

City of Monticello, Iowa

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Posted on March 3, 2022 at 10:30 a.m.

Monticello City Council Meeting March 7, 2022 @ 6:00 p.m.
Monticello Renaissance Center, 220 E. 1st Street, Monticello, Iowa

Mayor:	Dave Goedken	Staff:	
City Council:		City Administrator:	Russell Farnum
At Large:	Wayne Peach	City Clerk/Treas.:	Sally Hinrichsen
At Large:	Brenda Hanken	Police Chief:	Britt Smith
Ward #1:	Scott Brighton	City Engineer:	Patrick Schwickerath
Ward #2:	Candy Langerman	Public Works Dir.:	Nick Kahler
Ward #3:	Chris Lux	Water/Wastewater Sup.:	Jim Tjaden
Ward #4:	Tom Yeoman	Park & Rec Director:	Jacob Oswald
		Library Director:	Michelle Turnis

- **Call to Order – 6:00 P.M.**
- Pledge of Allegiance
- Roll Call
- Agenda Addition/Agenda Approval

Open Forum: If you wish to address the City Council on subjects pertaining to today's meeting agenda please wait until that item on the agenda is reached. If you wish to address the City Council on an item not on the agenda, please approach the lectern and give your name and address for the public record before discussing your item. Individuals are normally limited to speaking for no more than three (3) minutes on a topic and the Open Forum is by rule limited to a total of twenty (20) minutes.

Consent Agenda (These are routine items and will be enacted by one motion without separate discussion unless someone requests an item removed to be considered separately.)

Approval of Council Mtg. Minutes	February 21, 2022
Approval of Payroll	February 24, 2022
Approval of Bill List	
Approval of Board Appointment – Anthony Gomez-Reynolds to fill the vacancy of Ed Moreano on the library board	

Presentations:

1. **Presentation** – Erin Erickson, Maquoketa River Watershed Management Authority
2. **Resolution** Approving Investment in Maquoketa River Watershed Management Authority in the amount of \$6,060 for Fiscal Year 2023

Resolutions:

3. **Resolution** reporting all employees' wages for calendar year ending December 31, 2021

4. **Resolution** to schedule Public Hearing on March 21, 2022 at 6:00 p.m. related to Tobacco enforcement Civil Penalty
5. **Resolution** Approving and Accepting the Voluntary Annexation of certain properties generally described as the Jellystone Campgrounds, adjoining the City of Monticello for at least fifty feet and not creating an island, as same is defined within Iowa Code §368.7(2)
6. **Resolution** for Adoption of Disadvantaged Business Enterprise Program for the City of Monticello
7. **Resolution** Local Match for the Hazard Mitigation Assistance Program -Fire Generator
8. **Resolution** Local Match for the Hazard Mitigation Assistance Program – West Well Generator
9. **Resolution** Approving Change Order #2 in the amount of \$53,932.50, submitted by Pirc- Construction, Inc. related to the 2021 East 7th Street Utility Improvements Project

Motion:

10. **Motion** authorizing Pam Foley and Tom Norlin to hold fundraisers in the Community Building for the stage curtains

Reports / Potential Actions:

11. City Engineer
12. Mayor
13. City Administrator
14. City Clerk
15. Public Works Director
16. Police Chief
17. Water/Wastewater Superintendent
18. Park and Recreation Director
19. Library Director

Adjournment: Pursuant to §21.4(2) of the Code of Iowa, the City has the right to amend this agenda up until 24 hours before the posted meeting time.

Monticello City Council meetings are recorded, by attending and choosing to participate you give your consent to be recorded. If you prefer not to be recorded, you may submit comments in writing.

Meeting Instructions for the Public

Due to the Covid-19 Virus the public will be admitted into this meeting with limited seating.

The meeting will continue to be broadcast on Mediacom (Local Access Channel) and will be accessible via Zoom via the following link.

City of Monticello is inviting you to a scheduled Zoom meeting.

Topic: March 7, 2022 City Council Meeting

Time: Mar 7, 2022 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81281901891>

Meeting ID: 812 8190 1891

One tap mobile

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Meeting ID: 812 8190 1891

Find your local number: <https://us02web.zoom.us/j/81281901891>

Regular Council Meeting
February 21, 2022 – 6:00 P.M.
Community Media Center

Mayor Dave Goedken called the meeting to order. Council present were: Wayne Peach, Candy Langerman, Chris Lux, Tom Yeoman, and Scott Brighton. Council member Brenda Hanken arrived during meeting. Also present were City Administrator Russell Farnum, City Clerk Sally Hinrichsen, Police Chief Britt Smith, Park & Rec Director Jacob Oswald, Water/Wastewater Superintendent Jim Tjaden, Public Works Director Nick Kahler and City Engineer Patrick Schwickerath. The public was invited to attend the meeting in person, with limited seating or to participate in the meeting electronically via "Zoom Meetings" and were encouraged to communicate from Zoom Meeting via chat, due to the heightened public health risks of the Coronavirus Pandemic (COVID-19). The meeting did have public attendance, both in-person and via Zoom.

Brighton moved to approve agenda adding a motion to approve the hiring of the Park & Rec Superintendent and setting wage, Lux seconded, roll call unanimous.

Yeoman moved to approve the consent agenda, Peach seconded, roll call unanimous.

Mayor Goedken opened the public hearing to consider the Maximum Tax Dollars to be collected by the City from certain levies for the City's proposed Fiscal Year 2022-2023 Budget. Goedken reviewed budget figures from the prior work session and advised he was not planning to sign the budget resolution, as he felt the Council needs to look at options to increase the tax levy. Goedken stated no one wants to raise the tax rate, however City's expenses have increased. Farnum advised, as directed by the Council, the staff and Council worked on budget after the Council's first review and made several revisions. Tom Osborne, 630 South Sycamore questioned why the max levy rate was 11.57321 and the total tax levy is higher. Hinrichsen stated this was not the total tax levy, however the total tax levy would remain similar to current year's rate. The State legislators set what levies are on this public notice and no changes can be made to the form. Staff received no oral or written comments, however the Mayor stated he received several emails regarding the proposed budget. Mayor closed the Public Hearing to consider the Maximum Tax Dollars to be collected by the City from certain levies for the City's proposed Fiscal Year 2022-2023 Budget. Yeoman moved to approve Resolution #2022-23 approval of FY 2023 Maximum Property Tax Dollars, Brighton seconded, roll call unanimous.

Oswald stated he sent the Council the proposal from MSA Professional Services to prepare a Comprehensive Plan for the Park and Rec Department and they came to the Park Board meeting to review their proposal. Jim Holz and Shannon Gap with MSA Professional Services reviewed their proposal. Goedken stated the Comprehensive Plan for the City needed to be updated and questioned how many cities this size have a separate comprehensive plan for just the parks

department. Holz stated it is important to have a plan for capital projects. Holz stated surveys would be taken and they would work with staff to come up with the questions. Gap stated the public input would guide the overall plan. Goedken questioned if the City had to get quotes and asked Schwickerath if they provide these services also. Tom Osborne questioned with the Austin Strong All-Inclusive Playground being constructed, if it would be better to wait a year to do the plan. When asked Smith stated the playground will cost \$400,000 to build. Oswald stated the Austin Strong Playground is not a City project, however it will have City support. The comprehensive plan would be for the future. Park Board member Abby Slauson stated the City needs to offer things for the City to thrive and it would bring people to town and promote tourism. No action was taken.

Langerman moved to approve Resolution #2022-24 Approving Darren and J'nee Reade Tax Abatement Application related to Residential Improvements constructed at 845 Breckenridge Drive, Monticello, Iowa, Peach seconded, roll call unanimous.

Langerman moved to approve Resolution #2022-25 Approving Duayne and Peg Mere Tax Abatement Application related to Commercial and Residential Improvements constructed at 121 East First Street, Monticello, Iowa, Lux seconded, roll call unanimous.

Langerman moved to approve Resolution #2022-26 to Approve Franchise Fee Rebate to Orbis Manufacturing, Peach seconded, roll call unanimous except Hanken who abstained, as she arrived in the middle of the discussion.

Brighton moved to approve Resolution #2022-27 Scheduling Public Hearing on the City of Monticello 2022/2023 Fiscal Year budget for March 21, 2022 at 6:00 p.m., Langerman seconded, roll call unanimous.

Farnum reported City accepted proposal in January, however they withdrew their proposal. Farnum recommended advertising for new proposals on the disposition of the 449 North Sycamore Street lot. Langerman moved to approve Resolution #2022-28 Authorizing City Administrator to request proposals related to City owned lot located at 449 North Sycamore Street for Council review, Lux seconded, roll call unanimous.

Oswald reported Shannon Poe had resigned and he received five applications for the position. Oswald and Brighton interviewed two of the candidates. Farnum reported that the job description requires two Council members, a Park Board member and City Administrator do the interviews. The position requires them to be a Certified Pool Operator and the class begins in March. Lux stated it is unfortunate that it is in the job description and that needs to be reviewed. Lux moved to have two council members, a Park Board member and City Administrator interview the candidates and to authorize the committee to hire

the Parks & Facilities Superintendent with the salary of \$36,000, as soon as the interview is completed. Brighton seconded; roll call unanimous.

Goedken reported during a recent training they discussed the open meetings rule related to City boards and committees. These should be open to the public with agendas and minutes taken. Hinrichsen reached out to Mickey Shields at the League of Cities and received an email response, which she would forward to the Council. Goedken questioned if Council wanted separate sidewalk and trail committees or if they should be combined. Smith stated he did not see a need for two separate committees for sidewalks and trails. He stated the Police Department would continue to do the sidewalk inspections. He asked Oswald to address the Park Board to see if they would be interested in absorbing the in-fill sidewalks. No action was taken.

Brain Wolken, 321 East Third Street reported attending the Main Street Iowa Program training. He stated a committee of downtown business owners are looking to apply for the Main Street Iowa Program and would like the Council's support and for the Mayor to sign a letter of Intent to Apply. Langerman moved to authorize Mayor to sign the Main Street Iowa - Notice of Intent to Apply letter, Brighton seconded, roll call unanimous.

Schwickerath reported the contractor is ready to start the 7th Street project as soon as the weather is fit. There may be some water issues added to the project.

Goedken stated he was contacted regarding the concerns with the approach sidewalks and City not removing the all the snow in front of the Renaissance Center.

Farnum reported there was an electrical issue at the treatment plant, when Alliant connected Dollar Fresh. Tjaden stated when the 3-phase was connected, it was backwards. The plant is fully functional and staff is working with Alliant to recover our costs. He commended the staff for all their work and keeping records of damages and costs involved.

Farnum reported on water line issues at intersection of Hwy 38 and Locust Street. He is working with engineer on ways to do permanent repairs prior to the IDOT resurfacing the roadway this summer and extending the 8-inch main from Locust to Kitty Creek to loop the dead-end water main there. This will be on the next Council agenda.

Hinrichsen stated the State is wrapping up the audit and should have draft copy soon to review.

Regular Council Meeting
February 21, 2022

Smith reported looking to hire more part-time paramedics. He has attended a meeting on the essential services in Jones County and they hope to present a plan on dispersing the funds to the Board of Supervisors soon.

Oswald reported he is accepting applications for Aquatic Center staff. Oswald reported they are collaborating with the Library staff to do some programming during the summer break.

Peach moved to have Council take a short recess prior to the budget work session at 7:41 p.m., and to reconvene the meeting at 7:58 p.m.

During the budget work session, Farnum reviewed the proposed budget revisions. City Administrator and City Clerk have worked to balance the budget while maintaining sufficient cash reserves, the current tax rate and keeping the current advertised maximum levy. The public hearing on the budget will be on March 21st at 6 p.m.

Peach moved to adjourn the meeting at 8:54 p.m.

Dave Goedken, Mayor

Sally Hinrichsen, City Clerk

PAYROLL - FEBRUARY 24, 2022

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
AMBULANCE	February 7 - 20, 2022				
Jacob Gravel	\$ 1,730.55	\$ 62.55	0.00	0.00	\$ 1,257.74
David Husmann	1,961.66	53.66	0.00	0.00	1,210.80
Mary Intlekofer	1,908.00	-	0.00	0.00	1,324.20
Lori Lynch	2,074.40	-	0.00	0.00	1,420.42
Coletta Matson	182.80	-	0.00	0.00	157.47
Chloe Mogensen	182.80	-	0.00	0.00	157.47
Jenna Weih	1,908.00	-	0.00	0.00	1,405.63
Curtis Wyman	1,732.00	-	0.00	3.63	1,182.01
TOTAL AMBULANCE	\$ 11,680.21	\$ 116.21	0.00	3.63	\$ 8,115.74
CEMETERY	February 5 - 18, 2022				
Dan McDonald	\$ 1,989.25	\$ 245.25	0.00	0.00	\$ 1,478.56
TOTAL CEMETERY	\$ 1,989.25	\$ 245.25	0.00	0.00	\$ 1,478.56
CITY HALL	February 6 - 19, 2022				
Cheryl Clark	\$ 1,780.31	\$ 8.31	0.00	30.76	\$ 1,211.92
Russ Farnum	3,903.85	-	0.00	0.00	2,654.95
Sally Hinrichsen	2,614.03	-	0.00	0.00	1,655.03
Nanci Tuel	1,574.40	-	0.00	0.00	1,059.84
TOTAL CITY HALL	\$ 9,872.59	\$ 8.31	0.00	30.76	\$ 6,581.74
COUNCIL / MAYOR					
Scott Brighton	\$ 300.00	\$ -	0.00	0.00	\$ 276.78
Dave Goedken	500.00	-	0.00	0.00	453.30
Brenda Hanken	300.00	-	0.00	0.00	276.05
Candy Langerman	300.00	-	0.00	0.00	276.05
Chris Lux	300.00	-	0.00	0.00	275.78
Wayne Peach	300.00	-	0.00	0.00	235.05
Tom Yeoman	300.00	-	0.00	0.00	275.05
TOTAL COUNCIL / MAYOR	\$ 2,300.00	\$ -	0.00	0.00	\$ 2,068.06
LIBRARY	February 7 - 20, 2022				
Molli Hunter	\$ 987.20	\$ -	0.00	0.00	\$ 778.08
Penny Schmit	1,188.80	-	0.00	0.00	687.11
Michelle Turnis	1,705.44	-	0.00	0.00	1,089.54
TOTAL LIBRARY	\$ 3,881.44	\$ -	0.00	0.00	\$ 2,554.73
MBC	February 7 - 20, 2022				
Jacob Oswald	\$ 2,089.42	\$ -	0.00	0.00	\$ 1,573.85
Shannon Poe	353.78	-	0.00	0.00	214.19
TOTAL MBC	\$ 2,443.20	\$ -	0.00	0.00	\$ 1,788.04
POLICE	February 7 - 20, 2022				
Zachary Buehler	\$ 2,297.75	\$ 39.39	0.00	0.00	\$ 1,702.48
Peter Fleming	2,314.20	-	0.00	5.25	1,633.33
Dawn Graver	2,593.08	-	0.00	0.00	1,868.30
Erik Honda	2,509.09	-	0.00	0.25	1,868.60
Jordan Koos	2,509.08	-	0.00	0.25	1,818.76
Britt Smith	3,071.06	-	0.00	0.00	2,255.42

