

**AGENDA
CITY COUNCIL MEETING
February 2, 2016**

1. [Approval of Minutes – January 19, 2016](#)

2. [Approval of Claims](#)

The City Council will be hearing public comments on the following agenda items: 3 and 9

Public comment will be limited to a total of 40 minutes per topic (20 min in favor/20 min opposed)

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the south wall of the City Council Chambers.

The City Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

3. **Public Hearing:** Application for Class C Liquor License – M. Berns, LLC, d/b/a “Broken Antler” (Advertised Time: 5:30 p.m.)

4. [Resolution 2016-4: Approving Application for Class C Liquor License — M. Berns, LLC, d/b/a “Broken Antler”](#)

5. [Resolution 2016-5: Approving Consulting Services Agreement – Special Services with C. H. Guernsey & Company](#)

Background: This is the specialist I want to retain to evaluate the market for power plant capacity and the terms of any contracts we consider to lease out our power plant beginning in 2019.

6. [Action to approve amendment to the City of Wayne’s Community Development Block Grant Revolving Loan Fund Guidelines removing a set minimum interest rate as recommended by Northeast Nebraska Economic Development District staff](#)

Background: This action involves the remaining \$375,000 in the old Wayne Revolving Loan, plus the continuing income from repayments of old loans of about \$25,000 per year. This fund was Wayne’s to control, but NEDD required us to give control to Northeast Nebraska Economic Development District. This action allows us to set our own interest rate for local business loans even though we don’t control it.

7. [Action on Contractor’s Application for Payment No. 6 for the “2015 Wastewater Treatment Facility Improvement – Phases 3, 4, & 5 Project” in the amount of \\$276,283.26 to Eriksen Construction Co., Inc.](#)

Background: This is for work completed according to our contract and approved for payment by the project engineer.

8. [Action on Contractor’s Application for Payment No. 7 for the “2016 Wayne Aquatic Center Project” in the amount of \\$189,379.20 to Christiansen Construction Co., LLC](#)

Background: This is for work completed according to our contract and approved for payment by the project engineer.

9. Action to select Phase II Trail Route between Sherman Street and the end of Westwood Road

Background: The Phase II Trail was funded in 2004 and is at a design stage that is ready for final design and to bid out for construction in 2017. The Council has been provided four options for the completion of the north segment of the trail. Those options are as follows:

- a. Build only the segment from Henry Victor Park to the Community Activity Center;
- b. Align a segment of the trail on the paved streets of Westwood Road and Sherman Street;
- c. Align the same segment of trail onto the south terrace of Westwood Road; or
- d. Align the same segment of trail onto the ag land on the north side of the city limits and bypass Westwood Road and Sherman Street. Attached is a new map and cost estimate from the project engineer regarding the cost comparison between this option and the terrace option - c.

10. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

**MINUTES
CITY COUNCIL MEETING
January 19, 2016**

The Wayne City Council met in regular session at City Hall on Tuesday, January 19, 2016, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Jason Karsky, Matt Eischeid, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 7, 2016, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

Councilmember Haase made a motion, which was seconded by Councilmember Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of January 5, 2016, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

CORRECTIONS TO CLAIMS LIST OF 1/5/16: DELETE BAKER & TAYLOR – BOOKS 491.32

VARIOUS FUNDS: ADVANCED CONSULTING, SE, 2030.00; AMERITAS, SE, 2994.55; APPEARA, SE, 109.77; ARBOR DAY FOUNDATION, FE, 100.00; ARNIE'S FORD-MERCURY, SU, 160.97; AWE ACQUISITION, SU, 3773.00; CITY EMPLOYEE, RE, 246.70; BIG T ENTERPRISES, SU, 95.95; BOMGAARS, SU, 2336.56; CITY EMPLOYEE, RE, 141.10; CITY EMPLOYEE, RE, 2388.80; BROWN SUPPLY, SU, 222.50; CARHART LUMBER, SU, 359.95; CERTIFIED TESTING SERVICE, SE, 884.00; CHARTWELLS, SE, 5589.00; CHRISTIANSEN CONSTRUCTION, SE, 204054.74; CITY OF WAYNE, RE, 350.00; CITY OF WAYNE, RE, 350.00; CITY EMPLOYEE, RE, 409.45; CITY OF WAYNE, PY, 70331.46; CITY OF WAYNE, RE, 1155.83; COMMUNITY HEALTH, RE, 4.00; COPY WRITE, SE, 423.66; CITY EMPLOYEE, RE, 156.58; DAVE'S DRY CLEANING, SE, 78.00; EASYPERMIT POSTAGE, SU, 825.60; ECHO GROUP, SU, 1072.51; CITY EMPLOYEE, RE, 8.00; EMPLOYERS MUTUAL CASUALTY, RE, 500.00; ERIKSEN CONSTRUCTION, SE, 197746.21; FLOOR MAINTENANCE, SU, 219.00; FRANK SHEDA, SE, 243.75; GAMBLE

LANDSCAPING, SE, 160.00; GAMBLE, BRIAN, RE, 106.10; ICMA, SE, 6360.30; IPMA, SE, 159.00; IRS, TX, 26798.64; JORGENSEN CONCRETE & CONS, SU, 500.00; K & S DOOR CO, SE, 271.50; KELLY SUPPLY, SU, 108.43; KRIZ-DAVIS, SU, 374.35; KTCH, SE, 641.00; LINPEPCO, SU, 297.60; LUTT OIL, SU, 4180.82; MAGGIE GUBBELS, RE, 500.00; MATTHEW BENDER & CO, SU, 349.81; MIDSTATES ERECTORS, SU, 1636.92; MIDWEST LABORATORIES, SE, 76.50; MUNICIPAL SUPPLY, SU, 115.98; NE COLORADO CELLULAR, SE, 132.63; NE DEPT OF REVENUE, TX, 4054.53; NE EMERGENCY SERVICE, FE, 60.00; NE NEB INS AGENCY, SE, 270.00; NE STATE TREASURER, RE, 1239.52; NPPD, SE, 267126.71; ONE OFFICE SOLUTION, SU, 120.00; CITY EMPLOYEE, RE, 159.17; POSTMASTER, FE, 144.00; PROVIDENCE MEDICAL CENTER, SE, 83.00; RON'S RADIO, SU, 37.20; SHOPKO, SU, 40.43; SPARKLING KLEAN, SE, 3240.12; STAPLES ADVANTAGE, SU, 85.91; STATE NEBRASKA BANK, SE, 68.48; TYLER TECHNOLOGIES, SE, 5816.25; US BANK, SU, 4441.96; UTILITIES SECTION, FE, 250.00; VESSCO, SU, 616.83; WAYNE AUTO PARTS, SU, 443.12; WAYNE COUNTY TREASURER, FE, 1004.00; WAYNE FIRE DEPARTMENT, RE, 40.00; WAYNE HERALD, SE, 2584.79; WESCO, SE, 936.79; WIGMAN COMPANY, SU, 681.45; WISNER WEST, SU, 43.75; Y & Y LAWN CARE, SE, 380.00; AIR-SIDE CONCEPTS, SU, 118.00; ALTEC INDUSTRIES, SU, 483.42; APPEARA, SE, 68.66; BAKER & TAYLOR BOOKS, SU, 127.38; BLUE DEVIL BOOSTER CLUB, FE, 50.00; BOARD OF EXAMINERS, FE, 10.00; CAPSTONE PRESS, SU, 164.43; CITY EMPLOYEE, SU, 30.66; CITY OF WAYNE, RE, 200.00; CITY OF WAYNE, RE, 975.00; DEMCO, SU, 162.76; DGR & ASSOCIATES, SE, 138.00; EZRA BRODERSEN, SE, 150.00; GLEN'S AUTO BODY, SU, 97.43; HACH COMPANY, SU, 48.63; JACK'S UNIFORMS, SU, 228.60; JESSICA OLSON, SE, 2112.22; CITY EMPLOYEE, RE, 279.93; NE RURAL WATER, FE, 750.00; NORFOLK DAILY NEWS, SU, 153.00; NORFOLK GM AUTO CENTER, SE, 330.67; OVERDRIVE, SU, 379.31; PAC N SAVE, SE, 1202.63; PEERLESS WIPING CLOTH, SU, 240.00; STAPLES ADVANTAGE, SU, 113.10; STATE NEBRASKA BANK, FE, 40.00; TEI LANDMARK AUDIO, SU, 47.25; TYLER TECHNOLOGIES, SE, 1485.00; WAYNE COMMUNITY SCHOOLS, RE, 7988.18

Councilmember Haase made a motion, which was seconded by Councilmember Sievers, to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Phil Monahan, Fire Chief, introduced Brock Hunter and requested Council consideration to approving his membership application to the Wayne Volunteer Fire Department.

