



AGENDA - CITY COUNCIL MEETING

January 26th, 2021

6:30 p.m.

1. **CALL TO ORDER.**
2. **PLEDGE OF ALLEGIANCE - Invocation will be given by Fourth Ward Councilmember Laura Schlecte**
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.**
5. **PRESENTATIONS/PROCLAMATIONS.**
 - A. **City of Jackson's Audit Report for Fiscal Year ended June 30, 2020**
Presentation by Rehmann Robson, LLC, of the City of Jackson's Audit Report for Fiscal Year ended June 30, 2020.
 - i. Receipt of the City of Jackson's Audit Report for Fiscal Year ended June 30, 2020.
6. **PUBLIC HEARINGS.**
 - A. *Conduct a Public Hearing to Receive Citizen Comment on the City's Housing and Community Development Needs*
7. **CITIZEN COMMENTS. (3-Minute Limit)**
8. **PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES. (Accept & Place on File).**

- A. **Accept and place on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through December 31, 2020**
- B. **Receive and place on file the Environmental Action Plan (dated December 16, 2020) that has been prepared by recommended to City Council by the City of Jackson Environmental Commission.**

9. CONSENT CALENDAR.

- A. **Minutes of the Regular Meeting of January 12, 2021**
Approve the minutes of the regular City Council Meeting of January 12, 2021
- B. **Minutes of the Special Meeting of January 5, 2021**
Approve the minutes of the special City Council Meeting of January 5, 2021
- C. **Corrective Resolution for Special Assessment Roll No. 3411**
Approve Corrective Resolution for Special Assessment Roll No. 3411 for Reconstruction of Park & Elizabeth, from Michigan to VanDorn, confirmed April 23, 2019.
- D. **Traffic Control Orders 2331-2333**
Approve TCO's 2331-2333 to install "No Parking Any Time" signs on the north side of Plymouth Street from East Avenue to Elm Avenue
- E. **Traffic Control Orders 2334 - 2336 Area of New Comerica Bank Building**
Approve Traffic Control Orders 2334-2336 to regulate the parking around the new Comerica Bank at Jackson Street and Louis Glick Highway
- F. **Traffic Control Order 2337 Louis Glick Highway - Blackstone Street to Jackson Street**
Approve Traffic Control Order 2337 to install "2 Hour Parking" signs on the south side of Louis Glick Highway from Blackstone Street to Jackson Street
- G. **Traffic Control Orders 2338-2339 Gorham Street - Chapin Street to Plymouth Street**
Approve Traffic Control Orders 2338 and 2339 to remove "2 Hour Parking" signs on the east side of Gorham Street, from Chapin Street to Plymouth Street, and "1 Hour Parking" signs on the east side of Forbes Street, from Tyson Street to Michigan Avenue.
- H. **Traffic Control Orders 2340 - 2342 Walnut Street-Locust Street-Mitchell Street**
Approve Traffic Control Orders 2340 - 2342 to replace "No Trucks" signs with "No Thru Trucks" signs on Walnut Street, Locust Street and Mitchell Street.

10. OTHER BUSINESS.

A. Second Reading and Adoption of Ordinance No. 509 – Woodland Hills PILOT

Adopt Ordinance No. 509 to provide a service charge in lieu of taxes for a housing project for low income persons and families.

11. NEW BUSINESS.

A. Second Extension of the 2019 As Needed Materials Testing Services Contract

Approval of the second extension of the 2019 As Needed Materials Testing Services Contract with Professional Service Industries (PSI), Inc. of Lansing, Michigan in the estimated amount of \$88,000.00, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

B. Change Order 2 to the 2018 Essex Heights Water Main Replacement and Street Repaving Contract with Dunigan Brothers, Inc.

Approve Balancing Change Order 2 to the Essex Heights Water Main Replacement and Street Repaving contract with Dunigan Brothers, Inc. in the decreased amount of \$1,385.50, to balance contract quantities to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

C. Balancing Change Order 2 to the 2018 Edgewood Street Water Main Replacement and Street Repaving Contract with Bailey Excavating, Inc.

Approve Balancing Change Order 2 to the 2018 Edgewood Street Water Main Replacement and Street Repaving contract with Bailey Excavating, Inc. in the decreased amount of \$97,701.25 to balance contract quantities to match quantities placed in the field, and to remove items from the contract for discontinued work, and to and authorize the City Manager and City Engineer to execute the appropriate document.

D. Balancing Change Order 1 to the Chalet Terrace Street Resurfacing Contract with Dunigan Brothers, Inc.

Approve Balancing Change Order 1 to CDBG funded Chalet Terrace Street Resurfacing, Phase 1 contract with Dunigan Brothers, Inc. in the decreased amount of \$6,120.36 to balance contract quantities for original items to match quantities placed in the field, add extra items that were necessary to complete work in the field and authorize the City Manager and City Engineer to execute the appropriate document.

E. Balancing Change Order 1 to the CDBG Street Lighting Contract with Cochran Electric Company

Approve Balancing Change Order 1 to the contract with Cochran Electric Co. for

the CDBG Street Lighting project on Adrian and Morrell Streets in the decreased amount of \$33,362.35 to balance contract quantities for original items to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

F. Balancing Change Order 1 to the 2019 West Side Overlay HMA Paving Contract with Michigan Paving and Materials Company

Approve Balancing Change Order 1 to the contract with Michigan Paving and Materials Company for the 2019 West Side Overlay HMA Paving contract in the decreased amount of \$41,041.50 to balance contract quantities for original items to match quantities placed in the field, and authorize the City Manager and City Engineer to execute the appropriate document.

G. Balancing Change Order 1 to the CDBG Exchange Park and Loomis Park Lighting Contract with Hirst Electric Company

Approve Balancing Change Order 1 to the contract with Hirst Electric Co. for the CDBG Exchange Park and Loomis Park Lighting contract in the decreased amount of \$400.00 to balance contract quantities for original items to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

H. Installation of Motor Control Centers at the Water Plant to Cochran Electric

Award the installation of Motor Control Centers (MCC's) at the Water plant to Cochran Electric for \$83,118.00

I. Balancing Change Order 4 to the 2019 Local Street Repaving Contract with Michigan Paving and Materials Company

Approve Balancing Change Order 4 to the contract with Michigan Paving and Materials Company for the 2019 Local Street Repaving contract in the decreased amount of \$62,941.55 to balance contract quantities to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

J. Modifications to the Purchasing Manual

Consider modifications to the purchasing policy

12. CITY COUNCILMEMBER'S COMMENTS

13. MANAGER'S COMMENTS.

14. ADJOURNMENT.

INDEPENDENT AUDITORS' COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE

December 15, 2020

Honorable Mayor and
Members of the City Council
City of Jackson, Michigan

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the *City of Jackson, Michigan* (the "City") as of and for the year ended June 30, 2020, and have issued our report thereon dated December 15, 2020. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated June 17, 2020, our responsibility, as described by professional standards, is to form and express opinions about whether the financial statements that have been prepared by management with your oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our findings regarding internal control over financial reporting and compliance noted during our audit in a separate letter to you dated December 15, 2020.

Rehmann is an independent member of Nexia International.



Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you in our engagement letter.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, and our firm has complied with all relevant ethical requirements regarding independence.

Qualitative Aspects of the City's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the City is included in Note 1 to the financial statements.

There have been no initial selections of accounting policies and no changes in significant accounting policies or their application during the year.

No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the financial statements were:

- Management's estimate of the useful lives of depreciable capital assets is based on the length of time it is believed that those assets will provide some economic benefit in the future.
- Management's estimate of the accrued compensated absences is based on current hourly rates and policies regarding payment of sick and vacation banks.
- Management's estimate of the allowance for uncollectible receivable balances is based on past experience and future expectation for collection of various account balances.

- Management's estimate of the insurance claims incurred but not reported is based on information provided by the entity's third party administrators and subsequent claims activity.
- The assumptions used in the actuarial valuations of the pension and other postemployment benefits plans are based on historical trends and industry standards.

We evaluated the key factors and assumptions used to develop these estimates and determined that they are reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

Significant Difficulties Encountered During the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole and each applicable opinion unit. In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. None of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the City's financial statements or the auditors' report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested certain written representations from management, which are included in Attachment B to this letter.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the City, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the City's auditors.

Other Information in Documents Containing Audited Financial Statements

Our responsibility for the supplementary information accompanying the financial statements, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole. We made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Upcoming Changes in Accounting Standards

Generally accepted accounting principles (GAAP) are continually changing in order to promote the usability and enhance the applicability of information included in external financial reporting. While it would not be practical to include an in-depth discussion of every upcoming change in professional standards, Attachment A to this letter contains a brief overview of recent pronouncements of the Governmental Accounting Standards Board (GASB) and their related effective dates. Management is responsible for reviewing these standards, determining their applicability, and implementing them in future accounting periods.

This information is intended solely for the use of the governing body and management of the **City of Jackson, Michigan** and is not intended to be and should not be used by anyone other than these specified parties.

Handwritten signature of Rehmann Johnson LLC in black ink.

CITY OF JACKSON, MICHIGAN

Attachment A – Upcoming Changes in Accounting Standards / Regulations

For the June 30, 2020 Audit

The following pronouncements of the Governmental Accounting Standards Board (GASB) have been released recently and may be applicable to the City in the near future. We encourage management to review the following information and determine which standard(s) may be applicable to the City. For the complete text of these and other GASB standards, visit www.gasb.org and click on the “Standards & Guidance” tab. If you have questions regarding the applicability, timing, or implementation approach for any of these standards, please contact your audit team.

GASB 84 ■ Fiduciary Activities

Effective 12/15/2020 (your FY 2021)

This standard establishes new criteria for determining how to report fiduciary activities in governmental financial statements. The focus is on whether the government is controlling the assets, and who the beneficiaries are. Under this revised standard, certain activities previously reported in agency funds may be reclassified in future periods.

GASB 87 ■ Leases

Effective 06/15/2022 (your FY 2022)

This standard establishes a single model for reporting all leases (including those previously classified as operating and capital). Lessees will now report offsetting intangible lease assets and lease liabilities equal to the present value of future lease payments. Lessors will report offsetting lease receivables and deferred inflows of resources.

GASB 89 ■ Accounting for Interest Cost Incurred before the End of a Construction Period

Effective 12/15/2021 (your FY 2022)

This standard eliminates the requirement for governments to capitalize interest during the construction period for business-type activities. As this simplifies the accounting for interest, early implementation is encouraged. We do not expect this standard to have any significant effect on the City.

GASB 91 ■ Conduit Debt Obligations

Effective 12/15/2022 (your FY 2023)

This standard defines "conduit debt obligations", where a government issues debt whose proceeds are received and repaid by a third-party obligor without the issuer being primarily liable. The standard requires issuers to disclose conduit debt obligations, but not to record a liability unless it is more likely than not that a commitment made by the issuer will require it to support one or more debt payments for a conduit debt obligation. We do not expect this standard to have any significant effect on the City.

CITY OF JACKSON, MICHIGAN

Attachment A – Upcoming Changes in Accounting Standards / Regulations

For the June 30, 2020 Audit

GASB 92 ■ Omnibus 2020

Effective 06/15/2022 (your FY 2022)

This standard includes a variety of small technical revisions to previously issued GASB statements. We do not expect this standard to have any significant effect on the City.

GASB 93 ■ Replacement of Interbank Offered Rates

Effective 06/15/2022 (your FY 2022)

This standard provides guidance to governments with agreements with variable payments tied to LIBOR, and how to transition them to a new reference rate. We do not expect this standard to have any significant effect on the City.

GASB 94 ■ Public-Private and Public-Public Partnerships and Availability Payment Arrangements

Effective 06/15/2023 (your FY 2023)

This standard addresses accounting and financial reporting for arrangements in which a government contracts with an operator to provide public services by conveying control of the right to operate or use a capital asset for a period of time in an exchange or exchange-like transaction. We do not expect this standard to have any significant effect on the City.

GASB 96 ■ Subscription-Based Information Technology Arrangements

Effective 06/15/2023 (your FY 2023)

This standard expands on the new guidance for leases and applies it to computer software contracts (subscriptions) with similar characteristics. Governments that subscribe to a vendor's IT software will now report offsetting intangible subscription assets and subscription liabilities equal to the present value of future subscription payments.

GASB 97 ■ Certain Component Unit Criteria and IRC Section 457 Deferred Compensation Plans

Effective 06/15/2022 (your FY 2022)

This standard amends the requirements for when to report defined contribution pension plans (such as 401k and 403b plans) as fiduciary component units, and how to account for Section 457 deferred compensation plans.



CITY OF JACKSON, MICHIGAN

■ Attachment B – Management Representations

For the June 30, 2020 Audit

The following pages contain the written representations that we requested from management.



Finance Department

161 W. Michigan Avenue - Jackson, MI 49201-1303
Telephone: (517) 788-4030 — Facsimile: (866) 763-7956

December 15, 2020

Rehmann Robson
675 Robinson Road
Jackson, Michigan 49203

This representation letter is provided in connection with your audit of the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the **City of Jackson, Michigan** (the "City"), as of and for the year ended June 30, 2020, and the related notes to the financial statements, for the purpose of expressing opinions on whether the basic financial statements present fairly, in all material respects, the financial position, results of operations, and cash flows, where applicable, and the respective budgetary comparison for the general fund and the major special revenue fund of the City in conformity with accounting principles generally accepted for governments in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm that, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves as of December 15, 2020:

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated June 17, 2020, for the preparation and fair presentation of the financial statements of the various opinion units referred to above in accordance with U.S. GAAP.
2. The financial statements referred to above have been fairly presented in accordance with U.S. GAAP, and include all properly classified funds, required supplementary information, and notes to the basic financial statements.
3. We have reviewed and approved the various adjusting journal entries that were proposed by you for recording in our books and records and reflected in the financial statements.
4. With respect to any assistance you provided in drafting the financial statements and related notes, we have performed the following:
 - a. Made all management decisions and performed all management functions;
 - b. Assigned a competent individual to oversee the services;

- c. Evaluated the adequacy of the services performed;
 - d. Evaluated and accepted responsibility for the result of the service performed; and
 - e. Established and maintained internal controls, including monitoring ongoing activities.
5. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
 6. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
 7. Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.
 8. Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP. For the purposes of this letter, related parties mean members of the governing body; board members; administrative officials; immediate families of administrative officials, board members, and members of the governing body; and any companies affiliated with or owned by such individuals.
 9. All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
 10. The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.
 11. With regard to items reported at fair value:
 - a. The underlying assumptions are reasonable, and they appropriately reflect management's intent and ability to carry out its stated courses of action.
 - b. The measurement methods and related assumptions used in determining fair value are appropriate in the circumstances and have been consistently applied.
 - c. The disclosures related to fair values are complete, adequate, and in conformity with U.S. GAAP.
 - d. There are no subsequent events that require adjustments to the fair value measurements and disclosures included in the financial statements.
 12. All component units, as well as joint ventures with an equity interest, are included and other joint ventures and related organizations are properly disclosed.
 13. All funds and activities are properly classified.
 14. All funds that meet the quantitative criteria in GASB Statement No. 34, *Basic Financial Statements— and Management's Discussion and Analysis—for State and Local Governments*, and GASB Statement No. 37, *Basic Financial Statements— and Management's Discussion and Analysis—for State and Local Governments: Omnibus*, for presentation as major are identified and presented as such and all other funds that are presented as major are considered important to financial statement users.
 15. All components of net position and fund balance classifications have been properly reported.
 16. All revenues within the statement of activities have been properly classified as program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
 17. All expenses have been properly classified in or allocated to functions and programs in the statement of activities, and allocations, if any, have been made on a reasonable basis.
 18. All interfund and intra-entity transactions and balances have been properly classified and reported.

19. Deposit and investment risks have been properly and fully disclosed.
20. Capital assets, including infrastructure assets, are properly capitalized, reported, and if applicable, depreciated.
21. All required supplementary information is measured and presented within the prescribed guidelines.
22. We believe that the actuarial assumptions and methods used to measure pension and other postemployment benefit liabilities and costs for financial accounting purposes are appropriate in the circumstances.
23. In response to the novel coronavirus outbreak (COVID-19), the Governor issued various temporary Executive Orders that, among other stipulations, effectively prohibited in-person work activities for most businesses and industries including non-essential government services, having the effect of suspending or severely curtailing operations. As a result, the COVID-19 outbreak is disrupting and affecting the City's normal activities. The extent of the ultimate impact of the pandemic on the City's operational and financial performance will depend on certain developments, including the duration and spread of the outbreak and its impact on employees, vendors, and taxpayers, all of which cannot be reasonably predicted at this time. In addition, it may place additional demands on the City for providing emergency services to its citizens. While management reasonably expects the COVID-19 outbreak to negatively impact the City's financial position, changes in financial position, and, where applicable, the timing and amounts of cash flows, the related financial consequences and duration are highly uncertain.

Information Provided

24. We have provided you with:
 - a. Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements of the various opinion units referred to above, such as records, documentation, meeting minutes, and other matters;
 - b. Additional information that you have requested from us for the purpose of the audit; and
 - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
25. All transactions have been recorded in the accounting records and are reflected in the financial statements.
26. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
27. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
 - a. Management;
 - b. Employees who have significant roles in internal control; or
 - c. Others where the fraud could have a material effect on the financial statements.
28. We have no knowledge of any instances, that have occurred or are likely to have occurred, of fraud and noncompliance with provisions of laws and regulations that have a material effect on the financial statements or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance, whether communicated by employees, former employees, vendors (contractors), regulators, or others.

29. We have no knowledge of any instances that have occurred or are likely to have occurred, of noncompliance with provisions of contracts and grant agreements that has a material effect on the determination of financial statement amounts or other financial data significant to the audit objectives.
30. We have no knowledge of any instances that have occurred or are likely to have occurred of abuse that could be quantitatively or qualitatively material to the financial statements or other financial data significant to the audit objectives.
31. We have identified for you all previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
32. We are not aware of any pending or threatened litigation and claims whose effects should be considered when preparing the financial statements and we have not consulted legal counsel concerning litigation or claims.
33. We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.
34. There have been no communications from regulatory agencies concerning noncompliance with or deficiencies in accounting, internal control, or financial reporting practices.
35. The City has no plans or intentions that may materially affect the carrying value or classification of assets and liabilities.
36. We have disclosed to you all guarantees, whether written or oral, under which the City is contingently liable.
37. We have identified and disclosed to you the laws, regulations, and provisions of contracts and grant agreements that could have a direct and material effect on financial statement amounts, including legal and contractual provisions for reporting specific activities in separate funds.
38. There are no:
 - a. Violations or possible violations of laws or regulations, or provisions of contracts or grant agreements whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency, including applicable budget laws and regulations.
 - b. Unasserted claims or assessments that our lawyer has advised are probable of assertion and must be disclosed in accordance with GASB Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*.
 - c. Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by GASB Statement No. 62.
39. The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset or future revenue been pledged as collateral, except as disclosed to you.
40. We have complied with all aspects of grant agreements and other contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
41. We have disclosed to you all significant estimates and material concentrations known to management that are required to be disclosed in accordance with GASB Statement No. 62. Significant estimates are estimates at the balance sheet date that could change materially within the next year. Concentrations refer to volumes of business, revenues, available sources of supply, or markets or geographic areas for which events could occur that would significantly disrupt normal finances within the next year.

Supplementary Information in Relation to the Financial Statements as a Whole

42. With respect to the supplementary information accompanying the financial statements:
- a. We acknowledge our responsibility for the presentation of the supplementary information in accordance with accounting principles generally accepted in the United States of America.
 - b. We believe the supplementary information, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America.
 - c. The methods of measurement or presentation have not changed from those used in the prior period.
 - d. We believe the significant assumptions or interpretations underlying the measurement or presentation of the supplementary information, and the basis for our assumptions and interpretations, are reasonable and appropriate in the circumstances.

Required Supplementary Information

43. With respect to the required supplementary information accompanying the financial statements:
- a. We acknowledge our responsibility for the presentation of the required supplementary information in accordance with accounting principles generally accepted in the United States of America.
 - b. We believe the required supplementary information, including its form and content, is measured and fairly presented in accordance with accounting principles generally accepted in the United States of America.
 - c. The methods of measurement or presentation have not changed from those used in the prior period.
 - d. We believe the significant assumptions or interpretations underlying the measurement or presentation of the required supplementary information, and the basis for our assumptions and interpretations, are reasonable and appropriate in the circumstances.

Uniform Guidance (2 CFR 200)

44. With respect to federal awards, we represent the following to you:
- a. We are responsible for understanding and complying with and have complied with the requirements of the Uniform Guidance.
 - b. We are responsible for the preparation and presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance.
 - c. We believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with the Uniform Guidance.
 - d. The methods of measurement or presentation have not changed from those used in the prior period.
 - e. We believe the significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards, and the basis for our assumptions and interpretations, are reasonable and appropriate in the circumstances.


- f. We are responsible for including the auditor's report on the schedule of expenditures of federal awards in any document that contains the schedule and that indicates that the auditor has reported on such information.
- g. We have identified and disclosed all of our government programs and related activities subject to the Uniform Guidance compliance audit.
- h. When the schedule of expenditures of federal awards is not presented with the audited financial statements, management will make the audited financial statements readily available to the intended users of the schedule of expenditures of federal awards no later than the date of issuance by the entity of the schedule of expenditures of federal awards and the auditor's report thereon.
- i. We have, in accordance with the Uniform Guidance, identified in the schedule of expenditures of federal awards, expenditures made during the audit period for all awards provided by federal agencies in the form of grants, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, food commodities, direct appropriations, and other assistance.
- j. We are responsible for complying with the requirements of laws, regulations, and the provisions of contracts and grant agreements related to each of our federal programs and have identified

- k. and disclosed to you the requirements of laws, regulations, and the provisions of contracts and grant agreements that are considered to have a direct and material effect on each major federal program; and we have complied, in all material respects, with these requirements.
- l. We have provided to you our interpretations of any compliance requirements that have varying interpretations.
- m. We are responsible for establishing and maintaining effective internal control over compliance requirements applicable to federal programs that provide reasonable assurance that we are managing our federal awards in compliance with laws, regulations, and the provisions of contracts and grant agreements that could have a material effect on our federal programs. Also, no changes have been made in the internal control system to the date of this letter that might significantly affect internal control, including any corrective action taken with regard to significant deficiencies, including material weaknesses, reported in the schedule of findings and questioned costs.
- n. We have made available to you all contracts and grant agreements (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relating to federal programs.
- o. We have received no requests from a federal agency to audit one or more specific programs as a major program.
- p. We have identified and disclosed to you all amounts questioned and any known noncompliance with the requirements of federal awards, including the results of other audits or program reviews. We also know of no instances of noncompliance occurring subsequent to the end of the period audited.
- q. We have charged costs to federal awards in accordance with applicable cost principles, including amounts claimed or used for matching determined in accordance with relevant guidelines in the Uniform Guidance.
- r. We have made available to you all documentation related to the compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.
- s. Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the basic financial statements have been prepared (and are prepared on a basis consistent with the schedule of expenditures of federal awards).
- t. The copies of federal program financial reports provided to you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.
- u. We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.
- v. We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditor's report.
- w. We are responsible for and have accurately completed the appropriate sections of the Data Collection Form as required by the Uniform Guidance, and we are responsible for preparing and implementing a correction action plan for each audit finding.
- x. The reporting package does not contain protected personally identifiable information.

- y. We have disclosed all contracts or other agreements with service organizations and disclosed to you all communications from these service organizations relating to noncompliance at the organizations.
- z. We have reviewed, approved, and taken responsibility for the financial statements and related notes.
- aa. We have disclosed to you the nature of any subsequent events that provide additional evidence with respect to conditions that existed at the end of the reporting period that affect noncompliance during the reporting period.



Jonathan Greene, City Manager



Philip Hones, Finance Director

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: Conduct a Public Hearing to Receive Citizen Comment on the City's Housing and Community Development Needs

Recommendation:

Conduct a Public Hearing to receive citizen comment on the City's housing and community development needs.

Attached is a memorandum from Shane LaPorte, Director of the Department of Neighborhood & Economic Development, requesting City Council conduct a Public Hearing to receive citizen comment on the City's housing and community development needs as part of the development of the 2021 – 2022 Annual Action Plan for CDBG/HOME funds. No action is required at the close of the Public Hearing.

I recommend approval of the request. Your consideration and concurrence is appreciated.

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Shane LaPorte, Director of Neighborhood & Economic Operations

DATE: January 26, 2021

RECOMMENDATION: Conduct a Public Hearing to Receive Citizen Comment on the City's Housing and Community Development Needs

SUMMARY

Conduct a Public Hearing to receive citizen comment on the City's housing and community development needs to assist in the development of the City's Annual Action Plan for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds.

BUDGETARY CONSIDERATIONS

There are no budgetary considerations associated with the Public Hearing.

HISTORY, BACKGROUND and DISCUSSION

HUD regulation at 24 CFR 91.105(e) and the City's Citizen Participation Plan require a hearing allowing the public to identify housing and community development needs, including non-housing community development needs, held during the development of the annual action plan. Council will consider all comments received, either oral or written, with a summary of those comments incorporated in the action plan.

DISCUSSION OF THE ISSUE

Notice of the Public Hearing was published in the *Jackson Citizen Patriot* on Saturday, January 16, 2021, and *The Jackson Blazer* in its next edition. Development of the 2021 – 2022 Annual Action Plan is underway with drafts plan available for a 30-day public comment period on or about March 23, 2021.

POSITIONS

Requested action is for City Council to conduct a Public Hearing to receive citizen comment on the City's housing and community development needs. No other action is required at this time.