PAYROLL - FEBRUARY 24, 2022

DEPARTMENT	GROSS PAY	OT PAY	COMP HRS. ACCRUED	COMP TOTAL	NET PAY
POLICE (cont.)					
Madonna Staner	1,576.01	-	0.00	0.00	1,197.90
Brian Tate	2,530.08	-	0.00	0.00	1,875.81
TOTAL POLICE	<u>\$ 19,400.35</u>	<u>\$ 39.39</u>	<u>0.00</u>	<u>5.75</u>	<u>\$ 14,220.60</u>
ROAD USE					
February 5 - 18, 2022					
Zeb Bowser	\$ 1,907.50	\$ 163.50	0.00	0.00	\$ 1,403.24
Jasper Scott	1,744.00	-	0.38	10.38	1,240.34
TOTAL ROAD USE	<u>\$ 3,651.50</u>	<u>\$ 163.50</u>	<u>0.38</u>	<u>10.38</u>	<u>\$ 2,643.58</u>
SANITATION					
February 5 - 18, 2022					
Michael Boyson	\$ 1,882.98	\$ 138.98	0.00	0.00	\$ 1,326.94
Nick Kahler	2,131.80	-	0.00	0.00	1,471.94
TOTAL SANITATION	<u>\$ 4,014.78</u>	<u>\$ 138.98</u>	<u>0.00</u>	<u>0.00</u>	<u>\$ 2,798.88</u>
SEWER					
February 5 - 18, 2022					
Tim Schultz	\$ 2,029.35	\$ 37.35	0.00	3.50	\$ 1,413.93
Jim Tjaden	2,461.54	-	0.00	0.00	1,786.99
TOTAL SEWER	<u>\$ 4,490.89</u>	<u>\$ 37.35</u>	<u>0.00</u>	<u>3.50</u>	<u>\$ 3,200.92</u>
WATER					
February 5 - 18, 2022					
Daniel Pike	\$ 1,968.00	\$ -	0.00	35.75	\$ 1,419.31
TOTAL WATER	<u>\$ 1,968.00</u>	<u>\$ -</u>	<u>0.00</u>	<u>35.75</u>	<u>\$ 1,419.31</u>
TOTAL - ALL DEPTS.	\$ 65,692.21	\$ 748.99	0.38	89.77	\$ 46,870.16

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
POLICE DEPARTMENT					
ALL SEASONS AUTO BODY INC	PD VEHICLE OPERATING		1,000.00		
INFRASTRUCTURE TECHNOLOGY	PD COMPUTER SUPPORT FEES		17.50		
JOHN DEERE FINANCIAL	PD VEHICLE OPERATING		1.14		
WELAND CLINICAL LAB P.C.	PD LAB		25.00		

	110 POLICE DEPARTMENT TOTAL		1,043.64		
STREET LIGHTS					
ALLIANT ENERGY-IES	E FIRST STREETLIGHTS		5,244.54		

	230 STREET LIGHTS TOTAL		5,244.54		
CEMETERY					
TRI COUNTY PROPANE LLC	CEMETERY UTILITIES		942.50		

	450 CEMETERY TOTAL		942.50		
CITY HALL/GENERAL BLDGS					
IMFOA	CH DUES - HINRICHSN		100.00		
INFRASTRUCTURE TECHNOLOGY	CH MISC CONTRACT WORK		306.00		
ORBIS MENASHA CORP	CH FRANCHISE FEE REFUND		42,040.68		

	650 CITY HALL/GENERAL BLDGS TOTAL		42,446.68		

	001 GENERAL TOTAL		49,677.36		
MONTICELLO BERNDES CENTER					
PARKS					
CENTRAL IOWA DISTRIBUTING INC	MBC BUILDING SUPPLIES		162.00		
INFRASTRUCTURE TECHNOLOGY	MBC OFFICE SUPPLIES		66.50		
JOHN DEERE FINANCIAL	MBC BLDG REPAIR/MAINT		13.56		
LAPORTE MOTOR SUPPLY	MBC BUILDING SUPPLIES		.83		
GALEN MULLER	MBC DAMAGE DEPOSIT REFUND		200.00		
PEPSI COLA BOTTLING CO	MBC CONCESSIONS		241.30		
WELLS FARGO VENDOR FINANCIAL	2020 TOOLCAT PAYMENT		1,048.95		

	430 PARKS TOTAL		1,733.14		

	005 MONTICELLO BERNDES CENTER TOTAL		1,733.14		
FIRE					
FIRE					
FIRE SERVICE TRAINING BUREAU	FIRE TRAINING - BOWSER		50.00		
JOHN DEERE FINANCIAL	FIRE VEHICLE OPERATING		151.76		
LAPORTE MOTOR SUPPLY	FIRE SUPPLIES		91.44		

	150 FIRE TOTAL		293.20		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	015 FIRE TOTAL		293.20		
AMBULANCE					
AMBULANCE					
BOUND TREE MEDICAL, LLC	AMB MEDICAL SUPPLIES		234.48		
FREES MOTORS INC	AMB VEHICLE OPERATING		295.74		
INFRASTRUCTURE TECHNOLOGY	AMB DATA PROCESSING		26.50		
IOWA DEPT OF HUMAN SERVICES	AMB REFUND		145.58		
STERICYCLE, INC.	AMB PHARMACEUTICAL DISPOSAL		79.35		
	160 AMBULANCE TOTAL		781.65		
	016 AMBULANCE TOTAL		781.65		
LIBRARY					
LIBRARY					
BAKER & TAYLOR BOOKS	LIB BOOKS		25.05		
MICRO MARKETING LLC	LIB BOOKS		14.39		
	410 LIBRARY TOTAL		39.44		
	041 LIBRARY TOTAL		39.44		
AIRPORT					
AIRPORT					
KRAUS PLUMBING & HEATING LLC	AIRPORT BLDG REPAIR/MAINT		402.50		
MCALDER WATER CONDITIONING INC	AIRPORT BUILDING SUPPLIES		35.00		
MONTECELLO AVIATION INC	AIRPORT MANAGER		2,166.66		
	280 AIRPORT TOTAL		2,604.16		
	046 AIRPORT TOTAL		2,604.16		
ROAD USE					
STREETS					
ALLIANT ENERGY-IES	22059 HWY 38		439.80		
RODNEY COOHEY	RU STREET MAINTENANCE SUPPLIES		849.50		
BRIAN CROWLEY	RU EQUIP REPAIR/MAINT		80.30		
FUTURE LINE LLC	RU EQUIP REPAIR/MAINT		261.96		
W.W. GRAINGER, INC	RU EQUIP REPAIR/MAINT		101.69		
INFRASTRUCTURE TECHNOLOGY	RU AVAST CLOUD CARE		2.50		
IOWA STATE PRISON INDUSTRIES	RU STREET MAINTENANCE SUPPLIES		797.00		
JOHN DEERE FINANCIAL	RU TREE REMOVAL (CHAINSAW)		1,810.82		
LAPORTE MOTOR SUPPLY	RU SUPPLIES		69.32		
MID-AMERICAN RESEARCH CHEMICAL	RU STREET MAINTENANCE SUPPLIES		2,711.50		
MONTECELLO MACHINE SHOP INC	RU EQUIP REPAIR/MAINT		18.53		
RICHARD L BEHNKEN	RU EQUIP REPAIR/MAINT		563.04		
THOMPSON TRUCK & TRAILER, INC.	RU EQUIP REPAIR/MAINT		159.44		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	210 STREETS TOTAL		7,865.40		
	110 ROAD USE TOTAL		7,865.40		
CAPITAL IMPROVEMENT CAPITAL PROJECTS HDR ENGINEERING INC	CAP IMP 2021 TAXIWAY/APRON		34,925.00		
	750 CAPITAL PROJECTS TOTAL		34,925.00		
	332 CAPITAL IMPROVEMENT TOTAL		34,925.00		
WATER WATER					
ALLIANT ENERGY-IES	16540 190TH ST WATER TOWER		199.90		
AMERICAN WATER WORKS ASSOCIATI	WATER DUES		406.00		
CORE & MAIN LP	WATER SUPPLIES (LOCATOR)		875.00		
HAWKINS WATER TREATMENT	WATER SYSTEM		15.00		
INFRASTRUCTURE TECHNOLOGY	WATER DATA PROCESSING		11.50		
JOHN DEERE FINANCIAL	WATER SUPPLIES		59.41		
MINDY MARTIN	OVERPAYMENT REFUND		14.87		
MUNICIPAL SUPPLY INC	WATER SYSTEM		2,579.60		
	810 WATER TOTAL		4,161.28		
	600 WATER TOTAL		4,161.28		
CUSTOMER DEPOSITS WATER					
CITY OF MONTICELLO	MCGOVERN/CHRISTINA		560.00		
MINDY MARTIN	WATER DEPOSIT REFUND		50.00		
	810 WATER TOTAL		610.00		
	602 CUSTOMER DEPOSITS TOTAL		610.00		
SEWER SEWER					
HUPP ELECTRIC MOTORS INC	SEWER EQUIP REPAIR/MAINT		6,834.95		
JOHN DEERE FINANCIAL	SEWER LAB SUPPLIES		12.98		
KROMMINGA MOTORS INC	SEWER SYSTEM		250.00		
MSA SAFETY SALES LLC	SEWER OSHA SUPPLIES		390.00		
MUNICIPAL SUPPLY INC	SEWER SYSTEM		744.85		
TRI COUNTY PROPANE LLC	SEWER UTILITIES		4,861.57		
	815 SEWER TOTAL		13,094.35		

CLAIMS REPORT

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
	610 SEWER TOTAL		13,094.35		
SEWER CAPITAL IMPROVEMENT SEWER SNYDER & ASSOCIATES, INC	SEWER FACILITY IMPROVEMENTS		39,550.00		
	815 SEWER TOTAL		39,550.00		
	613 SEWER CAPITAL IMPROVEMENT TOTAL		39,550.00		
SANITATION SANITATION REPUBLIC SERVICES	RESIDENTIAL GARBAGE		23,433.42		
	840 SANITATION TOTAL		23,433.42		
	670 SANITATION TOTAL		23,433.42		
	Accounts Payable Total		178,768.40		

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND NAME	AMOUNT	
001	GENERAL	49,677.36
005	MONTICELLO BERNDES CENTER	1,733.14
015	FIRE	293.20
016	AMBULANCE	781.65
041	LIBRARY	39.44
046	AIRPORT	2,604.16
110	ROAD USE	7,865.40
332	CAPITAL IMPROVEMENT	34,925.00
600	WATER	4,161.28
602	CUSTOMER DEPOSITS	610.00
610	SEWER	13,094.35
613	SEWER CAPITAL IMPROVEMENT	39,550.00
670	SANITATION	23,433.42
TOTAL FUNDS		178,768.40

City Council Meeting
Prep. Date: 3/2/2022
Preparer: Sally Hinrichsen



Agenda Item: # 1 & 2
Agenda Date: 3/07/2022

Communication Page

Agenda Items Description: **Resolution** Approving Investment in Maquoketa River Watershed Management Authority in the amount of \$6,060 for Fiscal Year 2023

Type of Action Requested: Motion; **Resolution**; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Proposed Resolution
Letter Request for funding

Fiscal Impact:

Budget Line Item:	
Budget Summary:	Admin County Contrib.
Expenditure:	\$6,060
Revenue:	

Synopsis: Maquoketa River Watershed Management Authority requests funding from the City to address water quality, water quantity (flooding) as well as other issues associated with the Maquoketa River watershed area.

Background Information: The Maquoketa River Watershed Management Authority (MR WMA) was formed in 2017. Limestone Bluff RC&D is the official fiscal agent for the organization and is currently providing in nonprofit umbrella, grant writing services and overall management.

Financial support for MR WMA is voluntary for it’s members, which consists of 34 Cities, Counties, Soil and Water Conservation Districts and a Lake District in Eastern Iowa.

The MR WMA has executed its water monitoring program, testing 36 sites three times a year. MR WMA is working with the University of Iowa’s Planning Students who are completing the phase II of our Watershed Management Plan.

MR WMA received a \$100,000 DNR grant to help complete and promote the watershed plan. The award (which required matching funds provided by members) will allowed the organization to hire a dedicated watershed coordinator for 18 months and all the MR WMA to begin work with a NEW Team of the University of Iowa IISC graduate students in the 21-22 academic year

Staff Recommendation: It is recommended that the Council approve proposed Resolution Approving Investment in Maquoketa River Watershed Management Authority in the amount of \$6,060 for Fiscal Year 2023

THE CITY OF MONTICELLO, IOWA

RESOLUTION #

**Approving Investment in Maquoketa River Watershed Management
Authority in the amount of \$6,060 for Fiscal Year 2023**

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

WHEREAS, The City of Monticello is a member of the Maquoketa River Watershed Management Authority (WMA), and

WHEREAS, The City Council finds that the WMA has requested a per capita assessment from all members to support the costs of administering the WMA during the creation of the Watershed Management Plan, a process that is underway. WMA is working on the stakeholder survey, which is open to all residents of Monticello, and

WHEREAS, The Council further finds that the requested investment of \$1.50 per capita for Fiscal Year 2023 in the total amount of \$6,060 is appropriate and in the best interests of the City, finding further that the creation and existence of a watershed management plan for the Maquoketa River would be of value to the City.

NOW THEREFORE, BE IT RESOLVED that the City of Monticello does hereby approve the proposed investment of \$6,060 in the Maquoketa River Management Authority to cover costs of administration and operation during the creation of the Watershed Plan, said investment being intended to cover Fiscal Year 2023 commencing on July 1, 2023.

IN THE TESTIMONY WHEREOF, I have hereunto subscribed my name hereto on this 7th day of March, 2022.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer



Maquoketa River Watershed Management Authority

Limestone Bluffs Resource Conservation & Development, Inc.

PO Box 421 • Mechanicsville, IA 52306 • 563-221-1930

Erin Erickson, Watershed Coordinator • erin@limestonebluffsrcd.org • 319.826.1132

Larry McDevitt, MR WMA Chair • lmcddevitt@outlook.com • 319.541.6357

Lori Scovel, Executive Director LB RCD • lscovel@limestonebluffsrcd.org • 563.221.1930

Greetings from the Maquoketa River Watershed Management Authority (MR WMA)

We are reaching out to update our records for your membership to the WMA. Many exciting projects are happening within our organization and we want to make sure you know about them as well as have the opportunity to suggest other projects that your community might be in need of. We are your partner, here to assist communities to reduce possible flooding concerns, improve water quality and soil health, and to promote recreation on our waterways.

As per the 28E Agreement and governing By-Laws, every member of the MR WMA is allowed one representative to serve on the Board of Directors. From the Board of Directors, an Executive Committee elected by members oversees the day-to-day business of the WMA. Limestone Bluffs RC&D is the fiscal agent for the organization and provides its non-profit umbrella, grant writing services, and overall management through a FY22 contract with the MR WMA. Due to the magnitude of the watershed for the Maquoketa River, which covers over 1 million acres in Eastern Iowa, communication with some of our rural communities is as vital as the larger urban cities AND ALL residents within the watershed area are served by us.

Our current list of members and their contact information is seeking an update to make sure we have the correct information as we know representatives change, people move and life happens. We need you to contact Erin at erin@limestonebluffsrcd.org with updated contact information for your organization by February 15, 2022.

We would like to also announce our next Board of Directors meeting will be on February 22, 2022 at 4pm via Zoom. We have some important business to conduct and would appreciate our members' attendance. To sustain our project list and staff after the DNR grant expires in FY23, the Executive Committee made the recommendation to increase the per capita voluntary member fund ask to \$1.50. This increase will be an item discussed at our late Feb. meeting. Another highlight includes the University of Iowa Planning Students who are completing the phase II of our Watershed Management Plan thanks to a portion of the \$100,000 DNR grant the WMA was awarded. The student will share their progress and timeline for the remainder of the semester of tasks they have identified. This meeting is open to the public.

We appreciate your continued support of the WMA and look forward to future projects in our watershed communities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erin Erickson", is written over the word "Sincerely,".