Councilmember Giese made a motion, which was seconded by Councilmember Greve approving the membership application of Brock Hunter to the Wayne Volunteer Fire Department. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Wes Blecke, Executive Director of WAED, was present and advised the Council that the LB840 Sales Tax Advisory Committee met and reviewed an application to Wayne's Economic Development Program Fund. The applicant, Beck Ag, Inc., requested a \$50,000 low-interest loan to be amortized for no more than 5 years. These funds will be used to relocate to a larger office in Wayne (from Mineshaft Mall to College Plaza) and to prepare for future growth. The Committee met, and the terms the Committee agreed to include a \$50,000 loan at 3% interest, amortized for 3 years, with the proceeds being utilized to relocate to a larger office in Wayne and to prepare for future growth.

Nick Lipp, representing Beck Ag, Inc., (on behalf of Stephanie Liska) was present to answer questions.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, approving the recommendation of the LB840 Sales Tax Advisory Committee for a \$50,000 loan, amortized for 3 years at 3% interest to Beck Ag, Inc., contingent upon securities (real property) negotiated at Stephanie Liska's discretion. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Wes Blecke, Executive Director of WAED, was present and advised the Council that the LB840 Sales Tax Advisory Committee met and reviewed a second application to Wayne's Economic Development Program Fund. The applicant, Adam Manoucheri/Crossroads-Atoll Productions, LLC, requested a \$40,000 loan to purchase and remodel/finish the properties at 200 and 202 Main Street. The Committee met, and the terms the Committee agreed to include a \$40,000 loan at 3% interest, amortized for 15 years, with the proceeds being utilized to purchase and remodel/finish the properties at 200 and 202 Main Street. In addition, the Committee

recommended that the Council establish a timetable for the completion of the repairs and improvements to the exterior.

The existing LB840 loan on this property will be paid off in full with the purchase of the building.

Adam Manoucheri was present to answer questions. Mr. Manoucheri stated his intention was to complete the outside improvements within one year.

Corby Schweers, representing Elkhorn Valley Bank, was also present to answer questions.

Council had concerns about the timelines for making the improvements, etc. on the building.

Councilmember Giese stated he would like the façade completed within nine months with a design that is approved by the Design Committee, and the interior being ready to be rented, meeting building and fire codes, in one and one-half years. This insures some measure of accountability on Mr. Manoucheri's behalf and on the City's behalf.

Councilmember Eischeid stated if, for some reason, he was unable to complete the remodeling in the south half by that time, he requested that Mr. Manoucheri report back to the Council and explain why and what his intentions are from there on out.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, approving the recommendation of the LB840 Sales Tax Advisory Committee for a \$40,000 loan, amortized for 15 years at 3% interest to Adam Manoucheri/Crossroads-Atoll Productions, LLC, to purchase and remodel/finish the properties at 200 and 202 Main Street, with the repairs and improvements to the façade completed within nine months and approved by the City's Design Committee, and the inside of the building, meeting building and fire codes, within one and one-half years. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Wes Blecke, Executive Director of Wayne Area Economic Development, provided the Council with the six-month LB 840 activity update.

Terry Galloway of Almquist, Maltzahn, Galloway, & Luth, P.C., presented the FY 14-15 Audit. He provided Council with a spreadsheet that identifies “benchmarks” of how Wayne compares with other communities its size.

The business type activities (electric, water and sewer) are excellent. Wayne is about 46.42%; anything above 30% is considered excellent. Governmental Activities is at 22.51%, which is low and indicates the need to increase the cash reserves. The recommended is 30%.

The outstanding general obligation debt/valuation is used a lot in the bonding world to see how much taxpayer pressure is going to be needed to meet obligations as you go forward. Wayne is at 3%, which is very good. Anything less than 3% is excellent in Nebraska.

In regard to debt coverage ratio (water, sewer and electric), it shows that consideration should be given to increasing the electric rates.

In regard to the City’s top six revenue sources, it shows in the past two years that Wayne has had nice increases. Sales tax runs at \$190 per capita or per person, and Wayne is at \$147. \$190 generally represents a 1.5% sales tax. Wayne has a 1.5% sales tax. Property taxes are good for the taxpayers in Wayne. The per capita basis is \$210 per person. Wayne is asking \$136 per person. Wayne is way under what they call best practice for a City its size.

In lieu of tax payments (franchise fees) is \$120 per capita; Wayne is at \$147. State Allocation is at \$160 per capita; Wayne is at \$166. Charges for services are \$120 per capita and Wayne is at \$109. The per capita for grants is \$110; Wayne is at \$106.

For the last couple of years, under the business type activities, Wayne was at or above \$8 million of cash. That amount decreased last year, as well as this year. Best practice is \$6.9 million; Wayne has \$7 million.

Under operating income, the Electric Fund is at -.12%; best practice is 15%. Consideration should be given to increasing those rates. The water rates were just increased as of

10/1/15, which should help the Water Fund. However, the Sewer Fund is at 5.24%; best practice is 15%. Consideration should also be given to increase the sewer rates.

In regard to the tax levy rates, Wayne is, again, under what the recommended or statewide average is. This is very good for the taxpayers in Wayne. In the general fund, the per capita is \$170 per person; Wayne is at \$120 per person. In debt service, Wayne is about half of what it would be in another city Wayne's size.

In regard to the State Allocations, the Highway Allocation went up from \$78 per capita to \$81 per capita, and Municipal Equalization went up from \$77 per capita to \$78 per capita. Normally, cities Wayne's size get \$100 per capita and \$30 per capita respectively. Wayne is getting state revenue back to help the taxpayers of Wayne.

Mr. Galloway then reviewed the per capita costs of departments compared to the statewide average. The administrative costs to run the City of Wayne are very low compared to the other cities. The per capita cost is \$80; Wayne is at \$35.

In Public Buildings, Wayne is about \$14 per capita; the average is \$10. In Public Safety, Wayne is at about \$196 per capita; the average is \$200. Public Works is \$85 per capita; the average is \$100. The Library is about \$47 per capita, with the average being \$45 per capita. Recreation is at \$66 per capita; the average is \$60. The Community Activity Center is at \$47 per capita, with the average being \$45 per capita. Overall, Wayne has done an excellent job in keeping the costs and expenses down in the various departments and still being able to continue the level of service that everyone is used to.

In regard to operating income, he again advised that the electric fund, as well as the water, sewer and transfer station funds are below best practices. It is time to look at those rates in the very near future, and you will probably need to increase the cash reserves in the general fund.

Mr. Galloway noted that his firm did not encounter any difficulties in performing the audit. He ended his presentation by stating the City has done a very good job at being good stewards with the money that is here and commended City staff on a job well done.

Administrator Johnson advised the Council that, as requested, he obtained two more engineering proposals to design the paving, storm drain system, and water and sewer main improvements for the 4th Street Project. This was requested so that Council could see how other proposals would compare to the McLaury Engineering, Inc. (MEI) proposal. Those proposals are:

- Olsson Associates - \$74,700
- ACES - \$75,000.00
- MEI - \$106,076

Discussion took place in regard to accepting a bid or proposal by a new local engineering firm, McLaury Engineering, Inc., which was \$37,000 over the other two proposals. It was noted that these costs would be assessed to the property owners in the improvement districts. MEI is a new firm locating in Wayne. Administrator Johnson wanted to add this firm to the mix of other engineering firms the City utilizes. In addition, they had already started on some of the project (about \$6,000). The reason for this is that the developer that wants to start building houses on Lot 4 at the corner of Tomar Drive and 4th Street, which does not exist yet, is now ready to start building single-family rental homes.

McLaury was given the opportunity to change or alter their proposal since the other firms had seen their proposal, but they declined, because they felt it represented the quality or value of their work.

While the ACES and Olsson proposals were lump sum fees, the MEI proposal is based on an hourly estimated fee.