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: Accept and place on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through December 31, 2020

Recommendation:

Accept and place on file the CDBG, HOME and CDBG-CV Homeless Prevention Financial Summaries through December 31, 2020.

Attached is a memo from Shane LaPorte, the Director of Neighborhood and Economic Operations, regarding accepting and placing on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through December 31, 2020. Monthly expenses includes Personnel Salaries & Expenses, Administration, Homeowner Emergency Hazards/Major Component Project Cost, Parks & Recreation Expenses, and Homeless Prevention Expenses.

I recommend accepting and placing on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through December 31, 2020. Your consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager

FROM: Shane LaPorte, Director of Neighborhood and Economic Operations

DATE: January 26, 2021

RECOMMENDATION: To accept and place on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through December 31, 2020

SUMMARY

Attached please find the Financial Summaries for the CDBG, HOME, and CDBG-CV Homeless Prevention funds for the month ending December 31, 2020.

Monthly expenses included:

- Personnel – Salaries & Expenses
- Administration – Rehabilitation Administration Cost
- Homeowner Emergency Hazards / Major Component Cost
 - ❖ 1410 Burr St.
- Parks & Recreation Expenses
 - ❖ Loomis Park BB Court Replacement.
 - ❖ Loomis Park Boos Center Improvements
- Homeless Prevention Expenses
 - ❖ Eviction Prevention
 - ❖ Foreclosure Prevention
 - ❖ Water Shut-off Protection
 - ❖ Administration Cost

My recommendation is to accept and place on file the CDBG, HOME, and CDBG-CV Homeless Prevention Financial Summaries through December 31, 2020.

ATTACHMENTS

**City of Jackson
Community Development Block Grant
Monthly Financial Summary
For the Six Months Ended December 31, 2020**

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Administration</u>							
1 Administration & Planning							
FY 2019/2020	78,000	-	-	78,000	78,000	0	100.0%
FY 2020/2021	50,000	-	64	18,152	18,152	31,848	36.3%
<u>Code Enforcement</u>							
2 City Attorney Office							
FY 2019/2020	28,700	2,949	-	3,728	6,677	22,023	23.3%
<u>Rehabilitation Projects</u>							
3 Rehabilitation Administration							
FY 2017/2018	123,500	105,736	-	17,764	123,500	0	100.0%
FY 2019/2020	46,450	-	11,961	41,602	41,602	4,848	89.6%
FY 2020/2021	45,000	-	-	-	-	45,000	0.0%
4 Homeowner Rehabilitation							
FY 2016/2017	75,000	21,829	-	-	21,829	53,171	29.1%
5 City Emergency Hazard Repair Program							
FY 2018/2019	226,635	128,903	(90)	89,153	218,055	8,580	96.2%
FY 2020/2021	423,902	-	5,510	5,510	5,510	418,392	1.3%

City of Jackson
Community Development Block Grant
Monthly Financial Summary
For the Six Months Ended December 31, 2020

	<u>Budgeted</u>	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Street Projects</u>							
6 Special Assessments (FY 2015/2016)							
FY 2019/2020	25,000	-	-	4,365	4,365	20,635	17.5%
7 Steward: RR to E Ganson							
FY 2019/2020	24,550	23,880	-	670	24,550	(0)	100.0%
FY 2020/2021	170,000	-	-	12,401	12,401	157,599	7.3%
8 Street Lighting (FY 2019/2020)	379,924	53,536	-	199,551	253,087	126,837	66.6%
9 Street Construction - Chalet Terrance (FY2019/2020)							
FY 2019/2020	480,000	-	-	1,185	1,185	478,815	0.2%
FY 2020/2021	220,000	-	-	-	-	220,000	0.0%
10 Pre-construction Design (FY 2020/2021)	151,266	-	-	-	-	151,266	0.0%
<u>Recreation -Other Projects</u>							
11 Loomis Park Court Improvements	312,849	6,500	1,411	173,686	180,186	132,663	57.6%
12 Park Improvements							
FY 2018/2019	80,000	68,858	-	-	68,858	11,142	86.1%
13 Boo Center Improvements (FY 2020/2021)	230,000	-	4,000	4,000	4,000	226,000	1.7%
<u>Public Service</u>							
14 King Center Summer Youth Program (FY 2019/2020)	18,832	18,832	-	-	18,832	-	100.0%
15 Loomis Park Playground Program (FY 2019/2020)	2,881	2,881	-	-	2,881	(0)	100.0%
16 Kitchen Incubator Program (FY 2019/2020)	48,686	-	-	-	-	48,686	0.0%
<u>Demolition</u>							
17 Demolition							
FY 2016/2017	136,125	81,092	-	55,033	136,125	0	100.0%
FY 2019/2020	259,000	-	-	103,314	103,314	155,686	39.9%
FY 2020/2021	300,000	-	-	-	-	300,000	0.0%

City of Jackson
HOME
Monthly Financial Summary
For the Six Months Ended December 31, 2020

	<u>Budgeted</u>	<u>Total Prior Year Funds Expended</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
1 Rehabilitation Assistance Program							
FY 2018/2019	161,290	146,448	-	14,842	161,290	-	100.0%
FY 2019/2020	55,068	-	-	54,384	54,384	684	98.8%
2 HOME Administration			-				
FY 2017/2018	26,000	26,000	-	-	26,000	-	100.0%
FY 2018/2019	28,000	28,000	-	-	28,000	-	100.0%
FY 2019/2020	25,000	25,000	-	-	25,000	-	100.0%
FY 2020/2021	33,000	-	-	-	-	33,000	0.0%
3 CHDO Reservation			-				
FY 2017/2018	40,000	-	-	-	-	40,000	0.0%
FY 2018/2019	175,584	-	-	-	-	175,584	0.0%
FY 2019/2020	503,052	-	-	-	-	503,052	0.0%
FY 2020/2021	287,439	-	-	-	-	287,439	0.0%
4 CHDO Operating Expenses							
FY 2017/2018	14,000	-	-	-	-	14,000	0.0%
FY 2018/2019	18,000	-	-	-	-	18,000	0.0%
FY 2019/2020	18,000	-	-	-	-	18,000	0.0%
FY 2020/2021	16,800	-	-	-	-	16,800	0.0%

City of Jackson
2020/8 CV Homeless Prevention
Monthly Financial Summary
For the Six Months Ended December 31, 2020

	<u>Expended Prior Year</u>	<u>Actual Month-to-Date</u>	<u>Actual Year-to-Date</u>	<u>Total Funds Expended- to-Date</u>	<u>Balance</u>	<u>Percent Spent</u>
<u>Administration</u>						
1 CDBG-CV Admin City FY 2020/2021	-	1,728	1,728	1,728	58,272	2.9%
2 CDBG-CV Admin CAA FY 2020/2021	-	11,979	11,979	11,979	8,021	59.9%
<u>Homeless Prevention - Public Services</u>						
3 Eviction Prevention FY 2020/2021	-	44,064	115,372	115,372	4,628	96.1%
4 Foreclosure Prevention FY 2020/2021	-	3,554	36,117	36,117	23,883	60.2%
5 Water Shut-off Protection FY 2020/2021	-	5,031	8,762	8,762	237,258	3.6%

MEMO TO: City Councilmembers
FROM: Derek Dobies, Mayor
DATE: January 26, 2021
SUBJECT: Environmental Action Plan

Recommendation:

Receive the Environmental Action Plan (dated December 16, 2020) that has been prepared by recommended to City Council by the City of Jackson Environmental Commission.

The Environmental Commission was created on February 13, 2018 by the adoption by City Council of Ordinance No. 2018-01 (City Code, Chapter 2, Division 10, Section 2-366 – Section 2-373) with the intent that it act in an advisory capacity to “develop comprehensive, integrated environmental policies for implementation by the city to protect and enhance our air, water, land, and public health” and “to help to set goals and policies for the city and community to continuously improve the natural and built environment.” Consequently, the Environmental Commission has generated the attached Environmental Action Plan (dated 12-16-20). The Environmental Action Plan is hereby transmitted to and recommended to City Council.

City of Jackson Environmental Action Plan Date: 12/16/20

Authoring Commissioners: Amber Clark, Monica Day, Bethany Hersha, Kelsey Heck, Kelli Kazmier, Kevin Lund, Nicholas Haney, Sarah Nielson, Jill Ramsey, Troy White

Executive Summary

In February of 2018, the Jackson City Council created the Environmental Commission (EC) following the recommendation of Mayor Derek Dobies. The EC was tasked with helping to create a healthier, greener, and more sustainable future for the City of Jackson. The EC will examine policy and make recommendations to the city council for implementation of strategies towards this end. The EC is composed of members with experience in natural resource management, environmental health and safety, sustainable energy use and urban development, the science of climate change, and environmental justice. It is the goal of the EC to engage with community of Jackson to set priorities and address challenges as we move toward improving the quality of life for our citizens.

Over the past year and a half, this commission has begun the process of identifying priorities and actionable recommendations for the city. We have listened to community stakeholders and organizations, brought together ideas based in our own areas of expertise, as well as incorporated best practices from our peer communities. While there is much to be done, we present this document as a summary of our goals for our work and for the future of the city. As a part of our work, we will continue to expand and reevaluate our progress on these goals. Furthermore, we seek to deepen our connections within our community to ensure that environmental issues are addressed and the possibility for productive collaborations are leveraged.

The City of Jackson has made good progress in recent years towards a more sustainable and cleaner future. This Environmental Action Plan is designed to provide a framework for continuing and expanding this legacy. Implementation of this plan will allow the city to:

- Make our community a more sustainable, resilient, affordable, and vibrant place to live
- Improve the health and wellbeing for the community and the environment
- Conduct our local government operations in a more energy and resource efficient manner
- Utilize our public spaces and resources in environmentally friendly ways
- Allow our community to better prepare for the impacts of climate change

This plan suggests many actions related to energy efficiency, renewable energy, recycling and waste reduction, transportation, and water management. This plan includes objectives to:

- Reduce landfill waste by 10% in 5 years by 2025
- Protect public water resources and water infrastructure
- Reduce city wide carbon emissions by 90% by 2050
- Implement a healthy and sustainable food initiative by 2025
- Incorporate public education and communication into all work

It is the hope of the EC that the following recommendations will serve as a catalyst for Jackson to make progress on its environmental challenges and propel Jackson to become a state leader among environmentally friendly cities.

Introduction and Overview

This Environmental Action Plan is designed to recommend to City Council environmental best practices that simultaneously protect the prosperity and health of our citizens and our natural systems. All of the goals explained within support this overall objective. We have outlined specific areas of interest as our first priorities for the city in the following chapters.

Chapter 1: Current Work to Date

As a community, we can only begin to make progress once an inventory of challenges and current efforts have been compiled. The City of Jackson has been making significant progress in a number of areas. These efforts deserve recognition for the positive effects they have had in our community. These initiatives also serve as the launching point for many of the initial efforts of the commission.

Chapter 2: Waste Management, Reduction, and Recycling

According to the Environmental Protection Agency, 139 million tons of trash were sent to landfills and only 35.2 percent of municipal solid waste was recycled or composted in 2017.¹ Production of trash and in particular single-use plastics has caused serious environmental damage to ecosystems and wildlife resulting in the Great Pacific Garbage Patch increasing to an estimated surface area of 1.6 million square kilometers as of 2020.² Continuously increasing trash waste is unsustainable and developing methods to reduce trash production and remediate current environmental contamination are key goals for communities, like ours, world-wide.

Chapter 3: Protection of Water Resources

The water crisis in Flint brought into stark relief the importance of protecting local water infrastructure and access for the health of communities³. Aging infrastructure and our community's history of industrial production leave our water resources vulnerable to pollution and other health hazards⁴. While we are currently keeping up with these challenges it will be important to remain vigilant as we move to improve our communities water resources. We must continue to offer clean, affordable water to our citizens while balancing the various demands on our water resources and planning for potential changes in climate.

Chapter 4: Energy Efficiency, Resource Management, and Transportation

The changing climate affects us all, and is the result of growing greenhouse gas emissions in our atmosphere from a variety of sources. The changing climate will also have a direct impact on our communities and our citizens, such as more extreme rainfall events and flooding, combined with negative impacts on agriculture, infrastructure, and human health.⁵ The IPCC 2018 Special Report recommends that to mitigate climate change and to keep the world under 1.5 degrees Celsius, carbon dioxide emissions need to be reduced by 45% by 2030, and should reach net-zero by 2050.⁶ To reach this goal, cities, states, and nations will need to make large transformations in energy systems, transportation, land use, urban infrastructure and industrial systems. There is a unique opportunity for cities to take the lead in the mitigation and adaption effort, and this is a key goal of the Environmental Action Plan.

1 <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials>

2 <https://theoceancleanup.com/great-pacific-garbage-patch/>

3 <https://www.nrdc.org/flint>

4 www.infrastructurereportcard.org

5 http://glisa.umich.edu/media/files/Great_Lakes_NCA_Synthesis.pdf

6 Section C.1 in IPCC 2018 SR Summary for Policy Makers <https://www.ipcc.ch/sr15/chapter/spm/>

Chapter 5: Sustainable Land Use

Environmentally-friendly land use and the development of green spaces have well-established benefits in environmental management, energy consumption, property values, and quality of life for city residents⁷. Recent research has suggested cities may contribute to biological diversity, ecological resilience, and agricultural sustainability through targeted urban landscaping ordinances⁸. It has also become increasingly clear that cities have a role to play in ensuring access to healthy and sustainable food for its citizens. Environmental use policy provides ample opportunities for cities to simultaneously decrease their ecological footprint while improving the well-being and connectedness of their citizens to their natural environments.

Chapter 6: Community Engagement

The strength of our community depends on a clean and healthy environment. While Jacksonians value our natural resources, we have a history of environmental degradation that we must address. As we address this history, we must engage with our community to leverage the talents and expertise already available here to build resources that can improve our lives. Furthermore, it is our role to ensure that our successes are communicated to people of our city to build trust in our ability to address the challenges that we face. Finally, it is critical that we recognize that across our community we do not face environment challenges equally. A key part of our work will be to ensure that environmental ordinances are not discriminatory and address historical inequalities that have resulted from economic, racial, and environmental injustices.

⁷ [Www.epa.gov](http://www.epa.gov)

⁸ <https://www.ecologyandsociety.org/vol11/iss1/art34/>

Chapter 1 – Current Work to Date

Crime Prevention through Environmental Design

Crime reduction is a continuous topic for City of Jackson leadership, as it is a proactive attempt to limit the opportunities of clandestine behaviors. The City of Jackson applies the four basic principles of CPTED to conceptual designs and the Master Plan for the community regularly. With natural access control, the City approves plans or encourages development to reduce potential escape routes and allow opportunities for the public to see into an open space. This is achieved with the planting of natural foliage in the landscape design. The city encourages natural surveillance, low landscaped shrubs, and large clear windows of store fronts to reduce the opportunities of illegal activity.

Environmental Protection Standards

The City of Jackson's Development team encourages new projects to have as much green space as possible for the public's use. Developments receive additional project "credits" for approval of the project if they preserve existing vegetation and requiring the replacement of vegetation should some be removed. See City of Jackson Ordinances Section 28-110 Environmental Protection Standards.

Narrowing of Major Streets, Widening of Sidewalk Paths

A more walkable community is a City of Jackson initiative and whenever possible, development projects will include the updating of sidewalks and streetscapes to encourage no motorized transportation. With the new I-94 corridor improvement, MDOT installed new sidewalks large enough to connect to the bike trail and lead into the city. Five-foot paths encourage the public to walk or ride, in addition to connecting footpaths to bike trails, residents have more opportunity to safely enjoy the natural landscape.

Tree City

Previously the city's Forestry department managed the city's trees with excellence but due to the real estate recession of 2009, the city was unable to afford a robust Forestry Department. That did not reduce the city's commitment to tree preservation. Through creative planning the city continues to add new street trees during development. The Environmental Commission may be interested in incorporating an initiative to replace the city's Forestry department. Our landscape standards also stipulate specifications on the city tree fund and the funds collected are not allowed in the city's General Fund and may only be used for the purchase and installation of planting trees and shrubs.

Landscape Ordinance/Maintenance

The City of Jackson's Landscape ordinance protects and enhances the environment for the continued vitality of all land uses in the city. This establishes minimum standards for the design, installation and maintenance of landscape improvement. It restricts the approval of any site plan development that does not adhere to city landscape standards. Developers may earn credits by preserving existing vegetation, moving the required vegetation elsewhere on the site, using larger plant materials or an equal alternative measure. See Sec 28-105 H.

Smart Energy District

Consumers Energy requested community collaboration from the City of Jackson to create the Smart Energy District. The district will run from Michigan Ave, to Blackstone, to Pearl and ending at Jackson Street. The goal is to create a district that receives at least 40% of the energy from renewable energy resources.

Efficiency Upgrades

City Hall has undergone many efficiency updates from automatic LED lighting in all offices to reduce energy waste in locations where lights remain on. A new heating system was engineered to heat and cool the City Hall building.

Noxious Weed Ordinance Update

In February 2020, the Environmental Commission sent recommendations to the City Council to revise the Noxious Weed Ordinance to include invasive species. The City Council approved and adopted these recommendations in April 2020.

Champion Trees⁹¹⁰

The City of Jackson is home to several 'Champion Trees', rated by their girth by The University of Michigan, Jackson Audubon Society, and are cataloged in a database and compete for state as well as national recognition.

Lead Paint Rehabilitation Grant¹¹

The City of Jackson was awarded a grant of \$2.9 million in 2018 to help with removal and remediation of lead-based paint hazards. This grant expires at the end of 2020, and could help fund projects that improve public as well as environmental health.

Lead Copper Rule Remediation¹²

In 2018, the State of Michigan expanded the Michigan Safe Drinking Water Act. Michigan now has the strongest protections in the nation regarding lead in drinking water. These changes require the creation of inventories of lead service lines, implement plans for the removal of lead service lines, and lowered the allowable level of lead in drinking water.

Covid-19 Relief No-Water Shutoff Funding¹³

In September of 2020, the City Council voted to allocate additional funding to assist residents with unpaid water bills because of the Covid-19 pandemic.

“With 1,702 residential water customers behind on paying water bills, the City of Jackson is expanding a program that helps residents with unpaid water bills. The Jackson City Council recently voted to allocate an additional \$121,000 in federal COVID-19 relief funds to its Water Shutoff Protection Program and allow low-income renters to apply for assistance. “

9 <https://jacksonaudubon.org/Jackson-Big-Trees>

10 <https://quod.lib.umich.edu/m/mbot/0497763.0042.101?rgn=main;view=fulltext>

11 <https://www.mlive.com/news/jackson/2019/04/jackson-struggling-to-spend-29-million-lead-paint-control-grant.html>

12 https://www.michigan.gov/mileadsafe/0,9490,7-392-92852_93738---,00.html

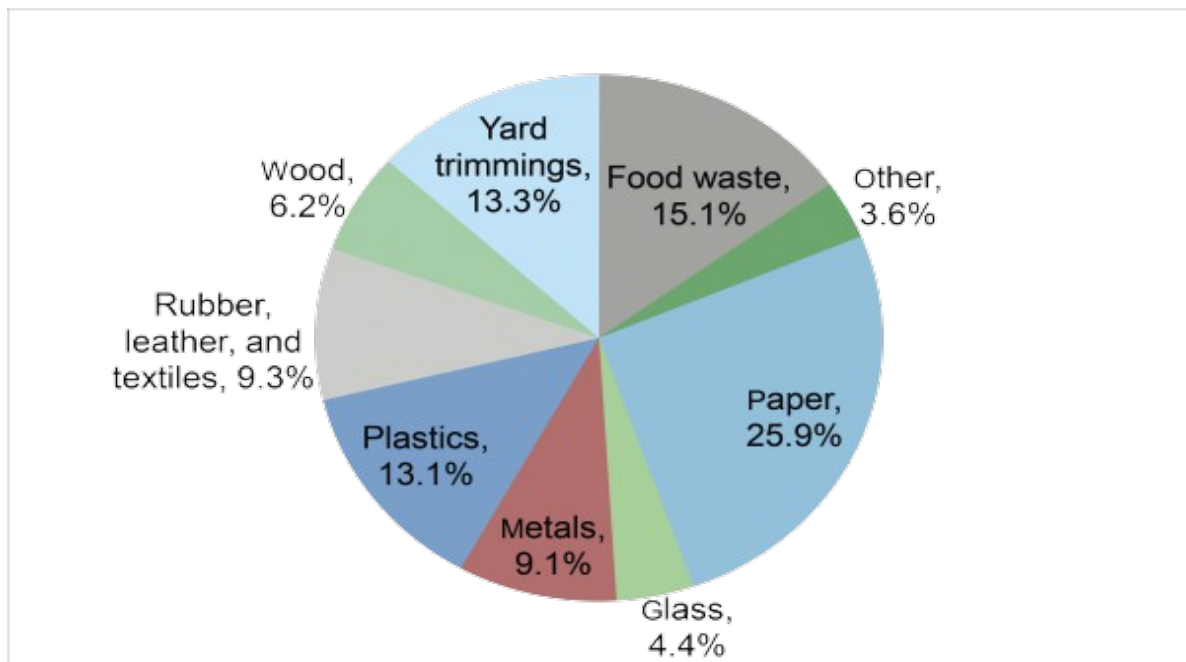
13 <http://cityofjackson.org/CivicAlerts.aspx?AID=607>

Chapter 2 – Waste Management, Reduction, and Recycling

2-A Waste Management and Recycling

“If we modernize our waste systems, enhance our recycling operations, and provide weekly, year round yard waste we truly will have greener, cleaner neighborhoods.” - Derek Dobies¹⁴

Municipal Solid Waste, more commonly known as trash or garbage, is a chronic feature of all cities and towns. It is produced from household, commercial, industrial, and government sources in the form of yard wastes, packaging, food scraps, appliances, and all other matter that is thrown away in the course of daily living.¹⁵



Total U.S. MSW Generation by material for 2015. (EPA)

There are many ideas for the sustainable management of municipal solid waste, including but not limited to: reduction of material at the source, landfills, combustion, composting and recycling. Composting¹⁶ and recycling¹⁷ are widely used across many cities in the United States.

In 2016, Jackson County amended their Solid Waste Management Plan. In this document, the County laid out details for three different scenarios for county-wide waste management, and ultimately selected a “hybrid” scenario for the county. This report could be a useful resource for the City of Jackson, and could provide guidance as to the creation of a city-wide waste management plan.¹⁸

¹⁴ <https://medium.com/@derekdobies/mayor-dobies-2019-state-of-the-city-address-transcript-ba4aba05bd1b>

¹⁵ <http://css.umich.edu/factsheets/municipal-solid-waste-factsheet>

¹⁶ <https://www.drawdown.org/solutions/food/composting>

¹⁷ <https://www.drawdown.org/solutions/materials/household-recycling>

<https://www.drawdown.org/solutions/materials/industrial-recycling>

¹⁸ <https://www.co.jackson.mi.us/DocumentCenter/View/3086/Jackson-County-Solid-Waste-Management-Plan-Draft-2016-Amendment-of-the-1998-Update?bidId=>

Tactics & Recommendation

- 1) Provide City Council with a report that detail best options for city-wide Waste Management. Create a waste inventory for the City of Jackson (such as the EPA chart above).
- 2) Recommend to Council to create an ordinance to maintain and manage resident waste including a single hauler and requiring residents to subscribe to a service.
- 3) Provide City Council with recommendation of financially feasible options for recycling receptacles on public property.

2-B Reduce City Wide Plastic Use

“Plastic touches all of our lives, from the food packaging we buy to the computers we work with and the cars we drive. But many of the plastics you touch in your daily life are used only once and thrown away.” - Ocean Conservancy¹⁹

Plastics are all around us in our daily lives, from plastic bottles, to packaging, to medical equipment and cars. Much of this plastic is designed to be only used once and then thrown away. Mismanaged plastic can end up in inland waterways, and then make its way to the ocean. 55% of plastic produced ended up discarded or in landfills in 2015.²⁰

At the global level, it is estimated that between 70 – 80% of all plastic waste found in the oceans originate from inland sources.²¹

However, many national, state, and local governments are taking action to reduce plastic waste and much of this action starts at the source. The best way to reduce the amount of plastic in circulation is to use less plastic products from the outset.

Tactics & Recommendations

Request an emphasis on accessible recycling of plastics Promote use of water bottle refill stations

19 <https://oceanconservancy.org/trash-free-seas/plastics-in-the-ocean/>

20 <https://ourworldindata.org/plastic-pollution>

21 <https://ourworldindata.org/plastic-pollution>

Chapter 3 – Protection of Water Resources

3-A Water Resources Protection

“No water, no life. No blue, no green.” - Dr. Sylvia Earle

Water resources are one of the most essential for life on this planet, and for life in the City of Jackson. The Grand River as an example, is deeply tied into the history of Jackson, and the identity of our community. The health of the river, and other water sources, is part of the health of the City of Jackson.

The health of our water is interconnected with the health of our communities, and the health of our environment. As the Flint Water Crisis has shown, as well as PFAs contamination throughout various site the state of Michigan, water is not only a vital resource but also a fragile one. Maintaining healthy water resources free of containment such as lead, pollution and other health issues is of great concern. Taking action to protect water resources and for water conservation are crucial to our wellbeing now, and into the future.

A changing climate can also put additional stresses on water supplies. Increased rainfall and precipitation is one likely culprit, and can have a strong impact on water resources. These impacts can range across storm water and drainage, foreign particles, agricultural and chemical runoff, as well as flooding and other issues that impact community as well as environmental wellbeing.