Erin Erickson

Watershed Coordinator
Maquoketa River WMA

Maquoketa River Watershed Management Authority
FY23 Requested Voluntary Funding Commitments
NOT REQUIRED: Will be invoiced in July 2022

Member	Previously Suggested per 2010 census	FY23 Requests per 2020 census	Multiplied by 1.5
1. Lake Delhi District	\$514	\$514	\$771
COUNTIES:			
2. Buchanan County BoS	\$842	\$825 (County -2%)	\$1237
3. Clinton County BoS	\$2,460	\$2354 (County -4.3%)	\$ 3531
4. Delaware County BoS	\$9,663	\$9566 (County -1%)	\$14,349
5. Dubuque County BoS	\$4,846	\$4953 (County +2.2%)	\$7429
6. Jackson County BoS	\$5649	\$5485 (County -2.9%)	\$8227
7. Jones County BoS	\$5053	\$5109 (County +1.1%)	\$7663
8. Linn County BoS	\$211	\$197 (County -6.6%)	\$295
SWCDS: (Anticipated 2022 Coe College Lab Fees: \$18 per test 45 sites x 3 dates = 135x18 = \$2430)			
9. Delaware County SWCD – 11	\$594		
10. Dubuque County SWCD – 6	\$324	Dyersville – 3 sites: \$162	
11. Fayette County SWCD – 0		Manchester – 2 sites: \$108	
12. Jackson County SWCD – 9	\$486	Maquoketa – 2 sites: \$108	
13. Jones County SWCD – 5	\$270	Lake Delhi – 7 sites: \$378	
14. Linn County SWCD – 0	\$0		
COMMUNITIES:			
15. City of Andrew	\$433	\$380 (-54)	\$568
16. City of Baldwin	\$109	\$99 (-10)	\$148
17. City of Cascade	\$2180	\$2407(+227)	\$3610
18. City of Delaware	\$159	\$142 (-17)	\$213
19. City of Delhi	\$460	\$420 (-40)	\$630
20. City of Dyersville	\$4058	\$4477 (+419)	\$6715
21. City of Epworth	\$1860	\$2023 (+163)	\$3034
22. City of Goose Lake	\$240	\$239 (-1)	\$358
23. City of Hopkinton	\$628	\$622 (-6)	\$933
24. City of Lamont	\$461	\$429 (-32)	\$643
25. City of La Motte	\$260	\$237 (-23)	\$355
26. City of Manchester	\$5179	\$5065 (-114)	\$7597
27. City of Maquoketa	\$6141	\$6128 (-13)	\$9192
28. City of Monticello	\$3796	\$4040 (+244)	\$6060
29. City of Preston	\$1012	\$949 (-63)	\$1423
30. City of Ryan	\$361	\$350 (-11)	\$525
31. City of Spragueville	\$81	\$92 (+11)	\$138
32. City of Strawberry Point	\$1279	\$1155 (-124)	\$1732
33. City of Worthington	\$401	\$382 (-19)	\$573
34. City of Wyoming	\$515	\$523 (+8)	\$784

NET GROWTH IN CITIES..... + 545

City Council Meeting
Prep. Date: 3/2/2022
Preparer: Sally Hinrichsen



Agenda Item: # 3
Agenda Date: 03/07/2022

Communication Page

Agenda Items Description: **Resolution** Entitled reporting all employees' wages for calendar year ending December 31, 2021

Type of Action Requested: Motion; **Resolution**; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: State law mandates publishing of annual wages of City Employees.

Background Information: The wages of City Employees through December 31, 2021 are set out in the proposed resolution. The publishing of this resolution is a State Code requirement, and the format proposed is consistent with State requirements and past practices of the City.

Staff Recommendation: It is recommended that the proposed resolution be approved.

RESOLUTION NO. 2022-

The City Council of the City of Monticello, Iowa, a municipality organized and existing under the laws of the State of Iowa, met in regular session at the City Council Chambers, Monticello, Iowa, beginning at 6:00 p.m. on the 7th day of March, 2022.

Whereupon, the Mayor declared the following Resolution duly adopted. A Resolution entitled reporting all employees' wages for calendar year ending December 31, 2021.

Harrison J. Ahlrichs	416.15	Pool	David A. Husmann	34244.63	Ambulance
Lydia R. Ahlrichs	486.00	Pool	Mary A. Intlekofer	28108.00	Ambulance
Kegan D. Arduser	3289.70	MBC	Sonya M. Johnson	3402.06	Ambulance
Sydney E. Ballou	424.38	Pool	Nicholas L. Kahler	57228.85	Pub Work Dir/Amb
Allyson P. Bartachek	273.05	Pool	Brandon J. Kent	27347.50	Ambulance
Joseph C. Bayne	1999.98	Fire	John D. Klein	449.46	Police
Dru P. Boffeli	451.50	Pool	Jordan M. Koos	65082.25	Police
Mya M. Boffeli	2505.81	Pool	Karle J. Kramer	2198.31	Pool
Benjamin M. Bollwitt	128.00	Ambulance	Candy K. Langerman	1200.00	Council
Zebulyn C. Bowser	48694.01	Streets	Christina M. Lux	1200.00	Council
Caleb R. Bowser-Etten	3745.00	Cemetery	Lori M. Lynch	64050.86	Ambulance
Michael L. Boysen	48260.96	Streets/San	Megan O. Mahoney	1644.30	Pool
Scott S. Brighton	1200.00	Council	Coletta A. Matson	365.60	Ambulance
Brian P. Bronemann	9837.12	Ambulance	Daniel J. McDonald	47046.66	Cemetery/Streets
Carter G. Bronemann	95.18	Ambulance	David B. McNeill	940.28	Ambulance
Shelley M. Bronemann	2080.01	Ambulance	Kody J. Miles	160.00	Ambulance
Dawn M. Brus	246.00	Ambulance	Jacob P. Miller	2553.81	Pool
Zachary C. Buehler	57939.19	Police	Chloe A. Mogensen	6009.56	Ambulance
Chesney S. Capron	270.00	Pool	Cole A. Nietert	597.00	Pool
Cheryl M. Clark	48147.07	Clerk's Office	Cord A. Nietert	493.50	Pool
Aubree M. Fairley	263.07	Pool	Amanda S. Norton	5141.39	Ambulance
Russell W. Farnum	81207.77	City Admin.	Billy J. Norton	1600.02	Fire
Autry A. Fasnacht	739.20	Pool	Caroline R. Olson	1591.25	Library
Kylie A. Flanagan	763.78	Ambulance	Jacob J. Oswald	54477.82	MBC
Peter B. Fleming	59450.58	Police	Elizabeth M. Petersen	1728.53	Pool
Jill K. Flynn	1412.10	Pool	Daniel W. Pike	50566.77	Water/Sewer
Sullivan T. Flynn	3045.76	Pool	Shannon L. Poe	45257.31	MBC/Ambulance
Taylor E. Gassman	1196.00	Pool	Dylan J. Ponder	2127.96	Pool
Ella J. Glawatz	2231.55	Pool	Ethan P. Ponder	297.60	Pool
David J. Goedken	1200.00	Council	Brian L. Rechkemmer	798.98	Ambulance
Jacob R. Gravel	27056.40	Ambulance	Cassidy M. Russell	7767.50	Streets
Dawn M. Graver	63681.42	Police	Haili J. Schlarmann	142.50	Pool
Reeve G. Graver	225.00	Pool	Penny M. Schmit	30254.90	Library
Gabrielle A. Guilford	1010.00	Pool	Lake M. Schnoor	1386.00	Pool
Drew J. Haag	810.60	Ambulance	Timothy M. Schultz	52760.72	Water/Sewer
Brenda M. Hanken	1200.00	Council	Emma J. Schwendinger	2428.00	Pool
Mason M. Hanson	3380.29	Ambulance	Jasper P. Scott	31464.02	Streets
Benjamin L. Hein	3520.90	Ambulance	Shelly A. Searles	59566.25	Ambulance
Ronald E. Herman, Jr.	496.00	Ambulance	Jeffrey W. Silver	1283.70	Ambulance
Kade S. Hermsen	4095.00	Cemetery	Britt D. Smith	79547.87	Police
Keaton D. Hermsen	1006.00	Pool	Madalyn J. Stadtmueller	3757.51	Pool
Christopher S. Hinrichs	720.00	Fire	Madonna M. Staner	40428.82	Police/Local Access
Sally M. Hinrichsen	68755.32	Clerk's Office	Sabrina N. Strella	3299.02	Ambulance
Leah A. Holub	296.70	Pool	Christopher R. Szymanowski	1461.45	Ambulance
Erik J. Honda	65923.26	Police	Brian J. Tate	67482.72	Police
Molli J. Hunter	21367.57	Library	Ian C. Temple	2190.00	Pool

James D. Tjaden	61530.74	Water/Sewer	Maci R. Welter	2991.40	Pool
Hayden M. Tompkins	2142.00	Pool	Brock A. Westphal	1960.00	Pool
Nanci R. Tuel	41570.20	Clerk's Office	Brian R. Wolken	3600.00	Mayor
Michelle L. Turnis	43745.40	Library	Curtis D. Wyman	51198.62	Ambulance
Paul D. Warner	1350.00	Fire	Thomas W. Yeoman	1200.00	Council
Jenna M. Weih	58981.49	Ambulance			

This resolution passed and approved this 7th day of March, 2022.

David Goedken, Mayor

Sally Hinrichsen, City Clerk

City Council Meeting
Prep. Date: 3/2/2022
Preparer: Sally Hinrichsen



Agenda Item: # 4
Agenda Date: 03/07/2022

Communication Page

Agenda Items Description: **Resolution** to Schedule Public Hearing on March 21, 2022 at 6:00 p.m. related to Tobacco Violation Civil Penalty

Type of Action Requested: Motion; **Resolution**; Ordinance; Report; Public Hearing; Closed Session

Attachments & Enclosures:

Resolution

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Kardes 151 employee sold cigarettes to a minor and City pursuing mandatory civil penalty

Background Information: When City is notified of a tobacco enforcement violation, we can pursue the penalty or leave it to the Iowa Attorney General's Office. City has pursued these in the past. This Resolution schedules a public hearing for the next regular council meeting. If the owners of Kardes 151 enters into the proposed settlement agreement the Public Hearing will not occur, however, it needs to be set nonetheless.

Staff Recommendation: It is recommended that the proposed resolution be approved.

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO,
IOWA

RESOLUTION

Resolution to schedule Public Hearing on March 21, 2022 at 6:00 p.m.
related to Tobacco Violation Civil Penalty

WHEREAS, The City of Monticello Police Department issued a citation to an employee of Kardes 151, a cigarette permittee in the City of Monticello, after said employee sold cigarettes to a minor, and

WHEREAS, The sale of Cigarettes to a minor is a violation of Iowa Code Section 453A.22(2), and

WHEREAS, Pursuant to Iowa Code Section 453A.22(2)(a) the City is required to impose a penalty against the permittee in the amount of \$300.00 for a first violation and \$1,500.00 or 30-day suspension for a second violation within a two-year period, and

WHEREAS, Pursuant to Iowa Code 453A.22 the permittee or retailer shall have an opportunity to be heard upon a ten days' written notice, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby schedule a public hearing for March 21, 2022 at 6:00 p.m. in the City Council Chambers at the Monticello Renaissance Center for allowing Kardes 151 an opportunity to be heard in regard to the sale of tobacco to a minor by their employee on or about the 1st day of December, 2021.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the City of Monticello, Iowa to be affixed hereto. Done this 7th day of March, 2022.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer



CITY OF
MONTICELLO

200 E. First St.
Monticello, IA 52310
(319) 465-3577
Fax (319) 465-3527

Equal Opportunity Employer - Fair Housing City

February 24, 2022

Kardes Inc
DBA Kardes 151
2100 S. Main Street
Monticello, IA 52310

RE: Sale of Tobacco to Minors Civil Penalty Notice of Hearing, 1st Violation

A Public Hearing will be scheduled before the City Council on March 21, 2022, at approximately 6:00 p.m. in the City Council Chambers at the Monticello Renaissance Center. (our regular meeting commences at 6:00 p.m. and the hearing on the tobacco violation penalty will be near the top of the agenda) The hearing complaint is attached hereto.

If you or your representative fail to appear at this hearing, a decision may be rendered against you. You have the opportunity to be heard at this hearing and to be represented by an attorney at your own expense regarding the imposition of the mandatory \$300.00 civil penalty as prescribed by Iowa Code section 453A.22(2)(a) for the violation of Iowa Code section 453A.2(1), selling, giving, or otherwise supplying any tobacco, tobacco products, or cigarettes to any person under eighteen years of age.

If you wish to settle this case in lieu of the public hearing, you may complete the attached Acknowledgement/Settlement Agreement, returning, in person or by regular mail, the original copy, properly signed and dated, to the Monticello City Clerk's office at 200 East First Street, no later than ten (10) business days prior to the hearing date. With this Acknowledgement/Settlement Agreement, you must include a check in the amount of \$300.00, made out to the City of Monticello. This will satisfy the penalty for a **first violation** under Iowa Code section 453.22(2), and will conclude the matter.

If you have any questions, you, or your attorney if one has been retained, may reach me by phone at (319) 465-3577.

Sincerely yours,

Sally Hinrichsen
Sally Hinrichsen
City Clerk/Treasurer

In Re:
Kardes Inc
DBA Kardes 151
2100 S. Main Street
Monticello, Iowa 52310

Acknowledgement/ Settlement Agreement

I (We) hereby knowingly and voluntarily acknowledge that we have received the Notice of Hearing and the Complaint in the above case. I (We) hereby knowingly and voluntarily acknowledge the facts and allegations contained in the complaint attached hereto and incorporated herein by this reference, and knowingly and voluntarily admit that the same are true and correct. I (We) knowingly and voluntarily waive our right to a hearing, and submit to the statutory penalties prescribed and mandated by Iowa law. I (We) understand that this penalty will count as an official 1st violation of Iowa Code § 453A.2 pursuant to Iowa Code § 453A.22. I (We) have enclosed a check in the amount of \$300.00 made payable to the City of Monticello in full settlement of the mandatory civil penalty previously referenced herein.

Name, Title, Date

Name, Title, Date

Note: This must be signed by an individual cigarette permittee, or in the case of another business entity, by individual(s) who have authority to bind the entity.

If you decide to sign this **ACKNOWLEDGEMENT/ SETTLEMENT AGREEMENT** and waive your rights to a hearing, this document, properly signed and dated, along with your \$300.00 check made payable to the City of Monticello, should be returned to: Monticello City Clerk's Office, 200 E. First Street, Monticello, Iowa 52310.

City Council Meeting
Prep. Date: 03/01/2022
Preparer: Russell Farnum



Agenda Item: # 5
Agenda Date: 03/07/2022

Communication Page

Agenda Items Description: Voluntary Annexation, “Jellystone Campgrounds” property

Type of Action Requested: Resolution

Attachments & Enclosures:
 Resolution
 Petition for Annexation

<u>Fiscal Impact:</u>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: Attorney Nick Strittmatter, on behalf of his clients, Monticello Recreational LLC and Four Points RV Resorts of IA LLC, has petitioned for voluntary annexation of the “Jellystone Campgrounds” property and some adjacent parcels at 201 and 205 East 11th Street, also owned by the petitioners.

Background: The parent company ownership of the Jellystone Campgrounds has petitioned for voluntary annexation of their property in order to receive the benefit of City water and sewer and other services. The property is contiguous to the existing City Limits and can be readily annexed. When annexed, this property will add over \$500,000 to the City’s assessed value.

The new owners of Jellystone Campgrounds are working on their long-term plans for expansion of their facility and improvements to the property. The property is currently served by private wells and several septic tank and leach field facilities. They would like to connect to City water and sewer. A prerequisite is to annex to the City.

The engineering is being worked on for those service connections. Due to the shallow sanitary sewer at the north end of 11th Street, it is likely that the campgrounds will have to build its own lift station (note, the cost of building a City-owned lift station, and subsequent maintenance burden, would not be feasible for the taxpayers of Monticello).

The Planning and Zoning Board reviewed this petition at their regular meeting of February 22, 2022. The P&Z Board recommended approval of the annexation, with the note that the City should not be responsible for their lift station, by a vote of 4-0.