Steve Rames and Kim McLaury, representatives of McLaury Engineering, Inc., were present, as well as John Zwingman of ACES.

After further discussion, Councilmember Muir introduced Resolution No. 2016-2 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2016-2

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING AN AGREEMENT BETWEEN THE CITY OF WAYNE AND MCLAURY ENGINEERING, INC., FOR ENGINEERING SERVICES FOR THE "4TH STREET PAVING PROJECT (JAXON STREET TO SOUTH CENTENNIAL ROAD)."

Mayor Chamberlain stated the motion, and the result of roll call being four Yeas (Greve, Haase, Muir and Karsky) and four Nays (Giese, Sievers, Eischeid and Brodersen), the Mayor declared the motion tied. The Mayor then cast his vote as a Yea, and declared the motion carried.

The following Resolution would amend the CIS CDBG budget. The City had requested \$215,000 in Community Development Block Grant Funds for 2013 Phase II Comprehensive Investment & Stabilization activities, which included \$30,000 for clearance/demolition, \$80,000 for public facilities, \$75,000 for single family housing rehabilitation, \$6,000 for housing management, \$4,500 for risk/assessment testing, and \$19,500 for general administration of the grant. The City agreed to provide \$65,200 in water main improvements and \$65,200 in street improvements to East 4th Street, Dearborn Street, and Valley Drive. The total project cost was estimated to be \$345,400.

We then amended that request so that \$30,000 would be for demolition/clearance, \$165,500 would be for public facilities, and \$19,500 would be for general administration of the grant.

We are amending the request a third time so that \$25,665 will be for demolition/clearance, \$178,160 will be for public facilities, and \$11,175 will be for general administration of the grant. The City will provide \$195,500 in water/sewer improvements, with the total project cost being \$410,500.

Councilmember Sievers introduced Resolution No. 2016-3 and moved for its approval; Councilmember Greve seconded.

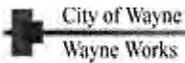
RESOLUTION NO. 2016-3

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA, TO APPROVE COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT AMENDMENT (A3) 13-CIS-106 BETWEEN THE CITY OF WAYNE AND THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 7:38 p.m.

CLAIMS LISTING FEBRUARY 2, 2016



CITY EMPLOYEE	COLLEGE CLASS REIMBURSEMENT	150.00
AMAZON.COM, LLC	BOOKS	230.07
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,926.75
APPEARA	LINEN & MAT SERVICE	168.39
AS CENTRAL SERVICES	TELECOMMUNICATIONS CHARGES	448.00
AWWA	MEMBERSHIPS	300.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	19.11
BLACK HILLS	GAS BILLS	1,869.76
BROOKDALE WAYNE	LIGHTING EFFICIENCY	10,988.00
CARROT-TOP INDUSTRIES	FLAGS	170.33
CENTURYLINK	TELEPHONE CHARGES	414.17
CITY OF WAYNE	AUDITORIUM DEPOSIT REFUND	200.00
CITY OF WAYNE	PAYROLL	67,642.24
CITY OF WAYNE	UTILITY REFUNDS	1,354.53
COMMUNITY HEALTH	PAYROLL DEDUCTION	4.00
CROSSROADS-ATOLL PRODUCTIONS	LB 840	40,000.00
CUMMINS CENTRAL POWER, LLC	PREVENTATIVE MAINTENANCE	3,314.81
DANKO EMERGENCY EQUIPMENT	LED SCENCELIGHT	2,755.08
DE LAGE LANDEN FINANCIAL	COPIER LEASE	77.00
DEARBORN NATIONAL LIFE	DISABILITY/LIFE/VFD INSURANCE	2,173.20
DUTTON-LAINSON COMPANY	GUY MARKER/RECEPTICLE	661.06
CITY EMPLOYEE	VISION REIMBURSEMENT	100.00
ELECTRICAL ENGINEERING & EQUIPMENT	FUSE	186.04
EMBASSY SUITE	LODGING-PUBLIC WORKS CONFERENCE	1,073.00
FIRST CONCORD GROUP LLC	FLEX	2,872.98
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	657.22
FREDRICKSON OIL CO	OIL/ANTIFREEZE	1,362.90
CITY EMPLOYEE	HEALTH REIMBURSEMENT	132.93
GALE GROUP	BOOKS	50.03
GILL HAULING, INC	CAC TV DISPOSAL	15.00
GROSSENBURG IMPLEMENT INC	DIESEL ADDITIVE	322.50
CITY EMPLOYEE	HEALTH REIMBURSEMENT	118.99
HANNA:KEELAN ASSOCIATES P.C.	COMPREHENSIVE PLANNING	10,500.00
HD SUPPLY WATERWORKS, LTD	REMOTE WIRE	337.22
CITY EMPLOYEE	HEALTH REIMBURSEMENT	129.78
HTM SALES INC	TRANSFER STATION PUMP	12,141.90
ICMA RETIREMENT	RETIREMENT	6,360.30
IRS	PAYROLL TAXES	24,850.58
JEO CONSULTING GROUP	AQUATIC CENTER/BIOSOLID HANDLING	11,860.00
CITY EMPLOYEE	LIBRARY PROGRAM SUPPLIES	83.33

CITY EMPLOYEE	HEALTH REIMBURSEMENT	157.05
KRIZ-DAVIS COMPANY	ARRESTER/TELESCOPIC STICK & BAG	2,146.87
CITY EMPLOYEE	HEALTH REIMBURSEMENT	435.25
LUTT OIL	POWER PLANT DIESEL	16,480.00
MAIN STREET AUTO CARE	TOWING	200.00
MIDWEST SERVICE & SALES	BACKHOE BLADE/SKID SHOES	565.50
N.E. NEB ECONOMIC DEV DIST	WRLF DEC 15 SERVICES	720.00
NE CODE OFFICIAL ASSOCIATION	CONFERENCE REGISTRATION/DUES	230.00
NE DEPT OF REVENUE	PAYROLL TAXES	3,590.59
NE NEB INS AGENCY INC	INSURANCE	713.00
NE PLANNING & ZONING ASSOC	DUES	40.00
NE PUBLIC HEALTH ENVIRONMENTAL LAB	COLIFORM TESTING/POLICE SERVICES	1,894.00
NORTHEAST NE PUBLIC POWER	RATE DISPUTE	12,425.57
NWOD	DUES	15.00
OTTE CONSTRUCTION COMPANY	CAC FITNESS ROOM GATE	2,460.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	222.06
PICK EQUIPMENT & CHOPPING	HAULING DIRT TO STORM SHELTER	4,125.00
QUALITY 1 GRAPHICS	DECALS	1,420.00
ROURKE EDUCATIONAL MEDIA	BOOKS	159.60
RR DONNELLEY	CITATIONS	108.17
SANDRA ATKINS	AED TRAINING	30.00
STADIUM SPORTING GOODS	SHIRTS/EMBROIDERY	247.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	45.33
STOREY KENWORTHY/MATT PARROTT	TAX FORMS	53.73
STRATTON, DELAY, DOELE,	ATTORNEY FEES	555.00
THE TOOL DEPOT	AIR FILTER/OIL	137.68
UTILITIES SECTION	METER CONFERENCE	480.00
VAKOC CONSTRUCTION	PRESS BOX WOOD	21.36
VERIZON WIRELESS SERVICES LLC	CELL PHONES	99.78
VIAERO	CELL PHONES	247.01
WAYNE COUNTY COURT	BONDS	188.00
WHITE DOG PUB, INC	EMPLOYEE APPRECIATION DINNER	644.00
WISNER WEST	FD GASOLINE	247.32
ZACH HEATING & COOLING	CYLINDER FILL	54.57

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RESOLUTION NO. 2016-4

WHEREAS, M. Berns, LLC, d/b/a "Broken Antler," made application to the Nebraska Liquor Control Commission for a Retail Class C Liquor License at 111 E. 3rd Street, Wayne, Wayne County, Nebraska; and

WHEREAS, said application has been forwarded to the City of Wayne for public hearing and recommendation by the City Council; and

WHEREAS, notice of hearing on said application was published in one issue of the Wayne Herald on January 21, 2016; and

WHEREAS, a hearing was held on February 2, 2016, and all persons desiring to present evidence for or against said application were heard.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the application of the license aforementioned be recommended for approval to the Nebraska Liquor Control Commission.

