

**John Day City Council  
December 17, 2019  
7:00 PM**

**John Day Fire Hall, 316 S. Canyon Blvd., John Day**

1. **OPEN AND NOTE ATTENDANCE**
2. **APPROVAL OF PRIOR MINUTES**
3. **APPEARANCE OF INTERESTED CITIZENS** – At this time Mayor Lundbom will welcome the public and ask if there is anything they would like to add to tonight's agenda.

**CONSENT AGENDA**

4. **CONSENT ITEMS**  
Attachments:
  - 4<sup>th</sup> Street ODOT SCA Agreement

**ACTION ITEMS**

5. **NOTICE OF INTENT TO AWARD – MEMBRANE BIOREACTOR EQUIPMENT PROCUREMENT**  
Attachments:
  - Instructions for Proposal Evaluation
6. **MINI-EXCAVATOR & TRAILER EQUIPMENT PROCUREMENT**  
Attachments:
  - John Deere Quote
  - Bobcat Quote
  - CAT Quote
7. **IRON TRIANGLE PROPERTY ACQUISITION**  
Attachments:
  - Brownfield Project Intake - Phase 1 ESA
8. **CITY MANAGER CONTRACT UPDATES**  
Attachments:
  - City Manager Contract

**OTHER BUSINESS & UPCOMING MEETINGS**

9. **OTHER BUSINESS & UPCOMING MEETINGS**
  - January 14, City Council Meeting, 7 P.M.
  - January 28, City Council Meeting, 7 P.M.

**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** December 17, 2019  
**SUBJECT:** Agenda Item #4: Items for Approval on Consent Agenda Attachment(s)

- 4<sup>th</sup> Street ODOT SCA Agreement

**BACKGROUND**

One item for approval on the consent agenda: (1) Agreement No. 33832 for the Small City Allotment Program grant for 4<sup>th</sup> Avenue Slide Repair.

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**Item 1) Agreement No. 33832**

This agreement provides \$50,000 in ODOT grant funds for the 4<sup>th</sup> Avenue Slide Repair. Funds will be used for engineering and design as part of the City's match toward the FEMA emergency assistance grant. Total estimated project cost is \$550,000.

**Recommended Action:** Approve agreement and authorize Mayor Lundbom/ City Manager to sign on behalf of City and implement any further contracting actions related to this grant agreement, as defined in the scope of the agreement.

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**TO:** John Day City Council  
**FROM:** Nicholas Green, City Manager  
**DATE:** December 17, 2019  
**SUBJECT:** Agenda Item #5: Notice of Intent to Award – Membrane Bioreactor Equipment Procurement  
Attachment(s)

- Instructions for Proposal Evaluation

**NOTICE**

The City of John Day intends to award the Wastewater System Improvements – 2019 Membrane Bioreactor Equipment (MBR) Procurement during the December 17 city council meeting.

**DISCUSSION**

The City received four bids in response to the MBR request for proposals (RFP) and one no-bid letter. The bids received were from:

- Alfa Laval
- Cloacina
- Kubota
- H2O Innovations

City staff and engineers reviewed the proposals during source selection from December 9 – December 16. Three staff from public works, three members of the city council public works committee, and one composite review by Anderson Perry engineers comprised the seven-member source selection committee. Instructions were provided to the proposers to score the proposals based on criteria outlined in the enclosed instructions form, with points based on the categories shown below.

<b>Scoring Criteria</b>	<b>Maximum Points</b>
1. Life Cycle Cost	40
2. Reliability	30
3. Ease of Operation	15
<u>4. Ease of Maintenance</u>	<u>15</u>
Total	100

City reviewers were initially provided with proposals that did not include capital equipment costs, only lifecycle operations costs, so that they could evaluate the non-price factors independent of a firm’s overall bid price. Bid sheets were then provided to the reviewers during the source selection committee meeting held on December 17<sup>th</sup>. Scores for each bidder were then tabulated and added across the seven reviewers, as summarized in Table 1. The committee used this approach to ensure the scores for reliability, ease of operation and ease of maintenance were not influenced by price considerations.

Bids were not required to include: fine screening, effluent pumps/all pumps, electrical controls, and other pieces of equipment such as UV disinfectant, sludge thickening and dewatering equipment. These components will be included in Anderson Perry’s Preliminary Engineering Report (PER), which were anticipated to be selected in a future RFP. However, we did submit requests for information (RFIs) to vendors to clarify certain aspects of their proposal related to fine screening, headworks and post-

processing if those were included in the proposals as adders. RFIs were also submitted to clarify certain aspects of the proposals if information was missing or unclear to the committee.