Recommendation: It is recommended that the Council approve the Resolution annexing the properties.

Prepared By and Return To: Russell Farnum, 200 East First Street, Monticello, Iowa 52310
Phone: (319) 465-3577

IN THE NAME AND BY THE AUTHORITY OF THE
CITY OF MONTICELLO, IOWA

RESOLUTION 22-_____

Resolution Approving and Accepting the Voluntary Annexation of certain properties generally described as the Jellystone Campgrounds, as well as 201 and 205 East 11th Street, adjoining the City of Monticello for at least fifty feet and not creating an island, as same is defined within Iowa Code §368.7(2)

WHEREAS, the City of Monticello, Iowa is an incorporated City within Jones County; and

WHEREAS, the City has received and approved Voluntary Annexation Applications from the owners of properties legally described as set forth within the attached "Exhibit A" to this Resolution, generally described as the Jellystone Campgrounds as well as 201 and 205 East 11th Street; and

WHEREAS, Chapter 368 of the Iowa Code provides the process by which Cities may annex properties seeking voluntary access to the City; and

WHEREAS, notification of the proposed voluntary annexations was given to the Jones County Board of Supervisors by way of a certified mailing, return receipt requested; and

WHEREAS, after further discussion the Council finds the Voluntary Annexation of the properties proposed herein to be appropriate and in the best interests of the City of Monticello, and that same should, therefore, be approved.

NOW, THEREFORE, BE IT RESOLVED that the City of Monticello does hereby approve and accept the Voluntary Annexation those properties described herein and by way of “Exhibit A” attached hereto, and directs the City Clerk to file said documents and to notify said entities as required by the Iowa Code, taking any and all additional steps necessary to finalize the annexation of said properties.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed this 7th day of March, 2022.

Dave Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

Exhibit A, Legal Descriptions of Subject Properties:

Owned by Monticello Recreational LLC:

Parcel 95-10 located in the E1/2 of the SE1/4 of SECTION 16 and in the W1/2 of the SW1/4 of SECTION 15; all in TOWNSHIP 86 NORTH, RANGE 3, West of the 5th P.M., as shown in the Plat of Survey recorded in PLAT BOOK L, PAGE 34 (and in BOOK 373, PAGE 221) of the Jones County, Iowa records, containing 65.86 acres,

SUBJECT TO the rights of the public in all highways and to all easements of record.

Parcel 2020-87, being part of Parcel 95-09 as shown in Plat Book L, Page 34 of the Jones County Recorder's Office, located in the SW1/4 SW1/4 of SECTION 15, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., as shown in the PLAT OF SURVEY recorded in PLAT BOOK W, PAGE 168 (and in Document No. 2021-4233) of the Jones County, Iowa records, containing 1.48 acres. **

Owned by Four Points RV Resorts of IA LLC:

205 E. 11th Street:

The WEST 309 FEET of the SOUTH 12 ACRES of the NORTH 30 ACRES of the SW1/4 SW1/4 of SECTION 15, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., SUBJECT TO a right of way across said tract of land East and West, as reserved by Carlos Eilers and Margaret Eilers, in Warranty Deed, dated November 24, 1956, filed June 1, 1957, and recorded in Book 109, Page 474, of Jones County, Iowa, Records, EXCEPT THE SOUTH 120 FEET THEREOF.

SUBJECT TO and TOGETHER WITH Well Agreement recorded in Document No. 98 99 1493.

TOGETHER WITH an 18 foot easement for ingress and egress as described in Easement Agreement recorded in Document No. 98 99 1494.

201 E. 11th Street:

The SOUTH 120 Feet of the WEST 309 Feet of the SOUTH 12 Acres of the NORTH 30 Acres of the SW1/4 SW1/4 of SECTION 15, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., SUBJECT TO a right of way across said tract of land East and West, as reserved by Carlos Eilers and Margaret Eilers, in Warranty Deed, dated November 24, 1956, filed June 1, 1957, and recorded in Book 109, Page 474, of Jones County, Iowa, Records.

SUBJECT TO and TOGETHER WITH Well Agreement recorded in Document No. 98 99 1493.

TOGETHER WITH an 18 foot easement for ingress and egress as described in Easement Agreement recorded in Document No. 98 99 1494.

**NOTE: The City believes Parcel 2020-87 may already be annexed.

Attachment "A"

APPLICATION FOR VOLUNTARY ANNEXATION
City of Monticello, Iowa

TO THE CITY OF MONTICELLO, IOWA:

The undersigned, being all of the owners of the property lying adjacent to the corporate limits of the City of Monticello, Iowa as shown in Exhibit "A" attached hereto and by this reference made a part hereof, respectfully request:

That the Territory as shown in said Exhibit "A" be annexed to become a part of the City of Monticello, Iowa; that the undersigned consists of all of the property owners of the property as shown on the map, Exhibit "B", attached hereto.

Property Address: 22128 HWY 38 & 131 E. 11th ST. 201 E. 11th ST. 205 E. 11th ST.
Monticello IA & Monticello IA & Monticello IA & Monticello IA

MONTICELLO RECREATIONAL LLC FOUR POINTS RV RESORTS OF IA LLC

Print Name	Print Name
<u>NICK STRITTMATTER, Attorney</u>	<u>NICK STRITTMATTER, Attorney</u>
Sign Name	Sign Name
<u>[Signature]</u>	<u>[Signature]</u>
Date	Date
<u>Jan 27, 2022</u>	<u>Jan 27, 2022</u>

Received by: Maureen [Signature]
Date Received: 1-27-2022

OWNED

by

Monticello Recreational LLC

PARCEL 95-10 located in the E½ of the SE¼ of SECTION 16 and in the W½ of the SW¼ of SECTION 15; all in TOWNSHIP 86 NORTH, RANGE 3, West of the 5th P.M., as shown in the Plat of Survey recorded in PLAT BOOK L, PAGE 34 (and in BOOK 373, PAGE 221) of the Jones County, Iowa records, containing 65.86 acres,

SUBJECT TO the rights of the public in all highways and to all easements of record.

Parcel 2020-87, being part of Parcel 95-09 as shown in Plat Book L, Page 34 of the Jones County Recorder's Office, located in the SW¼ SW¼ of SECTION 15, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., as shown in the PLAT OF SURVEY recorded in PLAT BOOK W, PAGE 168 (and in Document No. 2021-4233) of the Jones County, Iowa records, containing 1.48 acres.

EXHIBIT A, page 1

OWNED
by

FOUR POINTS RV Resorts of IA LLC

205 E. 11th Street °

The WEST 309 FEET of the SOUTH 12 ACRES of the NORTH 30 ACRES of the SW1/4 SW1/4 of SECTION 15, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., SUBJECT TO a right of way across said tract of land East and West, as reserved by Carlos Eilers and Margaret Eilers, in Warranty Deed, dated November 24, 1956, filed June 1, 1957, and recorded in Book 109, Page 474, of Jones County, Iowa, Records, EXCEPT THE SOUTH 120 FEET THEREOF.

SUBJECT TO and TOGETHER WITH Well Agreement recorded in Document No. 98 99 1493.

TOGETHER WITH an 18 foot easement for ingress and egress as described in Easement Agreement recorded in Document No. 98 99 1494.

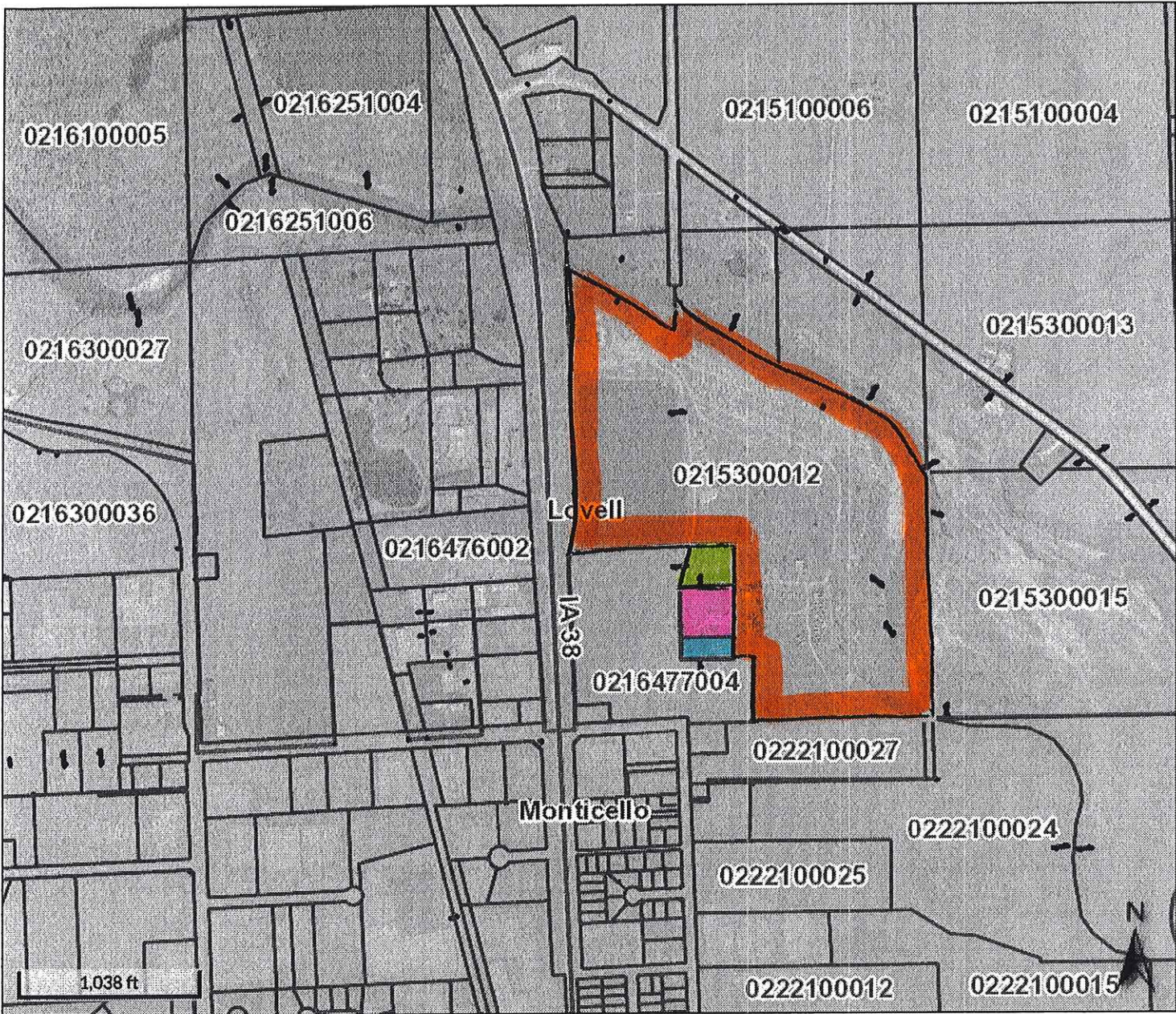
201 East 11th Street °

The SOUTH 120 Feet of the WEST 309 Feet of the SOUTH 12 Acres of the NORTH 30 Acres of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of SECTION 15, TOWNSHIP 86, NORTH, RANGE 3, West of the 5th P.M., SUBJECT TO a right of way across said tract of land East and West, as reserved by Carlos Eilers and Margaret Eilers, in Warranty Deed dated November 24, 1956, filed June 1, 1957, and recorded in Book 109, Page 474, of Jones County, Iowa, Records.

SUBJECT TO and TOGETHER WITH Well Agreement recorded in Document No. 98 99 1493.

TOGETHER WITH an 18 foot easement for ingress and egress as described in Easement Agreement recorded in Document No. 98 99 1494.

EXHIBIT A, page 2



Overview

Legend

- Co
- Po
- Parcel**
- Pa
- Str
- Lar
- Car
- Ma

Parcel ID	0215300012	Alternate ID	150000	Owner Address	MONTICELLO RECREATIONAL LLC
Sec/Twp/Rng	15-86-03	Class	C		921 RYAN ST STE NE
Property Address	22128 HIGHWAY 38	Acreeage	4.5		LAKE CHARLES, LA 70601
	MONTICELLO				
District	LOVMO				
Brief Tax Description	15 86 03 PARCEL 95-10 INS 1/2 SEC 15 & 16 FRC 4.50 ACRES				
	(Note: Not to be used on legal documents)				

THIS MAP DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED, BY JONES COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS, INCLUDING PLATS, SURVEYS, RECORDED DEEDS, AND CONTRACTS. THIS MAP CONTAINS INFORMATION REQUIRED FOR LOCAL GOVERNMENT PURPOSES. SEE THE RECORDED DOCUMENTS FOR MORE DETAILED LEGAL INFORMATION.

Date created: 1/26/2022
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EXHIBIT B

City Council Meeting
Prep. Date: 03/01/2022
Preparer: Russell Farnum



Agenda Item: # 6
Agenda Date: 03/07/2022

Communication Page

Agenda Items Description: Adoption of Disadvantaged Business Enterprise Program for the City of Monticello

Type of Action Requested: Discussion

Attachments & Enclosures:

1. Resolution
2. DBE Policy

<u>Fiscal Impact:</u>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: As a requirement to obtaining USDOT funding through the FAA for many Airport projects, the FAA requires that the City set goals and a policy on using Disadvantaged Business Enterprises as contractors for the projects. This sets forth the City’s goals and policy in that regard.

The City must strive to obtain a certain percentage of bid work on federally-funded projects exceeding \$250,000, in proportion to registered DBE contractors in the service area. For Monticello, that goal is 3%.

In addition, the City must strive to make it easy for DBE contractors to bid upon our projects, and to accomplish a public review and fact-finding period by which anyone in the public can suggest ideas to enhance DBE participation in bidding on construction projects. That mandated 30-day consultation period is over on March 7, and the Policy is ready for adoption by the City.

Recommendation: It is recommended that the Council proceed with the adoption of the DBE Program as presented.

THE CITY OF MONTICELLO, IOWA

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION

Resolution for Adoption of Disadvantaged Business Enterprise Program
for the City of Monticello

WHEREAS, The City of Monticello has received Federal financial assistance from the Department of Transportation, and

WHEREAS, The City applies for grants from time to time for Federal Funding and in many cases the grants request a copy of the City's Disadvantaged Business Enterprise (DBE) Program/ Policy, and

WHEREAS, The Council finds that having a Disadvantaged Business Enterprise (DBE) Program policy will be beneficial when it comes to applying for grants that require proof of same, and that the proposed policy will satisfy those requirements and provide guidance to the City to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts when procuring goods and/or services as part of a federally funded project that requires a specific Disadvantaged Business Enterprise (DBE) Program policy and that the policy as proposed should be approved, recognizing that the policy may require amendment from time to time as federal regulations may dictate.

NOW THEREFORE BE IT RESOLVED by the City of Monticello, through its' City Council, in session this 7th day of March does hereby approve the City of Monticello Disadvantaged Business Enterprise (DBE) Program Policy.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 7th day of March, 2022.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

POLICY STATEMENT

Section 26.1, 26.23 Objectives/Policy Statement

The City of Monticello has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The City of Monticello has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the City of Monticello has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the City of Monticello to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT–assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT – assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

Russ Farnum, City Administrator City of Monticello has been delegated as the DBE Liaison Officer. In that capacity, Russ Farnum is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the City of Monticello in its financial assistance agreements with the Department of Transportation.

City of Monticello has disseminated this policy statement to the City Council and all of the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts through the inclusion of DBE goal requirements into bidding/contract documents.

Dave Goedken, Mayor of City of Monticello

Date

SUBPART A – GENERAL REQUIREMENTS

Section 26.1 Objectives

The objectives are found in the policy statement on the first page of this program.