PASSED AND APPROVED this 2nd day of February, 2016.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

**APPLICATION FOR LIQUOR LICENSE
RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov/

RECEIVED RECEIVED
JAN 05 2016 DEC 24 2015
NEBRASKA LIQUOR CONTROL COMMISSION
NEBRASKA LIQUOR CONTROL COMMISSION

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS**

- Application Fee \$400 (nonrefundable)
- A BEER, ON SALE ONLY
 - B BEER, OFF SALE ONLY
 - C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
 - D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
 - I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
 - AB BEER, ON AND OFF SALE
 - AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
 - IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31
All other licenses run from May 1 – April 30
Catering license (K) expires same as underlying retail license

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert form 1)
- Partnership License (requires insert form 2)
- Corporate License (requires insert form 3a & 3c)
- Limited Liability Company (LLC) (requires form 3b & 3c)

NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)
Commission will call this person with any questions we may have on this application

Name Kate M. Jorgensen Phone number: (402) 375-2080
Firm Name Jorgensen Law Office

PREMISES INFORMATION

Trade Name (doing business as) Broken Antler

Street Address #1 111 E 3rd St.

Street Address #2 _____

City Wayne County Wayne

Zip Code 68787

Premises Telephone number 402-~~337~~ 375-9990

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Business e-mail address mdberns@hotmail.com

DEC 24 2015

Is this location inside the city/village corporate limits: YES

NO NEBRASKA LIQUOR CONTROL COMMISSION

Mailing address (where you want to receive mail from the Commission) _____

Name _____

Street Address #1 111 E. 3rd St.

Street Address #2 _____

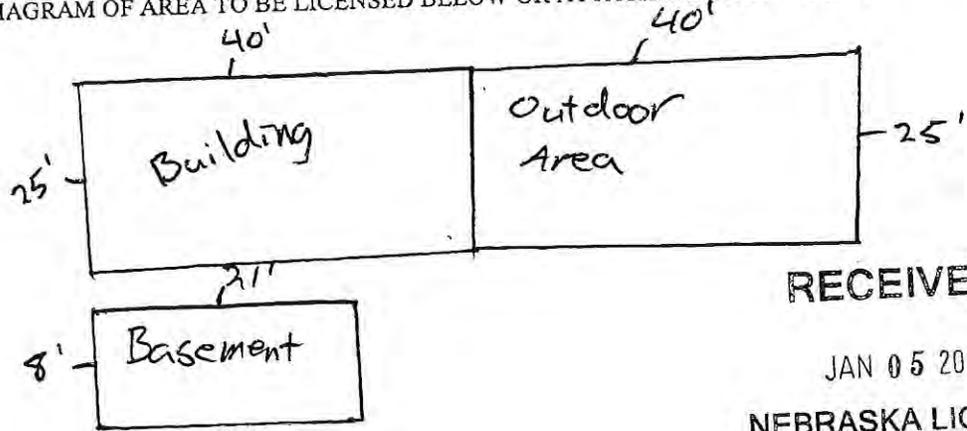
City Wayne State NE Zip Code 68787

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED
READ CAREFULLY

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and number of floors of the building.
**For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms

Building: length 25' x width 40' in feet
Is there a basement? Yes No _____
Is there an outdoor area? Yes No _____
If yes, length 8' x width 21' in feet
If yes, length 25' x width 40' in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET



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JAN 05 2015

NEBRASKA LIQUOR CONTROL COMMISSION

APPLICANT INFORMATION

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**
 Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. **Include traffic violations.** Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

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 CONTROL COMMISSION**

YES NO
 If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Marcus Berns	(12/2003)	Wayne, NE	MIP	Fine

2. Are you buying the business of a current retail liquor license?

YES NO

If yes, give name of business and liquor license number Mikey's Place #079892
 a) Submit a copy of the sales agreement
 b) Include a list of alcohol being purchased, list the name brand, container size and how many
 c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

YES NO

If yes, give name and license number M. M. Meyen LLC #079892

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES NO

If yes:

- a) Attach temporary operating permit (TOP) (form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

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**NEBRASKA LIQUOR
 CONTROL COMMISSION**

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES NO

If yes, list the lender(s) Michael and Michelle Meyer

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES NO

If yes, explain. (all involved persons must be disclosed on application)

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CONTROL COMMISSION

No silent partners

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES NO

If yes, list such item(s) and the owner. _____

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

9. Is anyone listed on this application a law enforcement officer?

YES NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

F&M Bank, Wayne, NE 68787 Maras Berns

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

none

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12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

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NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
		NEBRASKA LIQUOR CONTROL COMMISSION

For list of NLCC certified training programs see: www.lcc.ne.gov/traininginfo.html

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
Marcus Berns/Bartender	10/17/2005 11/29/2015	White Dog Pub, Wayne, NE

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

Lease: expiration date _____
 Deed _____
 Purchase Agreement _____

14. When do you intend to open for business? 01/02/2016
15. What will be the main nature of business? bar - retail sale of liquor
16. What are the anticipated hours of operation? 10:00 am - 2:00 am
17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS. APPLICANT AND SPOUSE MUST COMPLETE				
APPLICANT: CITY & STATE	YEAR FROM	YEAR TO	SPOUSE: CITY & STATE	YEAR FROM TO
Marcus Berns, Wayne NE	1984	present		

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If necessary attach a separate sheet.

NEBRASKA LIQUOR CONTROL COMMISSION

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures <http://www.lcc.ne.gov/pdfs/New%20Application%20Guideline.pdf>

Marcus Berns
Signature of Applicant

Signature of Spouse

Marcus Berns
Print Name

Print Name

Signature of Applicant

Signature of Spouse

Print Name

Print Name

ACKNOWLEDGEMENT

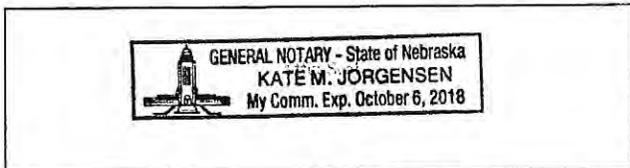
State of Nebraska
County of Wayne

The foregoing instrument was acknowledged before me this

January 4, 2014
date

by Marcus Berns
name of person(s) acknowledged (individual(s) signing)

Kate M. Jorgensen
Notary Public Signature



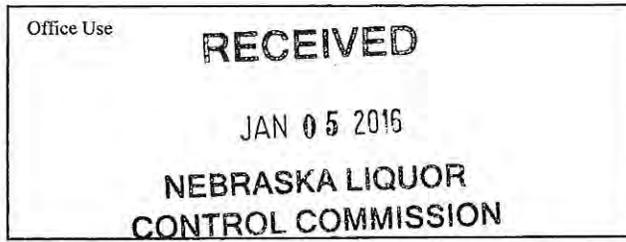
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JAN 01

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE
LIMITED LIABILITY COMPANY (LLC)
INSERT - FORM 3b**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization

Name of Registered Agent: Marcus Berns

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

M. Berns, LLC 010218181

LLC Address: 111 E. 3rd St.

City: Wayne State: NE Zip Code: 68787

LLC Phone Number: (402) 369-1054 LLC Fax Number _____

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Berns First Name: Marcus MI: D

Home Address: 808 Douglas City: Wayne

State: NE Zip Code: 68787 Home Phone Number: (402) 369-1054

Signature of Managing/Contact Member

ACKNOWLEDGEMENT

State of Nebraska
County of Wayne

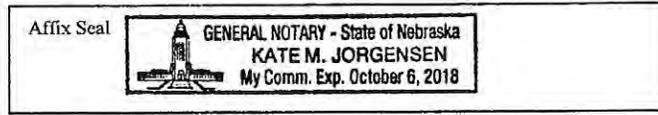
January 4, 2016

Date

Kate M. Jorgensen

The foregoing instrument was acknowledged before me this

by Marcus Berns
name of person acknowledge



List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Berns First Name: Marcus MI: D

Social Security Number: _____ Date of Birth: 03-11-1984

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

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DEC 24 2015

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

MI:
**NEBRASKA LIQUOR
CONTROL COMMISSION**

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: JAN 05 2016

Percentage of member ownership _____

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CONTROL COMMISSION**

Is the applying Limited Liability Company controlled by another corporation/company?