	<b>Alfa Laval</b>	<b>Cloacina</b>	<b>Kubota</b>	<b>H20 Innovations</b>
Life Cycle Cost				
Reliability				
Ease of Operations				
Ease of Maintenance				
<b>Score Total</b>				

## **RECOMMENDATION**

The source selection committee recommends awarding the MBR procurement to \_\_\_\_\_. This is based on the following factors:

- Factor 1
- Factor 2
- Factor 3

[Info to be provided prior to the meeting]

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** December 17, 2019

**SUBJECT:** Agenda Item #6: Mini-Excavator and Trailer Procurement  
Attachment(s)

- John Deere Quote
- Bobcat Quote
- CAT Quote

## **BACKGROUND**

City staff received the enclosed quotes for mini-excavators and a dump trailer to tow the excavator and remove spoils from dig sites.

## **DISCUSSION**

The purpose of this acquisition is to facilitate broadband expansion and other public utilities along narrow roadways. The city's goal is to ensure conduit for fiber and/or fiber optic aerial extensions are available to ever premise within the next three years, preferably sooner. This procurement will allow staff to trench, lay conduit according to the City's trench specification, and then enclose the trench in a manner that would allow local franchisees and Grant Count Digital to extend fiber as needed to reach the City's goal.

Public works staff will discuss the bids and make a recommendation to council on the equipment they wish to procure.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** December 17, 2019

**SUBJECT:** Agenda Item #7: Iron Triangle Property Acquisition  
Attachment(s)

- Brownfield Project Intake - Phase 1 ESA

## **BACKGROUND**

The City proposed to acquire the Iron Triangle property located north of the treatment plant in order to redevelop the site for light industrial/commercial use and to acquire the right of way access to Valley View Drive as part of the 2019 BUILD grant proposal. The BUILD grant was not awarded. City staff are recommending we proceed with the property acquisition due diligence, which includes price negotiation, updating the legal descriptions for the right of way, a Phase 1 environmental site assessment (ESA), and follow on testing or remediation for any environmental conditions identified during the Phase 1 ESA.

## **DISCUSSION**

The City had a USFLA appraisal conducted on the property in preparation for the 2019 BUILD grant. The appraisal was done to federal standards (“yellow book”) as required for applications to federal grants. These are primarily desktop appraisals, but an on-site visit was conducted as part of the appraisal. City staff subsequently coordinated with Business Oregon to begin the application process for brownfield remediation funding through a Phase 1 site assessment grant (application enclosed).

The USFLA appraisal valued the property, with improvements, at \$495,000. The right-of-way was not included in the scope of the appraisal. The appraisal did not consider any environmental conditions.

## **NEXT STEPS**

Provide the proposed outline/approach below to Iron Triangle, to be submitted as a letter of intent, with the following information included as the City’s standard procurement process:

- 1) City and Iron Triangle will reach a tentative agreement on purchase price for the property, right of way and any joint/shared costs for development of the property and/or Ironwood Estates, with terms to be outlined in an updated memorandum of understanding.
- 2) Iron Triangle to remove/relocate all equipment and materials from the site prior to the Phase 1 ESA, including any residual timber. No excavation work should be performed as part of this removal.
- 3) City will perform the Phase 1 ESA at City’s expense, which will begin as soon as possible upon removal of the equipment by no later than March 1<sup>st</sup>, 2020.
- 4) City and Iron Triangle will determine, based on the Phase 1 findings, which Phase 2 remediation actions will be performed by City and which actions will be performed by Iron Triangle. Parties may wish to establish a prospective purchaser agreement (PPA) with DEQ but a PPA is not required and may not be necessary.
- 5) City will create a right-of-way legal description for acquisition of Government Entry Road right of way to Valley View Drive and close the sale upon completion of the environmental remediation identified in the ESAs.

**FROM:** Nicholas Green, City Manager

**DATE:** December 17, 2019

**SUBJECT:** Agenda Item #8: City Manager Contract Updates  
Attachment(s)

- City Manager Contract

**BACKGROUND**

The City attorneys have drafted a contract amendment to reflect changes recommended in the FY18 audit related to grant management. We will discuss the scope of these changes during the meeting.

**TO:** John Day City Council

**FROM:** Nicholas Green, City Manager

**DATE:** December 17, 2019

**SUBJECT:** Agenda Item #11: Other Business and Upcoming Meetings  
Attachment(s)  

- None

**OTHER BUSINESS**

- None

**UPCOMING MEETINGS**

- January 14, City Council Meeting, 7 P.M.
- January 28, City Council Meeting, 7 P.M.