Section 26.3 Applicability

The City of Monticello is the recipient of Federal airport funds authorized by 49 U.S.C. 47101, *et seq.*

Section 26.5 Definitions

The City of Monticello will use terms in this program that have the meaning defined in Section 26.5.

Section 26.7 Non-discrimination Requirements

The City of Monticello will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, the City of Monticello will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

Section 26.11 Record Keeping Requirements

Reporting to DOT: 26.11

(b) The City of Monticello will provide data about its DBE Program to the Department as directed by Federal Aviation Administration (FAA) operating administrations.

We will report DBE participation to FAA as follows:

We will transmit to FAA annually by or before December 1, the information required for the “Uniform Report of DBE Awards or Commitments and Payments” form, found in ‘Attachment G’ to this part. We will also report the DBE Contractor firms’ information either on the FAA DBE Contractor’s Form or another format acceptable to the FAA as instructed.

Bidders List: 26.11(c)

The City of Monticello will create and maintain a bidders list. The purpose of the list is to provide as accurate data as possible about the universe of DBE and non-DBE contractors and subcontractors who seek to work on our DOT-assisted contracts for use in helping to set our

City of Monticello, Iowa DBE Program

overall goals. The bidders list will include the name, address, DBE and non-DBE status, age of firm, and annual gross receipts of firms. (See Attachment K)

We will collect this information in the following ways: by requiring prime bidders to report the name, address, DBE non-DBE status of all firms who quote to them on subcontracts.

Section 26.13 Federal Financial Assistance Agreement

The City of Monticello has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

Assurance: 26.13(a) - Each financial assistance agreement you sign with a DOT operating administration (or a primary recipient) must include the following assurance:

The City of Monticello shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The City of Monticello shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The City of Monticello's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the City of Monticello of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

Contract Assurance: 26.13b

The City of Monticello will ensure that the following clause is included in each contract we sign with a contractor and each subcontract the prime contractor signs with a subcontractor:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the City of Monticello deems appropriate.

SUBPART B - ADMINISTRATIVE REQUIREMENTS

Section 26.21 DBE Program Updates

The City of Monticello will receive grant(s) for airport planning or development totaling \$250,000 or more in a Federal fiscal year. We will continue to carry out this DBE Program until all funds from DOT financial assistance have been expended. We will provide to DOT updates representing significant changes in the program for approval.

City of Monticello, Iowa DBE Program

The City of Monticello is not eligible to receive DOT financial assistance unless DOT has approved our DBE Program and we are in compliance with it and this part. We will continue to carry out our program until all funds from DOT financial assistance have been expended.

Section 26.23 Policy Statement

The Policy Statement is elaborated on the first page of this DBE Program.

Section 26.25 DBE Liaison Officer (DBELO)

We have designated the following individual as our DBE Liaison Officer:

Russell Farnum

City Administrator

City of Monticello

200 E. First Street

319-465-3577

rfarnum@ci.monticello.ia.us

In that capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the City of Monticello complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the Office of the Mayor concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Attachment A to this program.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The DBELO will be assisted by City Clerk, Finance Director, City Attorney, Public Works Director, and HDR Engineering to assist in the administration of the program. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to set overall annual goals.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals) and monitors results.
6. Analyzes City of Monticello's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the City Council on DBE matters and achievement.
9. Chairs the DBE Advisory Committee.
10. Determine contractor compliance with good faith efforts.
11. Provides DBEs with information and assistance in preparing bids, obtaining bonding and insurance.
12. Plans and participates in DBE training seminars.
13. Acts as liaison to the Uniform Certification Process in Iowa (Iowa DOT).

City of Monticello, Iowa DBE Program

14. Provides outreach to DBEs and community organizations to advise them of opportunities.
15. Maintains the City of Monticello's updated directory on certified DBEs.

Section 26.27 DBE Financial Institutions

It is the policy of the City of Monticello to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

To date, no such institutions have been identified by the City of Monticello or Iowa DOT although the following institution which is willing to work with the DBE community has been identified in the Iowa DOT DBE Program:

West Bank of Des Moines, IA

Information on the availability of such financial institutions can be obtained by checking the Iowa DOT's External Civil Rights Section.

Section 26.29 Prompt Payment Mechanisms

The City of Monticello requires that all subcontractors performing work on DOT-assisted contracts shall be promptly paid for work performed pursuant to their agreements, in accordance with all relevant federal, state, and local law.

In accordance with 49 CFR §26.29, the City of Monticello established a contract clause implementing this requirement and requires prime contractors to pay subcontractors for satisfactory performance of their contracts no later than 30 days from the prime contractor's receipt of each payment from the City of Monticello.

The City of Monticello ensures prompt and full payment of retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Pursuant to §26.29, the City of Monticello has selected the following method to comply with this requirement:

Hold retainage from prime contractors and provide for prompt and regular incremental acceptances of portions of the prime contract, pay retainage to prime contractors based on these acceptances, and require a contract clause obligating the prime contractor to pay all retainage owed to the subcontractor for satisfactory completion of the accepted work within 30 days after your payment to the prime contractor.

The City of Monticello will consider a subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the City of Monticello. When City of Monticello has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

The City of Monticello will provide appropriate means to enforce the requirements of this section. These means include:

City of Monticello, Iowa DBE Program

1. Holding further payment for Prime Contractor until subcontractor has shown proof of payment.
2. Contacting the Prime Contractors payment bond provider.

To implement this measure, the City of Monticello includes the following clause from FAA Advisory Circular 150/5370-10 in each DOT-assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contractor receives from City of Monticello. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced timeframe may occur only for good cause following written approval of the City of Monticello. A subcontractor's work is satisfactorily completed when all task called for in the subcontract have been accomplished and documented by the City of Monticello. When the City of Monticello has made incremental acceptance of a portion of the Prime contact, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed. This clause applies to both DBE and non-DBE subcontractors.

Section 26.31 Directory

The City of Monticello uses the State of Iowa DOT's DBE directory, maintained by the State. The directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. In addition, the directory lists each type of work for which a firm is eligible to be certified by using the most specific NAICS code available to describe each type of work.

The directory is reprinted every calendar year and updated every month. This information is also available on the internet as described in '*Attachment B*' and as the Iowa DOT's Office of Contract, which is located at 800 Lincoln Way Ames, Iowa

Section 26.33 Over-concentration

City of Monticello has not identified that over-concentration exists in the types of work that DBEs perform.

Section 26.35 Business Development Programs

The City of Monticello has not established a business development program. The City of Monticello will encourage firms to participate in two (2) statewide business development programs offered by the Iowa DOT, the emerging small business (ESB) program and supportive services programs.

Section 26.37 Monitoring and Enforcement Mechanisms

The City of Monticello will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26.

City of Monticello, Iowa DBE Program

1. We will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.107.
2. We will implement similar action under our own legal authorities, including responsibility determinations in future contracts. 'Attachment C' lists the regulation, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our DBE Program.
3. We will implement a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award or subsequently (i.e., as the result of modification to the contract) is actually performed by the DBEs to which the work was committed.
4. We will implement a monitoring and enforcement mechanism that will include written certification that we have reviewed contracting records and monitored work sites for this purpose. This will be accomplished by monitoring the work site to ensure compliance.
5. We will implement a mechanism that will provide for a running tally of actual DBE attainments (e.g., payment actually made to DBE firms), including a means of comparing these attainments to commitments. In our reports of DBE participation to DOT, we will show both commitments and attainments, as required by the DOT uniform reporting form.

Section 26.39 Fostering Small Business Participation.

The City of Monticello has created a Small Business element to structure contracting requirements to facilitate competition by small business concerns, taking all reasonable steps to eliminate obstacles to their participation, including unnecessary and unjustified bundling of contract requirements that may preclude small business participation in procurements as prime contractors or subcontractors.

The City of Monticello's small business program element is incorporated as Attachment E to this DBE Program. We will actively implement the program elements to foster small business participation, doing so is a requirement of good faith implementation of our DBE program.

SUBPART C – GOALS, GOOD FAITH EFFORTS, AND COUNTING

Section 26.43 Set-asides or Quotas

The City of Monticello does not use quotas in any way in the administration of this DBE program.

Section 26.45 Overall Goals

The City of Monticello will establish an overall DBE goal covering a three-year federal fiscal year period if we anticipate awarding FAA funded prime contracts exceeding \$250,000 during any one or more of the reporting fiscal years within the three-year goal period. In accordance with

City of Monticello, Iowa DBE Program

Section 26.45(f) the City of Monticello will submit its Overall Three-year DBE Goal to FAA by August 1 of each year.

DBE goals will be established for those fiscal years we anticipate awarding DOT-assisted prime contracts exceeding \$250,000 during the three-year period. The DBE goals will be established in accordance with the 2-step process as specified in 49 CFR Part 26.45. If the City of Monticello does not anticipate awarding more than \$250,000 in DOT-assisted prime contracts during any of the years within the three-year reporting period, we will not develop an overall goal; however this DBE Program will remain in effect and the City of Monticello will seek to fulfill the objectives outlined in 49 CFR Part 26.1.

The first step is to determine the relative availability of DBEs in the market area, "base figure". The second step is to adjust the "base figure" percentage from Step 1 so that it reflects as accurately as possible the DBE participation the recipient would expect in the absence of discrimination based on past participation, a disparity study and/or information about barriers to entry to past competitiveness of DBEs on projects.

In establishing the overall goal, City of Monticello will consult with Iowa DOT's External Civil Rights Office, minority, women's and general contractor groups, community organizations, and other officials or organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the City of Monticello's efforts to establish a level playing field for the participation of DBEs.

Following this consultation, we will publish a notice of the proposed overall goals, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at 200 East First Street for 30 days following the date of the notice, and informing the public that the City of Monticello and DOT/FAA will accept comments on the goals for 45 days from the date of the notice. Notice will be issued in general circulation media and available in minority- focus media and trade publications, websites. Normally, we will issue this notice by June 1 of the reporting period of the goal. The notice will include addresses to which comments may be sent and addresses where the proposal may be reviewed.

Our Overall Three-Year DBE Goal submission to DOT/FAA will include a summary of information and comments received, if any, during this public participation process and our responses.

We will begin using our overall goal on October 1 of the reporting period, unless we have received other instructions from DOT. If we establish a goal on a project basis, we will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project.

A description of the methodology to calculate the overall goal and the goal calculations can be found in 'Attachment L' to this program.

Section 26.47 Failure to meet overall goals.

The City of Monticello will maintain an approved DBE Program and overall DBE goal, if applicable as well as administer our DBE Program in good faith to be considered to be in compliance with this part.

City of Monticello, Iowa DBE Program

If the City of Monticello awards and commitments shown on our Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, we will do the following in order to be regarded by the Department as implementing your DBE Program in good faith:

- (1) Analyze in detail the reasons for the difference between the overall goal and our awards and commitments in that fiscal year;
- (2) Establish specific steps and milestones to correct the problems we have identified in our analysis and to enable us to meet fully your goal for the new fiscal year;
- (3) City of Monticello will submit, within 90 days of the end of the fiscal year, the analysis and corrective actions developed under paragraphs (c) (1) and (2) of this section to the FAA for approval.

Section 26.51(d-g) Contract Goals

The City of Monticello will arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate participation by DBEs and other small businesses and by making contracts more accessible to small businesses, by means such as those provided under § 26.39.

If our approved projection under paragraph (c) of this section estimates that we can meet our entire overall goal for a given year through race-neutral means, we will implement our program without setting contract goals during that year, unless it becomes necessary in order meet our overall goal.

The City of Monticello will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. We need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work.)

We will express our contract goals as a percentage of the total amount of a DOT assisted contract.

Section 26.53 Good Faith Efforts Procedures

Demonstration of good faith efforts (26.53(a) & (c))

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts. Examples of good faith efforts are found in '*Attachment J*' to Part 26.

The project engineer is responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive.

We will ensure that all information is complete and accurate and adequately documents the bidder/offeror's good faith efforts before we commit to the performance of the contract by the bidder/offeror.

City of Monticello, Iowa DBE Program

Information to be submitted (26.53(b))

The City of Monticello treats bidder/offers' compliance with good faith efforts' requirements as a matter of responsiveness. Forms 1 and 2 Demonstration of Good Faith Efforts can be found in 'Attachment J' of this program.

Responsiveness - Each solicitation for which a contract goal has been established will require all bidders/offers to submit the following information at the time of bid:

1. The names and addresses of DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE firm participating;
4. Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and
6. If the contract goal is not met, evidence of good faith efforts.

Administrative reconsideration (26.53(d))

Within 15 business days of being informed by The City of Monticello that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offers may request administrative reconsideration. Bidder/offers should make this request in writing to the following reconsideration official:

Russell Farnum

City Administrator

City of Monticello

200 E. First Street

319-465-3577

rfarnum@ci.monticello.ia.us

The reconsideration official will not have played any role in the original determination that the bidder/offers did not document sufficient good faith efforts.

As part of this reconsideration, the bidder/offers will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offers will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good faith efforts to do. We will send the bidder/offers a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

Good Faith Efforts when a DBE is replaced on a contract (26.53(f))

The City of Monticello will require a contractor to make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified

City of Monticello, Iowa DBE Program

DBE, to the extent needed to meet the contract goal. We will require the prime contractor to notify the DBE Liaison officer immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation.

In this situation, we will require the prime contractor to obtain our prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts.

The City of Monticello will apply all rules and administrative remedies included in the Iowa DOT's DBE Program as they apply to the City of Monticello.

Section 26.55 Counting DBE Participation

We will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55.

The participation of a DBE subcontractor will not be counted toward a prime contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

In the case of post-award substitutions or additions, if a firm is not currently certified as a DBE in accordance with the standards of subpart D of this part at the time of the execution of the contract, the firm's participation will not be counted toward any DBE goals, except as provided for in §26.87(j).

SUBPART D – CERTIFICATION STANDARDS

Section 26.61 – 26.73 Certification Process

The Iowa DOT has established a Unified Certification Program (UCP) for all governmental entities receiving US DOT funds in the State of Iowa. With respect to participation as a DBE on US DOT assisted contracts, the Iowa DOT makes all DBE certification decisions through UCP on behalf of the entities including the City of Monticello.

A copy of the unified Certification Application Form and/or information can be obtained by contracting:

External Civil Rights Administrator
Iowa DOT
Offices of Contracts
800 Lincoln Way
Ames, Iowa 50010
T: 515-239-1422
F: 515-239-1175
dot.civilrights@iowadot.us

The link to Iowa DOT's certification application forms documentation is found in Attachment F

SUBPART E – CERTIFICATION PROCEDURES

Section 26.81 Unified Certification Programs

The Iowa DOT is the lead organization in Iowa's Unified Certification Program (UCP) as is has the funding and staffing capabilities to do so. Iowa's UCP is meant to be utilized for all projects let in Iowa by any agency receiving funding from the Federal Highway Administration, Federal Transit Administration, or Federal Aviation Administration.

Section 26.83 Procedures for Certification Decisions

Re-Certification 26.83 (a) & (C)

Firms certified with the Iowa DOT are required to recertify every three years. New Uniform Certification Applications and directions are sent to affected firms 60 Days prior to their expiration date. This three-year renewal requires the same supporting documentation as the original certification, including a statement of Personal Net Worth.

"No Change" Affidavits and Notices of Change (26.83(j))

All DBEs are required to inform the Iowa DOT, in a written affidavit, of any changes in circumstances affecting their ability to meet size, disadvantaged status, ownership, or control criteria of 49 CFR part 26. This notification must be provided with 309 days of the occurrence of the change.