Tactics and Recommendations

- 1) Plan for protection of our natural source water
- 2) Petition stakeholders to place charges for water usage in rental properties on the tenants/user
- 3) Provide City Council with feasible options to have no water shut-offs (possibly only in winter)

Chapter 4 – Energy Efficiency, Resource Management, and Transportation

4-A Recommend/Implementation of a Reforestation Initiative to increase local tree canopy

“By conducting the city’s first tree canopy survey, I hope we can study where to plant even more trees to not only beautify our neighborhoods and improve physical and mental health, but to clean and reduce stormwater runoff, decrease our cooling bills, and increase property values.” - Derek Dobies²²

Trees and forests are vitally important for the health and sustainability of our city. Michigan was once completely covered in forests, but centuries of logging, development, and agricultural expansion have left us with far fewer trees and less resilient forests.²³

Afforestation, creating forests where there are none, is one of the top ways to tackle carbon emissions, and a changing climate.²⁴ On a smaller and more local scale, trees are vital for sustainability as well as public health. Increasing the tree coverage and canopy of local cities can help to reduce the heat island effect, keep communities cool, retain water, and help reduce energy use.²⁵



Tactics and Recommendations

- 1) Recommend that Council take necessary steps to receive Tree City USA designation
- 2) Research and recommend local Tree Canopy Survey options and associated costs to implement City-wide Tree Survey
- 3) Research opportunities for planting native trees and present findings to Council on ways that increased tree canopy

22 <https://medium.com/@derekdobies/mayor-dobies-2019-state-of-the-city-address-transcript-ba4aba05bd1b>

23 <https://www.michiganradio.org/post/wilderness-wasteland-how-destruction-michigan-s-forests-shaped-our-state>

24 <https://www.drawdown.org/solutions/tree-plantations-on-degraded-land>, <https://www.drawdown.org/sectors/land-sinks>

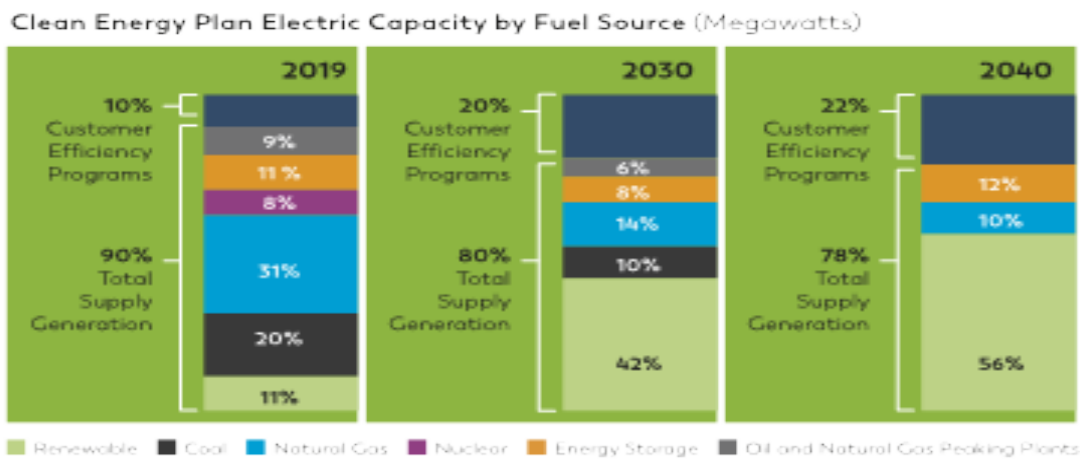
25 <https://www.arboday.org/trees/climatechange/treeshelp.cfm>

4-B Support Renewable Energy resources

“I have a simple hope for all of us in Michigan. When we look into the eyes of our grandchildren and they ask about climate change, I want us to be able to say, “that’s something we used to worry about.” - Patti Poppe²⁶

Among the one hundred solutions proposed by Project Drawdown, renewable energy occupies three of the top ten most impactful solutions.²⁷ This includes onshore wind turbines, solar farms, and rooftop solar panels. There are many ways that this can be accomplished, including continued support for city renewable energy projects such as the proposed Smart District.

Consistent with the goals of this Climate Action Plan, much of Jackson's power comes from the Consumer's Energy grid system. Consumer's Energy has released a new Clean Energy Plan²⁸ in 2019. By meeting Consumer's own stated goals, Jackson has the potential to meet many of the goals of this Action Plan.



The Clean Energy Plan is built around an increase in renewable energy, storage, efficiency, as well as a 90% reduction in carbon emissions. Also of note is the decommissioning of coal based generation sources. In addition, many of Consumer's Energy stated goals are also consistent with the goals listed in the IPCC 2018 Special Report, granting a unique opportunity to simultaneously meet many goals related to renewable energy, as well as energy efficiency. (Section 4-C below.)

Tactics and Recommendations

- 1) Meet with community stakeholders regarding Jackson Smart Energy District and determine the role the Environmental Commission will play in implementing renewable energy options
- 2) Give recommendations to City Council how current commission can support increase of renewable energy or other carbon offsets
- 3) Recommend that City Council support Consumer's Energy Clean Energy Plan, which incorporates 90% clean energy sources (56% from renewable energy), and 90% reduction in carbon emissions by 2040.

²⁶ <https://www.mlive.com/news/2019/08/clean-energy-plan-is-consumers-energys-commitment-to-people-planet-prosperity.html>

²⁷ <https://www.drawdown.org/solutions>

²⁸ www.Micleanenergy.com

4-C Support city wide energy efficiency projects

“Energy efficiency is the unsung hero when it comes to reducing carbon dioxide emissions, because no matter how great our technological advancements are, the cheapest, cleanest kilowatt-hour will always be the one that is never used,” - US Senator Angus King²⁹

Electricity generation accounts for almost 40% of annual global greenhouse gas emissions.³⁰ As such, one of the quickest routes to a cleaner, and greener city is to use electricity more efficiently. A reduction in the total use of electricity and energy has a measurable reduction in the corresponding emissions. Consumer's Energy, as in Section 4-B, has greater energy efficiency built into their long-term plans, and here too, the City can benefit from the cleaner grid.

In addition, there are many routes the City can take on its own to reduce energy consumption. Among them are more efficient buildings, lighting, and city infrastructure. Synergies could also exist from other places in this Plan, such as trees and green space, which notably reduce the heat island effect, and can lead to less energy needed for heating and cooling.

Tactics and Recommendations

- 1) Research requirements of Green Building Certification
- 2) Recommend to Council per the requirements, to enroll City of Jackson into the City LEED Certification program
- 3) Recommend Council Support the Consumer's Energy Clean Energy Plan, which includes a 22% reduction in energy use by 2040

29 <https://www.smith.senate.gov/us-sens-tina-smith-angus-king-jeff-merkley-press-enhance-nations-energy-efficiency-capabilities>

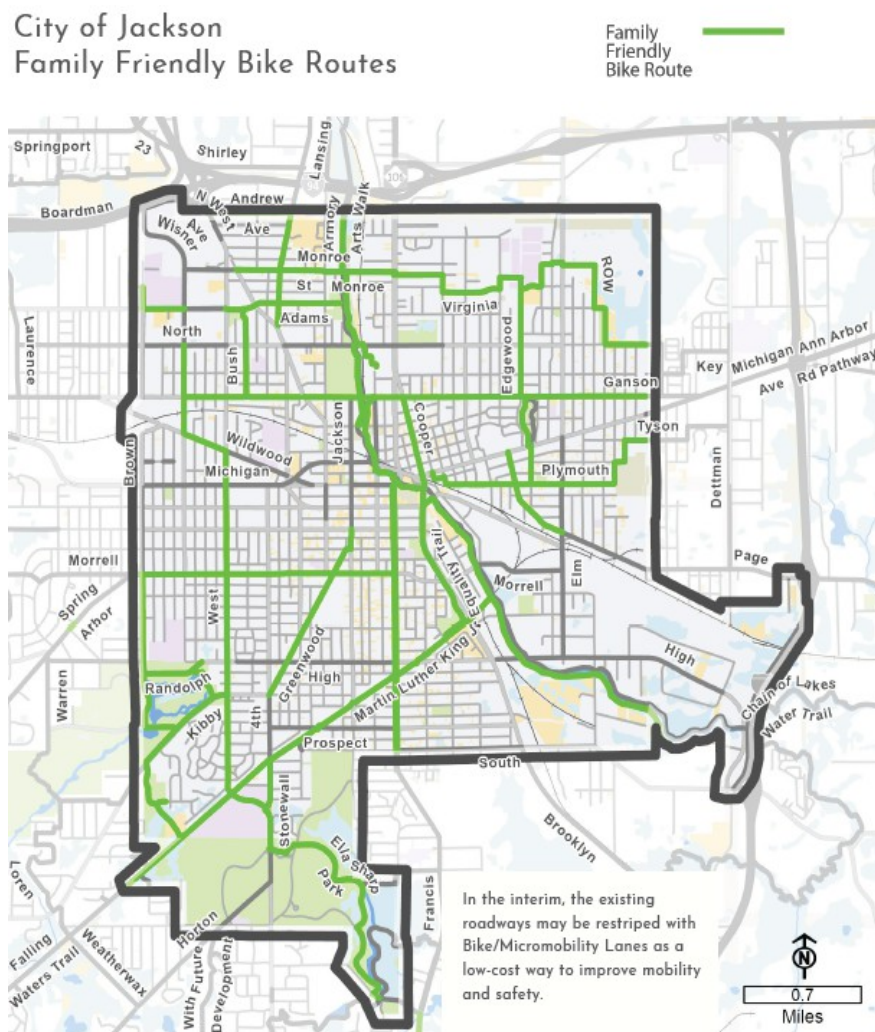
30 <https://www.drawdown.org/solutions/electricity-generation>

4-D Support city wide efforts to increase walkability and non-motorized transportation

“A virtuous cycle is clear: With more infrastructure come more riders. Perhaps counterintuitively, with more infrastructure and more riders, safety improves. And the more bicycles there are traversing a city, the more it reaps numerous returns on investment, including the health benefits of cleaner air and greater physical activity.” - Drawdown “Bicycle Infrastructure”

With the goal in mind to reduce carbon emissions, low and zero-carbon transportation become an important consideration. Walkable cities³¹ and bicycle infrastructure³² are good ways to reduce the carbon impact of moving people around and supporting these efforts can have other effects on environmental impact as well as community health.

There is a draft called the Jackson City+ County Non-Motorized Plan³³ that proposes multiple bicycle and other use trails that connects the City of Jackson with other areas around the county, as well as multiple State Parks and other important areas of recreation including water trails and county parks.



31 <https://www.drawdown.org/solutions/buildings-and-cities/walkable-cities>

32 <https://www.drawdown.org/solutions/buildings-and-cities/bike-infrastructure>

33 <https://walkbike.info/jackson/>

(From Jackson City + County Non-Motorized Plan)

Tactics and Recommendations

- 1)) Recommend to Council to complete building family friendly network as defined in the Jackson City + County Non-Motorized Plan
- 2) Research urban options to encourage more pedestrians in City of Jackson.

Chapter 5 – Sustainable Land Use

5-A Sustainable options for vacant city owned lots

The creation of a sustainable plan for land-use has a huge number of benefits for environmental and human wellbeing. The proper management of land can sequester carbon, cool local areas, protect and conserve natural spaces, and enhance biodiversity. Similar in many ways to water resources, the sustainable management of land-based systems can support human and natural wellbeing.

In this section, there are huge number of possible routes and impactful solutions:³⁴

- Urban gardens
- Farm to Table
- Forestry (Afforestation, restoration, preservation, etc)
- Parks/Green spaces
- Cultivated habitats

In context of public spaces, the City of Jackson has the potential to develop a comprehensive plan that enhances city beauty, environmental sustainability, and community health and wellbeing. Many ideas can enhance and support existing policies and ordinances such as:³⁵

- To aid stabilizing the environment's ecological balance
- To provide visual buffering and enhance beautification of the city
- To encourage the preservation of existing trees and vegetation
- To conserve energy, and to protect the public health, safety, and general welfare

Tactics and Recommendations

- 1) Research options for re-purposing vacant lots (urban gardens, farm to table, forestry, etc)
- 2) Research Urban pollination efforts and options for lots and process for certification under Bee City USA program
- 3) Recommend to Council to create pilot plan/implementation for possible re-purpose of vacant lots as suggested by the Commission

34 <https://www.drawdown.org/sectors/land-sinks>

35 Landscape Standards Ordinance Sec 28-105

5-B Sustainable options for privately owned lots

Cities are more than just buildings and public lots. Cities are made up of people, every day private citizens. It is impossible to create a viable climate plan without including residents, and especially privately owned lots. Community support is crucial for success, and so input and feedback is necessary. The City can work in conjunction with private citizens to help create sustainable neighborhoods and landscaping regulations that allow for the growth of private gardens, cultivated spaces, and a whole host of other ideas that boost community as well as environmental wellbeing.

Many of the ideas of Action Item 5-A can come into play here as well, with education and outreach that encourage citizens to create private and community gardens, grow natives trees and plants, and cultivate their own spaces in ways that serve environmental function, increase land value, as well as make the city more pleasing and beautiful.

Tactics and Recommendations

- 1) Encourage planting of beneficial native plant species on private lots
- 2) Investigate status of current ordinances for urban farming (Keeping bees & chickens)
- 3) Review landscape ordinance to encourage natural landscaping

Chapter 6 – Community Engagement

The success of this action plan depends on interaction with the public. Education and outreach are the keys to this success. Through these effort citizens can remain informed and engaged with the environmental efforts of the city. There are a lot of forms this education and outreach can take:

- Environmental Commission booths/tables at city events (Earth Day, etc)
- Pamphlets, articles, printed education material for distribution, education and feedback
- The City of Jackson and Jackson County is home to numerous organizations and non-profits, and coordination and networking with these organizations can promote existing work and feedback into efforts of the Environmental Commission. Such organizations include those such as the Grand River Environmental Action Team (GREAT), the Jackson District Library, Ella Sharp Museum, Dahlem Center, Active Jackson, and Jackson County Conservation District.
- Each month throughout the year provides numerous options to highlight different efforts, such as National Pollution Prevention Day (September), Earth Day and Arbor Day (April)
- Education and outreach are two way streets. Engaging with the public is an essential part of the work, but so is feedback from citizens. Surveys, citizen feedback and input are all vital components.
- Coordination with state level agencies such as EGLE to create informational and awareness efforts for public education.



CITY COUNCIL MEETING MINUTES

January 12, 2021

CALL TO ORDER:

The Jackson City Council met in regular session virtually, in accordance with State and Federal guidelines designed to mitigate the spread of COVID-19, and was called to order at 6:32 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE AND INVOCATION:

The Council joined in the Pledge of Allegiance. Invocation was given by Third Ward City Councilmember Jeromy Alexander.

ROLL CALL:

Present: Mayor Derek J. Dobies, Vice Mayor Arlene Robinson, Councilmembers Freddie Dancy, Jeromy Alexander, Laura Dwyer Schlecte, Karen Bunnell, and Will Forgrave.

Absent: none.

Also present: City Manager Jonathan Greene, City Clerk Andrea Muray, City Assessor Jason Yoakam, City Attorney Matthew Hagerty, Director of Neighborhood and Economic Operations Shane LaPorte, City Engineer Jon Dowling, Director of Police and Fire Services Elmer Hitt, Director of Parks and Recreation Kelli Hoover, Director of Finance Phil Honess, Director of Diversity, Equity, and Inclusion John Willis, and Public Information Office Aaron Dimick.

ADOPTION OF AGENDA:

Motion was made by Councilmember Alexander, seconded by Councilmember Bunnell to adopt the agenda as presented. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

PRESENTATIONS/PROCLAMATIONS: none.

PUBLIC HEARINGS: none.

CITIZEN COMMENTS:

Citizen comments were read into the record by City Clerk Andrea Muray.

PETITIONS & COMMUNICATION FROM CITY STAFF AND OTHER GOVERNMENTAL ENTITIES:

- A. Accept and place on file the CDBG, HOME and CDBG-CV Homeless Prevention Financial Summaries through November 30, 2020**
- B. Meeting minutes of the December 2020 meeting of the City of Jackson Board of Review**
- C. City of Jackson Financial Statements as of and for the 5 months ended November 30, 2020**

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to accept Items 8A, 8B, and 8C and place on file. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

CONSENT CALENDAR:

- A. Minutes of the Regular Meeting of December 8, 2020**
Approve the minutes of the regular City Council Meeting of December 8, 2020
- B. Traffic Control Order 2300 - 100 Block of N. Higby Street - Michigan Ave to Williamson Street**
Approve TCO 2300 to install three "No Parking Any Time" signs on the east side of the 100 block of N. Higby St. from Michigan Ave to Williamson St.
- C. Special Event Application - 2021 Right to Life Motorcade**
Approve a request from Jackson Right to Life to conduct the 2021 Right to Life Motorcade on Friday, January 22, 2021 on the streets of Jackson
- D. Corrective Resolution for Special Assessment Roll No. 4297**
Approve the Corrective Resolution for Special Assessment Roll No. 4297 for delinquent Miscellaneous General Fund (101) Accounts Receivable initially confirmed on December 8, 2020
- E. Building Code Board of Appeals Appointment**
Approve the recommendation from the Mayor to appoint Mark Fish as the Building Official representative to the Building Code Board of Appeals for a three year term ending 12/31/2023

- F. Human Relations Commission Appointment**
Approve the recommendation from the Mayor to appoint Karyl Baker to the Human Relations Commission for a three year term ending 12/31/2023
- G. Human Relations Commission Appointment**
Approve the recommendation from the Mayor to appoint Maurice Imhoff to the Human Relations Commission for a three year term ending 12/31/2023
- H. Martin Luther King Corridor Improvement Authority Appointment**
Approve the recommendation from the Mayor to appoint Daniel Mahoney to the Martin Luther King Corridor Improvement Authority for a four year term ending 12/31/2024
- I. Martin Luther King Corridor Improvement Authority Appointment**
Approve the recommendation from the Mayor to appoint James Johnson to the Martin Luther King Corridor Improvement Authority for a two year term ending 12/31/2022
- J. Martin Luther King Corridor Improvement Authority Appointment**
Approve the recommendation from the Mayor to appoint Myeshia Jones to the Martin Luther King Corridor Improvement Authority for a three year term ending 12/31/2023
- K. Martin Luther King Corridor Improvement Authority Appointment**
Approve the recommendation from the Mayor to appoint Tanya DeOliveira to the Martin Luther King Corridor Improvement Authority for a four year term ending 12/31/2024
- L. Martin Luther King Corridor Improvement Authority Appointment**
Approve the recommendation from the Mayor to appoint Arlene Robinson to the Martin Luther King Corridor Improvement Authority for a three year term ending 12/31/2023
- M. Martin Luther King Corridor Improvement Authority Appointment**
Approve the recommendation from the Mayor to appoint Mindy Bradish-Orta to the Martin Luther King Corridor Improvement Authority for a three year term ending 12/31/2023.
- N. Martin Luther King Corridor Improvement Authority Appointment**
Approve the recommendation from the Mayor to appoint Anthony Parker to the Martin Luther King Corridor Improvement Authority for a four year term ending 12/31/2024
- O. Racial Equity Commission Appointment**
Approve the recommendation from the Mayor to appoint Daniel Mahoney to the Racial Equity Commission for a three year term ending 12/31/2023

- P. Racial Equity Commission Appointment**
Approve the recommendation from the Mayor to appoint Kesha Hamilton to the Racial Equity Commission for a two year term ending 12/31/2022
- Q. Racial Equity Commission Appointment**
Approve the recommendation from the Mayor to appoint Freddie Dancy to the Racial Equity Commission for a two year term ending 12/31/2022
- R. Racial Equity Commission Appointment**
Approve the recommendation from the Mayor to appoint Donita Bentley to the Racial Equity Commission for a one year term ending 12/31/2021
- S. Racial Equity Commission Appointment**
Approve the recommendation from the Mayor to appoint Daveda Quinn to the Racial Equity Commission as the NAACP ex-officio member for a three year term ending 12/31/2023
- T. Planning Commission Appointment**
Approve the recommendation from the Mayor to appoint James Johnson to the Planning Commission for a three year term ending 12/31/2022 filling a vacancy created in 2019
- U. Zoning Board of Appeals Appointment**
Approve the recommendation from the Mayor to appoint Karl Grieve to the Zoning Board of Appeals for a three year term ending 12/31/2023

Motion was made by Mayor Dobies, seconded by Councilmember Alexander to approve the consent calendar as presented with a contingency that all the appointments rectify any unresolved issues with the City Treasurer's Office within 30 days. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

OTHER BUSINESS: none.

NEW BUSINESS:

- A. Approve the sale of City owned property located at 723 Elmwood Ave.**
Recommendation: *Approve the sale of City owned property located at 723 Elmwood Ave., for \$129,900 to Michael Wilson and authorize the City Manager to sign all sale documents associated with the Property Transfer.*

Motion was made by Councilmember Forgrave, seconded by Councilmember Schlecte to approve the sale of City owned property located at 723 Elmwood Ave. for \$129,900 to Michael Wilson and authorize the City Manager to sign all sale documents associated with the property transfer. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- B. Balancing Change Order 1 to the 2020 Elmdale Drive Sewer Construction contract with C & D Hughes, Inc.**
Recommendation: *Approve Balancing Change Order 1 to the 2020 Elmdale Drive Sewer Construction contract with C & D Hughes, Inc. in the increased amount of \$3,907.21 to balance contract quantities for various items that are complete to match quantities placed in the field, and authorize the City Manager and City Engineer to execute the appropriate document.*

Motion was made by Councilmember Schlecte, seconded by Councilmember Alexander to approve Balancing Change Order 2 to the 2020 Elmdale Drive Sewer Construction contract with C & D Hughes, Inc., in the increased amount of \$3,907.21 to balance contract quantities for various items that are complete to match quantities placed in the field, and authorize the City Manager and City Engineer to execute the appropriate document. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- C. Sale of Locomotive No. 5030 currently at R.A. Greene Park (Wastewater Treatment Plant)**
Recommendation: *Approve a Purchase Agreement between the City of Jackson and Colebrookdale Railroad Preservation Trust for the Sale of Grand Trunk Western Steam Locomotive No. 5030, and Authorize the City Attorney to make minor modifications if needed.*

Motion was made by Councilmember Schlecte to table the item and go out for Request for Proposals.

Motion was made by Councilmember Alexander, seconded for discussion by Mayor Dobies to approve the purchase agreement between the City of Jackson and Colebrookdale Railroad Preservation Trust for the sale of

Grand Trunk Western Steam Locomotive No. 5030, and authorize the City Attorney to make minor modifications if needed.

An amended motion was made by Councilmember Alexander, seconded by Mayor Dobies to approve the purchase agreement with the contingency that there no addition costs to the City other than the support of staff.

Councilmember Schlecte withdrew her original motion.

Vote was taken on the amended motion. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Bunnell, and Forgrave (6). Nays: Councilmember Schlecte (1). Motion carried.

D. Deficit Elimination Plan Resolution as of June 30, 2020 for the Special Assessment Capital Project Fund

Recommendation: *Approval of the Deficit Elimination Plan Resolution as of June 30, 2020 for the Special Assessment Capital Project Fund*

Motion was made by Councilmember Forgrave, seconded by Councilmember Alexander to approve the Deficit Elimination Plan Resolution as of June 30, 2020 for the Special Assessment Capital Project Fund. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

E. Ethics Ordinance and Policies

Recommendation: *Consideration of a motion to direct the City Manager to create a Councilmember orientation/review packet for review at the first meeting of each calendar year including the Ethics Ordinance, Conflict of Interest Declarations, and Disclosures pursuant to Section 2-556(L) of the City of Jackson Code of Ordinances*

Motion was made by Councilmember Bunnell, seconded by Councilmember Alexander to direct the City Manager to create a Councilmember orientation/review packet for review at the first meeting of each calendar year including the Ethics Ordinance, Conflict of Interest Declarations, and Disclosures pursuant to Section 2-556(L) of the City of Jackson Code of Ordinances.

Councilmember Bunnell withdrew her motion.

A motion was made by Councilmember Schlecte, seconded by Councilmember Robinson to direct the City Manager to create a task force to review the current Ethics Ordinance and make any recommended changes along with the develop forms, policies, and a process for impartial investigation, and present those recommendations to City Council for their

consideration. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- F. PILOT Ordinance and associated development agreement for Woodland Hills MI Limited Dividend Housing Association Limited Partnership**
Recommendation: *Approve adoption and forward to second reading an ordinance granting a "PILOT" payment in lieu of taxes exemption to Woodland Hills MI Limited Dividend Housing Association Limited Partnership, and associated development agreement. Authorize the City Manager and City Attorney to make minor adjustments to the Development Agreement*

Motion was made by Councilmember Alexander, seconded by Councilmember Dancy to approve and forward to a second reading an ordinance granting a "PILOT" payment in lieu of taxes exemption to Woodland Hills MI Limited Dividend Housing Association Limited Partnership, and associated development agreement, and authorize the City Manager and City Attorney to make minor adjustment to the development agreement. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

- G. Contract Award for Street Reconstruction on Clinton Street and Louis Glick Highway to Bailey Excavating, Inc. of Jackson, Michigan**
Recommendation: *Approve an award of the contract for the Street Reconstruction project for Clinton Street and Louis Glick Highway to Bailey Excavating, Inc. of Jackson, Michigan at a cost of \$451,553.22, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorization for the City Attorney to make minor revisions if needed.*

Motion was made by Councilmember Alexander, seconded by Councilmember Schlecte to approve the award of the contract for the street reconstruction project for Clinton Street and Louis Glick Highway to Bailey Excavating, Inc. of Jackson, MI, at a cost of \$451,553.22, and authorize the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent, and authorize the City Attorney to make minor revisions if needed. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

CITY COUNCILMEMBERS' COMMENTS:

Mayor Dobies, Vice Mayor Robinson, and Councilmembers Dancy, Alexander, Schlecte, and Bunnell all offered comments. Councilmember Forgrave declined.

