless the lot is exempt from the stormwater utility as defined in 72.304.

c) The ERU is hereby established as 4,356 square feet of impervious surface area.
    1. The ERU will be periodically evaluated and updated as the average amount of impervious surface area on all residential lots within the City.

d) The following methods will be used to calculate the stormwater utility charge for each lot required:
    1. The lot's Total ERU count is the result of the lot's total impervious surface area divided by the ERU to yield the total number of ERU's contained within the lot.
    2. The lot's Total ERU count contained within the lot will be rounded to the nearest whole number with the following exception:
        A. If the impervious surface area is equal to or greater than 500 square feet or the lot has metered potable water service, then the assigned total number of ERU's will be at least one.
        B. If the impervious surface area is less than 500 square feet and the lot does not have metered potable water service, then the assigned total number of ERU's will be zero and the property will be considered undeveloped.
    3. The ERU Rate is hereby established at $0.1702 per ERU per day.
    4. The following methods will be used to apply the stormwater Utility Charge to each lot:
        A. The stormwater Utility Charge is the result of the Total ERU Count multiplied by the ERU Rate
        B. Individual lots containing one potable water meter will be billed the entire stormwater Utility Charge on one account.

C. Individual lots containing two or more potable water meters will have the stormwater Total ERU count evenly divided amongst the number of accounts with a minimum of one-half ERU applied to each account. ERU counts resulting in fractions will be rounded to two digits.

1. If at least one of the water meters on the property is assigned to the property owner, the property owner may request to have the entire stormwater Utility Charge applied to a single account assigned to the property owner.
2. If all water meters on the property belong to the same Utility Account Holder, the Account Holder may request to have the entire stormwater Utility Charge applied to a single account assigned to the Account Holder.

D. Individual lots without other utilities that contain at least one Total ERU will have a utility account created and assigned to the property owner for the purposes of stormwater Utility Charge billing.

1. If the unmetered lot containing at least one ERU is contiguous with any adjoining metered lots, the unmetered lot's Total ERU count will be added to the metered lot's Total ERU count to calculate the stormwater Utility Charge.

5. The application of the Total ERU count will be phased in per the following schedule:

A. The maximum Total ERU count for a single lot will be capped at:

1. FY17 – 100 ERU
2. FY18 – 200 ERU
3. FY19 – 300 ERU
4. FY20 – 400 ERU
5. FY21 – 500 ERU
6. FY22 – No cap

e) Any reduction in a lot's Total ERU Count must be presented by the property owner to the City for approval using the appropriate forms and providing all required documentation.

1. Reduction in Total ERU Count will be granted by the City utilizing the credits outlined in this section.
2. Lots not billed the actual Total ERU Count due to phase in per 72.305(d)5 will have credits applied to their actual Total ERU Count only.
3. All Total ERU Count reductions will be rounded to the nearest whole number.
4. The minimum adjusted Total ERU Count after applied credits will be one.
5. All credits outlined in this section are additive.
6. The maximum total credit will be a 75% reduction in Total ERU Count.

7. Lot owners must submit a credit renewal application every three years to ensure proper maintenance, functionality, and the application of appropriate credits unless otherwise noted.
8. Documentation supporting requests for credits must be certified as appropriate by licensed professionals, licensed in the State of Iowa.
9. The City reserves the right to re-evaluate awarded credits at any time.
10. The City reserves the right to inspect applicable installations or request information regarding applicable program or installations at any time.
11. Credits:

A. Water Quality and Quantity Credit

1. ERU reduction for the installation of stormwater infiltration practices in accordance with the Iowa Stormwater Manual.
2. ERU reduction will be determined using the below matrix:

% of lot impervious area runoff infiltrated in a 1.25” rain event.	ERU count reduction
10% to 25% by area	10%
25% to 49% by area	20%
50% to 74% by area	30%
75% to 100% by area	40%

B. Discharge to a Major Waterway Credit

1. ERU reduction for lots that directly discharge to the Cedar River.
2. The credit will be determined by dividing the lot area that discharges directly to the Cedar River by the total lot area and dividing this fraction by ten.
3. The maximum allowed ERU reduction will be 10%.

C. Education Credit

1. ERU reduction for lots that develop and annually implement a City-approved stormwater educational program.
2. The education credit is required to be renewed annually.
3. The maximum allowed ERU reduction will be 50% for tax-exempt institutions
4. The maximum allowed ERU reduction will be 25% for all other lots
5. The amount of reduction allowed will be determined by the City with consideration given to size and type of audience, type of program, and the experience of the program instructor.

D. Pervious Non-Compacted Gravel Credit

1. ERU reduction for gravel areas that are designed to infiltrate 1.25” rain and experience minimal vehicular traffic.
2. The maximum allowed ERU reduction will be 25% of the ERUs represented by gravel areas that meet the above criteria.

E. Zero Discharge Credit

1. ERU reduction for lots that do not discharge any stormwater runoff from the site either directly or indirectly, before, during, or after storms up to and including the 100-year 24-hour storm.
2. An evaluation of the site stormwater discharge must demonstrate that site facilities meet the eligibility requirements of this credit.
3. The maximum allowed ERU reduction will be 75%

12. Stormwater Best Management Practices (BMP) Cost-Share Program:

A. A cost-share program is hereby established to incentivize BMPs to reduce stormwater runoff volume for those properties subject to the stormwater utility fee.
B. BMPs are to be in accordance with the Iowa Stormwater Management Manual.
C. The program will reimburse up to 50% of a BMP’s project cost to the extent of available funds in a given fiscal year.
D. Property owners must submit applications on the appropriate forms provided by City and enter into a maintenance agreement to be eligible for funds.
E. Priority will be given to those properties in watersheds within the City of Cedar Rapids where high-priority projects have been identified under the Stormwater Master Plan.
F. The program will be funded from the Stormwater Utility.

Introduced this 10th day of May, 2016.

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MayorSignature

Attest:
ClerkSignature

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