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YES

NO

JAN 05 2016

NEBRASKA LIQUOR
CONTROL COMMISSION

If yes, complete controlling corporation insert form 185

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: January 1 Ending Date: December 31

Is this a Non-Profit Corporation?

YES

NO

If yes, provide the Federal ID #. _____

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use

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**NEBRASKA LIQUOR
CONTROL COMMISSION**

MUST BE:

- ✓ **Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport**
- ✓ **Nebraska resident. Include copy of voter registration in the State of Nebraska**
- ✓ **Fingerprinted. See Form 147 for further information, this form **MUST** be included with your application.**
- ✓ **21 years of age or older**

Corporation/LLC information

Name of Corporation/LLC: M. Berns, LLC

Premise information

Liquor License Number: _____ Class Type _____ (if new application leave blank)

Premise Trade Name/DBA: Broken Antler

Premise Street Address: 111 E. 3rd St.

City: Wagon County: NE Zip Code: 68787

Premise Phone Number: (402) 375-9990

Email address: mdberns@hotmail.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.
http://www.lcc.ne.gov/license_search/licsearch.cgi


SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Berns First Name: Marcus MI: D
 Home Address (include PO Box if applicable): 808 Douglas
 City: Wayne County: Wayne Zip Code: 68787
 Home Phone Number: (402) 369-1054 Business Phone Number: (402) 375-9990
 Social Security Number: _____ Drivers License Number & State: H12673421
 Date Of Birth: 3.11.84 Place Of Birth: Wayne, NE
 Email address: mdberns@hotmail.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES NO

Spouse's information

Spouses Last Name: _____ First Name: _____ MI: _____
 Social Security Number: _____ Drivers License Number & State: _____
 Date Of Birth: _____ Place Of Birth: _____

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS

APPLICANT			SPOUSE		
CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Wayne, NE	1984	present			

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JAN 05 2016
 NEBRASKA LIQUOR
 CONTROL COMMISSION

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM	TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2004	present	Marinus Berns	self	(402) 369-1094
2000	2004	Toni Hytrek	Toni Hytrek	(402) 369-1561

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Marinus Berns	12/2003	Wayne, NE	MIP	Fine

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (NLC) and do you intend to supervise, in person, the management of the business?

YES NO

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 JAN 05 2015
 NEBRASKA LIQUOR
 CONTROL COMMISSION

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: _____ Name on Certificate: _____

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

*For list of NLCC Certified Training Programs see www.lcc.ne.gov/traininginfo.html

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Marcus Berns/Barbender	10/17/2005 4/29/2015	White Dog Pub, Wagon, NE

5. Have you enclosed Form 147 regarding fingerprints?

YES NO

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NEBRASKA LIQUOR
CONTROL COMMISSION

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

[Handwritten Signature]

Signature of Manager Applicant

Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska
County of Wayne

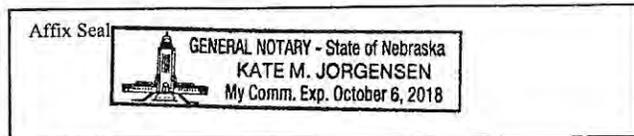
January 4, 2016
date

The foregoing instrument was acknowledged before me this

by Marcus Berns
name of person acknowledged

[Handwritten Signature]

Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

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NEBRASKA LIQUOR
CONTROL COMMISSION

RESOLUTION NO. 2016-5

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING CONSULTING SERVICES AGREEMENT WITH C. H. GUERNSEY & COMPANY FOR CONSULTING SERVICES.

WHEREAS, the Wayne City Council is desirous of entering into an agreement with C. H. Guernsey & Company for consulting services regarding assistance with power supply, ancillary services, contract negotiations, and transmission services as directed by the City; and

WHEREAS, a proposal has been requested and received from C. H. Guernsey & Company for said consulting services; and

WHEREAS, the fees for said services are outlined on "Fee Schedule – 2016" attached to the agreement; and

WHEREAS, staff recommendation is to accept the proposal of C. H. Guernsey & Company.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Agreement between the City of Wayne and C. H. Guernsey & Company, for consulting services, which is attached hereto and incorporated herein by reference, be accepted as recommended, and the City Administrator and/or Mayor is authorized and directed to execute the Agreement for said professional services on behalf of the City.

PASSED AND APPROVED this 2nd day of February, 2016.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



January 29, 2016

Mr. Lowell D. Johnson
City Administrator
City of Wayne
306 Pearl Street
Wayne, Nebraska 68787

Dear Lowell:

SUBJECT: Consulting Services Agreements

I have attached Guernsey's standard Consulting Services Agreement for the consulting work related to the City of Wayne's power supply, ancillary services, contract negotiations and transmission services.

Please execute both copies of the agreement and return them to me at your earliest convenience. I will have both copies executed and will send one original back to you for your files.

I look forward to the opportunity to provide consulting service to the City of Wayne.

Sincerely,

C. H. GUERNSEY & COMPANY

Bernard A. Cevera
Managing Consultant

BAC/ads

Enc.

CONSULTING SERVICES AGREEMENT

SPECIAL SERVICES

AGREEMENT made as of this ____ day of _____, ____ between City of Wayne, located at 306 Pearl Street, Wayne, Nebraska 68787, (hereinafter called the "Owner") and C. H. GUERNSEY & COMPANY, located at 5555 North Grand Boulevard, Oklahoma City, Oklahoma 73112-5507 (hereinafter called the "Consultant").

WHEREAS, the Owner desires the Consultant to perform the services described herein; and

WHEREAS, the Consultant represents that he has sufficient experienced personnel and equipment to perform the desired services;

NOW, THEREFORE, in consideration of the mutual undertakings herein contained, the parties hereto agree as follows:

ARTICLE I **GENERAL**

The Consultant shall render diligently and competently the services described in the Schedule of Services (hereinafter called the "Schedule"), attached hereto and by this reference made a part of this Agreement, upon the terms and conditions herein stated.

ARTICLE II **COMPENSATION**

All services rendered by the Consultant in connection with the Schedule shall be billed at the rates shown on the Fee Schedule (hereinafter called the "Fee Schedule") attached hereto and by this reference made a part of this Agreement. Actual expenses incurred in carrying out the responsibilities required will be billed at cost, as stated on Fee Schedule. The labor rates are effective for billing through 2016, and are subject to change thereafter.

ARTICLE III **MISCELLANEOUS**

Section 1. LICENSE. The Consultant shall comply with all applicable statutes pertaining to licensure for the class of professional services provided.

Section 2. INSURANCE. The Consultant shall take out and maintain workers compensation insurance covering all employees of the Consultant who shall perform any of the obligations of the Consultant hereunder, whether or not such insurance is required by the laws of the state governing the employment of any such employee. If any employee is not subject to the workers compensation laws of such state, such insurance shall extend to such employee voluntary coverage to the same extent as though such employee were subject to such laws. The policy of insurance shall be in such form and issued by such insurer as shall be satisfactory to the Owner. Consultant shall maintain during the term of this Agreement a policy of professional liability insurance in the amount of \$1,000,000 aggregate annual limit of liability.

Section 3. QUALIFIED PERSONNEL. The obligations and duties to be performed by the Consultant under this Agreement shall be performed by persons qualified to perform such duties effectively. The Consultant, if the Owner shall so direct, shall replace any Consultant or other person employed by the Consultant in connection with the work.

Section 4. ASSIGNMENT. The obligations of the Consultant under this Agreement shall not be assigned without the approval in writing of the Owner.

Section 5. TERMINATION. The Owner may terminate these services under this Agreement upon seven (7) days written notice to the Consultant. Payment for services to date of termination, based on provisions for compensation herein, shall be paid within fifteen (15) days of submission to Owner of final statement. All documents prepared in conjunction with this contract shall be returned to Owner upon written request. Consultant may terminate this Agreement upon seven (7) days written notice should the Owner fail substantially to perform in accordance with the terms of this Agreement through no fault of the Consultant. Failure of the Owner to make payments to the Consultant in accordance with this Agreement shall be cause for termination.