MANAGER'S COMMENTS:

City Manager Jonathan Greene offered comments.

ADJOURNMENT:

No further business being offered, a motion to adjourn was made by Councilmember Dancy and was seconded by Councilmember Alexander. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 7:37 p.m.



SPECIAL CITY COUNCIL MEETING MINUTES
January 5, 2021

CALL TO ORDER:

The Jackson City Council met in special session virtually, in accordance with State and Federal guidelines designed to mitigate the spread of COVID-19, and was called to order at 6:33 p.m. by Mayor Derek J. Dobies.

PLEDGE OF ALLEGIANCE:

The Council joined in the Pledge of Allegiance.

ROLL CALL:

Present: Mayor Derek J. Dobies, Vice Mayor Arlene Robinson, Councilmembers Freddie Dancy, Jeromy Alexander, Laura Dwyer Schlecte, Karen Bunnell, and Will Forgrave.

Absent: None.

Also present: City Manager Jonathan Greene, City Attorney Matthew Hagerty, City Clerk Andrea Muray, Director of Diversity, Equity, and Inclusion John Willis, and Public Information Officer Aaron Dimick.

ADOPTION OF AGENDA:

Motion was made by Councilmember Dancy, seconded by Councilmember Alexander to adopt the agenda. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

CITIZEN COMMENTS:

City Clerk Andrea Muray read citizen comments submitted into the record.

PETITIONS & COMMUNICATION FROM CITY STAFF AND GOVERNMENTAL ENTITIES.

A. Receipt of written answers to the ethics inquiry dated December 15, 2020 as directed by City Council provided by Councilmember Schlecte.

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to receive the written answers to the ethics inquiry dated December 15, 2020 as directed by City Council provided by Councilmember Schlecte. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Alexander, Schlecte, Bunnell, and Forgrave (7). Nays: none. Motion carried.

OTHER BUSINESS:

A. Consideration of Appointment of Council Committee under Chapter 2, Article VIII, Sec. 2-558(a)(1) to complete ethics inquiry and report to the entire Council

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to approve the appointment of Council Committee under Chapter 2, Article VIII, Sec. 2-558(a)(1) to complete an ethics inquiry and report to the entire Council.

Motion was made by Councilmember Forgrave, seconded by Councilmember Alexander to appoint Councilmember Forgrave and Councilmember Bunnell to a Council Committee to complete the ethics inquire and report to the entire Council.

Councilmember Alexander withdrew his original motion.

Councilmember Schlecte objected to Councilmember Forgrave being on the Council Committee on the grounds that he co-authored the complaint.

Motion was made by Councilmember Bunnell to send the answers to the questions to the Attorney General and wait for a response before taking next steps.

Councilmember Forgrave withdrew his motion.

Motion was made by Councilmember Alexander, seconded by Councilmember Forgrave to forward the written responses given by Councilmember Schlecte to the questions along with a cover letter drafted by the City Attorney requesting an investigation into the actions of Councilmember Schlecte and Councilmember Alexander by the State Attorney General in regards to the entire business transaction.

Prior to the vote being taken City Attorney Matthew Hagerty advised that both Councilmember Schlecte and Councilmember Alexander should abstain from the vote as they are both subject to the inquiry.

Councilmember Alexander withdrew his motion.

Motion was made by Mayor Dobies, seconded by Councilmember Forgrave to forward the answers to the questions that Council previously posed provided by Councilmember Schlecte to the Attorney General's Office with a cover letter from the City Attorney requesting a formal investigation into the current ethics matter before Council of Councilmember Schlecte and Councilmember Alexander. Vote - Yeas: Mayor Dobies, Vice Mayor Robinson, Councilmembers Dancy, Bunnell, and Forgrave (5). Nays: none. Abstain: Councilmember Alexander and Schlecte (2). Motion carried.

B. Consideration of a motion to direct the City Manager to create a Councilmember orientation/review packet for review at the first meeting of each calendar year including the Ethics Ordinance, Conflict of Interest Declarations, and Disclosures pursuant to Section 2-556(L) of the City of Jackson Code of Ordinances

Motion was made by Councilmember Schlecte, seconded by Vice Mayor Robinson to direct the City Manager to create a Councilmember orientation/review packet for review at the first meeting of each calendar year including the Ethics Ordinance, Conflict of Interest Declarations, and Disclosures pursuant to Section 2-556(l) of the City of Jackson Code of Ordinances.

Councilmember Schlecte amended the motion to make a task force that comes back with recommendations and ask that the Mayor, City Manager, and City Attorney determine who is on the task force. Councilmember Schlecte then rescinded her motion and requested that the item be placed on the January 12, 2021 agenda for discussion.

COUNCILMEMBER COMMENTS:

Mayor Dobies, Vice Mayor Robinson, and Councilmember Alexander all offered comments.

ADJOURNMENT:

With no other business being offered, a motion to adjourn was made by Councilmember Alexander, seconded by Councilmember Dancy. Vote was done by voice with all in favor. Mayor Dobies adjourned the meeting at 9:17 p.m.

MEMOTO: Mayor and City Councilmembers

FROM: Jason Yoakam, City Assessor 

DATE: January 12, 2021

SUBJECT: Corrective Resolution for Special Assessment Roll No. 3411


Recommendation: Approve Corrective Resolution for Special Assessment Roll No. 3411 for Reconstruction of Park & Elizabeth, from Michigan to VanDorn, confirmed April 23, 2019.

The Assessing Department, in speaking with the National Railroad Passenger Corporation (Amtrak) and confirmed by City Attorney Hagerty, has learned that Amtrak is exempt from special assessment per U.S. Code § 24301. Therefore it is requested that the special assessments for parcel 6-002600000, in the amount of \$27,596.16, and parcel 6-005600000, in the amount of \$22,899.75, be removed.

Your consideration and concurrence is appreciated.

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jason Yoakam 
DATE: January 12, 2021
RECOMMENDATION: Recommend Adoption of a Corrective Resolution for Special Assessment Roll No. 3411

SUMMARY

Parcels 6-002600000 and 6-005600000, belonging to Amtrak, were specially assessed for street reconstruction on Park and Elizabeth Streets, from Michigan Avenue to VanDorn. Upon speaking with Leah Gatlin from Amtrak and City Attorney Matt Hagerty, U.S. Code § 24301 exempts Amtrak from any such lien. As such a corrective resolution to remove the special assessments are attached.

BUDGETARY CONSIDERATIONS

None

HISTORY, BACKGROUND and DISCUSSION

None

DISCUSSION OF THE ISSUE

None

POSITIONS

Recommend adoption of a Corrective Resolution

ATTACHMENTS: Memo to Council; Corrective Resolution; Email correspondence

CORRECTIVE RESOLUTION

BY THE CITY COUNCIL:

WHEREAS, the Assessor, in accordance with the direction of the City Council, did make assessments for Street Reconstruction on Park & Elizabeth, from Michigan to VanDorn, which assessments were by him placed on Assessment Roll No. 3411 and were reported to the City Council at its regular meeting held on the 23rd of April, 2019; and

WHEREAS, on April 23, 2019, the City Council held a public hearing and confirmed said special assessment roll; and

WHEREAS, on December 1, 2020, the Assessing Department determined that parcels 6-002600000 and 6-005600000 were incorrectly billed for street reconstruction and has requested that the assessment be waived.

NOW, THEREFORE, BE IT RESOLVED, that the special assessment, in the amount of \$27,596.16, upon parcel 6-002600000, on special assessment roll 3411, is hereby deleted.

BE IT FURTHER RESOLVED, that the special assessment, in the amount of \$22,899.75, upon parcel 6-005600000, on special assessment roll 3411 is also hereby deleted.

* * * * *

State of Michigan)
County of Jackson) ss
City of Jackson)

I, Andrea Muray, City Clerk in an for the City of Jackson, County and State aforesaid, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Jackson City Council on this 26th day of January, 2021.

IN WITNESS WHEREOF, I have hereto affixed
My signature and the Seal of the City of Jackson,
Michigan, on this 27th day of January, 2021.

_____Andrea Muray, City Clerk

Jason Yoakam

From: Matthew M. Hagerty
Sent: Tuesday, December 01, 2020 8:13 AM
To: Jason Yoakam
Subject: RE: Amtrak / Federal Preemption

Good morning Jason.

Ms. Gatlin is correct. The statutory section is highlighted below:

49 U.S. Code § 24301 - Status and applicable laws

(a) Status.—Amtrak—

(1)

is a railroad carrier under [section 20102\(2\)](#) [1] and chapters [261](#) and [281](#) of this title;

(2)

shall be operated and managed as a for-profit corporation; and

(3)

is not a department, agency, or instrumentality of the United States Government, and shall not be subject to title 31.

(b) Principal Office and Place of Business.—

The principal office and place of business of [Amtrak](#) are in the District of Columbia. [Amtrak](#) is qualified to do business in each State in which [Amtrak](#) carries out an activity authorized under this part. [Amtrak](#) shall accept service of process by certified mail addressed to the secretary of [Amtrak](#) at its principal office and place of business. [Amtrak](#) is a citizen only of the District of Columbia when deciding original jurisdiction of the district courts of the United States in a civil action.

(c) Application of Subtitle IV.—

Subtitle IV of this title shall not apply to [Amtrak](#), except for sections [11123](#), [11301](#), [11322\(a\)](#), [11502](#), and [11706](#). Notwithstanding the preceding sentence, [Amtrak](#) shall continue to be considered an employer under the [Railroad Retirement Act of 1974](#), the [Railroad Unemployment Insurance Act](#), and the [Railroad Retirement Tax Act](#).

(d) Application of Safety and Employee Relations Laws and Regulations.—

Laws and regulations governing safety, employee representation for collective bargaining purposes, the handling of disputes between carriers and employees, employee retirement, annuity, and unemployment systems, and other dealings with employees that apply to a [rail carrier](#) subject to part A of subtitle IV of this title apply to [Amtrak](#).

(e) Application of Certain Additional Laws.—

[Section 552 of title 5](#), this part, and, to the extent consistent with this part, the [District of Columbia Business Corporation Act](#) (D.C. Code § 29–301 et seq.) apply to [Amtrak](#). [Section 552 of title 5](#), United States Code, applies to [Amtrak](#) for any fiscal year in which [Amtrak](#) receives a Federal subsidy.

(f) Tax Exemption for Certain Commuter Authorities.—

A [commuter authority](#) that was eligible to make a contract with [Amtrak](#) Commuter to provide [commuter rail passenger transportation](#) but which decided to provide its own rail passenger transportation

beginning January 1, 1983, is exempt, effective October 1, 1981, from paying a tax or fee to the same extent **Amtrak** is exempt.

(g) **Nonapplication of Rate, Route, and Service Laws.—**

A State or other law related to **rates**, routes, or service does not apply to **Amtrak** in connection with rail passenger transportation.

(h) **Nonapplication of Pay Period Laws.—**

A State or local law related to pay periods or days for payment of employees does not apply to **Amtrak**. Except when otherwise provided under a collective bargaining agreement, an employee of **Amtrak** shall be paid at least as frequently as the employee was paid on October 1, 1979.

(i) **Preemption Related to Employee Work Requirements.—**

A State may not adopt or continue in force a law, rule, regulation, order, or standard requiring **Amtrak** to employ a specified number of individuals to perform a particular task, function, or operation.

(j) **Nonapplication of Laws on Joint Use or Operation of Facilities and Equipment.—**

Prohibitions of law applicable to an agreement for the joint use or operation of facilities and equipment necessary to provide quick and efficient rail passenger transportation do not apply to a person making an agreement with **Amtrak** to the extent necessary to allow the person to make and carry out obligations under the agreement.

(k) **Exemption From Additional Taxes.—**

(1) **In this subsection—**

(A) **“additional tax” means a tax or fee—**

(i)

on the acquisition, improvement, ownership, or operation of personal property by **Amtrak**; and

(ii)

on real property, except a tax or fee on the acquisition of real property or on the value of real property not attributable to improvements made, or the operation of those improvements, by **Amtrak**.

(B)

“**Amtrak**” includes a **rail carrier** subsidiary of **Amtrak** and a lessor or lessee of **Amtrak** or one of its **rail carrier** subsidiaries.

(2)

Amtrak is not required to pay an **additional tax** because of an expenditure to acquire or improve real property, equipment, a facility, or right-of-way material or structures used in providing rail passenger transportation, even if that use is indirect.

(l) **Exemption From Taxes Levied After September 30, 1981.—**

(1) **In general.—**

Amtrak, a **rail carrier** subsidiary of **Amtrak**, and any passenger or other customer of **Amtrak** or such subsidiary, are exempt from a tax, fee, head charge, or other charge, imposed or levied by a State, political subdivision, or local taxing authority on **Amtrak**, a **rail carrier** subsidiary of **Amtrak**, or on persons traveling in **intercity rail passenger transportation** or on mail or express transportation provided by **Amtrak** or such a subsidiary, or on the carriage of such persons, mail, or express, or on the sale of any such transportation, or on the gross receipts derived therefrom after September 30, 1981. In the case of a tax or fee that **Amtrak** was required to pay as of September 10, 1982, **Amtrak** is not exempt from such tax or fee if it was assessed before April 1, 1997.

(2)

The district courts of the United States have original jurisdiction over a civil action **Amtrak** brings to enforce this subsection and may grant equitable or declaratory relief requested by **Amtrak**.

(m) **Waste Disposal.—**

(1) An intercity rail passenger car manufactured after October 14, 1990, shall be built to provide for the discharge of human waste only at a servicing facility. **Amtrak** shall retrofit each of its intercity rail passenger cars that was manufactured after May 1, 1971, and before October 15, 1990, with a human

waste disposal system that provides for the discharge of human waste only at a servicing facility. Subject to appropriations—

(A)

the retrofit program shall be completed not later than October 15, 2001; and

(B)

a car that does not provide for the discharge of human waste only at a servicing facility shall be removed from service after that date.

(2)

Section 361 of the **Public Health Service Act (42 U.S.C. 264)** and other laws of the United States, States, and local governments do not apply to waste disposal from **rail carrier** vehicles operated in **intercity rail passenger transportation**. The district courts of the United States have original jurisdiction over a civil action **Amtrak** brings to enforce this paragraph and may grant equitable or declaratory relief requested by **Amtrak**.

(n) Rail Transportation Treated Equally.—

When authorizing transportation in the continental United States for an officer, employee, or member of the uniformed services of a department, agency, or instrumentality of the Government, the head of that department, agency, or instrumentality shall consider rail transportation (including transportation by extra-fare trains) the same as transportation by another authorized mode. The Administrator of General Services shall include **Amtrak** in the contract air program of the Administrator in markets in which transportation provided by **Amtrak** is competitive with other carriers on fares and total trip times.

(o) Applicability of District of Columbia Law.—

Any lease or contract entered into between **Amtrak** and the State of Maryland, or any department or agency of the State of Maryland, after the date of the enactment of this subsection shall be governed by the laws of the District of Columbia.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 904; Pub. L. 104–88, title III, § 308(g), Dec. 29, 1995, 109 Stat. 947; Pub. L. 105–134, title I, §§ 106(b), 110(a), title II, § 208, title IV, §§ 401, 402, 415(d)(1), Dec. 2, 1997, 111 Stat. 2573, 2574, 2584, 2585, 2590; Pub. L. 108–199, div. F, title I, § 150(2), Jan. 23, 2004, 118 Stat. 303; Pub. L. 110–53, title XV, § 1527, Aug. 3, 2007, 121 Stat. 452.)

Matthew M. Hagerty

Jackson City Attorney

mhagerty@cityofjackson.org

161 W. Michigan Ave.

Jackson, MI 49201

Office: (517) 788-4050

Direct Dial: (517) 990-6282



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From: Jason Yoakam <jyoakam@cityofjackson.org>
Sent: Monday, November 30, 2020 4:37 PM
To: Matthew M. Hagerty <mhagerty@cityofjackson.org>
Subject: FW: Amtrak / Federal Preemption

From: Gatlin, Leah <Leah.Gatlin@amtrak.com>
Sent: Monday, November 30, 2020 4:16 PM
To: Jason Yoakam <jyoakam@cityofjackson.org>
Subject: Amtrak / Federal Preemption

Thank you for taking the time to speak with me today.

As we discussed, and as concisely as possible:

National Railroad Passenger Corporation (better known as Amtrak) is a corporation organized under 49 U.S.C. §24101. The US federal government, through the Secretary of Transportation, owns all the company's issued and outstanding preferred stock. Pursuant to 49 U.S.C § 24301(l), Amtrak is exempt, to the same extent that the US Government is exempt, from all state and local taxes, surcharges or fees.

Leah Gatlin

Manager, Real Estate | Amtrak Real Estate Development



2955 Market Street, 5th Floor South, 5S-013, Philadelphia, PA 19104

Cell: 215-704-4699 | leah.gatlin@amtrak.com

Click [here](#) to report this email as spam.

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Traffic Control Orders 2331-2333**
Plymouth Street

Recommendation:

Approval of Traffic Control Orders 2331-2333 to install “No Parking Any Time” signs on the north side of Plymouth Street from East Avenue to Elm Avenue.

Attached is a memo from Jon Dowling, City Engineer, for Traffic Control Orders on the north side of Plymouth St., from East Ave. to Elm Ave.

I recommend approval of Traffic Control Orders 2331-2333. Your consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approval of Traffic Control Orders 2331-2333 to install “No Parking Any Time” signs on the north side of Plymouth Street from East Avenue to Elm Avenue.

SUMMARY

Traffic Control Orders (TCOs) are needed for the installation of “No Parking Any Time” signs on the north side of Plymouth St. from East Ave. to Elm Ave.

BUDGETARY CONSIDERATIONS

Item	Each	Total
8 - “No Parking Any Time” Signs	\$11.70	\$93.60
8 – sign posts	\$19.70	\$157.60
8 - hours labor/equipment	\$122.34	\$978.72
Total		\$1,229.92

This is the estimated cost for this work, which will be paid from Major Streets Traffic funds.

HISTORY, BACKGROUND and DISCUSSION

Plymouth St. is a major street, and narrow, and does not meet the criteria for parking on both sides of the street. Parking on the north side should be removed to be the same as the rest of the street that has already had parking removed. This parking removal is in compliance with the Uniform Criteria for Major Streets accepted by the City Commission on March 2, 1976.

DISCUSSION OF THE ISSUE

After review, Engineering has the following recommendation:

Install “No Parking Any Time” signs on the north side of Plymouth St. from East Ave. to Elm Ave.

POSITIONS

It is the recommendation of Engineering that Traffic Control Orders 2331-2333 be approved. If you have any questions please do not hesitate to contact me.

ATTACHMENTS

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2331

LOCATION: Plymouth Street, from East Avenue to Page Avenue

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

Due to Plymouth St being a major street, and narrow, it does not meet the criteria for parking on both sides of the street. Parking on the north side should be removed to be the same as the rest of the street that has already had parking removed.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends removal the parking on the north side of Plymouth Street in the 1100 block between East Avenue and Page Avenue by the installation of NO PARKING ANYTIME signs. This parking removal is in compliance with the Uniform Criteria for Major Streets accepted by the City Commission on March 2, 1976.

APPROVED **REJECTED** **DATE:** _____ **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Move "No Parking Any Time" signs from the south side of the 1100 block of Plymouth Street to the north side of the street.

BY JON H. DOWLING, P.E.

MATERIAL USED

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Posts _____ Stop _____ Time Limit _____ No Parking _____ Loading Zone _____ One Way _____ Yield _____ Paint _____ Other _____

ASSIGNMENT COMPLETED

DATE: _____ **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: _____ **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2332

LOCATION: Plymouth Street, from Page Avenue to Summit Avenue

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

Due to Plymouth St being a major street, and narrow, it does not meet the criteria for parking on both sides of the street. Parking on the north side should be removed to be the same as the rest of the street that has already had parking removed.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends removal of the parking on the north side of Plymouth St in the 1200 and 1300 blocks between Page Avenue and Summit Avenue by the installation of NO PARKING ANYTIME signs. This parking removal is in compliance with the Uniform Criteria for Major Streets accepted by the City Commission on March 2, 1976.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Place "No Parking Any Time" signs on the north side of Plymouth St between Page Ave and Summit Ave.

BY JON H. DOWLING, P.E.

MATERIAL USED

4			4						
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Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2333

LOCATION: Plymouth Street, from Summit Avenue to Elm Avenue

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

Due to Plymouth Street being a major street, and narrow, it does not meet the criteria for parking on both sides of the street. Parking on the north side should be removed to be the same as the rest of the street that has already had parking removed.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends removal of parking on the north side of Plymouth Street between Summit Avenue and Elm Avenue by the installation of NO PARKING ANYTIME signs. This parking removal is in compliance with the Uniform Criteria for Major Streets accepted by the City Commission on March 2, 1976.

APPROVED **REJECTED** **DATE:** _____ **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Place "No Parking Any Time" signs on the north side of Plymouth St between Summit Ave and Elm Ave where not already installed.

BY JON H. DOWLING, P.E.

MATERIAL USED

<input type="checkbox"/> 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Posts	Stop	Time Limit	No Parking	Loading Zone	One Way	Yield	Paint	Other

ASSIGNMENT COMPLETED

DATE: _____ **BY: Sign Shop**

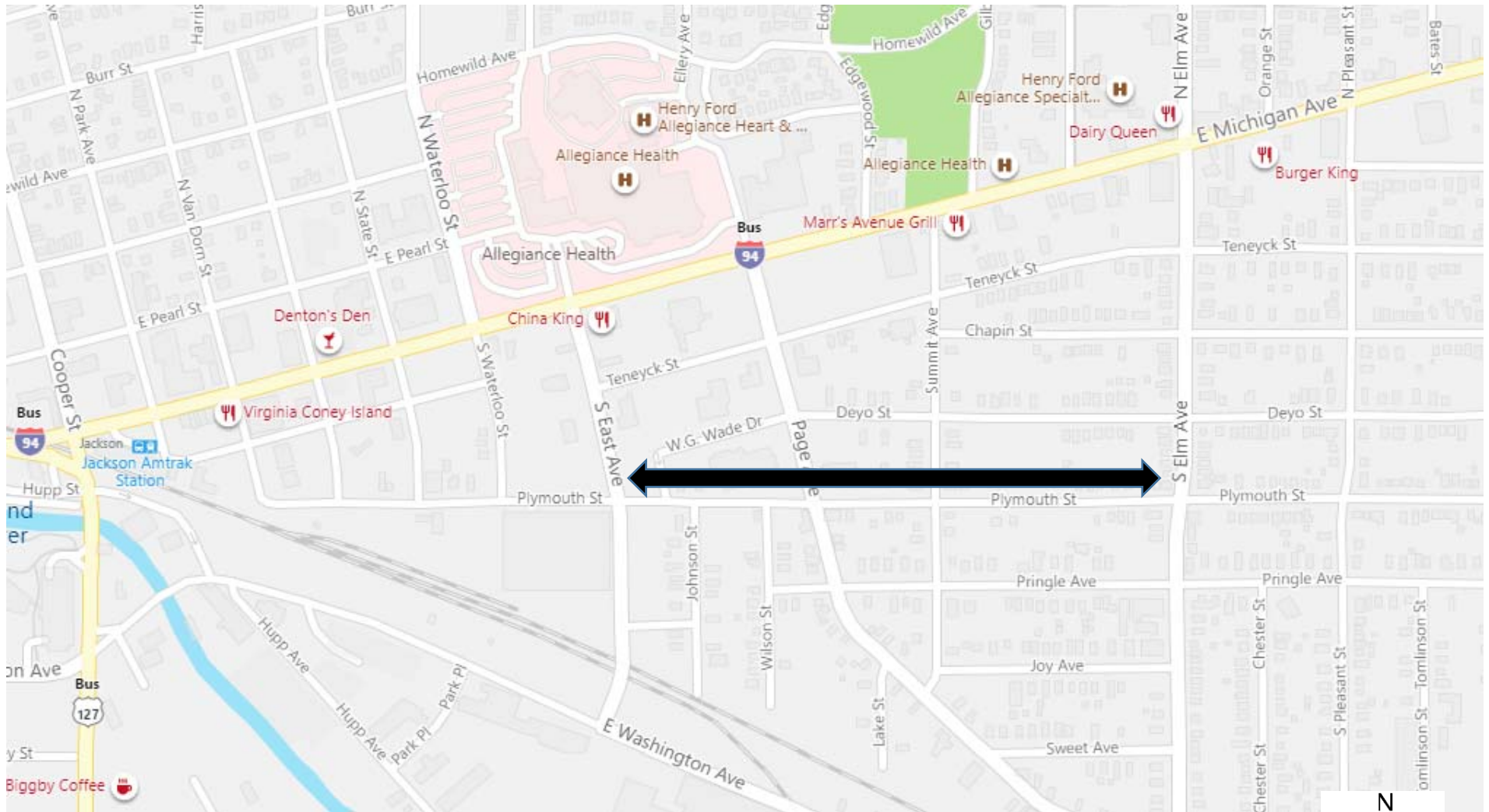
WORK INSPECTED

REMARKS:

DATE: _____ **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

Traffic Control Orders 2331 - 2334



MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Traffic Control Orders 2334 - 2336**
Area of New Comerica Bank Building

Recommendation:

Approval of Traffic Control Orders 2334-2336 to regulate the parking around the new Comerica Bank at Jackson Street and Louis Glick Highway

Attached is a memo from Jon Dowling, City Engineer, for Traffic Control Orders for parking around the new Comerica Bank building.