Each year, all DBEs are required to submit to the Iowa DOT a "no Change" affidavit on the date designed. Each affidavit must be accompanied by documentation of the DME's size and gross receipts. To meet the requirements of 49 CFR part 26.83 (j), the text of each affidavit must read as follows:

I swear (or affirm) that there have been no changes in the circumstances of **[name of DBE firm]** affecting its ability to meet the size, disadvantaged status, ownership, or control requirements of 49 CFR Part 26. There have been no material changes in the information provided with **[name of DBE]**'s application for certification, except for any changes about which you have provided written notice to the Iowa DOT under 26.83(j). **[Name of firm]** meets Small Business Administration (SBA) criteria for being a small business concern and its average annual gross receipts do not exceed the maximum dollar limit, as defined by SBA rules (13 CFR 121.402), over the firm's previous three fiscal years. The Secretary of Transportations adjusts this amount for inflation from time to time, and will vary with the type of firm.

Section 26.85 Interstate Certification

If any firm is currently certified as a DBE in a state other than Iowa the City of Monticello will, as its discretion, accept firm's home state's certification as evidence of DBE status, without further procedures.

An applicant who has been denied certification as a DBE, or whose certification has been removed, will be provided an opportunity to appeal the decision to the Iowa DOT DBE appeal committee as outlined in the Iowa DOT DBE program. DBVE firms using certification from

outside Iowa as evidence of their DBE status will appeal the denial or removal of their certification using their issuing state's procedures.

Section 26.87 Removal of DBE's Eligibility

In the event we propose to remove a DBE's certification. We will forward our proposal to the Iowa DOT. Procedures set forth under 49 CFR part 26.87 will be followed by the Iowa DOT if it concurs with the removal of a DBE's certification. 'Attachment F' to this program outlines the procedures used by the Iowa DOT. To ensure a separation of functions in such a decision, the Iowa DOT will forward the proposal to the DBE appeal committee. Members of the committee will not have participated in any way in proceedings – or the decision to initiate proceedings - leading to the proposal to de-certify. The Iowa DOT has established an administrative "firewall" to ensure that the member of the DBE appeal committee will not have participated in any way to the de-certification proceeding against the firm (including in the decision to initiate such a proceeding).

Section 26.89 Certification Appeals

Firms seeking to appeal the Iowa DOT's decision in certification matters may follow the procedures for administrative appeals of certification decisions provided in the Iowa DOT's DBE program. Resort to these procedures is not a remedy that a firm needs to exhaust before making a certification appeal to US DOT under 26.89.

Any firm or complainant may appeal the Iowa DOT's decision in a certification matter to U.S. DOT. Such appeals may be sent to:

US Department of Transportation
Departmental Office of Civil Rights
External Civil Rights Program Division (S-33)
1200 New Jersey Ave., S.E.
Washington, DC 20590
Phone: 202-366-4754
TTY: 202-366-9696
Fax: 202-366-5575

The UCP promptly implements any U.S. DOT certification appeal decisions affecting the eligibility of DBEs for our U.S. DOT-assisted contracting (e.g., certify a firm if U.S. DOT has determined that Iowa DOT's denial of its application was erroneous).

SUBPART F – COMPLIANCE AND ENFORCEMENT

Section 26.109 Information, Confidentiality, Cooperation and intimidation or Retaliation

We will safeguard from disclosure to third parties information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.

Notwithstanding any provision of Federal or state law, we will not release any information that may reasonably be construed as confidential business information to any third party without the written consent of the firm that submitted the information. This includes applications for DBE

City of Monticello, Iowa DBE Program

certification and supporting information. However, we will must transmit this information to DOT in any certification appeal proceeding under § 26.89 of this part or to any other state to which the individual's firm has applied for certification under § 26.85 of this part.

All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be grounds for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

The City of Monticello, contractor, or any other participant in the program will not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part.

Monitoring Payments to DBEs

We will require prime contractors to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of the City of Monticello or DOT. This reporting requirement also extends to any certified DBE subcontractor.

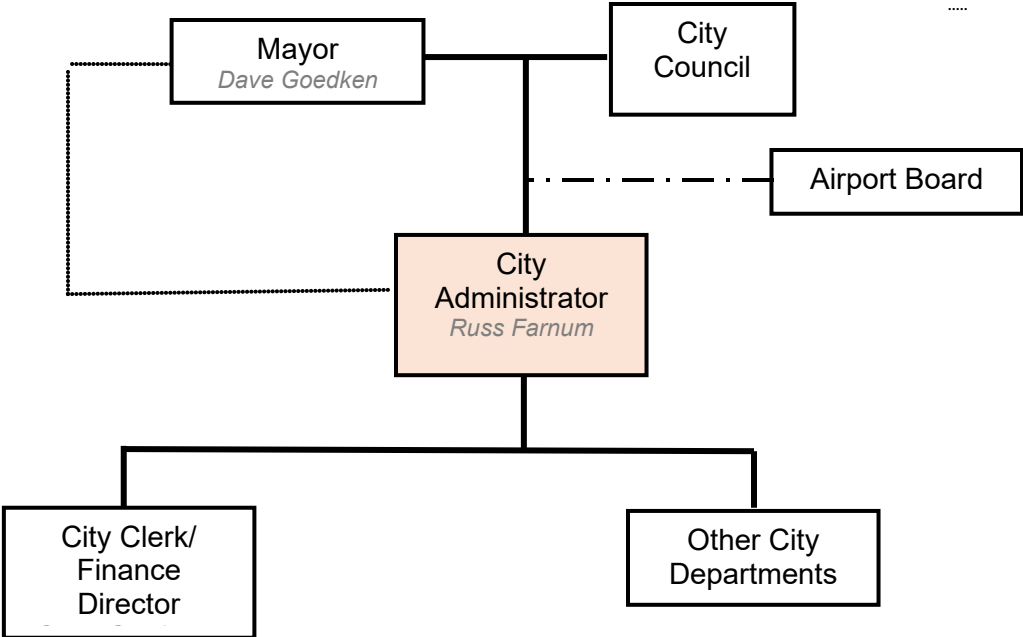
We will perform interim audits of contract payments to DBEs. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

ATTACHMENTS

- Attachment A Organizational Chart
- Attachment B DBE Directory link
- Attachment C Regulations: 49 CFR Part 26 Web link & DBE Monitoring and Enforcement Mechanisms
- Attachment D Small Business Element Program
- Attachment E DBE Certification Application
- Attachment F Procedures used by the Iowa DOT
- Attachment G Uniform Report of DBE Awards or Commitments
- Attachment J Demonstration of Good Faith Efforts or Good Faith Effort Plan - Form 1 & 2
- Attachment K Bidder's List Collection Form
- Attachment L Overall Goal Calculations
- Attachment M State UCP Agreement

Attachment A

Organizational Chart



Attachment B

DBE Directory link

The Iowa DOT maintains a directory identifying all firms eligible to participate as DBEs in its program. The directory lists each firm's name, address, phone number, fax number, E-mail address and the type of work it has been certified to perform as a DBE. The directory is updated every month, any amendment to it is attached to bidding proposals that have DBE goal. This information is also available on the internet and the Iowa DOT's Office of Contract, which is located at 800 Lincoln Way, Ames, Iowa.

A current directory of the Iowa Department of Transportation certified Disadvantaged Business Enterprises can be found online at the Iowa DOT Website using the following link:

<https://secure.iowadot.gov/DBE/Directory/Results>

The directory may be searched by Firm Name, NAICS code, or work type. A full directory listing may also be viewed.

Attachment C

Regulations: 49 CFR Part 26

Link to U.S. DOT 49 CFR Part 26 Regulations

<https://www.transportation.gov/osdbu/disadvantaged-business-enterprise/49-cfr-part-26-sample-disadvantaged-business>

DBE Monitoring and Enforcement Mechanisms

The City of Monticello has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, the following:

1. Breach of contract action, pursuant to the terms of the contract;
2. Breach of contract action, pursuant to Iowa Code Section 614 and 616;

In addition, the Federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE problem, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26
2. Enforcement action pursuant to 49 CFR Part 31
3. Prosecution pursuant to 18 USC 1001.

Attachment D

Small Business Element Program

A. Objectives

The City of Monticello has developed this Small Business element in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. We consider it to be a race- and gender-neutral means for providing additional contracting opportunities for small businesses, including DBEs, to fairly compete to contracts.

The objective of this program is to eliminate obstacles that by nature preclude small business participation in procurements as prime contractors or subcontractors. We will also consider this program to be a tool that has the potential to positively address procurement concerns relating to costs, innovation, quality, and customer satisfaction.

Work performed by DBE's under the Small Business Element will be counted towards race neutral DBE participation.

B. Small Business Size Standards

The contractors wishing to participate as small businesses (DBEs and non-DBEs alike) are subject to the same size standards. Iowa Code 314.14 defines a "Small Business" as any enterprise which is operated for profit, under a single management, and which was either fewer than twenty (2) employees or annual gross income of less than four (4) million dollars computed as the average of the three preceding fiscal years., There are no ethnic or gender limitations. The Personal Net Worth (PNW) of any owners should not exceed \$1.32 million.

C. Small Business Verification Procedures

The City of Monticello will accept the following certifications or documents for participation in the small business element of the DBE Program with applicable stipulations:

1. Targeted Small Business (TSB) Certification – Business owned, operated, and actively managed by women, minority group members, or persons with disabilities are eligible for certification as TS's. TSB Certification is issued by the Iowa Department of Inspections and Appeals (DIA).
2. Other Small Businesses – Will require submittal of three years of business tax returns.
3. Other Small Businesses (DBE and non-DBE) – Will require submittal of the "SMALL BUSINESS VERIFICATION" form attached at the end of the small business element of the DBE Program.

D. Strategies for Increasing Participation by Small Businesses

The City of Monticello will take the following proactive steps to increase contracting opportunities for small businesses at the Monticello Municipal Airport.

City of Monticello, Iowa DBE Program

1. We will require contractors bidding on projects without DBE goals to solicit quotations from small businesses. Contractors must use the “PRE-BID SMALL BUSINESS CONTACT INFORMATION” form attached at the end of the small business element of the DBE program and may submit additional documentation that demonstrates reasonable positive efforts towards encouraging participation in the contract by Small Businesses.
2. We will contact Small Business in the market area at least 2 business days prior to the general release of bid documents to notify them upcoming projects.
3. We will post the City of Monticello bids online at the “FAA DBE-Connect System” (<https://faa.dbesystem.com/>) to make information about bid opportunities more readily available to Small Business Concerns.
4. We will include language in our public notices that encourages consortia or joint ventures consisting of small businesses to compete for prime contracts (e.g. “joint ventures consisting of small businesses are encouraged to submit proposals as prime contractors”).
5. We will review each FAA-assisted contract to identify individual phases or elements of a project that can be “unbundled” or bid separately to make them more accessible to small businesses. The resulting work will be advertised for sealed bids in accordance with Iowa Code 26.3.
6. We will review each contract develop provisions that eliminate barriers to the participating of the new, emerging, or untried businesses in procurements.
7. We will contact and strongly encourage minority and women owned businesses that participate in the small business element to seek Iowa DOT DBE certification. We will count their work towards race neutral DBE participation if they are successfully certified.

E. Monitoring and Enforcement Mechanisms

The City of Monticello will take the following monitoring and enforcement mechanisms to ensure compliance with the small business element of the DBE program.

1. False, fraudulent, or dishonest conduct in connection with Small Business participation will be brought to the attention of the Iowa DOT and U.S. DOT so that appropriate steps can be taken (e.g., referral to the Department of Justice for criminal prosecution, referral to the U.S. DOT Inspector General, action under our own legal authorities, including responsibility determines in future. Regulations, provisions, and contract remedies available to us in the events of non-compliance are provided in Section 26.37 of the DBE program.
2. We will verify that work committed to Small Businesses at contract award is actually performed by the Small Business by monitoring the work site to ensure compliance.
3. We will perform interim audits of contract payments to Small Businesses to ensure that the actual amount paid to Small Business subcontractors equals or exceeds the dollar amounts states in the “PRE-BID SMALL BUSINESS CONTACT INFORMATION” form

City of Monticello, Iowa DBE Program

submitted with the contractor's bid.

4. We will require prime contractors to maintain records and documents of payments to Small Business subcontractors for three years following the performance of the contract. These records will be made available for inspections upon request by any authorized representative of the City of Monticello or U.S. DOT. This reporting requirements also extends to any participating Small Business.

F. Small Business Directory

Contractors can find current listings of certified Iowa DIA TSBs, Iowa DOT DBEs, and other state DOT DBE listings at the following links:

1. Iowa DIA TSB Directory: <https://dia.iowa.gov/tsb/index.php/search>
2. Iowa DOT DBE Directory listings: <https://secure.iowadot.gov/DBE/Home/Index/>
3. FAA dbE-Connect System listings: <https://faa.dbesystem.com/>

G. Implementation Schedule

The City of Monticello will implement this small business element within nine months of the FAA's approval of this document describing the small business element.

Small Business Verification

To be considered a Small Business, a company must meet the requirements of Iowa Code 314.14 or be certified as a Disadvantaged Business Enterprise (DBE) or a Targeted Small Business (TBS). This form allows a contractor to self certify that their company meets the requirements of a Small Business as defined by Iowa Code 314.14 or through their status as certified DBE or TSB. This form must accompany the bid submission.

_____ of _____
Company Name City and State

1. The following two must apply:

Is this business operated for a profit and under a single management? (Single management for the purpose of certification means the business cannot be subsidiary of another business)

Yes

No

Do the owners have a Personal Net Worth (PNW) **less than** \$1.32 million each?

Yes

No

2. At least one of the following three must apply:

Does the business have fewer than twenty (20) employees during its peak seasonal employment?

Yes

No

OR

Does this firm have an annual gross income of less than four (4) million dollars computed as the average of the three preceding fiscal years?

Yes

No

OR

Does this firm have a DBE or TSB certification? (A response of "No" will require submittal of most recent three years of business tax returns after award of contract)

Yes

No

I, _____, give this unsworn declaration executed under penalty of perjury of the laws of United State and the State of Iowa that all statements in this Small Business Certification are true and correct.

Dated _____

Attachment E

DBE Certification Application Form

<https://iowadot.seamlessdocs.com/f/DBEProgramUniformCertificationApplication>

City of Monticello, Iowa DBE Program

Attachment F

Procedures used by the Iowa DOT

Iowa Department of Transportation Disadvantaged Business Enterprise Program Plan

<https://iowadot.gov/civilrights/documents/DBEProgram.pdf>

Attachment G

Uniform Report of DBE Awards or Commitments

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/semi-annual-uniform-report-dbe-awardscommitments-and>

Attachment J

Demonstration of Good Faith Efforts - Forms 1 & 2

This form is for the purpose of assessing bidders'/offerors' good faith efforts and will be provided as part of the solicitation documents.

FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

_____ The bidder/offeror is committed to a minimum of _____ % DBE utilization on this contract.

_____ The bidder/offeror has not met the DBE contract goal
The bidder/offeror is committed to a minimum of _____ % DBE utilization on this contract and will submit documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: _____

State Registration No. _____

By _____ Title _____
(Signature)

FORM 2: LETTER OF INTENT

This form is provided by the Bidder/Offeror for each DBE Participation. NOTE: The authorized representative (AR) named below must be an individual vested with the authority to make contracting decisions on behalf of the firm.

Name of bidder/offeror's firm: _____

Name & title of firms' AR: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Name of DBE firm: _____

Name & title of DBE firm's AR: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email _____

Work to be performed by DBE Firm:

<i>Description of Work</i>	<i>NAICS</i>	<i>Dollar Amount/%*</i>	<i>Dealer/Manufacturer**</i>

**Percentage is to be used only in negotiated procurements, including design-build contracts*

***For material suppliers only.*

The bidder/offeror is committed to utilizing the above-named DBE firm for the work described above. The total estimated dollar value of this work is \$ _____.

 (Signature of Bidder/Offeror's Authorized Representative) Date: _____

Affirmation

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above and that the firm is DBE certified to perform the specific trades.