Section 6. INDEMNITY. To the fullest extent permitted by law, Owner shall indemnify and hold harmless the Consultant, and Consultant's officers, directors, partners, employees, agents and sub-consultants from and against any and all claims, costs, losses and damages (including but not limited to all fees and charges of consultants, attorneys and other professionals and all court arbitration or other dispute resolution costs recoverable under applicable law) caused by the negligent acts or omissions of Owner or Owner's officers, directors, partners, employees, agents and Owner's consultants, contractors, and subcontractors with respect to this Agreement.

To the fullest extent permitted by law, Consultant shall indemnify and hold harmless the Owner and Owner's officers, directors, partners, employees, agents, contractors and sub-contractors from and against any and all claims, costs, losses and damages (including but not limited to all fees and charges of consultants, attorneys and other professionals and all court arbitration or other dispute resolution costs recoverable under applicable law), caused by the negligent acts or omissions of Consultant or Consultant's officers, directors, partners, employees, agents and sub-consultants with respect to this Agreement.

Section 7. PAYMENT DUE DATE. All amounts payable hereunder shall be due within fifteen (15) days of the date of invoices submitted by the Consultant.

Section 8. PRIOR AGREEMENTS SUPERSEDED. This Agreement shall supersede and replace all prior Agreements for services to be provided under this Agreement.

Section 9. GOVERNING LAW. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Oklahoma and any action brought by either party against the other Party shall only be filed in a court of proper and competent jurisdiction in the State of Oklahoma.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed.

ACCEPTED:

CLIENT

ATTEST:

By: _____

Title: _____

By: _____

Title: _____

C. H. GUERNSEY & COMPANY

ATTEST:

By: _____

Title: _____

By: _____

Title: _____

SCHEDULE OF SERVICES

Item No. 1:

Consultant will provide assistance with power supply, ancillary services, contract negotiations, and transmission services as directed by Owner.

Item No. 2:

Consultant will perform other services as directed by Owner.

C. H. GUERNSEY & COMPANY

FEE SCHEDULE – 2016

<u>Labor Category</u>	<u>Hourly Rate</u>
Consulting Economist	\$275
Principal	\$275
Managing Consultant	\$220
Senior Generation Engineer / Consultant	\$235
Senior Consultant / Engineer / Architect	\$205
Economist	\$205
Consultant / Engineer / Architect	\$178
Associate	\$138
Senior Analyst / Engineering Tech	\$112
Analyst / Tech	\$87
Support Staff	\$62
<i>Non-Labor Expenses</i>	@ Cost

Rates Effective on January 1, 2016

REALIZE THE DIFFERENCE

5555 North Grand Boulevard
Oklahoma City, OK 73112-5507
405.416.8100

guernsey.us

[Back to Top](#)

Wayne City Council Agenda

Object: Approve an amendment to Wayne's CDBG RLF Guidelines

Contact Person: Jeff Christensen

For: Action

Explanation

On 12-18-12, Wayne adopted its Community Development Block Grant Revolving Loan Fund (CDBG RLF) Guidelines. NENEDD staff noticed that when we prepared the guidelines, one section was not intended to be there. Section 6 states that the interest rate will not be below 4.00%. This is actually a guideline that NENEDD has for one of its funds, but does not pertain to Wayne.

In order to have the flexibility to offer an incentive loan in the future with a lower interest rate, NENEDD Staff is recommending the guidelines be amended to remove this portion of Section 6. A copy of the amendment is included for your approval.

Motion: To approve an amendment to Wayne's CDBG RLF Guidelines removing a set minimum interest rate as recommended by NENEDD staff.

AMENDMENT TO RLF GUIDELINES

On or about the December 18th, 2012, the City of Wayne, Nebraska, (City) adopted Guidelines for its Community Development Block Grant Economic Development Revolving Loan Fund (CDBG ED RLF).

Wayne wishes to change Section 6 of these guidelines removing the minimum interest portion as follows:

6.0 LOAN TERMS AND INTEREST RATES

Loan terms vary according to what is being purchased. Working capital: up to five (5) years; furniture, fixtures and equipment: up to ten (10) years; and real estate financing will not exceed twenty (20) years. Interest rates have a base rate determined by the City of Wayne for loans with a term of five (5) years or less with an increase of .5% (one half percent) for loans with terms over five (5) years up to ten (10) years, an additional .5% (one half percent) for loans over ten (10) years up to fifteen (15) years, and an additional .5% (one half percent) for loans over fifteen (15) years up to a maximum term of twenty (20) years.

~~The minimum interest rate will be four (4) percentage points below the lesser of the current money center prime rate quoted in the Wall Street Journal, or the maximum interest rate allowed under State law. In no event may the interest rate be less than four (4) percent. However, should the prime interest rate listed in the Wall Street Journal exceed fourteen (14) percent, the minimum RLF interest rate is not required to be raised above ten (10) percent if doing so compromises the ability of City of Wayne to implement its financing strategy.~~

The City of Wayne has the authority to adjust these interest rates as they deem fit to meet the needs and requests of individual business loan clients.

These guidelines are hereby approved by action of the City of Wayne this ____ day of _____, 2016.

Ken Chamberlain, Mayor
City of Wayne

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ENGINEERING ■ ARCHITECTURE ■ SURVEYING ■ PLANNING

January 25, 2016

Lowell Johnson, City Administrator
City of Wayne
PO Box 8
Wayne, NE 68787

RE: Wayne, Nebraska
2015 Wastewater Treatment Facility Improvements
JEO Project No. 140876

Dear Lowell:

Enclosed for your consideration are four (4) copies of Application for Payment No. 6 for the above referenced project. The contractor is making progress through the winter on the project.

The contractor completed the masonry work this month on the biosolids building. Also some site piping and backfill work was completed. Extra effort has to be made for each of these activities to provide sufficient heat so that materials behave as specified.

Application No. 6 includes the 2nd half of the mobilization, masonry, backfill, site piping and stored materials. Stored materials include miscellaneous metals stored onsite for handrail and grating, as well as the belt press which is being stored by the manufacturer offsite. This has been previously approved by staff and the City has been named an additional insured by the manufacturer. We recommend approval of Pay Application No. 6 in the amount of \$276,283.26 to Eriksen Construction. We are conducting payroll reviews and they are current.

Upon the City's approval, please forward one copy of the documents to the Contractor with payment, one to JEO, one to NDEQ and keep the other for your file. If you have any questions, please feel free to contact me.

Sincerely,

Roger S. Protzman
Senior Project Engineer

RSP:skw
Enclosures

Pc: Eriksen Construction Co., Inc.