I recommend approval of Traffic Control Orders 2334-2336. Your consideration and concurrence is appreciated.

JG

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approval of Traffic Control Orders 2334-2336 to regulate the parking around the new Comerica Bank at Jackson Street and Louis Glick Highway

SUMMARY

Traffic Control Orders (TCOs) are needed to regulate the parking around the new Comerica Bank building at the corner of Jackson St. and Louis Glick Hwy.

BUDGETARY CONSIDERATIONS

Item	Each	Total
10 – signs	\$11.70	117.00
8 – sign posts	\$19.70	\$157.60
8 – hours labor/equipment	\$122.34	\$978.72
Total		\$1,253.32

This is the estimated cost for this work, which will be paid from Major Streets Traffic funds.

HISTORY, BACKGROUND and DISCUSSION

With the construction of the new Comerica Bank at the corner of Jackson St. and Louis Glick Hwy., changes were made to the parking areas which require new TCOs.

DISCUSSION OF THE ISSUE

After review, Engineering has the following recommendations:

- TCO 2334 – Placing “Comerica Parking Only” signs per development agreement, along with “2 Hour Parking” signs for the remainder of the spaces. This area should also be signed for “No Parking 2am-6am” to go along with the rest of the Downtown streets on TCO#2138 for the health, safety and welfare of all citizens.
- TCO 2335 – Retaining the parking restriction on the west side of Jackson St. from Louis Glick Hwy. to Van Buren St. This rescinds TCO 2003 which removed parking from both sides of Jackson St.
- TCO 2336 – Designating the north side of Louis Glick Hwy. from Jackson St. to approximately 190 feet east as 2-hour parking.

POSITIONS

It is the recommendation of Engineering that Traffic Control Orders 2334-2336 be approved. If you have any questions please do not hesitate to contact me.

ATTACHMENTS

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2334

LOCATION: Jackson Street, Louis Glick Highway to Van Buren Street

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

As a matter of housekeeping, due to construction of the Comerica Bank at the intersection of Jackson St. and Louis Glick Hwy., parking has been added to the east side of Jackson St.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends placing "Comerica Parking Only" signs per development agreement, along with "2 Hour Parking" signs for the remainder of the spaces. This area should also be signed for "No Parking 2am-6am" to go along with the rest of the Downtown Streets per TCO # 2138 for the health, safety and welfare of all citizens. This action rescinds TCO #2003 which removed parking from both sides of Jackson St.

APPROVED **REJECTED** **DATE:** _____ **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Place "Comerica Parking Only" signs, "2 Hour Parking" signs and "No Parking 2am-6am" signs in new parking bay on the east side of Jackson St. by the Comerica Bank.

BY JON H. DOWLING, P.E.

MATERIAL USED

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Posts	Stop	Time Limit	No Parking 2am-6am	Loading Zone	One Way	Yield	Paint	Other Comerica

ASSIGNMENT COMPLETED

DATE _____ **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: _____ **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2335

LOCATION: Jackson Street, Louis Glick Highway to Van Buren Street

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

As a matter of housekeeping, due to construction of the Comerica Bank at the intersection of Jackson St. and Louis Glick Hwy., parking has been added to the east side of Jackson St.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends that parking shall still be prohibited on the west side of Jackson St. This action rescinds TCO #2003 which removed parking from both sides of Jackson St.

APPROVED **REJECTED** **DATE:** _____ **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

BY JON H. DOWLING, P.E.

MATERIAL USED

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other

ASSIGNMENT COMPLETED

DATE: _____ **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: _____ **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2336

LOCATION: Louis Glick Highway, between Jackson Street and Mechanic Street

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

As a matter of housekeeping, due to construction of the Comerica Bank at the intersection of Jackson Street and Louis Glick Hwy., parking was added from Jackson Street to approximately 190' east on the north side of the street.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends designating the north side of Louis Glick Hwy. from Jackson St. to approximately 190' east as 2 hour parking.

APPROVED **REJECTED**

DATE:

BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Install "2 Hour Parking" signs.

BY JON H. DOWLING, P.E.

MATERIAL USED

2

2

Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other_

ASSIGNMENT COMPLETED

DATE:

BY: Sign Shop

WORK INSPECTED

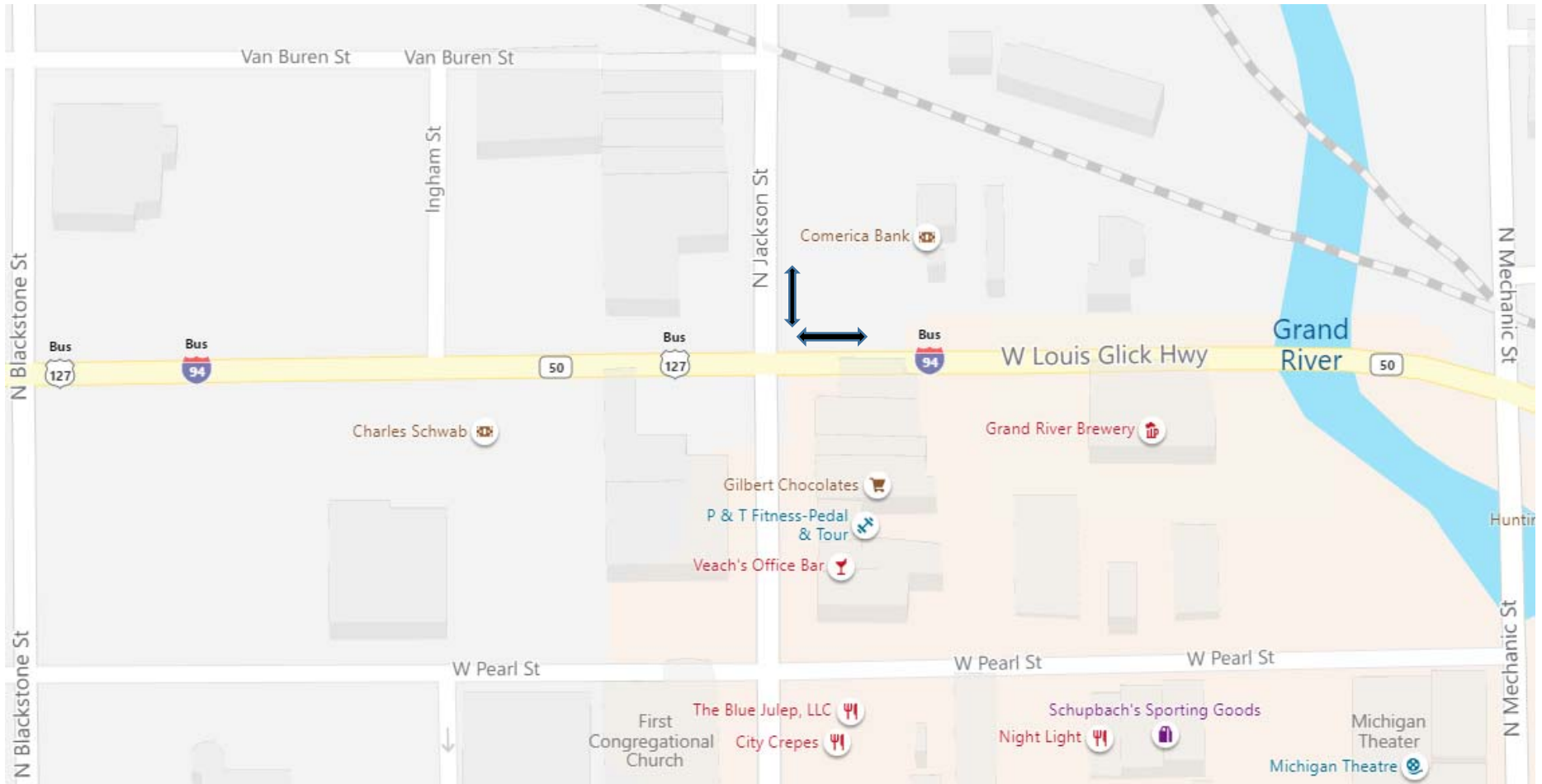
REMARKS:

DATE:

BY: Jon H. Dowling, P.E., City Engineer

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

Traffic Control Orders 2334 - 2336



MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Traffic Control Order 2337**
Louis Glick Highway – Blackstone Street to Jackson Street

Recommendation:

Approval of Traffic Control Order 2337 to install “2 Hour Parking” signs on the south side of Louis Glick Highway from Blackstone Street to Jackson Street

Attached is a memo from Jon Dowling, City Engineer, for a Traffic Control Order on a portion of Louis Glick Hwy..

I recommend approval of Traffic Control Order 2337. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approval of Traffic Control Order 2337 to install “2 Hour Parking” signs on the south side of Louis Glick Highway from Blackstone Street to Jackson Street

SUMMARY

A Traffic Control Order (TCO) is needed for the installation of “2 Hour Parking” signs on the south side of Louis Glick Hwy. from Blackstone St. to Jackson St.

BUDGETARY CONSIDERATIONS

Item	Each	Total
4 - “2 Hour Parking” Signs	\$11.70	\$46.80
4 - hours labor/equipment	\$122.34	\$489.36
Total		\$536.16

This is the estimated cost for this work, which will be paid from Major Streets Traffic funds.

HISTORY, BACKGROUND and DISCUSSION

A new parking bay was constructed on the south side of Louis Glick Hwy. from Blackstone St. to Jackson St. with the construction of the Lofts on Louis and The 200 building.

DISCUSSION OF THE ISSUE

After review, Engineering has the following recommendation:

Install “2 Hour Parking” signs on the south side of Louis Glick Hwy. from Blackstone St. to Jackson St.

POSITIONS

It is the recommendation of Engineering that Traffic Control Order 2337 be approved. If you have any questions please do not hesitate to contact me.

ATTACHMENTS

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2337

LOCATION: Louis Glick Highway, Blackstone Street to Jackson Street

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

As a matter of housekeeping, due to construction of the Lofts on Louis and The 200 apartment buildings, parking was added on Louis Glick Hwy. from Blackstone St. to Jackson St. on the south side of the street.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends designating the south side of Louis Glick Hwy. from Blackstone St. to Jackson St. as 2 Hour Parking.

APPROVED **REJECTED** **DATE:** _____ **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Install "2 Hour Parking" signs.

BY JON H. DOWLING, P.E.

MATERIAL USED

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox" value="4"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Posts Stop Time Limit No Parking 2am-6am Loading Zone One Way Yield Paint Other

ASSIGNMENT COMPLETED

DATE: _____ **BY: Sign Shop**

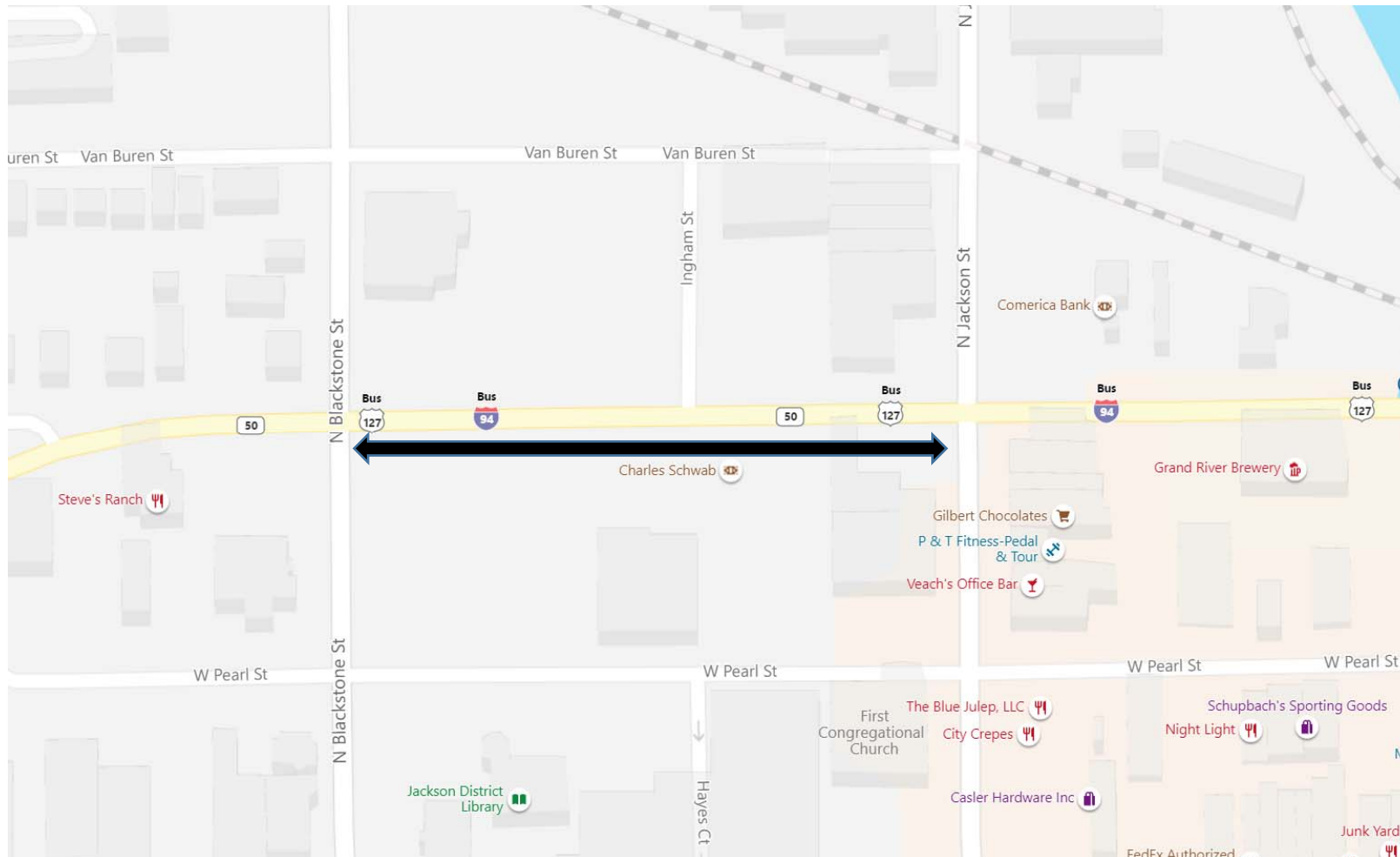
WORK INSPECTED

REMARKS:

DATE: _____ **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

Traffic Control Order 2337



MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Traffic Control Orders 2338-2339**
Gorham Street – Chapin Street to Plymouth Street
Forbes Street – Tyson Street to Michigan Avenue

Recommendation:

Approval of Traffic Control Orders 2338 and 2339 to remove “2 Hour Parking” signs on the east side of Gorham Street, from Chapin Street to Plymouth Street, and “1 Hour Parking” signs on the east side of Forbes Street, from Tyson Street to Michigan Avenue.

Attached is a memo from Jon Dowling, City Engineer, for Traffic Control Orders for portions of Gorham St. and Forbes St.

I recommend approval of Traffic Control Orders 2338 and 2339. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approval of Traffic Control Orders 2338 and 2339 to remove “2 Hour Parking” signs on the east side of Gorham Street, from Chapin Street to Plymouth Street, and “1 Hour Parking” signs on the east side of Forbes Street, from Tyson Street to Michigan Avenue.

SUMMARY

Traffic Control Orders (TCOs) are needed for the removal of 1) “2 Hour Parking” signs on the east side of Gorham St. from Chapin St. to Plymouth St., and 2) “1 Hour Parking” signs on the east side of Forbes St., from Tyson St. to Michigan Ave.

BUDGETARY CONSIDERATIONS

Item	Each	Total
2 - hours labor/equipment	\$122.34	\$244.68
Total		\$244.68

This is the estimated cost for this work, which will be paid from Major Streets Traffic funds.

HISTORY, BACKGROUND and DISCUSSION

Back when the Goodyear plant was in operation on the east side of the city, a number of the residential streets in the area had time restrictions on the parking on the street. The plant closed in 1984, however, a number of the parking restraints were never addressed.

DISCUSSION OF THE ISSUE

After review, Engineering has the following recommendations:

- TCO 2338 - Remove “2 Hour Parking” signs on the east side of Gorham St. from Chapin St. to Plymouth St. This rescinds TCO 1369 which instituted parking restraints.
- TCO 2339 - Remove “1 Hour Parking” signs on the east side of Forbes St., from Tyson St. to Michigan Ave. This rescinds TCO 1459 which instituted parking restraints.

POSITIONS

It is the recommendation of Engineering that Traffic Control Orders 2338 and 2339 be approved. If you have any questions please do not hesitate to contact me.

ATTACHMENTS

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2338

LOCATION: S Gorham St, Chapin St to Plymouth St

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

Parking on the east side of the 400 and 500 blocks of S Gorham St had time restraints due to the Goodyear Plant that was one (1) block east. The plant closed in 1984 and the time restraint is no longer necessary.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends removing the "2 Hour Parking" signs on the east side of Gorham St., from Chapin St. to Plymouth St. This rescinds TCO #1369 from December 5, 1972.

APPROVED **REJECTED** **DATE:** _____ **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Remove "2 Hour Parking" signs.

BY JON H. DOWLING, P.E.

MATERIAL USED

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Posts	Stop	Time Limit	No Parking	Loading Zone	One Way	Yield	Paint	Other
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ASSIGNMENT COMPLETED

DATE: _____ **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: _____ **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2339

LOCATION: S. Forbes Street, E. Michigan Avenue to Tyson Street

DATE: January 26, 2021

ASSIGNED TO: Sign shop

TCO DESCRIPTION

Parking on the east side of the 100 and 200 blocks of S. Forbes St. had time restraints due to the Goodyear Plant. The plant closed in 1984 and the time restraint is no longer necessary.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Engineering recommends removing the time restraint signs on the east side of S. Forbes St., from E. Michigan Ave. to Tyson St. This rescinds TCO 1459 dated February 22, 1977.

APPROVED **REJECTED** **DATE:** _____ **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE:

TO:

Remove "1 Hour Parking" signs.

BY JON H. DOWLING, P.E.

MATERIAL USED

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other_

ASSIGNMENT COMPLETED

DATE: _____ **BY: Sign Shop**

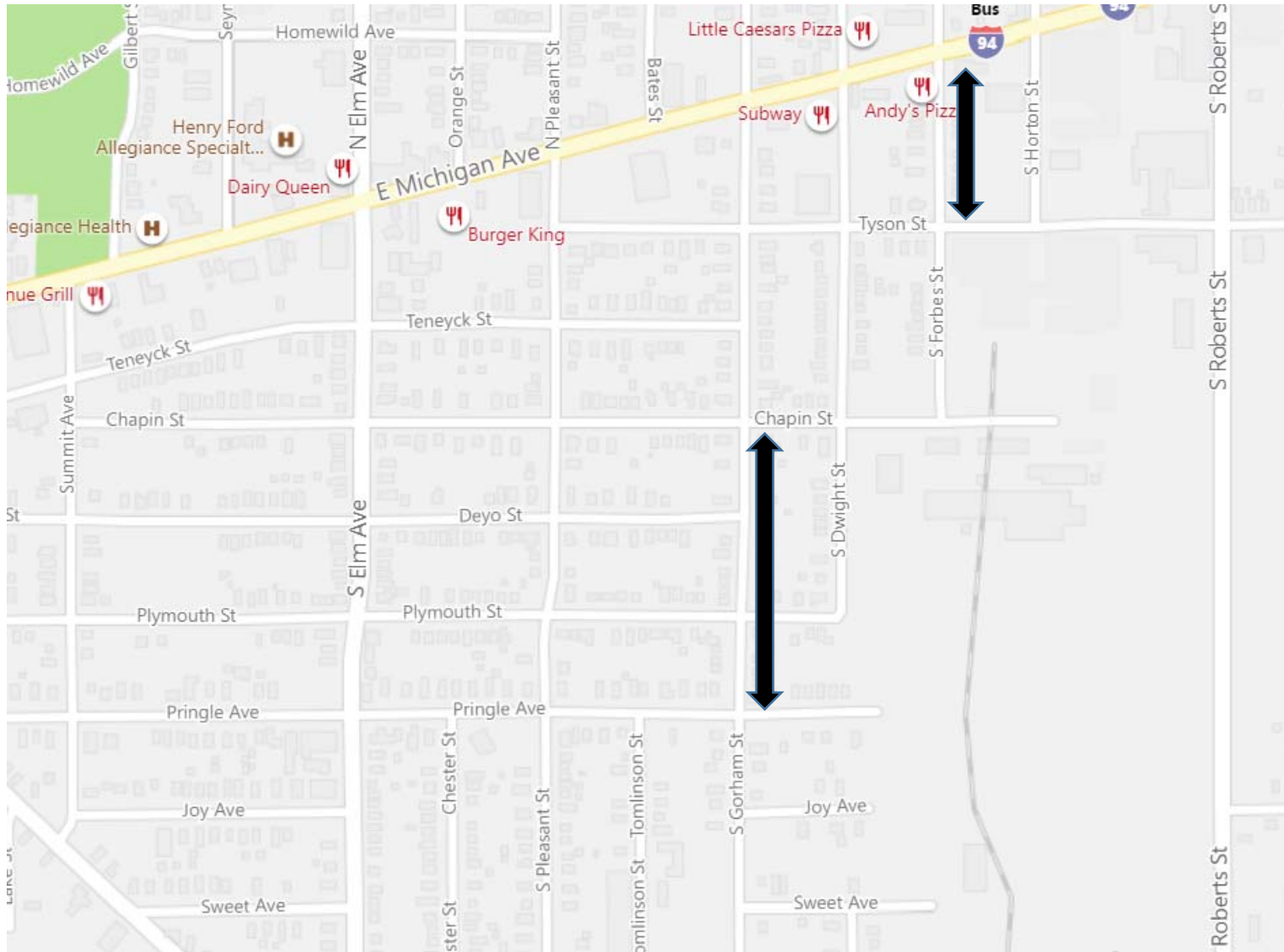
WORK INSPECTED

REMARKS:

DATE: _____ **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

Traffic Control Orders 2338-2339



MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Traffic Control Orders 2340 - 2342**
Walnut Street-Locust Street-Mitchell Street

Recommendation:

Approval of Traffic Control Orders 2340 - 2342 to replace “No Trucks” signs with “No Thru Trucks” signs on Walnut Street, Locust Street and Mitchell Street.

Attached is a memo from Jon Dowling, City Engineer, for a Traffic Control Orders for Walnut, Locust and Mitchell Streets.

I recommend approval of Traffic Control Orders 2340 - 2342. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approval of Traffic Control Orders 2340 - 2342 to replace “No Trucks” signs with “No Thru Trucks” signs on Walnut Street, Locust Street and Mitchell Street.

SUMMARY

Traffic Control Orders (TCOs) are needed for the replacement of “No Trucks” signs with “No Thru Trucks” signs for traffic on Walnut St., Locust St. and Mitchell St.

BUDGETARY CONSIDERATIONS

Item	Each	Total
3 – “No Thru Trucks” signs	\$20.40	\$61.20
2 - hours labor/equipment	\$122.34	\$244.68
Total		\$305.88

This is the estimated cost for this work, which will be paid from Major Streets Traffic funds.

HISTORY, BACKGROUND and DISCUSSION

In 2017, residents complained about truck traffic using the neighborhood as through streets. Traffic Control Orders were created to limit truck traffic, but were written to remove truck traffic. KRT Precision Tool & Mfg. is at the dead end of Mitchell Street and is not able to receive deliveries due to the restriction. These TCOs are to correct the issue.

DISCUSSION OF THE ISSUE

After review, Engineering has the following recommendations:

- TCO 2340 – Replace “No Trucks” sign with “No Thru Trucks” sign on Walnut St. between Lewis St. and Mitchell St. This rescinds TCO #2255.
- TCO 2341 – Replace “No Trucks” sign with “No Thru Trucks” sign on Locust St. between Mitchell St. and High St. This rescinds TCO #1920.
- TCO 2342 – Replace “No Trucks” sign with “No Thru Trucks” sign on Mitchell St. between Walnut St and Locust St. This rescinds TCO #2256

POSITIONS

It is the recommendation of Engineering that Traffic Control Orders 2340 - 2342 be approved. If you have any questions please do not hesitate to contact me.

ATTACHMENTS

P:\TRAFFIC\tco\TCO cover memos\TCO report to council 2340-2342.docx

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2340

LOCATION: Walnut Street, between Lewis Street and Mitchell Street

DATE: January 26, 2021

ASSIGNED TO: Sign Shop

TCO DESCRIPTION

At the request of KRT Precision Tool & Mfg., Engineering investigated the truck restrictions in the neighborhood of Walnut, Lewis and Mitchell Streets. They are not getting deliveries due to the "No Trucks" restrictions

BY JON H. DOWLING, P.E.

RECOMMENDATION

Replace "No Trucks" sign with "No Thru Trucks" sign for northbound traffic at Walnut Street and Lewis Street. This will rescind TCO # 2255.

APPROVED REJECTED **DATE: 1/26/21** BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE: 1/26/21

TO:

Replace "No Trucks" sign with "No Thru Trucks" sign in location noted.

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other (No Thru Trucks)

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2341

LOCATION: Locust Street between Mitchell Street and High Street

DATE: January 26, 2021

ASSIGNED TO: Sign Shop

TCO DESCRIPTION

At the request of KRT Precision Tool & Mfg., Engineering investigated the truck restrictions in the neighborhood of Locust and Mitchell Streets. They are not getting deliveries due to the "No Trucks" restrictions

BY JON H. DOWLING, P.E.