 (Signature of DBE's Authorized Representative) Date: _____

If the bidder/offeror does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void.

[Submit this page for each DBE subcontractor.]

Attachment K
Bidder's List Collection Form

The information below must be collected from every bidder who submits a quote/bid to the City of Monticello and every potential subcontractor who submitted a quote/bid to each bidder. §26.11(c) The City of Monticello collects this information from all bidders and subcontractors.

Firm Name	Firm Address/ Phone #	DBE or Non-DBE Status (verify via State's UCP Directory)	Age of Firm	Annual Gross Receipts
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million
			<input type="checkbox"/> Less than 1 year <input type="checkbox"/> 1- 3 years <input type="checkbox"/> 4-7 years <input type="checkbox"/> 8-10 years <input type="checkbox"/> More than 10 years	<input type="checkbox"/> Less than \$500K <input type="checkbox"/> \$500K - \$1 million <input type="checkbox"/> \$1-2 million <input type="checkbox"/> \$2-5 million <input type="checkbox"/> Greater than \$5 million

Attachment L
Overall Goal Calculations

Overall DBE Three-Year Goal Methodology

Name of Recipient: City of Monticello

Goal Period: FY 2023-25 (10/1/2022 through 9/30/2025)

DOT-assisted contract amounts:

Year 1	\$596,700
Year 2	\$0
Year 3	\$272,822
Totals	\$869,522

Overall Three-Year Goal: 3.0%, to be accomplished through 1.5% Race Conscious and 1.5% Race Neutral

Total dollar amount to be expended on DBEs: \$26,130

Describe the Number and Type of Contracts that the airport anticipates awarding:

Contracts in Fiscal Year #1

1. Connecting Taxiway - \$596,700

Contracts in Fiscal Year #3

1. Pavement Management Report - \$272,822

Market Area

Jones, Dubuque, Linn, Benton, Delaware, Scott, Johnson, Cedar, Clinton, Jackson Counties in Iowa

Jo Daviess, Rock Island and Carrol County, Illinois

Step 1. Actual relative availability of DBEs

The base figure for the relative availability was calculated as follows:

Method: Use DBE Directories (<https://secure.iowadot.gov/DBE/Home/Index/>) and Census Bureau Data (<https://data.census.gov/cedsci/>).

City of Monticello, Iowa DBE Program

Weighted Availability of DBE firms:

Fiscal Year #1

For 10/1/2022 - 9/30/2023, award of the following is anticipated:

Project Name	Trade Description	NAICS Description	NAICS	Trade (\$)	Directory	Census	DBE (%)	DBE (\$) (= Trade \$ x DBE %)
Connecting Taxiway	Site Preparation	site preparation activities, such as excavating and grading, demolition of buildings and other structures, and septic system installation. Earthmoving and land clearing for all types of sites (e.g., building, nonbuilding, mining) is included in this	238910	\$95,589	11	552	2.0%	\$1,905
Connecting Taxiway	Highway Street and Bridge Construction	construction of highways (including elevated), streets, roads, airport runways, public sidewalks, or bridges	237310	\$434,554	5	146	3.4%	\$14,882
Connecting Taxiway	Power and Communication Line and Related Structures	construction of power lines and towers, power plants, and radio, television, and telecommunications transmitting/receiving towers	237130	\$66,557	0	117	0.0%	\$0
Connecting Taxiway				\$596,700			2.8%	\$16,787
Year 1 Total				\$596,700			2.8%	\$16,787

Fiscal Year #2

For 10/1/2023 - 9/30/2024, award of the following is anticipated:

No projects for Year 2

City of Monticello, Iowa DBE Program

Fiscal Year #3

For 10/1/2024 - 9/30/2025, award of the following is anticipated:

Project Name	Trade Description	NAICS Description	NAICS	Trade (\$)	Directory	Census	DBE (%)	DBE (\$) (= Trade \$ x DBE %)
Pavement Management Report	Highway Street and Bridge Construction	construction of highways (including elevated), streets, roads, airport runways, public sidewalks, or bridges	237310	\$272,822	5	146	3.4%	\$9,343
Pavement Management Report				\$272,822			3.4%	\$9,343
Year 3 Total				\$272,822			3.4%	\$9,343

The base goal projection after weighting is as follows:

- Total Weighted DBE Availability: **\$26,130**
- Total for All Trades: **\$869,522**

Dividing the weighted DBE totals by the total estimate for all trades gives a base DBE availability figure for the projects anticipated during the goal-setting period. This figure is expressed as a percentage and serves as the basis for the three-year overall goal.

Base of DBE Goal: **3.0%**

Not enough historical data on DBE participation is available to reference to make an adjustment to the Step 1 base figure; therefore, City of Monticello is adopting the Step 1 base figure of **3.0%** as the overall goal for this three-year goal period (FY 2023-25).

Furthermore, there are no applicable disparity studies for the local market area or recent legal case information from the relevant jurisdictions to show evidence of barriers to entry or competitiveness of DBEs in the market area that is sufficient to warrant making an adjustment to the base goal.

Breakout of Estimated “Race and Gender Neutral” (RN) and “Race and Gender Conscious” (RC) Participation

City of Monticello, Iowa DBE Program

City of Monticello will meet the maximum feasible portion of the overall goal by using race neutral means of facilitating DBE participation.

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitates DBE, and other small businesses, participation;
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing;
3. Providing technical assistance and other services;
4. Carrying out information and communications programs on contracting procedures and specific contract opportunities;
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs and other small businesses improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
8. Ensuring distribution of DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors;
9. Assist DBEs and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.
- 10.

City of Monticello estimates that in meeting the established overall goal of 3.0%, it will obtain 1.5% from RN participation and 1.5% through race conscious measures.

Based on City of Monticello expects to award at least one contract to a DBE prime contractor through competitive bid procedures. This contract is expected to represent at least 1.5% of the FAA-funded work during this goal-setting period. Therefore, 1.5% of the 3.0% goal is expected from race-neutral means, and the remaining 1.5% is expected to be race-conscious participation.

City of Monticello will adjust the estimated breakout of race neutral and race conscious DBE participation as needed to reflect actual DBE participation (see §26.51(f)) and track and report race neutral and race conscious participation separately. For reporting purposes, RN DBE participation includes, but is not necessarily limited to the following: DBE participation through a prime contract obtained through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal, DBE participation on a prime contract exceeding a contract goal, and DBE participation through a subcontract from a prime contractor that did not consider a firm's DBE status in making the award.

Consultation

In establishing the overall goal, City of Monticello provided for consultation and publication. This process included consultation with minority, womens', and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the City of Monticello's efforts to establish a level playing field for the participation of DBEs. The consultation included a scheduled, direct, interactive exchange with as many interested stakeholders as possible focused on obtaining information relevant to the goal setting process, and was conducted before the goal methodology was submitted to the operating administration for review. Details of the consultation are as follows.

The consultation engaged in personal interviews and telephone calls during a two week period with local organizations. Discussions included seeking availability of local DBE firms providing the type of services anticipated for the project. Based on the information discussed, they would distribute a direct contact information for interested DBEs to submit their qualifications for the subcontracting opportunities.

The organizations would distribute the City of Monticello direct contact information for firms to submit their interest in providing their services for subcontracting opportunities. No other comments were received.

A notice of the proposed goal was published on the City of Monticello official website before the methodology was submitted to Federal Aviation Administration.

If the proposed goal changes following review by Federal Aviation Administration, the revised goal will be posted on City of Monticello official website.

Notwithstanding paragraph (f)(4) of §26.45, City of Monticello proposed goals will not be implemented until this requirement has been met.

Sample Public Notice Language

PUBLIC NOTICE

City of Monticello hereby announces its proposed Disadvantaged Business Enterprise (DBE) participation goal of 3.0% for FAA-funded contracts/agreements. The proposed goal pertains to federal fiscal years 2023 through 2025 (10/1/2022 - 9/30/2025). The proposed goal and its attendant methodology are available for inspection on the City's website and a hard copy is available at City Hall, 200 E. 1st Street in Monticello, between the hours of 8 am and 5 pm, for 30 days from the date of this publication.

Comments on the DBE goals and policy will be accepted for 30 days from the date of this publication (February 4, 2022) and can be sent to the following:

Russell Farnum

City of Monticello, Iowa DBE Program

City Administrator
City of Monticello
200 E. First Street
319-465-3577
rfarnum@ci.monticello.ia.us

Posted on the City's website on February 4, 2022

Attachment M
State's UCP Agreement

The Iowa DOT has established a unified certification program (UCP) for all government entities receiving U.S. DOT funds in the State of Iowa. With respect to participation as a DBE on U.S. DOT-assisted contracts, the Iowa DOT will make all DBE certification decisions through the UCP on behalf of these entities. The purpose of the UCP is to provide "one-stop- shopping" to certification applicants, which means that once they have been certified, their certification will be honored by all other entities in the State that receive U.S. DOT funds. Since all certification applications are reviewed by the Iowa DOT, there is no UCP Agreement.

Source: <https://iowadot.gov/civilrights/documents/DBEProgram.pdf>

City Council Meeting
Prep. Date: 03/02/2022
Preparer: Russell Farnum



Agenda Item: # 7 & 8
Agenda Date: 03/07/2022

Communication Page

Agenda Items Description: Updated Match Requirements - Fire Department and West Well generator applications

Type of Action Requested: Discussion

Attachments & Enclosures:

2- Resolution(s)

<u>Fiscal Impact:</u>	
Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Synopsis: In August of 2021 the Council authorized the City Administrator to apply for funding through the Hazard Mitigation Grant Program for backup power generators for the Fire Department and the City’s West Well.

Since that time the project budgets have been refined, and the cost of the generators has changed. The updated resolutions, committing to the City’s cost share of \$10,000 for the Fire Department generator, and \$11,000 for the West Well generator, is necessary.

These amounts include both City financial participation and in-kind match through the time taken by City crews for grading, trenching, and preparation required to install the generators. These numbers further reflect the maximum City obligation for these two applications.

Recommendation: It is recommended that the Council proceed with the adoption of the updated resolutions for the City’s cost share on these grant applications.

LOCAL MATCH RESOLUTION #

2022-

FOR THE

HAZARD MITIGATION ASSISTANCE PROGRAM

WHEREAS, the City of Monticello (hereinafter called "the Subrecipient"), County of (jurisdiction)

Jones, has made application through the Iowa Department Homeland Security and Emergency Management (HSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Assistance Program, in the amount of \$60,500 for the total project cost,

and

WHEREAS, the Subrecipient recognizes the fact that this grant is based on a cost share basis with the federal share not exceeding 75%, the state share not exceeding 10%, and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be either cash or in-kind match.

and

THEREFORE, the Subrecipient agrees to provide and make available up to \$10,000.00 (Ten Thousand Dollars) dollars) of local monies to be used to meet the minimum local match requirement for this mitigation grant application.

The resolution was passed and approved this 7 day of March 2022

Signatures of Council or Board Members:

Mayor

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

I submit this form for inclusion with the Hazard Mitigation Assistance Project Application.

Print Name of Authorized Representative

Authorized Representative's Signature and Date

LOCAL MATCH RESOLUTION #

2022-

FOR THE

HAZARD MITIGATION ASSISTANCE PROGRAM

WHEREAS, the City of Monticello (hereinafter called "the Subrecipient"), County of (jurisdiction)

Jones, has made application through the Iowa Department Homeland Security and Emergency Management (HSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Assistance Program, in the amount of \$67,250 for the total project cost,

and

WHEREAS, the Subrecipient recognizes the fact that this grant is based on a cost share basis with the federal share not exceeding 75%, the state share not exceeding 10%, and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be either cash or in-kind match.

and

THEREFORE, the Subrecipient agrees to provide and make available up to \$11,000.00 (Eleven Thousand dollars) of local monies to be used to meet the minimum local match requirement for this mitigation grant application.

The resolution was passed and approved this 7 day of March 2022

Signatures of Council or Board Members:

Mayor

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

I submit this form for inclusion with the Hazard Mitigation Assistance Project Application.

Print Name of Authorized Representative

Authorized Representative's Signature and Date

City Council Meeting
Prep. Date: 03/03/2022
Preparer: Russell Farnum



Agenda Item: # 9
Agenda Date: 03/07/2022

Communication Page

Agenda Items Description: 7th Street Project Change Order #2 - Adding Water Main Replacement at Oak (IA-38) and Locust Streets

<u>Type of Action Requested:</u>		
<u>Attachments & Enclosures:</u> <ol style="list-style-type: none">1. Resolution2. Letter from Engineer3. Contract Amendment	<u>Fiscal Impact:</u>	
	Budget Line Item: <table border="1"><tr><td> </td></tr></table>	
	Budget Summary: <table border="1"><tr><td> </td></tr></table>	
	Expenditure: <table border="1"><tr><td> </td></tr></table>	
	Revenue: <table border="1"><tr><td> </td></tr></table>	

Synopsis: Recent water main break at Oak and Locust highlighted the need for water main improvements in this area. Repairs are needed prior to the DOT repaving project anticipated for June of this year.

Background: Oak Street and Locust Streets have 4” water mains serving the area. The water mains are deteriorated and are not properly valved, so any water breaks and repairs in this area force the City to shut off water to the entire neighborhood. The occurrences of water main breaks in this area have accelerated in the past few years, forcing major inconvenience on businesses in the area.

Several years ago, the 4” main on Oak Street, from Main Street to Locust was replaced with an 8” main for improved water service and fire flows to the area. However, that 8” main ends at Locust, reverting back to a 4” main that dead-ends near Fidelity Bank. In the long run, this water main needs to be upgraded to 8” and extended to reconnect with an 8” main just west of Kitty Creek, in order to replace a failing water main and enhance water flows and fire protection to the neighborhoods and school campus east of Kitty Creek.

The contract at hand would upgrade the water mains, valving and connections under the pavement area at Oak and Locust. The replacement with 8” water mains would extend out from under the pavement to the parkway on the south side of Oak. The urgency to get this work completed is due to the pending timeframe of the Route 38 repaving, the attached contract amendment would accomplish this. Because this is an emergency repair, the City did not bid this portion of the project. Pirc-Tobin will be in the area working on the 7th Street project and is mobilized and aware of our timelines, and gave us a reasonable price to add this project into their work on 7th Street. The attached Change Order #2 accomplishes that addition.

Then at some point in the near future, the City can bid the 8” water main upgrade necessary to finish the connection near Kitty Creek. This portion of the project will be outside of the paved area, so it is not impacted by the IDOT timelines, and can be completed at any time.

Funding for both portions of this project will occur through Water Capital funds, remaining Sycamore Street bond funds (actually Special Assessment repayment funds that need to go back into capital projects), and some remaining TIF cash.

Recommendation: This project corrects a current water main problem area, and future water main breaks will be minimized, so the City will not have to dig up new pavement on Route 38/Oak Street. It is recommended that the Council approve this Change Order #2.

The City of Monticello, Iowa

IN THE NAME AND BY THE AUTHORITY OF THE CITY OF MONTICELLO, IOWA

RESOLUTION

Approving Change Order #2 in the amount of \$53,932.50, submitted by Pirc-Tobin Construction, Inc. related to the 2021 East 7th Street Utility Improvements Project

WHEREAS, Pirc-Tobin Construction, Inc. is contracted with the City to complete the 2021 East 7th Street Utility Improvements Project, and

WHEREAS, Pirc-Tobin Construction, Inc. has submitted Change Order #2 tied to the installation of water main beneath Highway 38 pavement on Oak Street near Locust Street intersection in the amount of \$53,932.50, and

WHEREAS, The City Engineer has reviewed the proposed Change Order #2 and recommends that it be approved by the City Council.

NOW THEREFORE, BE IT RESOLVED that the City Council of Monticello, Iowa does hereby approve Change Order #2 submitted by Pirc-Tobin Construction, Inc. related to the 2021 East 7th Street Utility Improvements Project t in the amount of \$53,932.50.