140876LTR012516-Pay App 6.docx

JEO CONSULTING GROUP INC ■ JEO ARCHITECTURE INC

803 W. Norfolk Avenue | Norfolk, Nebraska 68701-5144 | p: 402.371.6416 | f: 402.371.5109
www.jeo.com

Progress Estimate - Lump Sum Work

Contractor's Application

For (Contract):		2015 Wastewater Treatment Facility Improvements - Phases 3, 4, & 5		Application Number: 6		Application Date: 1/22/16	
Application Period: Ending February 1, 2016		Work Completed		F		G	
Specification Section No.	Description	B	C	D	E	F	G
		Scheduled Value (\$)	From Previous Application (C+D)	This Period	Materials Presently Stored (incl in C or D)	Total Completed and Stored to Date (C + D + E)	Balance in Finish (B - F)
						% (F / B)	
1	General Requirements/Mobilization 771	\$81,000.00	\$40,500.00	\$40,500.00		\$81,000.00	100.0%
2	Bond	\$24,300.00	\$24,300.00			\$24,300.00	100.0%
3	Concrete Reinforcement	\$53,750.00	\$53,750.00			\$53,750.00	97.7%
4	Concrete Footings	\$15,000.00	\$15,000.00			\$15,000.00	100.0%
5	Concrete Floor Slabs	\$11,000.00			\$4,930.03	\$4,930.03	45.4%
6	Digester Base Slab	\$40,000.00	\$40,000.00			\$40,000.00	100.0%
7	Digester Walls	\$98,000.00	\$95,500.00			\$95,500.00	97.4%
8	Drying Bed Footings & Walls	\$25,000.00	\$25,000.00			\$25,000.00	100.0%
9	Masonry	\$55,000.00	\$45,000.00	\$10,000.00		\$55,000.00	100.0%
10	Miscellaneous Metals	\$33,000.00	\$6,300.00	\$10,100.00	\$1,800.00	\$37,200.00	82.4%
11	Rough Carpentry	\$6,500.00		\$4,500.00		\$4,500.00	69.2%
12	FRP Panels	\$2,000.00					
13	Insulation	\$1,000.00					
14	Shingles	\$3,000.00					
15	Flashing & Gutters	\$1,500.00					
16	Joint Sealants	\$1,500.00					
17	H.M. Doors/Hvd. Jams etc	\$4,000.00	\$2,000.00			\$2,000.00	50.0%
18	Sectional Doors	\$5,000.00					
19	Painting and Coatings	\$69,000.00					
20	Specialties	\$1,500.00					
21	Pipe Support Systems	\$8,000.00	\$1,350.00			\$1,350.00	16.9%
22	Plumbing	\$5,000.00	\$3,000.00			\$3,000.00	60.0%
23	HVAC	\$39,000.00			\$872.36	\$3,872.36	7.4%
24	Electrical	\$130,000.00	\$12,000.00	\$10,000.00		\$22,000.00	16.9%
25	VFDs	\$8,000.00					
26	Earthwork	\$72,000.00	\$61,200.00			\$61,200.00	85.0%
27	Backfill	\$4,000.00	\$9,500.00	\$16,000.00		\$25,500.00	62.2%
28	Erosion Control	\$2,500.00	\$2,500.00			\$2,500.00	100.0%
29	Paving & Sidewalks	\$35,000.00					
30	Aggregate Surfing	\$1,500.00					
31	Seeding	\$1,500.00					
32	Controls	\$54,500.00					
33	Valves	\$32,000.00	\$9,910.00	\$5,000.00	\$8,325.31	\$23,235.31	72.6%
34	Site Piping	\$80,000.00	\$30,500.00	\$35,000.00	\$4,755.84	\$70,255.84	87.8%
35	Air Piping w/ Sleeves	\$10,500.00	\$1,000.00	\$2,000.00		\$3,000.00	28.6%
36	Flanged Piping	\$79,000.00	\$4,000.00	\$3,000.00		\$9,000.00	11.4%
37	Flow Meter	\$5,000.00					
38	Rotary Lobe Blower	\$135,000.00			\$107,382.00	\$107,382.00	79.5%
39	Rotary Lobe Pump	\$21,500.00	\$21,500.00			\$21,500.00	100.0%

Stored Material Summary

Contractor's Application

A		B	C		D		E	F		G	
Bid Item No.	Supplier Invoice No.	Submittal No. (with Specification Section No.)	Storage Location	Description of Materials or Equipment Stored	Date Placed into Storage (Month/Year)	Amount Stored Previously (\$)	Amount Stored this Month (\$)	Subtotal Amount Completed and Stored to Date (D + E)	Incorporated in Work Date (Month/Year)	Amount (\$)	Materials Remaining in Storage (\$) (D + E - F)
5	0204981-IN		JOB	Trench Drain forms and Grating	10/2015	\$4,990.03		\$4,990.03			\$4,990.03
33	50035698-00		JOB	6" Halliday Telescoping Valves 2 each	10/2015	\$5,861.31		\$5,861.31			\$5,861.31
33	16994		JOB	CLOW Check Valve	11/2015	\$1,917.00		\$1,917.00			\$1,917.00
33	17116		JOB	6" Knife Gate Valve	12/2015	\$597.00		\$597.00			\$597.00
22	39195		JOB	Plumbing, Water line Btosolds	10/2015	\$872.36		\$872.36			\$872.36
34	38753		JOB	DIP Site Piping	10/2015	\$5,662.15		\$5,662.15	12/2015	\$2,148.15	\$3,514.00
34	38568		JOB	DIP Site Piping	10/2015	\$878.40		\$878.40	1/2016	\$878.40	
34	38842		JOB	DIP, PEP Water Line Site Piping	10/2015	\$22,078.11		\$22,078.11	1/2016	\$21,598.05	\$480.06
34	38842-01		JOB	DIP Site Piping	10/2015	\$118.51		\$118.51	1/2016	\$118.51	
34	38842-02		JOB	Frame, Covers & Grates Site piping	10/2015	\$1,670.00		\$1,670.00	12/2015	\$1,350.00	\$320.00
34	39003		JOB	DIP Valve boxes, adaptors Site Piping	10/2015	\$2,300.25		\$2,300.25	1/2016	\$1,838.47	\$441.78
36	38568		JOB	DIP Flanged Pipe	10/2015	\$1,104.28		\$1,104.28	1/2016	\$1,104.28	
11	1st		JOB	Misc. Metals HME	11/2015	\$8,427.00		\$8,427.00	1/2016	\$6,627.00	\$1,800.00
38	65104		JOB/City	Blowers	12/2015	\$107,382.00		\$107,382.00			\$107,382.00
40	12180		Aero-Mod	Belt Press - Aero-Mod	1/2016		\$174,888.00	\$174,888.00			\$174,888.00
Totals								\$338,746.40		\$35,682.86	\$303,063.54

For (Contract): 2015 Wastewater Treatment Facility Improvements - Phases 3, 4, & 5

Application Period: Ending February 1, 2016

Application Number: 6

Application Date: 1/22/16

CONTINUATION PAGE

PROJECT: 15037 2016 Wayne Aquatic Center APPLICATION #: 7 DATE OF APPLICATION: 01/26/2016
 Payment Application containing Contractor's signature is attached. PERIOD THRU: 01/31/2016
 PROJECT #s:

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD				
1	Bond & Insurance	\$40,298.00	\$40,298.00	\$0.00	\$0.00	\$40,298.00	\$0.00	
2	General Conditions	\$120,884.00	\$94,884.00	\$8,000.00	\$0.00	\$102,884.00	\$18,000.00	
3	Demobilization	\$8,560.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,560.00	
4	Submittal Exchange	\$3,395.00	\$3,395.00	\$0.00	\$0.00	\$3,395.00	\$0.00	
5	Site Demo, Stripping, Hauling	\$48,705.00	\$48,705.00	\$0.00	\$0.00	\$48,705.00	\$0.00	
6	Excavation	\$86,780.00	\$84,780.00	\$2,000.00	\$0.00	\$86,780.00	\$0.00	
7	Grading	\$31,282.00	\$12,282.00	\$0.00	\$0.00	\$12,282.00	\$19,000.00	
8	SWPPP (Erosion Control)	\$17,175.00	\$14,175.00	\$0.00	\$0.00	\$14,175.00	\$3,000.00	
9	Geotextile Filter Fabric	\$4,522.00	\$4,022.00	\$500.00	\$0.00	\$4,522.00	\$0.00	
10	Sub Base	\$20,627.00	\$20,627.00	\$0.00	\$0.00	\$20,627.00	\$0.00	
11	Aggregate Backfill	\$70,216.00	\$8,696.00	\$6,520.00	\$0.00	\$15,216.00	\$55,000.00	
12	Gran. Fill under Decks/Sidewalks	\$7,266.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,266.00	
13	Underdrains	\$5,070.00	\$5,070.00	\$0.00	\$0.00	\$5,070.00	\$0.00	
14	Site Utilities	\$175,589.00	\$125,589.00	\$0.00	\$0.00	\$125,589.00	\$50,000.00	
15	Fences, Gates, Rope Barrier	\$32,461.00	\$0.00	\$0.00	\$0.00	\$0.00	\$32,461.00	
16	Seeding	\$5,748.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,748.00	
17	Concrete Forming Pool	\$115,725.00	\$83,725.00	\$27,000.00	\$0.00	\$110,725.00	\$5,000.00	
18	Concrete Placing Pool	\$182,300.00	\$105,300.00	\$67,000.00	\$0.00	\$172,300.00	\$10,000.00	
19	Concrete Forming Surge& Pump	\$36,110.00	\$36,110.00	\$0.00	\$0.00	\$36,110.00	\$0.00	
20	Concrete Placing Surge & Pump	\$28,236.00	\$28,236.00	\$0.00	\$0.00	\$28,236.00	\$0.00	
21	Misc. Concrete Form & Pour	\$38,571.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38,571.00	
22	Pool Deck Form & Pour	\$65,413.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65,413.00	
23	Pool Sidewalk Form & Pour	\$31,196.00	\$0.00	\$0.00	\$0.00	\$0.00	\$31,196.00	
24	FB Foundations	\$14,045.00	\$0.00	\$10,045.00	\$0.00	\$10,045.00	\$4,000.00	
25	Reinforcing Steel	\$71,545.00	\$70,045.00	\$1,000.00	\$0.00	\$71,045.00	\$500.00	
26	Exp. Joints, Waterstop	\$2,185.00	\$1,185.00	\$500.00	\$0.00	\$1,685.00	\$500.00	
27	Grouting Pool Walls	\$6,269.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,269.00	
28	Masonry	\$48,494.00	\$0.00	\$0.00	\$0.00	\$0.00	\$48,494.00	
29	Struct. Steel, Misc. Metals	\$22,030.00	\$15,950.00	\$0.00	\$0.00	\$15,950.00	\$6,080.00	
	SUB-TOTALS	\$1,340,697.00	\$803,074.00	\$122,565.00	\$0.00	\$925,639.00	\$415,058.00	