RECOMMENDATION

Replace "No Trucks" signs with "No Thru Trucks" signs for northbound and southbound traffic. This will rescind TCO # 1920.

APPROVED REJECTED **DATE:** 1/26/21 **BY CITY COUNCIL**

WORK ASSIGNMENT: To Sign Shop

DATE: 1/26/21

TO:

Replace "No Trucks" sign with "No Thru Trucks" sign on Locust between Mitchell and High.

BY JON H. DOWLING, P.E.

MATERIAL USED

1
Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other (No Thru Trucks)

ASSIGNMENT COMPLETED

DATE: **BY: Sign Shop**

WORK INSPECTED

REMARKS:

DATE: **BY: Jon H. Dowling, P.E., City Engineer**

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

CITY OF JACKSON, MICHIGAN
TRAFFIC ENGINEERING DIVISION
Traffic Control Order 2342

LOCATION: Mitchell Street, between Walnut Street and Locust Street

DATE: January 26, 2021

ASSIGNED TO: Sign Shop

TCO DESCRIPTION

At the request of KRT Precision Tool & Mfg., Engineering investigated the truck restrictions in the neighborhood of Walnut, Locust and Mitchell Streets. They are not getting deliveries due to the "No Trucks" restrictions.

BY JON H. DOWLING, P.E.

RECOMMENDATION

Replace "No Trucks" sign with "No Thru Trucks" sign for westbound traffic on Mitchell Street at Locust Street. This will rescind TCO # 2256.

APPROVED REJECTED DATE: **1/26/21** BY CITY COUNCIL

WORK ASSIGNMENT: To Sign Shop

DATE: 1/26/21

TO:

Replace "No Trucks" sign with "No Thru Trucks" sign.

BY JON H. DOWLING, P.E.

MATERIAL USED

Posts Stop Time Limit No Parking Loading Zone One Way Yield Paint Other (No Thru Trucks)

ASSIGNMENT COMPLETED

DATE: BY: Sign Shop

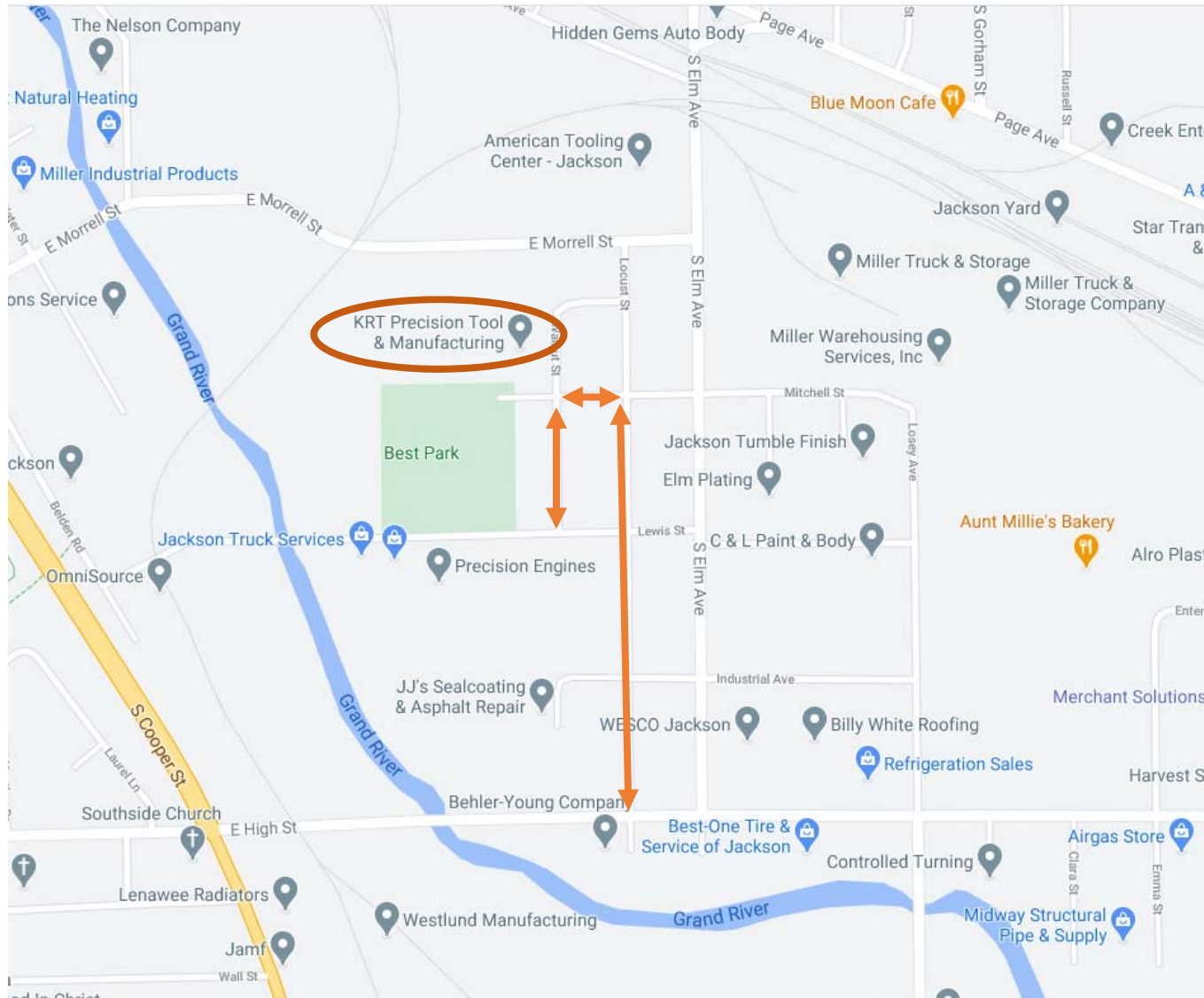
WORK INSPECTED

REMARKS:

DATE: BY: Jon H. Dowling, P.E., City Engineer

Copies: 1. Intersection File 2. TCO File 3. Work Order Copy 4. Police Dept. 5. Fire Dept 6. City Clerk

Traffic Control Orders 2340-2342



MEMO TO: Mayor and City Councilmembers
FROM: Andrea Muray, City Clerk
DATE: January 26, 2021
SUBJECT: Second Reading and Adoption of Ordinance No. 509

Recommendation:

Adopt Ordinance No. 509 to provide a service charge in lieu of taxes for a housing project for low income persons and families.

Attached is Ordinance No. 509. Ordinance No. 509 was considered for approval and moved to a 2nd reading by the Council at the January 12, 2021 City Council meeting.

Your consideration and concurrence is appreciated.

ORDINANCE NO. 509

AN ORDINANCE TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A HOUSING PROJECT FOR LOW INCOME PERSONS AND FAMILIES TO BE FINANCED BY AN ALLOCATION UNDER THE LIHTC PROGRAM BY THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED; MCL 125.1401, *ET SEQ*) (THE "ACT").

WHEREAS, the City of Jackson has received an offer from Woodland Hills MI Limited Dividend Housing Association Limited Partnership, organized under the laws of the State of Michigan and in accordance with Chapter 7 of the State Housing Development Authority Act of 1966, as amended, to rehabilitate a housing project for persons of low income, which offer is subject to the offeror's receipt of an allocation under the LIHTC Program by the Michigan State Housing Development Authority; and

WHEREAS, the offer provides that it may be accepted by the enactment of a tax exemption ordinance providing for the payment of a service charge in lieu of property taxes for the class of housing development.

NOW, THEREFORE, THE CITY OF JACKSON ORDAINS:

SECTION 1. This Ordinance shall be known and cited as the "City of Jackson Tax Exemption Ordinance No. 509 – Woodland Hills MI Limited Dividend Housing Association Limited Partnership."

SECTION 2. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its low income persons and families and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City of Jackson is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for low income persons and

families is a public necessity, and as the City of Jackson will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

The City of Jackson acknowledges that the Sponsor (as defined below) has offered, subject to receipt of an allocation under the LIHTC Program and pass-through bond by the Michigan State Housing Development Authority, to acquire and rehabilitate, own and operate a housing project on certain property located at 1200 Ellery Avenue, Jackson, MI 49202 with the attached legal description in the City of Jackson to serve low income persons and families, and that the Sponsor has offered to pay the City of Jackson on account of this housing project an annual service charge for public services in lieu of all *ad valorem* property taxes.

SECTION 3. Definitions. As used in this Ordinance:

- A. Act means the State Housing Development Authority Act, Public Act 346 of 1966, as amended. (MCL 125.1401, et seq; MSA 16.114(1), et seq.).
- B. Authority means the Michigan State Housing Development Authority.
- C. Contract Rents means the total Contract Rents (as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended) received in connection with the operation of a housing project during an agreed annual period, exclusive of Utilities.
- D. Disabled means any person or family whose head, spouse, or sole member is a Person with disabilities as defined in 24 C.F.R. §5.403.
- E. Low Income Persons or Families means low income persons or families as defined in Section 15(a)(7) of the Act.
- F. Gross Potential Rents means the total potential rents as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended, (as set forth in the schedule of charged rents that is to be provided to the City of Jackson on or before December 31 of each tax year) that could be charged to all sources if all units are occupied.
- G. HUD means the U.S. Department of Housing and Urban Development
- H. Mortgage Loan means a loan that is Federally-Aided (as defined in Section 11 of the Act) or a loan or grant, an allocation under the LIHTC Program by the Authority, or HUD or Authority pass-through bonds, made or to be made by the Authority to the Sponsor for

the construction, rehabilitation, acquisition and/or permanent financing of the housing project, and secured by a mortgage on the housing project.

- I. Sponsor means Woodland Hills MI Limited Dividend Housing Association, Limited Partnership, and any entity that receives or assumes a Mortgage Loan.
- J. Utilities means charges for gas, electric, water, sanitary sewer, trash removal and other utilities furnished to the occupants that are paid by the housing project.

SECTION 4. Class of Housing Projects.

It is determined that the class of housing projects to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing projects for low income persons and families that are financed by an allocation under the LIHTC Program by the Authority. It is further determined that Woodland Hills MI Limited Dividend Housing Association, Limited Partnership apartments are of this class.

SECTION 5. Establishment of Annual Service Charge.

The housing project and the property on which it is located shall be exempt from all *ad valorem* property taxes from and after the commencement of construction of the planned rehabilitation work. The City of Jackson acknowledges that the Sponsor and the Authority have established the economic feasibility of the housing project in reliance upon the enactment and continuing effect of this Ordinance, and the qualification of the housing project for exemption from all *ad valorem* property taxes and a payment in lieu of taxes as established in this Ordinance. Therefore, in consideration of the Sponsor's offer to construct and operate the housing project, the City of Jackson agrees to accept payment of an annual service charge for public services in lieu of all *ad valorem* property taxes. Subject to receipt of a mortgage loan, cash, or an allocation under the LIHTC Program by the Authority, the annual service charge shall be six (6%) percent of the gross potential rents charged and (6%) of any non-monetary consideration of any form given in return for occupancy. There is no reduction for rents charged but not paid or not paid timely. There is no reduction for any utilities. Notwithstanding the foregoing, the parties agree that the annual service charge shall not exceed the *ad valorem* property taxes that would be paid if the property were not tax exempt.

SECTION 6. Contractual Effect of Ordinance.

Notwithstanding the provisions of section 15(a)(5) of the Act to the contrary, a contract between the City of Jackson and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

SECTION 7. Limitation on the Payment of Annual Service Charge.

Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the

part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

SECTION 8. Payment of Service Charge.

The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the City of Jackson and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment for each operating year shall be paid on or before June 1 of the following year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, *et seq*).

SECTION 9. Duration.

This Ordinance shall remain in effect and shall not terminate so long as a Mortgage Loan remains outstanding and unpaid, or the Authority or HUD has any interest in the property, including a regulatory agreement in connection with an allocation under the LIHTC Program or Section 8 assistance under the Act, but not more than thirty (30) years; provided, that:

- A. Sponsor files with the City Assessor a certified notification of exemption, as required by Section 15a(l) of the Act; and
- B. Pursuant to Section 15a(6) of the Act, the annual service charge to be paid in lieu of taxes for that part of the housing project which is occupied by other than persons of low income, shall be equal to the full amount of taxes that would be paid on that portion of the housing project if the housing project were not exempt; and
- C. Acquisition of the housing project occurs within 365 days of the effective date of this Ordinance.

SECTION 10. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance, other than the section or provision so declared to be unconstitutional or invalid.

SECTION 11. Inconsistent Ordinances.

Upon commencement of construction of the planned rehabilitation work all previously-adopted ordinances by the City of Jackson, including Ordinances No. 331 and 354 adopted May 15, 1979,

and November 22, 1983 respectively, establishing an annual service charge in lieu of taxes on the property and housing project are hereby repealed and replaced by the terms of this Ordinance.

SECTION 12. Effective Date.

This ordinance shall become effective thirty (30) days from the date of its adoption. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of their conflict.

The foregoing Ordinance 509 was adopted by the Jackson City Council on the 26th day of January, 2021 and a summary was published on January 31, 2021.

Andrea Muray, City Clerk

Derek J. Dobies, Mayor

Exhibit A

Land situated in the City of Jackson, County of Jackson, and State of Michigan, described as:

PARCEL I:

Land commencing at a point 1716 feet North and 209.32 feet East of the South 1/4 post of Section 26; thence North 416.2 feet; thence East 417.68 feet; thence South 416.2 feet; thence West 417.68 feet to the place of beginning, Northwest 1/4 of the Southeast 1/4, Section 26, Township 2 South, Range 1 West.

PARCEL II:

Land commencing at a point 1716 feet North of the South 1/4 post, Section 26; thence North 416.2 feet; thence East 209.32 feet; thence South 416.2 feet; thence West 209.32 feet to beginning, Northwest 1/4 of the Southeast 1/4, Section 26, Township 2 South, Range 1 West.

PARCEL III:

Land commencing at a point 1650 feet North of the South 1/4 post Section 26; thence East 627 feet; thence North 66 feet; thence West 627 feet; thence South 66 feet to the place of beginning, being part of the West 1/2 of the Southeast 1/4 of Section 26, Township 2 South, Range 1 West.

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Recommendation of Approval of a Second Extension of the 2019 As Needed Materials Testing Services Contract**

Recommendation:

Approval of the second extension of the 2019 As Needed Materials Testing Services Contract with Professional Service Industries (PSI), Inc. of Lansing, Michigan in the estimated amount of \$88,000.00, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

Attached is a report from Jon Dowling, City Engineer, requesting a second extension of the City's As Needed Materials Services Contract for the 2021 construction season.

I recommend approval of the extension as requested. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approval of the second extension of the 2019 As Needed Materials Testing Services Contract with Professional Service Industries (PSI), Inc. of Lansing, Michigan in the estimated amount of \$88,000.00, and authorization for the Mayor and City Clerk to execute the appropriate document(s) in accordance with the Purchasing Agent.

SUMMARY

On April 9, 2019 City Council approved the award of the 2019 As Needed Material Testing Services Contract to Professional Service Industries (PSI), Inc. of Lansing Michigan in the amount of \$141,889.00. This contract is subject to two 1-year extensions with a two and a half percent unit price adjustment per year. PSI has submitted the attached letter indicating their desire to renew the contract to provide material testing services for the 2021 construction season.

BUDGETARY CONSIDERATIONS

Engineering is requesting that the first extension be approved in the estimated amount of \$88,000.00. This amount will cover the costs for material testing on the various construction projects that the City will undertake in 2021. This work will be paid for out of various project accounts in the Major Street Fund, Local Street Fund, Sewer Fund and Water Fund.

HISTORY, BACKGROUND and DISCUSSION

The City of Jackson has annually, for several decades, entered into a professional services contract with an engineering firm to provide testing services to ensure that specifications are met regarding the provision and placement of various materials on the City's construction projects. This is an industry wide standard practice and a requirement for those projects that are funded in part or in whole by state and/or federal grants.

The first one-year contract extension in the amount of \$88,000.00 was approved by City Council on March 31, 2020.

POSITIONS

In concurrence with the Purchasing Agent, it is Engineering's recommendation that the second extension of the 2019 As Needed Materials Testing Services contract with Professional Service Industries, Inc. of Lansing, Michigan, in the estimated amount of \$88,000.00 be approved, and the Mayor and City Clerk be authorized to execute the appropriate document(s).

ATTACHMENTS



Intertek-PSI
3120 Sovereign Drive, Suite C
Lansing, MI 48911

Tel +1 517 394 5700
Fax +1 517 394 5796
intertek.com/building

January 11, 2021

Mr. Jon Dowling, P.E.
City of Jackson
Department of Engineering
161 West Michigan Avenue
Jackson, Michigan 49201

Re: 2021 As Needed Materials Testing Services
City of Jackson
Jackson, Michigan

Dear Mr. Dowling:

PSI (Professional Service Industries, Inc.), an Intertek company, provided as-needed material testing services to the City of Jackson during the 2019 and 2020 construction seasons. Based on our discussions with the City of Jackson, PSI would be pleased to continue to provide these services in 2021 in accordance with our proposal, dated March 12, 2019, and the current agreement between the City of Jackson and PSI.

PSI appreciates the opportunity to provide our services and we look forward to continuing working with you. If you have any questions or need any additional information, please feel free to call me at 517-394-5700.

Very truly yours,
PROFESSIONAL SERVICE INDUSTRIES, INC.

A handwritten signature in black ink, appearing to read "Joel A. Walter".

Joel A. Walter, P.E.
Branch Manager

JAW/lnr



MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Change Order 2 to the 2018 Essex Heights Water Main Replacement and Street Repaving Contract with Dunigan Brothers, Inc.**

Recommendation:

Approve Balancing Change Order 2 to the Essex Heights Water Main Replacement and Street Repaving contract with Dunigan Brothers, Inc. in the decreased amount of \$1,385.50, to balance contract quantities to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Change Order 2 for the 2019 Essex Heights Water Main Replacement and Street Repaving Contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approve Balancing Change Order 2 to the Essex Heights Water Main Replacement and Street Repaving contract with Dunigan Brothers, Inc. in the decreased amount of \$1,385.50, to balance contract quantities to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Balancing Change Order 2 will balance contract quantities to match quantities placed in the field.

BUDGETARY CONSIDERATIONS

This change order represents a decrease of \$1,385.50, bringing the current contract amount to \$2,156,310.86.

HISTORY, BACKGROUND and DISCUSSION

On July 31, 2018, City Council approved the award of the contract to Dunigan Brothers, Inc. of Jackson, Michigan in the amount of \$2,404,862.90 for water main replacement and pavement reconstruction on portions of Broadcrest Road, Crescent Road, Essex Lane, Glen Drive, Grovedale Avenue, Oakridge Drive and West Avenue.

On February 11, 2020, City Council approved Change Order 1 in the decreased amount of \$247,166.54. Approved Change Order 1 balanced the quantities for original items that were substantially complete to match quantities placed in the field. Approved Change Order 1 also added work for ditch cleanout work within the Douglas Street right-of-way west of West Avenue.

DISCUSSION OF THE ISSUE

All work contained in this contract is now complete. As such, the attached Balancing Change Order 2 has been prepared to balance the quantities for the last unbalanced contract items to match quantities placed in the field. The change in contract costs represents a decrease of \$1,385.50.

POSITIONS

I request approval of Balancing Change Order 2 and authorization for the City Manager and the City Engineer to sign the document.

ATTACHMENTS

CHANGE ORDER NO. 2
To Contract for
Essex Heights Water Main Replacement and Street Repaving
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 2,404,862.90
APPROVED CHANGE ORDER NO. 1	(\$ 247,166.54)
CURRENT CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1	\$ 2,157,696.36
CHANGE ORDER NO. 2	(\$ 1,385.50)
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 2	\$ 2,156,310.866

REASON FOR CHANGE:

To balance contract quantities to match quantities placed in the field.

CONTRACT COMPLETION:

The contract completion time remains unchanged.

Prepared by Troy R. White, P.E.
Assistant City Engineer

ACCEPTED BY:

Dunigan Bros., Inc.

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Jonathan Greene, City Manager

Date:

ESSEX HEIGHTS WATER MAIN REPLACEMENT AND STREET REPAVING
CHANGE ORDER NUMBER 2

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0008	2040020	Curb and Gutter, Rem	4,991.50	-226.50	4,765.00	Ft	\$3.40	\$ -	\$ (770.10)
0010	2040055	Sidewalk, Rem	1,135.00	-181.00	954.00	Syd	\$3.40	\$ -	\$ (615.40)
Total:								\$ -	\$ (1,385.50)
Net Change:								\$ (1,385.50)	
Current Contract Amount:								\$ 2,157,696.36	
Revised Contract Amount:								\$ 2,156,310.86	

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Balancing Change Order 2 to the 2018 Edgewood Street Water Main Replacement and Street Repaving Contract with Bailey Excavating, Inc.**

Recommendation:

Approve Balancing Change Order 2 to the 2018 Edgewood Street Water Main Replacement and Street Repaving contract with Bailey Excavating, Inc. in the decreased amount of \$97,701.25 to balance contract quantities to match quantities placed in the field, and to remove items from the contract for discontinued work, and to and authorize the City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Balancing Change Order 2 for the 2018 Edgewood Street Water Main Replacement and Street Repaving contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approve Balancing Change Order 2 to the 2018 Edgewood Street Water Main Replacement and Street Repaving contract with Bailey Excavating, Inc. in the decreased amount of \$97,701.25 to balance contract quantities to match quantities placed in the field, and to remove items from the contract for discontinued work, and to and authorize the City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Balancing Change Order 2 will balance contract quantities to match quantities placed in the field for work at the Loomis Park sledding hill and remove items from the contract for landscaping within the center islands of the roundabouts at the intersections of Fourth Street with Hickory Avenue and with West Avenue.

BUDGETARY CONSIDERATIONS

This change order represents a decrease of \$97,701.25, bringing the current contract amount to \$1,428,884.26.

HISTORY, BACKGROUND and DISCUSSION

On July 31, 2018, City Council approved the award of the contract to Bailey Excavating, Inc. of Jackson, Michigan in the amount of \$1,528,960.71 for water main replacement and pavement reconstruction on Edgewood Street between Michigan Avenue and North Street.

On February 11, 2020, City Council approved Change Order 1 in the decreased amount of \$2,315.20. Approved Change Order 1 accomplished the following: a) balanced contract quantities for work on Edgewood Street to match quantities placed in the field, b) added items for drainage improvements on Kibby Road, c) added items for grading and turf stabilization on the Loomis Park sledding hill, d) added water main relocation work on Fourth Street at the Hickory Avenue intersection and e) added items for landscaping including irrigation and decorative plantings within the center islands of the roundabouts on Fourth Street at Hickory Avenue and at West Avenue. The current contract amount as set by approved Change Order 1 is \$1,526,585.51.

DISCUSSION OF THE ISSUE

Work to grade and stabilize the sledding hill at Loomis Park is complete. As such, the attached Change Order 2 has been prepared, in part, to balance the quantities for contract items relating to Loomis Park with quantities placed in the field. The change in contract costs for the work on the Loomis Park sledding hill represents an increase of \$18,960.00.

Work to install irrigation systems and decorative plantings within the center islands of the roundabouts on Fourth Street at the intersections at Hickory Avenue and at West Avenue has been discontinued. As such, the items for this work is removed from the contact. The change in costs for the discontinued roundabout landscaping represents a decrease of \$116,661.25.

POSITIONS

I request approval of Balancing Change Order 2 and authorization for the City Manager and the City Engineer to sign the document.

ATTACHMENTS

T:\2018 projects\Edgewood - Michigan to North Street\3_CONSTRUCTION\CONTRACT MODS\CO 2_BALANCING LOOMIS HILL+REM 4TH ST ROUNDABOUT LANDSCAPING\EDGEWOOD_CO 2_Report to Council.docx

CHANGE ORDER NO. 2
To Contract for
2018 Edgewood Street Water Main Replacement and Street Repaving
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 1,528,960.71
APPROVED CHANGE ORDER NO. 1	(\$ 2,375.20)
CURRENT CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1	\$ 1,526,585.51
CHANGE ORDER NO. 2	(\$ 97,701.25)
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 2	\$ 1,428,884.26

REASON FOR CHANGE:

To balance contract quantities to match quantities placed in the field for work at the Loomis Park sledding hill and to remove from the contract items for landscaping within the center islands of the roundabouts on Fourth Street at the intersections with Hickory Avenue and with West Avenue.

CONTRACT COMPLETION:

The contract completion time remains unchanged.

Prepared by Troy R. White, P.E.
Assistant City Engineer

ACCEPTED BY:

Bailey Excavating, Inc.