IN THE TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal for the City of Monticello, Iowa to be affixed. Done this 7th day of March, 2022.

David Goedken, Mayor

Attest:

Sally Hinrichsen, City Clerk/Treasurer

March 7, 2022

Mr. Russ Farnum, City Administrator
City of Monticello, Iowa
200 East 1st Street
Monticello, IA 52310

RE: EAST 7TH STREET UTILITY IMPROVEMENTS – CHANGE ORDER NO. 2

Dear Council:

The City has requested that portions of the water main parallel with Oak Street (Highway 38) and a crossing at Locust Street be replaced (approximately 189 LF). The existing 4” water main is aging and has had recent failures the City has had to repair. In anticipation of the DOT resurfacing of Highway 38, this water main would be replaced by 05/31/2022 (in line with the completion date of the 7th Street Utility Improvements), ahead of the DOT resurfacing project. This addition is to increase the size of the main, provide for a connection point to eventually loop the 8” water main, and to limit future impacts to the final finished surface of Highway 38.

We will be available in person at the Council meeting on March 7, 2022 to answer any questions the Council may have.

Sincerely,

SNYDER & ASSOCIATES, INC.



A.J. Barry, P.E.
Civil Engineer

Enclosure: Change Order No. 2

cc: Charlie Arnold, Pirc-Tobin Construction, Inc.

CHANGE ORDER NO. 2

OWNER: City of Monticello

PROJECT: East 7th Street Utility Improvements
S&A PROJECT #: 121.0022.08

To: Pirc-Tobin Construction, Inc.
Contractor
2660 Old Quass Rd
Address
Alburnett, IA 52202
City, State, Zip

You are directed to make the following changes in this contract:

1. **Description of change to be made:**
Addition of approximately 189 LF of water main and associated bid items in order to replace aging infrastructure beneath Highway 38 pavements on Oak Street near the Locust Street Intersection.
2. **Reason for Change:**
City wishes to replace aging infrastructure due to recent water main failures in the area.

3. **Settlement for the cost of making the change shall be as follows:**

Item No.	Item Description	Quantity	Unit	Unit Price	Total Price
3.	TOPSOIL, OFF-SITE	20	CY	\$32.00	\$640.00
13.	LIME BACKFILL	45	CY	\$23.00	\$1,035.00
21.	WATER MAIN, TRENCHED, PVC AWWA C900 (DR-18), 8"	189	LF	\$117.50	\$22,207.50
23.	FITTING, ALL FITTINGS, WATER MAIN	198	LB	\$18.00	\$3,564.00
27.	VALVE, GATE, 8"	1	EA	\$2,000.00	\$2,000.00
29.	FLUSHING DEVICE (BLOWOFF), 2"	1	EA	\$2,000.00	\$2,000.00
37.	REMOVAL OF SIDEWALK	5	SY	\$15.00	\$75.00
38.	REMOVAL OF DRIVEWAY	15	SY	\$13.00	\$195.00
44.	FULL DEPTH PATCHES	63	SY	\$150.00	\$9,450.00
52.	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING (TYPE 1)	0.04	AC	\$8,400.00	\$336.00
60.	TEMPORARY TRAFFIC CONTROL - OAK STREET	1	LS	\$3,500.00	\$3,500.00
61.	FLAGGERS PER EACH	2	DAY	\$540.00	\$1,080.00
63.	MOBILIZATION - OAK STREET	1	LS	\$7,850.00	\$7,850.00
				TOTAL	\$53,932.50

4. This change order will result in a net change in the contract completion time of 0 days and a net change in the cost of the project of \$53932.50 divided as follows:

	Contract Amount	Contract Completion Date
Approved funds and contract completion date as per (Engineer's Estimate, Contract or last approved C.O.)	\$319,274.70	May 31, 2022
Change due to this C.O. (+ or -)	\$53,932.50	0
Totals including this C.O.:	\$373,207.20	May 31, 2022

The change described herein is understood, and the terms of settlement are hereby agreed to:

Pirc-Tobin Construction, Inc.
CONTRACTOR
By 

DATE: 3/2/22

Snyder & Associates, Inc.
ENGINEER
By 
A.J. Barry, P.E.

DATE: 03/02/2022

City of Monticello
OWNER
By _____
Dave Goedken, Mayor

DATE: _____

PIRC CONSTRUCTION INC. TOBIN

P.O. Box 160 Alburnett, Iowa 52202 Phone: (319) 842-2130 Fax: (319) 842-2131

To: City Of Monticello	Contact:
Address: 200 East First Street Monticello, IA 52310	Phone:
	Fax:
Project Name: Monticello East 7th Street Utility Improvements	Bid Number:
Project Location: Along East 7th Street From Cedar Street To North Sycamore, Monticello, IA	Bid Date: 11/18/2021

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
Oak Street Water Main Replacement						
906	003	Topsoil, Off-Site	20.00	CY	\$32.00	\$640.00
907	013	Lime Backfill	45.00	CY	\$23.00	\$1,035.00
908	021	Water Main, Trenched, PVC AWWA C900 (DR-18), 8"	189.00	LF	\$117.50	\$22,207.50
909	023	Fitting, All Fittings, Water Main	198.00	LB	\$18.00	\$3,564.00
910	027	Valve, Gate, 8"	1.00	EACH	\$2,000.00	\$2,000.00
911	029	Flushing Device (Blowoff), 2"	1.00	EACH	\$2,000.00	\$2,000.00
912	037	Removal Of Sidewalk	5.00	SY	\$15.00	\$75.00
913	038	Removal Of Driveway	15.00	SY	\$13.00	\$195.00
914	044	Full Depth Patches	63.00	SY	\$150.00	\$9,450.00
915	052	Hydraulic Seeding, Seeding Fertilizing And Mulching (Type 1)	0.04	ACRE	\$8,400.00	\$336.00
916	060	Temporary Traffic Control - Oak Street	1.00	LS	\$3,500.00	\$3,500.00
917	061	Flaggers , Per Each, Per Day	2.00	EACH	\$540.00	\$1,080.00
918	063	Mobilization -Oak Street	1.00	LS	\$7,850.00	\$7,850.00

Total Bid Price: \$53,932.50

Notes:

- **Thank you for this opportunity to Provide this proposal.**

This Scope of Items is Based Upon Plans Drafted by Snyder & Associates Provided and Dated 2/15/2022

Please review the List of Exclusions listed Below:

- **Excludes Bond, Permits & Dues
- **Excludes Construction Survey
- **Excludes Trench Compaction Testing
- **Excludes Subgrade and Subbase Compaction Testing
- **Excludes City Inspection Fees
- **Excludes Dewatering and Farming of Soils
- **Excludes Rock Excavation
- **Assumes all trenches to utilize existing trench material for backfill as is, excluding moisture conditioning.
- **Excludes SWPP monitoring
- **Excludes Erosion Control and Seeding (Temporary and Permanent) other than Scope of Unit Priced Items listed

Inclusions and Interpretations of Plans Provided:

NOTE: ALL ITEMS are Tied, unless listed as an Alternate or Discussed Prior to Bid Submittal.

- ***Dedication to the Owners Schedule, to produce a Project on Time!
- ***Organized and Transparent
- ***Easy to Work With - We Do not need to be "Managed"
- ***Forward Thinking to Problems and Provide SOLUTIONS!

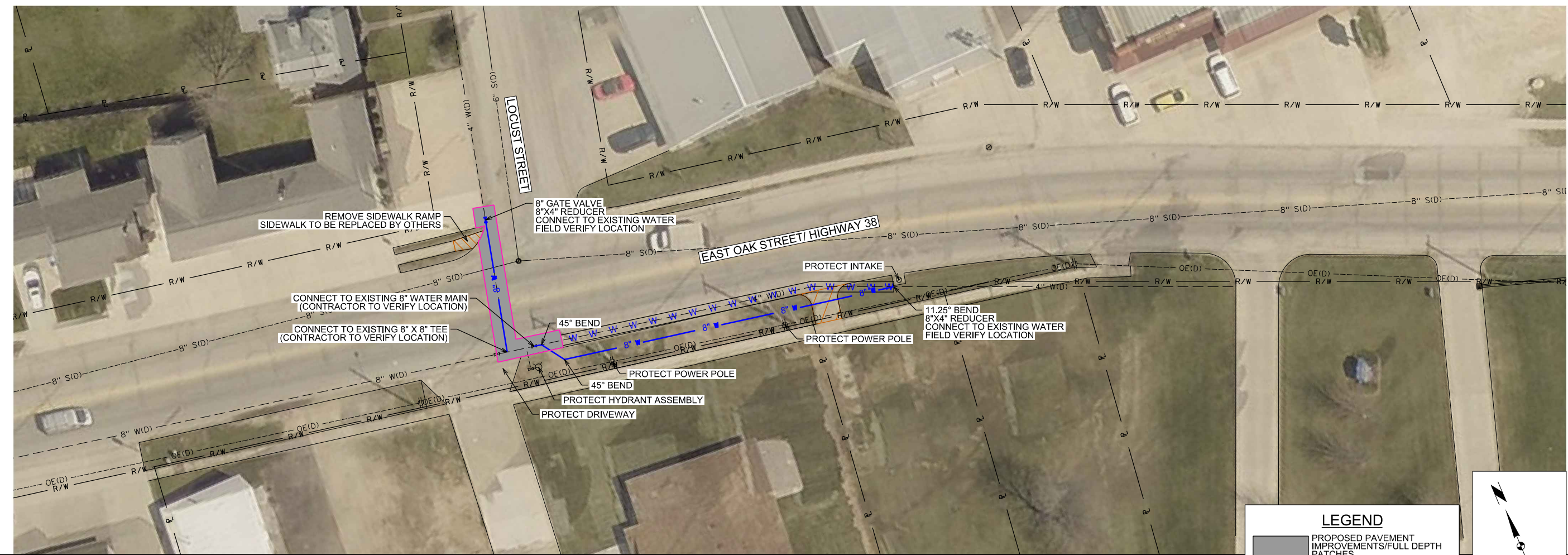
**Final Quantities to be based on Actual Field Measured amounts.

- A. **Material Escalation** - The contract price for this construction project has been calculated based on the current prices and availability for building materials. However, the market, availability and pricing for building materials today are volatile, and sudden price increases or delivery delays can occur. The Contractor/Subcontractor agrees to use best efforts to obtain the lowest possible prices from available building material suppliers, but should there be an increase in the prices or delivery dates of these specified materials purchased after execution of contract for use in this construction project, the Owner / General Contractor agrees to pay the cost increase to the Contractor/Subcontractor. Any claim by the Contractor/Subcontractor for payment of a cost increase or material delivery delay, shall require written notice delivered by the Contractor/Subcontractor to the Owner / General Contractor stating the increased cost, the building material or materials in question, the source of supply, and delay dates and costs, supported by invoices and cost breakdowns.

Payment Terms and Conditions as Follows:

- **All Accounts Due 30 Days after Cut-off Period billing End Date. Accounts not paid will be charged 1.75% Each Month, which is Annual 21%, and any and all collection fees including but not limited to Reasonable attorney Fees.
- **Retainage to be Paid in Full within 3 months after Substantial Completion

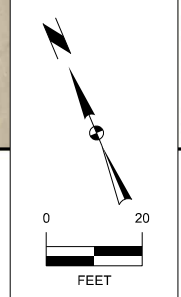
<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Pirc-Tobin Construction, Inc.</p> <p>Authorized Signature: _____</p> <p>Estimator: Ryan J. Harter (319) 929-3605 rjharter@pirtobin.com</p>
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- NOTES:**
1. COMMUNICATION, OVERHEAD ELECTRIC LINES, AND OTHER UTILITY SERVICE LINES CROSS PROPOSED INFRASTRUCTURE (ELEVATIONS UNKNOWN AND NOT SHOWN ON THE PROFILE).
 2. ADJACENT SANITARY AND STORM NOT SHOWN ON PROFILE.
 3. CONTRACTOR TO DEFLECT WATER MAIN AS NECESSARY.
 4. MAINTAIN VERTICAL SEPARATION AS SHOWN IN THE PROFILES BETWEEN WATER MAIN AND SEWER PIPE CROSSINGS.
 5. ADJUST PLACEMENT OF HYDRANT ASSEMBLY AS NECESSARY TO FIT ADJACENT TO PROPOSED UTILITIES. COORDINATE WITH ENGINEER.
 6. ALL PROFILE ELEVATIONS LISTED ARE TOP OF PIPE.
 7. NOTIFY THE CITY IF LEAD WATER SERVICES ARE DISCOVERED DURING CONSTRUCTION AS THEY NEED TO BE REPLACED.
 8. CONTRACTOR TO MAINTAIN WATER SERVICE AT ALL TIMES.

LEGEND

- PROPOSED PAVEMENT IMPROVEMENTS/FULL DEPTH PATCHES
- SIDEWALK/DRIVEWAY REMOVAL
- W W WATER MAIN ABANDONMENT



ESTIMATED PROJECT QUANTITIES (CHANGE ORDER NO. 2)				
Item No.	Item Code	Description	Unit	Estimated Quantity
3	2010-D-3	TOPSOIL, OFF-SITE	CY	20
13	3010-G	LIME BACKFILL	CY	45
21	5010-A-1	WATER MAIN, TRENCHED, PVC AWWA C900 (DR-18), 8"	LF	189
23	5010-C-2	FITTING, ALL FITTINGS, WATER MAIN	LB	198
27	5020-A	VALVE, GATE, 8"	EA	1
29	5020-D	FLUSHING DEVICE (BLOWOFF), 2"	EA	1
37	7030-A	REMOVAL OF SIDEWALK	SY	5
38	7030-A	REMOVAL OF DRIVEWAY	SY	15
44	7040-A	FULL DEPTH PATCHES	SY	63
52	9010-B	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING (TYPE	AC	0.04
60	8030-A	TEMPORARY TRAFFIC CONTROL - OAK STREET WATER MAIN	LS	1
61	8030-999-A	FLAGGERS PER EACH	DAY	2
63	11_020-A	MOBILIZATION - OAK STREET WATER MAIN	LS	1

LICENSED PROFESSIONAL ENGINEER

ANDREW J. BARRY

P25329

IOWA

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Andrew J. Barry, P.E. _____ Date

License Number P25329

My License Renewal Date is December 31, 2022

Pages or sheets covered by this seal:

SHEET M.4

MARK	REVISION	DATE	BY

Engineer: AJB	Checked By: PDS	PDS	Scale: 1" = 20'
Date: 3/2/2022	Date: 3/2/2022	Date: 3/2/2022	Date: 3/2/2022
Technician: RWS	Field Bk:	Field Bk:	Field Bk:
Project No: 1210022	Sheet	Sheet	Sheet
	M.4	M.4	M.4

EAST 7TH STREET UTILITY IMPROVEMENTS

BURIED PIPE SHEETS - WATER MAIN

SNYDER & ASSOCIATES, INC.

MONTICELLO, IOWA

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404
319-362-9394 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 1210022

Sheet M.4

City Council Meeting
Prep. Date: 3/3/2022
Preparer: Sally Hinrichsen



Agenda Item: # 11-19
Agenda Date: 3/7/2022

Communication Page

Agenda Items Description: Reports

Type of Action Requested: Motion; Resolution; Ordinance; **Reports**; Public Hearing; Closed Session

Attachments & Enclosures:

Fiscal Impact:

Budget Line Item:	
Budget Summary:	
Expenditure:	
Revenue:	

Reports / Potential Actions:

- 11. City Engineer
- 12. Mayor
- 13. City Administrator
- 14. City Clerk
- 15. Public Works Director
- 16. Police Chief
- 17. Water/Wastewater Superintendent
- 18. Park and Recreation Director
- 19. Library Director