CONTINUATION PAGE

PROJECT: 15037
 2016 Wayne Aquatic Center

APPLICATION #: 7
 DATE OF APPLICATION: 01/26/2016
 PERIOD THRU: 01/31/2016
 PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (if Variable)
			AMOUNT PREVIOUS PERIODS	% COMP. (G / C)					
30	Rough Carpentry	\$19,701.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19,701.00	0%
31	Cabinets	\$2,406.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,406.00	0%
32	Concrete Countertop	\$1,728.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,728.00	0%
33	Metal Roofing	\$40,434.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,434.00	0%
34	Joint Sealants	\$10,588.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,588.00	0%
35	Doors, Frames, Hardware	\$2,631.00	\$1,569.00	\$0.00	\$0.00	\$0.00	\$1,569.00	\$1,062.00	60%
36	Coiling Overhead Door	\$3,780.00	\$0.00	\$3,600.00	\$0.00	\$0.00	\$3,600.00	\$180.00	95%
37	Paints & Coatings	\$38,434.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38,434.00	0%
38	Specialties	\$734.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$734.00	0%
39	Signage, Plaque	\$1,948.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,948.00	0%
40	Aluminum Canopy	\$20,465.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,465.00	0%
41	Stainless Steel Gutters	\$94,111.00	\$8,140.00	\$0.00	\$0.00	\$0.00	\$8,140.00	\$85,971.00	9%
42	Main Drains, Hydro. Relief Valves	\$6,656.00	\$6,656.00	\$0.00	\$0.00	\$0.00	\$6,656.00	\$0.00	100%
43	Pumps, Strainers, VFDs, Gauges	\$83,776.00	\$73,776.00	\$0.00	\$0.00	\$0.00	\$73,776.00	\$10,000.00	88%
44	Ladders, Stanchions, Rails etc.	\$20,357.00	\$16,357.00	\$0.00	\$0.00	\$0.00	\$16,357.00	\$4,000.00	80%
45	ADA Lift	\$4,813.00	\$3,813.00	\$0.00	\$0.00	\$0.00	\$3,813.00	\$1,000.00	79%
46	Diving Towers & Boards	\$59,100.00	\$49,100.00	\$0.00	\$0.00	\$0.00	\$49,100.00	\$10,000.00	83%
47	Pool Vacuum	\$1,781.00	\$1,581.00	\$0.00	\$0.00	\$0.00	\$1,581.00	\$200.00	89%
48	Filtration Equipment	\$42,550.00	\$32,550.00	\$0.00	\$0.00	\$0.00	\$32,550.00	\$10,000.00	76%
49	Chem. Feed/Disinfect. Equip.	\$7,008.00	\$625.42	\$0.00	\$0.00	\$0.00	\$625.42	\$6,382.58	9%
50	FRP Chem Storage Bldgs.	\$29,482.00	\$27,382.00	\$0.00	\$0.00	\$0.00	\$27,382.00	\$2,100.00	93%
51	Deck Trench Drains	\$10,300.00	\$8,277.23	\$0.00	\$0.00	\$0.00	\$8,277.23	\$2,022.77	80%
52	Shade Structures	\$28,192.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,192.00	0%
53	Pool Heaters	\$18,919.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,919.00	0%
54	Water Slide	\$84,361.00	\$13,388.00	\$0.00	\$0.00	\$0.00	\$13,388.00	\$70,973.00	16%
55	Zero Depth Play Features	\$93,903.00	\$13,286.00	\$0.00	\$0.00	\$0.00	\$13,286.00	\$80,617.00	14%
56	Process Piping, Valves, Supports	\$389,595.00	\$198,076.00	\$21,519.00	\$0.00	\$0.00	\$219,595.00	\$170,000.00	56%
57	Plumbing (Drinking Fount.)	\$4,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,200.00	0%
58	Electrical	\$196,350.00	\$49,350.00	\$0.00	\$62,737.33	\$0.00	\$112,087.33	\$84,262.67	57%
	TOTALS	\$2,659,000.00	\$1,307,000.65	\$147,684.00	\$62,737.33	\$1,517,421.98	\$1,141,578.02		57%

Wayne Trail Phase 2 Project STPB-90(4) C.N. 31777 DATE: JANUARY 29, 2016						Engineer's Estimate	
ITEM NO.	NDOR SPEC.	NDOR STD. ITEM NO.	DESCRIPTION OF ITEM	QUANTITY	UNIT	UNIT COST	EXTENDED COST
OPINION OF PROBABLE CONSTRUCTION COST							
Westwood Drive & Sherman Street Bypass (Length 1160')							
1	202	1009.00	GENERAL CLEARING AND GRUBBING	1.00	LS	\$5,000.00	\$5,000.00
2	205	1010.00	EXCAVATION	300.00	CY	\$8.00	\$2,400.00
3	205	1011.00	WATER	15.00	MGAL	\$30.00	\$450.00
4	205	1030.00	EARTHWORK MEASURED IN	700.00	CY	\$15.00	\$10,500.00
5	607	3016.21	CONCRETE CLASS 47B-3000 SIDEWALKS	75.00	SY	\$45.00	\$3,375.00
6	607	3016.61	5" CONCRETE CLASS 47B-3000 BIKEWAY	1,030.00	SY	\$35.00	\$36,050.00
7		4450.36	36" REINFORCED CONCRETE PIPE	30.00	LF	\$120.00	\$3,600.00
8		4310.36	36" FLARED-END SECTION	1.00	EA	\$1,200.00	\$1,200.00
9		7380.01	SIGNING FOR BIKE PATH	1.00	LS	\$250.00	\$250.00
10		7110.04	4 FOOT CHAIN-LINK FENCE	1,160.00	LF	\$10.00	\$11,600.00
11	803	4.00	SEEDING, TYPE B	0.75	AC	\$1,200.00	\$900.00
12			Right of Way	0.75	AC	\$20,000.00	\$15,000.00
						SUBTOTAL =	90,325
						CONTINGENCIES (10%) =	9,033
						CONSTRUCTION TOTAL =	90,325
Westwood Drive & Sherman Street							
12	202	1009.00	GENERAL CLEARING AND GRUBBING	1.00	LS	\$1,200.00	\$1,200.00
13	203	1106.00	REMOVE DRIVEWAY	218.00	SY	\$10.00	\$2,180.00
14	203	1107.00	REMOVE WALK	477.00	SY	\$6.50	\$3,100.50
15	607	3016.21	CONCRETE CLASS 47B-3000 SIDEWALKS	14.00	SY	\$45.00	\$630.00
16		3016.39	DETECTABLE WARNING PANEL	204.00	SF	\$30.00	\$6,120.00
17	607	3016.61	5" CONCRETE CLASS 47B-3000 BIKEWAY	1,039.00	SY	\$35.00	\$36,365.00
18	609	3020.20	CONCRETE CLASS 47B-3500 DRIVEWAY	247.00	SY	\$38.00	\$9,386.00
19		7380.01	SIGNING FOR BIKE PATH	1.00	LS	\$2,500.00	\$2,500.00
20	803	L001.02	SEEDING, TYPE B	0.13	AC	\$1,200.00	\$156.00
21		W600.03	ADJUST VALVE BOX TO GRADE	2.00	EA	\$300.00	\$600.00
						SUBTOTAL =	62,238
						CONTINGENCIES (5%) =	3,112
						CONSTRUCTION TOTAL =	65,349

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