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Jonathan Greene, City Manager

Date:

EDGEWOOD STREET WATER MAIN REPLACEMENT AND STREET REPAVING

CHANGE ORDER NUMBER 2

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0362	8160028	Mulch Blanket, High Velocity , Loomis Park	3,360.00	3,645.00	7,005.00	Syd	\$1.00	\$ 3,645.00	\$ -
0367	8167030	_ Topsoil Surface, 4 inch, Loomis Park	3,360.00	3,645.00	7,005.00	Lb	\$3.75	\$ 13,668.75	\$ -
0372	8167030	_ Fertilizer, Chemical Nutrient, CI A, Modified, Loomis Park	160.00	171.00	331.00	Lb	\$1.85	\$ 316.35	\$ -
0377	8167030	_ Seeding, Mixture THM, Modified Loomis Park	308.00	330.00	638.00	Lb	\$4.03	\$ 1,329.90	\$ -
0417	8167060	_ Bailey Prep Work, 4th and West Ave Roundabout	15,250.00	-15,250.00	0.00	Dlr	\$1.00	\$ -	\$ (15,250.00)
0422	8157060	_ Landscaping, 4th and West Roundabout	34,425.00	-34,425.00	0.00	Dlr	\$1.00	\$ -	\$ (34,425.00)
0427	8157060	_ Irrigation, 4th and West Ave Roundabout	7,187.50	-7,187.50	0.00	Dlr	\$1.00	\$ -	\$ (7,187.50)
0432	8157060	_ Bailey Prep Work, 4th and Hickory Roundabout	13,375.00	-13,375.00	0.00	Dlr	\$1.00	\$ -	\$ (13,375.00)
0437	8157060	_ Landscaping, 4th and Hickory Roundabout	38,000.00	-38,000.00	0.00	Dlr	\$1.00	\$ -	\$ (38,000.00)
0442	8157060	_ Irrigation, 4th and Hickory Roundabout	8,423.75	-8,423.75	0.00	Dlr	\$1.00	\$ -	\$ (8,423.75)
Total:								\$ 18,960.00	\$ (116,661.25)
Net Change:								\$ (97,701.25)	
Current Contract Amount:								\$ 1,526,585.51	
Revised Contract Amount:								\$ 1,428,884.26	

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Balancing Change Order 1 to the Chalet Terrace Street Resurfacing Contract with Dunigan Brothers, Inc.**

Recommendation:

Approve Balancing Change Order 1 to CDBG funded Chalet Terrace Street Resurfacing, Phase 1 contract with Dunigan Brothers, Inc. in the decreased amount of \$6,120.36 to balance contract quantities for original items to match quantities placed in the field, add extra items that were necessary to complete work in the field and authorize the City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Balancing Change Order 1 for the Chalet Terrace Street Resurfacing contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approve Balancing Change Order 1 to CDBG funded Chalet Terrace Street Resurfacing, Phase 1 contract with Dunigan Brothers, Inc. in the decreased amount of \$6,120.36 to balance contract quantities for original items to match quantities placed in the field, add extra items that were necessary to complete work in the field and authorize the City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Balancing Change Order 1 is to balance contract quantities to match quantities placed in the field and to add extra items that were necessary to complete work in the field.

BUDGETARY CONSIDERATIONS

This change order represents a decrease of \$6,120.36, bringing the current contract amount to \$666,930.34.

HISTORY, BACKGROUND and DISCUSSION

On September 8, 2020, City Council approved the award of a contract in the amount of \$673,050.70 to Dunigan Brothers, Inc. of Jackson, Michigan for the resurfacing of Heather Lane and Laurel Lane from High Street to Barberry Drive in the Chalet Terrace community.

DISCUSSION OF THE ISSUE

Work for this contract is now substantially complete. As such, the attached Balancing Change Order has been prepared to align various contract quantities with quantities placed in the field and to add items that were necessary to complete the work in the field. As demonstrated on the attached table, the final field quantities for some items are less than contract quantities while others are more. The quantities included in the original contract were estimates.

POSITIONS

I request approval of Balancing Change Order 1 and authorization for the City Manager and the City Engineer to sign the document.

ATTACHMENTS

**BALANCING CHANGE ORDER NO. 1
To Contract for
ENG20-11 Chalet Terrace Street Resurfacing, Ph 1
City of Jackson, Michigan**

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 673,050.70
CHANGE ORDER NO. 1	\$ <u>(6,120.36)</u>
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1	\$ 666,930.34

REASON FOR CHANGE:

To balance contract quantities for original items to match quantities placed in the field and to add extra items that were necessary to complete work in the field.

CONTRACT COMPLETION:

The contract completion date remains unchanged.

Prepared by Troy R. White, P.E.
Assistant City Engineer

ACCEPTED BY:

Dunigan Brothers, Inc.

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Jonathan Greene, City Manager

Date:

ENG20-11 CHALET TERRACE STREET RESURFACING, PHASE I

BALANCING CHANGE ORDER NUMBER 1

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0001	1500001	Mobilization, Max. ____ \$37,050.00	1.00	0.00	1.00	LS	\$ 30,280.00	\$ -	\$ -
0002	2040020	Curb and Gutter, Rem	240.00	35.00	275.00	Ft	\$5.10	\$ 178.50	\$ -
0003	2040055	Sidewalk, Rem	197.00	-73.00	124.00	Syd	\$4.20	\$ -	\$ (306.60)
0004	2047001	_ Pavt Sawcut	302.00	-61.00	241.00	Ft	\$2.20	\$ -	\$ (134.20)
0005	2050041	Subgrade Undercutting, Type II	711.00	-679.80	31.20	Cyd	\$22.70	\$ -	\$ (15,431.46)
0006	2057002	_ Roadway Grading, Special	16.80	0.52	17.32	Sta	\$2,270.00	\$ 1,180.40	\$ -
0007	2080016	Erosion Control, Gravel Access Approach	4.00	-4.00	0.00	Ea	\$44.70	\$ -	\$ (178.80)
0008	2087050	_ Erosion Control, Inlet Protection, Grate Filter	22.00	-6.00	16.00	Ea	\$79.50	\$ -	\$ (477.00)
0009	2087050	_ Erosion Control, Inlet Protection, Sediment Trap	4.00	-4.00	0.00	Ea	\$79.50	\$ -	\$ (318.00)
0010	2090001	Project Cleanup	1.00	0.00	1.00	LS	\$1,860.00	\$ -	\$ -
0011	3020020	Aggregate Base, 8 inch , 21AA	6,524.00	345.00	6,869.00	Syd	\$13.30	\$ 4,588.50	\$ -
0012	4030005	Dr Structure Cover, Adj, Case 1	13.00	6.00	19.00	Ea	\$380.80	\$ 2,284.80	\$ -
0013	4030280	Dr Structure, Adj, Add Depth	3.00	-3.00	0.00	Ft	\$53.90	\$ -	\$ (161.70)
0014	4037050	_ Dr Structure, Temp Lowering, Modified	13.00	4.00	17.00	Ea	\$215.70	\$ 862.80	\$ -
0015	4037050	_ Mh Cover, Std	13.00	1.00	14.00	Ea	\$337.20	\$ 337.20	\$ -
0016	4040061	Underdrain, Subbase, 4 inch	60.00	-60.00	0.00	Ft	\$7.70	\$ -	\$ (462.00)
0017	5010025	Hand Patching	10.00	-10.00	0.00	Ton	\$188.70	\$ -	\$ (1,887.00)
0018	5017011	_ HMA Surface, Rem, Modified	6,524.00	345.00	6,869.00	Syd	\$3.20	\$ 1,104.00	\$ -
0019	6020104	Conc Pavt, Nonreinf, 8 inch	6,524.00	345.00	6,869.00	Syd	\$48.50	\$ 16,732.50	\$ -
0020	6020200	Joint, Contraction, Cp	4,546.00	514.50	5,060.50	Ft	\$17.30	\$ 8,900.85	\$ -
0021	6020207	Joint, Expansion, E2	216.00	-216.00	0.00	Ft	\$21.60	\$ -	\$ (4,665.60)
0022	6030030	Lane Tie, Epoxy Anchored	838.00	-27.00	811.00	Ea	\$8.60	\$ -	\$ (232.20)
0023	7060020	Conc, Low Temperature Protection , Modified	1,671.00	-808.50	862.50	Cyd	\$11.90	\$ -	\$ (9,621.15)
0024	8020004	Curb, Conc, Det E4	70.00	-70.00	0.00	Ft	\$27.00	\$ -	\$ (1,890.00)
0025	8020038	Curb and Gutter, Conc, Det F4	240.00	-37.00	203.00	Ft	\$21.60	\$ -	\$ (799.20)
0026	8030010	Detectable Warning Surface	70.00	-22.00	48.00	Ft	\$34.50	\$ -	\$ (759.00)
0027	8037001	_ Curb Ramp Opening, Conc	70.00	2.00	72.00	Ft	\$21.60	\$ 43.20	\$ -
0028	8037001	_ Curb Ramp Opening, Conc	70.00	-70.00	0.00	Ft	\$21.60	\$ -	\$ (1,512.00)
0029	8030036	Sidewalk Ramp, Conc, 6 inch	840.00	-462.00	378.00	Sft	\$6.50	\$ -	\$ (3,003.00)
0030	8030046	Sidewalk, Conc, 6 inch	933.00	-231.00	702.00	Sft	\$3.80	\$ -	\$ (877.80)
0031	8120012	Barr,TypeIII,HighInten,DbISided,Ltd,Furn	12.00	0.00	12.00	Ea	\$91.70	\$ -	\$ -
0032	8120013	Barr,TypeIII,HighInten,DbISided,Ltd,Oper	12.00	0.00	12.00	Ea	\$5.40	\$ -	\$ -
0033	8127050	_ Pedestrian Type II Barricade, Temp	8.00	0.00	8.00	Ea	\$113.20	\$ -	\$ -
0034	8120030	Channelizing Device, 42 inch, Furn	60.00	0.00	60.00	Ea	\$14.60	\$ -	\$ -
0035	8120031	Channelizing Device, 42 inch, Oper	60.00	0.00	60.00	Ea	\$0.50	\$ -	\$ -
0036	8120140	Lighted Arrow, Type C, Furn	2.00	-2.00	0.00	Ea	\$323.50	\$ -	\$ (647.00)
0037	8120141	Lighted Arrow, Type C, Oper	2.00	-2.00	0.00	Ea	\$27.00	\$ -	\$ (54.00)
0038	8120170	Minor Traf Devices	1.00	0.00	1.00	LS	\$1,850.00	\$ -	\$ -
0039	8120260	Plastic Drum,High Intensity,Lighted,Furn	50.00	-50.00	0.00	Ea	\$17.30	\$ -	\$ (865.00)
0040	8120261	Plastic Drum,High Intensity,Lighted,Oper	50.00	-50.00	0.00	Ea	\$0.50	\$ -	\$ (25.00)
0041	8120350	Sign, Type B, Temp, Prismatic, Furn	260.00	-146.00	114.00	Sft	\$3.30	\$ -	\$ (481.80)
0042	8120351	Sign, Type B, Temp, Prismatic, Oper	260.00	-146.00	114.00	Sft	\$0.20	\$ -	\$ (29.20)
0043	8120370	Traf Regulator Control	1.00	0.00	1.00	LS	\$1,780.00	\$ -	\$ -
0044	8160027	Mulch Blanket	100.00	84.00	184.00	Syd	\$0.60	\$ 50.40	\$ -
0045	8167011	_ Topsoil Surface, 4 inch	100.00	84.00	184.00	Syd	\$7.80	\$ 655.20	\$ -

ENG20-11 CHALET TERRACE STREET RESURFACING, PHASE I
BALANCING CHANGE ORDER NUMBER 1

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0046	8167030	_ Fertilizer, Chemical Nutrient, Cl A, Modified	35.00	-26.00	9.00	Lb	\$1.00	\$ -	\$ (26.00)
0047	8167030	_ Seeding, Mixture THM, Modified	35.00	-18.00	17.00	Lb	\$3.90	\$ -	\$ (70.20)
0048	8230391	Gate Box, Adj, Temp, Case 1	2.00	-2.00	0.00	Ea	\$216.80	\$ -	\$ (433.60)
0049	8230431	Gate Box, Adj, Case 1	2.00	-2.00	0.00	Ea	\$245.10	\$ -	\$ (490.20)
0054	4030025	Dr Structure Cover, Type D	0.00	2.00	2.00	Ea	\$700.00	\$ 1,400.00	\$ -
0059	4030025	Dr Structure Cover, Type D	0.00	2.00	2.00	Ea	\$700.00	\$ 1,400.00	\$ -

Total: \$ 39,718.35 \$ (45,838.71)
Net Change: \$ (6,120.36)
Current Contract Amount: \$ 673,050.70
Revised Contract Amount: \$ 666,930.34

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Balancing Change Order 1 to the CDBG Street Lighting Contract with Cochran Electric Company**

Recommendation:

Approve Balancing Change Order 1 to the contract with Cochran Electric Co. for the CDBG Street Lighting project on Adrian and Morrell Streets in the decreased amount of \$33,362.35 to balance contract quantities for original items to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Balancing Change Order 1 for the CDBG Street Lighting contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approve Balancing Change Order 1 to the contract with Cochran Electric Co. for the CDBG Street Lighting project on Adrian and Morrell Streets in the decreased amount of \$33,362.35 to balance contract quantities for original items to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Balancing Change Order 1 is to balance contract quantities to match quantities placed in the field and to add extra items that were necessary to complete work in the field.

BUDGETARY CONSIDERATIONS

This change order represents a decrease of \$33,362.35, bringing the current contract amount to \$182,294.71.

HISTORY, BACKGROUND and DISCUSSION

On July 14, 2020, City Council approved the award of a contract in the amount of \$215,657.06 to Cochran Electric Company of Jackson, Michigan for the installation of street lights on Adrian Street from the Martin Luther King Equality Trail crossing to Morrell Street and on Morrell Street from Cooper Street to Martin Luther King Jr Drive.

DISCUSSION OF THE ISSUE

Work for this contract is now substantially complete. As such, the attached Balancing Change Order has been prepared to align various contract quantities with quantities placed in the field. As demonstrated on the attached table, the final field quantities for some items are less than contract quantities while others are more. The quantities included in the original contract were estimates.

POSITIONS

I request approval of Balancing Change Order 1 and authorization for the City Manager and the City Engineer to sign the document.

ATTACHMENTS

BALANCING CHANGE ORDER NO. 1
To Contract for
ENG20-01 CDBG Street Lighting on Adrian and Morrell Streets
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 215,657.06
CHANGE ORDER NO. 1	\$ <u>(33,362.35)</u>
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1	\$ 182,294.71

REASON FOR CHANGE:

To balance contract quantities for original items to match quantities placed in the field.

CONTRACT COMPLETION:

The contract completion date remains unchanged.

Prepared by Troy R. White, P.E.
Assistant City Engineer

ACCEPTED BY:

Cochran Electric Co.

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Jonathan Greene, City Manager

Date:

ENG20-01 CDBG STREET LIGHTING ON ADRIAN AND MORRELL

BALANCING CHANGE ORDER NUMBER 1

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0001	1500001	Mobilization, Max. ____	1.00	0.00	1.00	LS	\$ 8,306.00	\$ -	\$ -
0002	2040020	Curb and Gutter, Rem	20.00	-20.00	0.00	Ft	\$22.40	\$ -	\$ (448.00)
0003	2040055	Sidewalk, Rem	14.00	-9.50	4.50	Syd	\$22.40	\$ -	\$ (212.80)
0004	2040080	Exploratory Investigation, Vertical	6.00	-6.00	0.00	Ft	\$6.72	\$ -	\$ (40.32)
0005	2047001	_ Pavt Sawcut	20.00	-20.00	0.00	Ft	\$5.88	\$ -	\$ (117.60)
0006	2047011	_ Driveway, Rem	46.00	-46.00	0.00	Syd	\$28.00	\$ -	\$ (1,288.00)
0007	2047011	_ Pavt, Rem, Modified	36.00	-36.00	0.00	Syd	\$19.60	\$ -	\$ (705.60)
0008	2087050	_ Erosion Control, Inlet Protection, Grate Filter	8.00	-8.00	0.00	Ea	\$308.00	\$ -	\$ (2,464.00)
0009	2090001	Project Cleanup	1.00	0.00	1.00	LS	\$5,000.00	\$ -	\$ -
0010	3027011	_ Aggregate Base, 12 inch, 21AA, Modified	36.00	-36.00	0.00	Syd	\$28.00	\$ -	\$ (1,008.00)
0011	3060020	Maintenance Gravel	4.00	-4.00	0.00	Ton	\$28.00	\$ -	\$ (112.00)
0012	5010025	Hand Patching	4.00	-4.00	0.00	Ton	\$392.00	\$ -	\$ (1,568.00)
0013	8010005	Driveway, Nonreinf Conc, 6 inch	46.00	-46.00	0.00	Syd	\$34.23	\$ -	\$ (1,574.58)
0014	8027001	_ Curb and Gutter, Conc, Det F4, Modified	20.00	-20.00	0.00	Ft	\$21.73	\$ -	\$ (434.60)
0015	8030010	Detectable Warning Surface	10.00	-10.00	0.00	Ft	\$33.00	\$ -	\$ (330.00)
0016	8037001	_ Curb Ramp Opening, Conc	10.00	-10.00	0.00	Ft	\$20.21	\$ -	\$ (202.10)
0017	8030036	Sidewalk Ramp, Conc, 6 inch	50.00	-50.00	0.00	Sft	\$5.57	\$ -	\$ (278.50)
0018	8030044	Sidewalk, Conc, 4 inch	76.00	-32.50	43.50	Sft	\$3.55	\$ -	\$ (115.38)
0019	8120030	Channelizing Device, 42 inch, Furn	100.00	-88.00	12.00	Ea	\$15.50	\$ -	\$ (1,364.00)
0020	8120031	Channelizing Device, 42 inch, Oper	100.00	-88.00	12.00	Ea	\$1.10	\$ -	\$ (96.80)
0021	8120140	Lighted Arrow, Type C, Furn	1.00	-1.00	0.00	Ea	\$336.00	\$ -	\$ (336.00)
0022	8120141	Lighted Arrow, Type C, Oper	1.00	-1.00	0.00	Ea	\$112.00	\$ -	\$ (112.00)
0023	8120170	Minor Traf Devices	1.00	0.00	1.00	LS	\$1,720.00	\$ -	\$ -
0024	8120350	Sign, Type B, Temp, Prismatic, Furn	54.00	-54.00	0.00	Sft	\$4.48	\$ -	\$ (241.92)
0025	8120351	Sign, Type B, Temp, Prismatic, Oper	54.00	-54.00	0.00	Sft	\$1.10	\$ -	\$ (59.40)
0026	8120370	Traf Regulator Control	1.00	0.00	1.00	LS	\$1,500.00	\$ -	\$ -
0027	8167011	_ Hydromulch	24.00	170.00	194.00	Syd	\$1.40	\$ 238.00	\$ -
0028	8167011	_ Topsoil Surface, 4 inch	24.00	170.00	194.00	Syd	\$5.88	\$ 999.60	\$ -
0029	8167030	_ Fertilizer, Chemical Nutrient, Cl A, Modified	2.00	8.00	10.00	Lb	\$4.20	\$ 33.60	\$ -
0030	8167030	_ Seeding, Mixture THM, Modified	2.00	16.00	18.00	Lb	\$6.16	\$ 98.56	\$ -
0031	8197001	_ Conductor, THWN, in Conduit, 600V, 1C, #6, AWG	19,275.00	-7,475.00	11,800.00	Ft	\$1.94	\$ -	\$ (14,501.50)
0032	8197001	_ Conduit, 3 inch, Sch 80/PVC (Empty)	3,225.00	-304.00	2,921.00	Ft	\$19.79	\$ -	\$ (6,016.16)
0033	8197001	_ Equipment Grounding Conductor, in Conduit, 1C, #	3,495.00	-545.00	2,950.00	Ft	\$1.33	\$ -	\$ (724.85)
0034	8197050	_ Concrete Base for Light Pole, 102 inch	21.00	-1.00	20.00	Ea	\$1,558.00	\$ -	\$ (1,558.00)
0035	8197050	_ Control Cabinet, Fdn	2.00	0.00	2.00	Ea	\$1,500.00	\$ -	\$ -
0036	8197050	_ Control Cabinet, Furnish	2.00	0.00	2.00	Ea	\$7,480.00	\$ -	\$ -
0037	8197050	_ Control Cabinet, Install	2.00	0.00	2.00	Ea	\$1,423.00	\$ -	\$ -
0038	8197050	_ Hand Hole, Polymer Conc, 11 inch x 18 inch (Open	24.00	3.00	27.00	Ea	\$583.00	\$ 1,749.00	\$ -
0039	8197050	_ Light, Street, Install	21.00	-1.00	20.00	Ea	\$571.00	\$ -	\$ (571.00)

Total: \$ 3,118.76 \$ (36,481.11)

Net Change: \$ (33,362.35)

Current Contract Amount: \$ 215,657.06

Revised Contract Amount: \$ 182,294.71

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Balancing Change Order 1 to the 2019 West Side Overlay HMA Paving Contract with Michigan Paving and Materials Company**

Recommendation:

Approve Balancing Change Order 1 to the contract with Michigan Paving and Materials Company for the 2019 West Side Overlay HMA Paving contract in the decreased amount of \$41,041.50 to balance contract quantities for original items to match quantities placed in the field, and authorize the City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Balancing Change Order 1 for the 2019 West Side Overlay HMA contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approve Balancing Change Order 1 to the contract with Michigan Paving and Materials Company for the 2019 West Side Overlay HMA Paving contract in the decreased amount of \$41,041.50 to balance contract quantities for original items to match quantities placed in the field, and authorize the City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Balancing Change Order 1 is to balance contract quantities to match quantities placed in the field.

BUDGETARY CONSIDERATIONS

This change order represents a decrease of \$41,041.50, bringing the current contract amount to \$477,808.50.

HISTORY, BACKGROUND and DISCUSSION

On April 9, 2019, City Council approved the award of a contract in the amount of \$518,850.00 to Michigan Paving and Materials Company of Jackson, Michigan for the hot mix asphalt paving portion of the project to overlay existing pavements on Higby, Durand and Thompson Streets.

DISCUSSION OF THE ISSUE

Work for this contract is now substantially complete. As such, the attached Balancing Change Order has been prepared to align various contract quantities with quantities placed in the field. As demonstrated on the attached table, the final field quantities for some items are less than contract quantities. The quantities included in the original contract were estimates.

POSITIONS

I request approval of Balancing Change Order 1 and authorization for the City Manager and the City Engineer to sign the document.

ATTACHMENTS

BALANCING CHANGE ORDER NO. 1
To Contract for
ENG19-08 West Side Overlay HMA Paving
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 518,850.00
CHANGE ORDER NO. 1	\$ (41,041.50)
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1	\$ 477,808.50

REASON FOR CHANGE:

To balance contract quantities for original items to match quantities placed in the field.

CONTRACT COMPLETION:

The contract completion date is extended to October 11, 2020.

Prepared by Troy R. White, P.E.
Assistant City Engineer

ACCEPTED BY:

Michigan Paving and Materials Company

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Jonathan Greene, City Manager

Date:

**ENG19-08 WEST SIDE OVERLAY PAVING
BALANCING CHANGE ORDER NUMBER 1**

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0001	5010025	Hand Patching	300.00	-279.28	20.72	Ton	\$100.00	\$ -	\$ (27,927.60)
0002	5010034	HMA, 36A	5,015.00	-145.71	4,869.29	Ton	\$90.00	\$ -	\$ (13,113.90)
0003	8127050	Traffic Regulator Control, Modified	4.00	0.00	4.00	Ea	\$6,000.00	\$ -	\$ -
0004	8507050	Mobilization, Max \$13,500.00	4.00	0.00	4.00	Ea	\$3,375.00	\$ -	\$ -

Total: \$ - \$ (41,041.50)

Net Change: \$ (41,041.50)

Current Contract Amount: \$ 518,850.00

Revised Contract Amount: \$ 477,808.50

MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Balancing Change Order 1 to the CDBG Exchange Park and Loomis Park Lighting Contract with Hirst Electric Company**

Recommendation:

Approve Balancing Change Order 1 to the contract with Hirst Electric Co. for the CDBG Exchange Park and Loomis Park Lighting contract in the decreased amount of \$400.00 to balance contract quantities for original items to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Balancing Change Order 1 for the CDBG Exchange Park and Loomis Park Lighting contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approve Balancing Change Order 1 to the contract with Hirst Electric Co. for the CDBG Exchange Park and Loomis Park Lighting contract in the decreased amount of \$400.00 to balance contract quantities for original items to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Balancing Change Order 1 is to balance contract quantities to match quantities placed in the field.

BUDGETARY CONSIDERATIONS

This change order represents a decrease of \$400.00, bringing the current contract amount to \$75,998.68.

HISTORY, BACKGROUND and DISCUSSION

On April 23, 2019, City Council approved the award of a contract in the amount of \$76,398.68 to Hirst Electric Company of Jackson, Michigan for the installation of lights within Exchange Park and Loomis Park.

DISCUSSION OF THE ISSUE

Work for this contract is now substantially complete. As such, the attached Balancing Change Order has been prepared to align various contract quantities with quantities placed in the field. As demonstrated on the attached table, the final field quantities for some items are less than contract quantities while others are more. The quantities included in the original contract were estimates.

POSITIONS

I request approval of Balancing Change Order 1 and authorization for the City Manager and the City Engineer to sign the document.

ATTACHMENTS

BALANCING CHANGE ORDER NO. 1
To Contract for
ENG19-05 CDBG Exchange Park and Loomis Park Lighting
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 76,398.68
CHANGE ORDER NO. 1	\$ <u>(400.00)</u>
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 1	\$ 75,998.68

REASON FOR CHANGE:

To balance contract quantities for original items to match quantities placed in the field.

CONTRACT COMPLETION:

The contract completion date remains unchanged.

Prepared by Troy R. White, P.E.
Assistant City Engineer

ACCEPTED BY:

Hirst Electric Co.

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Jonathan Greene, City Manager

Date:

**ENG19-05 CDGB EXCHANGE PARK AND LOOMIS PARK LIGHTING
BALANCING CHANGE ORDER NUMBER 1**

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0001	1500001	Mobilization, Max \$20,000.00	1.00	0.00	1.00	LS	\$ 5,000.00	\$ -	\$ -
0002	8190360	Luminaire, Rem	2.00	-2.00	0.00	Ea	\$200.00	\$ -	\$ (400.00)
0003	8190489	Wood Pole, Fit Up, Metered Sec Elec Serv	1.00	0.00	1.00	Ea	\$750.00	\$ -	\$ -
0004	8190495	Wood Pole, Fit Up, Sec Cable Pole	1.00	0.00	1.00	Ea	\$750.00	\$ -	\$ -
0005	8197001	_ Conductor, THWN, in Conduit, 600 V, 1C, #8 AWG	6,350.00	0.00	6,350.00	Ft	\$0.96	\$ -	\$ -
0006	8197001	_ Conduit, 3 inch, Sch 80/PVC (Empty)	1,122.00	0.00	1,122.00	Ft	\$16.74	\$ -	\$ -
0007	8197001	_ Equipment Grounding Conductor, in Conduit, 1C, #	1,265.00	0.00	1,265.00	Ft	\$0.96	\$ -	\$ -
0008	8197050	_ Hand Hole, Polymer Conc, 11 inch x 18 inch (Open	13.00	0.00	13.00	Ea	\$450.00	\$ -	\$ -
0009	8197050	_ Lighting Control Cabinet, Pole Mounted	2.00	0.00	2.00	Ea	\$11,200.00	\$ -	\$ -
0010	8197050	_ Street Light Concrete Base	9.00	0.00	9.00	Ea	\$1,184.00	\$ -	\$ -
0011	8197050	_ Street Light, Install	9.00	0.00	9.00	Ea	\$500.00	\$ -	\$ -

Total: \$ - \$ (400.00)

Net Change: \$ (400.00)

Current Contract Amount: \$ 76,398.68

Revised Contract Amount: \$ 75,998.68

MEMO TO: Jonathan Greene, City Manager

FROM: Michael Osborn, Public Works Director

DATE: June 14, 2021

SUBJECT: Award the Installation of Motor Control Centers at the Water Plant to Cochran Electric

Recommendation:

Award the installation of Motor Control Centers (MCC's) at the Water plant to Cochran Electric for \$83,118.00. Considering the potentially critical failures, and down time that exists in this project, Cochran Electric has been involved in this project from the beginning, working with Tetra Tech, and Schneider Electric, the manufacturer, and do possess the exclusive capabilities related to this project.

Your consideration and concurrence is appreciated.
Michael G. Osborn

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Michael Osborn, Director of Public Works
DATE: January 14, 2021

RECOMMENDATION:

SUMMARY

Hire Cochran Electric for the installation of two Motor Control Centers (MCC's) at the Water Plant for \$83,118.00

BUDGETARY CONSIDERATIONS

The funds for the MCC panels' installation will be accommodated in the 2020/2021 budget. Line item 591-565

HISTORY, BACKGROUND and DISCUSSION

This is a sole source vendor situation. The WTP has purchased two new MCC's (Motor Control Centers) to replace ones that are original to the WTP and in dire need of replacement. At the July 14th, 2020 council meeting, the bid to construct the MCC's was awarded to Standard Electric for the lump sum bid of \$201,297.00. The MCC's are still in the construction phase and delivery is tentatively scheduled for Jan. 11th, 2021.

As outlined in Section 6.3(B) of the Purchasing Manual (A vendor possesses exclusive and/or predominant capabilities), Cochran Electric has been involved with this project from the beginning and does possess exclusive capabilities as it relates to this project due to the fact that they are very familiar with our system and have been a part of the design team. To bring another contractor in for this project and get them up-to-speed on our facility's electrical distribution system, has the very real potential to introduce additional downtime and potential failures. This downtime is required because the old MCC's need to be fully deenergized and temporary power installed to critical equipment before the new MCC's can be installed, someone who is very familiar with our system is needed to perform this task

POSITIONS

I recommend we hire Cochran Electric to install the MCC panels at the Water plant for the quoted price of \$83,118.00





MEMO TO: Mayor and City Councilmembers
FROM: Jonathan Greene, City Manager
DATE: January 26, 2021
SUBJECT: **Balancing Change Order 4 to the 2019 Local Street Repaving Contract with Michigan Paving and Materials Company**

Recommendation:

Approve Balancing Change Order 4 to the contract with Michigan Paving and Materials Company for the 2019 Local Street Repaving contract in the decreased amount of \$62,941.55 to balance contract quantities to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

Attached is a report and documentation from Jon Dowling, City Engineer, regarding approval of Balancing Change Order 4 for the 2019 Local Street Repaving contract.

I recommend approval of the change order. Your consideration and concurrence is appreciated.

JG

Attachments

DEPARTMENTAL REPORT

MEMO TO: Jonathan Greene, City Manager
FROM: Jon H. Dowling, P.E., City Engineer
DATE: January 26, 2021

RECOMMENDATION: Approve Balancing Change Order 4 to the contract with Michigan Paving and Materials Company for the 2019 Local Street Repaving contract in the decreased amount of \$62,941.55 to balance contract quantities to match quantities placed in the field and authorize the City Manager and City Engineer to execute the appropriate document.

SUMMARY

The attached Balancing Change Order 4 will balance contract quantities to match quantities placed in the field.

BUDGETARY CONSIDERATIONS

This balancing change order represents a decrease of \$62,941.55, bringing the current contract amount to \$508,401.51.

HISTORY, BACKGROUND and DISCUSSION

On April 23, 2019, City Council approved the award of a contract to Michigan Paving and Materials Company of Jackson, Michigan in the amount of \$184,025.69. The original contract was for the repaving of Madison Street between West Avenue and Clinton Road, and Park and Elizabeth Streets between Michigan Avenue and Van Dorn Street. Subsequent Change Orders have been approved by City Council as follows:

C.O.	Approval Date	Amount	Description
1	06-25-19	\$ (38,431.75)	To balance contract quantities to match quantities completed in the field on Madison Avenue and Park and Elizabeth Streets.
2	09-17-19	\$ 212,778.60	To add items for 1) single-course mill and repave asphalt on Pearl Street between Jackson Street and Mechanic Street, and 2) miscellaneous hot mix asphalt pavement repairs at various major street locations in City.
3	08-11-20	\$ 212,970.52	To add items for preventative maintenance on major streets by patching with milling and HMA paving on First Street, Fourth Street, Mechanic Street, North Street, West Avenue, Wildwood Avenue and Wisner Street.

DISCUSSION OF THE ISSUE

All work contained in this contract is now complete. As such, the attached Balancing Change Order 4 has been prepared to balance the quantities for the last unbalanced contract items to match quantities placed in the field. The change in contract costs represents a decrease of \$62,941.55.

POSITIONS

I request approval of Balancing Change Order 4 and authorization for the City Manager and the City Engineer to sign the document.

ATTACHMENTS

CHANGE ORDER NO. 4
To Contract for
ENG19-01 Local Street Repaving on Madison & Elizabeth
City of Jackson, Michigan

Notice is hereby given that the following additional information and changes shall become a part of the Contract Documents, Plans and Specifications of the above-named contract.

ORIGINAL CONTRACT AMOUNT	\$ 184,025.69
APPROVED CHANGE ORDER NO. 1	\$ (38,431.75)
APPROVED CHANGE ORDER NO. 2	\$ 212,778.60
APPROVED CHANGE ORDER NO. 3	<u>\$ 212,970.52</u>
CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 3	\$ 571, 343.06
CHANGE ORDER NO. 4	<u>\$ (62,941.55)</u>
NEW CONTRACT AMOUNT AS SET BY CHANGE ORDER NO. 3	\$ 508,401.51

REASON FOR CHANGE:

To balance contract quantities to match quantities placed in the field.

CONTRACT COMPLETION:

The contract completion date is extended to December 11, 2020.

Prepared by Troy R. White, P.E.
Assistant City Engineer

ACCEPTED BY:

Michigan Paving and Materials Company

Date:

ACCEPTED BY:

Jon H. Dowling, P.E., City Engineer

Date:

ACCEPTED BY:

Jonathan Greene, City Manager

Date:

ENG19-01 LOCAL STREET REPAVING
CHANGE ORDER NUMBER 4

ADDITIONS AND SUBTRACTIONS: Quantities for Contract pay items shall be increased or decreased as follows:

Prop Line	Item Code	Item Description	Current Contract Quantity	Quantity Change	Final Quantity	Units	Unit Price	Amount	
								ADD	DEDUCT
0105	8110045	Pavt Mrkg,Ovly Cold Plastic,24",Stop Bar	0.00	27.00	27.00	Ft	\$12.50	\$ 337.50	\$ -
0106	8117001	_ Pavt Mrkg, Cold Plastic Overlay, Cross walk, 18 inc	0.00	72.00	72.00	Ft	\$7.25	\$ 522.00	\$ -
0108	_8020038	Curb and Gutter, Conc Det F4 Modified	0.00	18.00	18.00	FT	\$17.40	\$ 313.20	\$ -
0117	4030005	Dr Structure Cover, Adj, Case 1	21.00	-6.00	15.00	Ea	\$500.00	\$ -	\$ (3,000.00)
0118	4037050	_ Dr Structure, Temp Lowering, Modified	21.00	-6.00	15.00	Ea	\$300.00	\$ -	\$ (1,800.00)
0119	4037050	_ Mh Cover, Std	21.00	-21.00	0.00	Ea	\$700.00	\$ -	\$ (14,700.00)
0120	5010002	Cold Milling HMA Surface	9,370.00	-1,459.00	7,911.00	Syd	\$10.00	\$ -	\$ (14,590.00)
0121	5010033	HMA, 13A	1,095.00	-201.95	893.05	Ton	\$115.00	\$ -	\$ (23,224.25)
0122	8230391	Gate Box, Adj, Temp, Case 1	22.00	-8.00	14.00	Ea	\$350.00	\$ -	\$ (2,800.00)
0123	8230431	Gate Box, Adj, Case 1	22.00	-8.00	14.00	Ea	\$500.00	\$ -	\$ (4,000.00)

Total:	\$	1,172.70	\$	(64,114.25)
Net Change:	\$	(62,941.55)		
Current Contract Amount:	\$	571,343.06		
Revised Contract Amount:	\$	508,401.51		

MEMO TO: Honorable Mayor and City Councilmembers

FROM: City Councilmembers Schlecte & Robinson

SUBJECT: Approve Modifications to the Purchasing Manual

RECOMMENDATION: Approve Modifications to the Purchasing Manual

1. **Recommendation** to modify the Index and Sections 2.1C, 2.1K, 6.2, 7, 7.1, and 7.8 of the Purchasing Manual and return the dollar amount required for sealed bids and City Council Approval back to \$20,000 or greater from \$50,000 or greater.
2. **Recommendation** to modify Section 6.2F to be consistent with the rest of the Purchasing Manual and change the \$75,000 amount to \$20,000.
3. **Recommendation** to modify the second paragraph of Section 17.1 to read as follows:

When a proposed Change Order increases the dollar amount of a contract, the Change Order must be requested by the Department Head who obtained the original authorization for the contract. If the amount of the Change Order together with the original contract and all prior Change Orders is less than \$20,000, the requested Change Order may be approved by co-signatures of both the Department Head and the City Manager. If the total amount is \$20,000 or greater, the Change Order must be submitted to City Council and approved by majority vote of its members before it may become effective.

HISTORY:

On March 24, 2015 a policy change was made to the Purchasing Manual increasing the requirement for sealed bids from \$20,000 to \$50,000 or greater. At that time the dollar amount had not been increased since 1997.



City of Jackson Purchasing Manual

Resolution Adopted March 24, 2015

Modified August 11, 2015 – adding section 18.0

Modified April 10, 2018 – Section 7 revised

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1.0 PURPOSE

- 1.1 The Purpose of this manual is to establish the purchasing policies and procedures of the City of Jackson.

The policies and procedures contained herein shall apply to all transactions where the City is a contractual party, or is not a contractual party but is involved in the bid process, and/or funds under the control of the City are used to pay for goods, services or work.

At such time any changes in policies or procedures are made, or a new procedure is put into effect, the Purchasing Agent will publish such changes or additions and distribute copies to all who have manuals. Each department receiving these changes or additions will be responsible for inserting them in the manual in proper sequence. All changes or additions to the text of this manual are subject to the approval of the City Council.

2.0 TERMINOLOGY

- 2.1 Definitions: The following words, terms and phrases, when used in this manual shall have the means ascribed to them in this section, except where the context clearly indicates a different meaning.

- A. **Bid and Proposal:** Interchangeable words with the same meaning.
- B. **Construction:** The process of building, altering, repairing, improving or demolishing any City structure or building, or other City improvements of any kind to any City real property.
- C. **Formal Purchases:** Procedures for purchases not less than \$5,000 and not more than ~~\$50,000~~\$20,000 that will require written quotes be obtained through the Purchasing Agent.
- D. **Informal Purchases:** Procedures for purchases not less than \$1,000 and not more than \$5,000 that must be approved by the department head.
- E. **MBE:** Minority Business Enterprise
- F. **Obsolete Material:** Material owned by the City of Jackson that may still be *useable* but for one reason or another no longer serves its intended purpose and needs to be disposed of.
- G. **Purchase Order:** An order for consumable supplies.

- H. **Purchasing Agent:** The person designated by the City Manager who is responsible for the purchase and sale of all City property in accordance with the provisions of the City Charter and the direction of the City Manager.
- I. **Responsible Bidder or Offeror:** A person who has the capability in all respects to perform fully the contract requirements and who fits the criteria defined in Section 3.2 (0) of this policy.
- J. **Responsive Bidder:** A person who has submitted a bid which conforms in all, material respects to the requirements set forth in the invitation for bids.
- K. **Sealed Bids:** Procedures for purchases greater than ~~\$50,000~~\$20,000 that will require advertising for and obtaining sealed bids through the Purchasing Agent and final approval by the City Council.
- L. **Sole (or single) Source:** A commodity or service that can only be purchased from one supplier, usually because of its technological, specialized or unique character. **WBE:** Women Business Enterprise

3.0 PURCHASING AGENT/RESPONSIBILITIES
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- 3.1 The Purchasing Agent shall be responsible for the purchase and sale of all City property in accordance with the provisions of the City Charter and the direction of the City Manager.
- 3.2 Responsibilities of the Purchasing Agent:
 - A. To compile contract documents and prepare same for execution.
 - B. To purchase material and secure services for the City of Jackson, or assist other departments in doing so, in such a manner that the maximum value is obtained for every dollar spent.
 - C. To buy without prejudice; conduct all transactions on a strictly ethical basis, avoid all forms of commercial bribery and legal entanglements.
 - D. To handle complaints, claims and adjustments related to the purchase of goods or services handled by the City.
 - E. To explore markets for new sources; products and methods which will result of cost savings to the City.
 - F. To assist in the improvement and standardization of materials and supplies.

- G. To conduct correspondence with suppliers relating to quotations, purchase orders, invoices and adjustments.
- H. To dispose of all saleable scrap and obsolete material to the best advantage of the City of Jackson.
- I. To inform the proper departments of lead time on principle items, price trends, availability and other matters of interest to them.
- J. To annually compile and update an accurate and comprehensive listing of persons, firms or corporations wishing to do business with the City and including those who qualify as an MBE or WBE. *

Economic relations between the City of Jackson and MBE's and WBE's shall be deemed adequate if there exists a purchasing contract award ratio for each of such group of at least 9.6%.

- K. To qualify by affidavit, investigation, and any other method he or she deems necessary, any business for inclusion on either of the vendor lists.
- L. To monitor existing qualified MBE's and WBE's to assure compliance with qualification guidelines.
- M. To annually report to the City Manager the results of his or her efforts in achieving the goal of enhanced MBE/WBE participation in economic relations with the City.
- N. To review and recommend to the City Manager changes in the Purchasing Manual.
- O. To determine the lowest responsible bidder. Contracts, except as otherwise provided in this policy, shall be awarded to the lowest responsible bidder. In determining the lowest responsible bidder the Purchasing Agent shall consider in addition to price:
 - 1. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
 - 2. Whether the bidder can perform the contract or provide the service promptly or within the time specified, without delay or interference;
 - 3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;

* *The terms MBE (Minority Business Enterprise) and WBE (Women's Business Enterprise), when used in this section, shall have the same meaning as when used by the Michigan Department of Civil Rights.

4. The quality of performance of previous contracts or services;
5. The previous and existing compliance by the bidder with laws and ordinances relating to any contract or service;
6. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
7. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
8. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract; and
9. The number and scope of conditions attached to the bid.

4.0 BLANKET PURCHASE ORDER

- 4.1 The use of blanket purchase orders are permitted where a direct advantage to the City of Jackson will result. Such blanket purchase orders shall cover no more than one year.
- 4.2 The standard form to be used as follows:

BLANKET PURCHASE to cover purchases from July 1, 20-- to June 30, —20 . This is not an offer purchase. This document is submitted for the sole purpose of establishing an account with your firm for billing purposes in connection with possible future orders.

5.0 PURCHASES OF \$1,000 OR LESS

- 5.1 Purchases of supplies, materials, services, minor miscellaneous items which are estimated to be \$1,000 or less, shall be made in the open market but shall, if practical, be based upon at least three competitive quotes and awarded to the lowest responsive and responsible bidder.

6.0 PURCHASE OR CONTRACTS

GREATER THAN \$1,000 AND LESS THAN \$5,000

- 6.1 Informal Quotations:

Purchases of supplies, materials, services or equipment, the costs of which are estimated to be greater than \$1,000 but less than \$5,000, shall be handled using the following procedure:

- A. The Department Head submits a purchase request form and plans and specifications to the Purchasing Agent.
- B. Vendor quotes are requested by the Purchasing Agent through whatever methods appear to the Purchasing Agent to be in the best interest of the City. Quotations may be requested from Vendors on the list created, that provide the goods and/or services. Requesting Departments may solicit quotes if desired. Provided, however, the Purchasing Agent may verify quotes whenever they deem it necessary. **If requesting department solicits quotes they must submit a bid summary sheet together with a Request for Purchase.**
- C. Once the quotes have been returned and analyzed, the contract will be awarded to the lowest responsive and responsible bidder.
- D. Once the lowest responsive and responsible bidder is determined, a notice is sent to the accepted bidder stating the award of the contract. If the contract is a service contract, insurance requirements may also be mailed.
- E. It shall be the goal of the City of Jackson to award to both MBE's and WBE's at least 9.6% of the City's total purchases of goods and services where the estimated cost of each purchase is less than \$5,000.

GREATER THAN \$5,000 AND LESS THAN ~~\$50,000~~\$20,000

6.2 Formal Quotations:

Purchase of supplies, materials, services or equipment, the costs of which are estimated to be greater than \$5,000 but less than ~~\$50,000~~\$20,000, shall be handled using the following procedure.

- A. All purchases may be made in the open market, without advertisement and without following the procedures described in Section 7.0.
- B. The Department Head submits plans and specifications, to the Purchasing Agent. Department Heads shall prepare specifications for materials, supplies and equipment and submit them to the Purchasing Agent.
- C. Vendor quotes shall be obtained by whatever means applicable; telephone, facsimile, written, or other methods deemed to be in the best interest of the

City by the Purchasing Agent. Vendors on the list created, that provide the goods and/or services may be sent a request for quotation.

- D. Once the quotes have been returned and analyzed, the contract will be awarded to the lowest responsive and responsible bidder.
- E. Once the lowest responsive and responsible bidder is determined, a notice is sent to the accepted bidder stating the award of the contract. If the contract is a service contract, insurance requirements may also be mailed.
- F. Department of Neighborhood & Economic Operations Director to award grant funded rehabilitation contracts to the lowest responsible bidder up to ~~\$75,000~~\$20,000 and require City Council approval for contracts exceeding ~~\$75,000~~\$20,000.

6.3 Sole Source:

The procedures described in Sections 6.1 and 6.2 shall be used unless it is determined to be a single (sole) source procurement by the Purchasing Agent, in his or her discretion.

A sole source procurement exists when:

- A. There is a lack of responsible competition for a commodity or service which is vital to the operation and best interest of the City.
- B. A vendor possesses exclusive and/or predominant capabilities.
- C. A product or service is unique and easily established as one-of-a-kind.
- D. There is a patented feature providing a superior utility not obtainable from similar products; or
- E. A proprietary right exists and the product is available from only one prime source and not merchandised through wholesalers, jobbers or retailers.

7.0 PURCHASES OR CONTRACTS \$50,000 OR MORE SEALED BIDS
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- 7.1 All contracts or purchases of ~~\$50,000~~\$20,000 or more, not considered service related, shall be awarded by the City Council, and shall involve the use of the following procedure:

- A. Prior to initiating this procedure, the department involved shall determine whether there exists sufficient funds in the budget for the proposed purchase or contract.
- B. The Department Head shall obtain the City Manager's approval to advertise for sealed bids. Once the City Manager's approval has been obtained, all contract specifications shall be submitted to the Purchasing Agent.
- C. The Purchasing Agent will make a preliminary determination as to the sufficiency of the submitted materials. Among the things the Purchasing Agent and Director of Finance will consider are the following:
 - 1. Whether the specifications are clear and completely describe the essential qualities of the products or services sought;
 - 2. Whether all the factors that are to be considered in awarding a bid are stated either as a specification or condition of the award, i.e., service, compatibility with existing system, etc.;
 - 3. Any other matters deemed essential by the Purchasing Agent.
- D. The Purchasing Agent shall advertise for sealed bids. The method of advertising shall be reasonably designed to give publicity to the proposed contract or purchase and thereby secure the utmost competition among bidders. By way of illustration, and not by limitation, "advertising" may include use of city's website, newspapers, bulletin boards, trade journals, radio or television.
- E. The Purchasing Agent shall maintain a list of prospective bidders and will issue an invitation to bid to bidders thereon, in addition to advertising publicly as indicated above.

The invitation to bid will advise bidders of a prebid meeting if one is to be conducted.

F. Pre-Opening Inquiries/Response:

Any explanation desired by a prospective bidder regarding the meaning or interpretation of contract documents associated with same, must be received by the Purchasing Agent prior to the deadline for submission of bids.

Any explanation or interpretation concerning contract documents shall be in writing and shall be furnished to all prospective bidders as an addendum. Receipt of such addenda shall be acknowledged on the bid documents. Oral explanations addressing nonsubstantive matters or procedural items relating to contract documents are allowed in order to assist a prospective bidder in submitting a bid

Notwithstanding any other provision contained herein, no oral explanation or instruction by any City employee, representative or official shall be binding upon the City unless such oral explanation or instruction is confirmed in writing by the City employee, agent, representative or official. If the City determines it necessary, it may reschedule the time for bid opening to allow adequate time for addenda to reach all bidders.

- G. All sealed bid proposals received shall be date and time stamped upon receipt. **Bids shall not be opened until one hour after the deadline for submission of bids.**
- H. Sealed bid proposals, will be opened in public at the place and time designated in the bid documents. Attendance at any bid opening will not be denied or limited. The bids will be tabulated and checked by the Purchasing Agent for compliance with the specifications and for compliance with any and all conditions contained in the instructions to bidders. All bid files will be available for public inspection.

Late bids will not be accepted after sealed bids have been opened. Any bid received after the opening of sealed bids will be date and time stamped.
- I. All Bid Security requirements shall be determined by the Purchasing Agent.
- J. A bid that does not meet the specifications may be considered non-responsive and may be rejected.
- K. The Purchasing Agent or Department Head shall send a written recommendation as to an award to the City Manager, who shall place same before the City Council for the award of a contract. The contract shall be awarded to the lowest responsive and responsible bidder. If such recommendation does not involve an award to the lowest responsive and responsible bidder, it shall contain specific reasons for any variance therefrom. The Purchasing Agent shall notify the City Attorney of any deviations from the requirements of this policy he or she may have reason to believe have occurred.
- L. The Purchasing Agent will send notice of award to the successful bidder after action by the City Council and finalize contract documents.

- M. The Attorney's Office shall then review any formal agreements that are necessary prior to signing by the representatives of the City. Such agreements shall then be signed by the Mayor and the City Clerk, and approved as to substance by the City Manager.
- N. Once an agreement has been signed and approved as specified above, then the Purchasing Agent shall send notice to proceed to the successful bidder.

7.2 Facsimile and Email Procedures:

The City will accept bids or proposals (bid documents) by use of facsimile communication equipment or email, which shall be permitted under the following terms and conditions:

- A. The Facsimile or email must be received by the City Purchasing Agent prior to the bid opening date and time specified in the contract documents. Any Facsimile or email received after such date and time will not be considered or processed by the City. All nonconforming bid documents shall be returned by the City by ordinary mail.
- B. A facsimile/email bid must be submitted as identified by the Instructions to Bidders. If required, a copy of a bid bond must accompany the bid documents. The bid documents must be signed by an authorized officer/employee of the company submitting same.
- C. The sender of the Facsimile or email shall be responsible for delivering all original bid documents to the City's Purchasing Agent within three (3) business days of the Facsimile/Email transmittal.
- D. All Facsimile/Email transmissions must be addressed to the City of Jackson Purchasing Agent.
- E. Appropriate procedures will be utilized by the City to ensure that bids received via facsimile transmission shall not be divulged to other prospective bidders prior to the bid opening date and time.

7.3 Discovery of Error:

Where a bid or proposal received from a bidder is determined by City staff to not comply with contract documents associated with same, the bidder submitting such bid or proposal shall not be contacted by any City employee, agent, representative or official to discuss changes or modifications to the bid or proposal, if the said changes or modifications could result in the occurrence of any one of the following:

- A. A change in the dollar amount of the bid;
- B. A change to the specifications or other contract documents which might deny other bidders or prospective bidders an equal opportunity to bid upon the changed specifications or other modified contract documents;
- C. A change in the unit price or other elements used to determine the amount of a bid; or
- D. The destruction of the competitive character of the bid process.

Exception: Upon the discovery of an obvious error in a bid, proposal or other contract document that could affect the amount of a bid, the Purchasing Agent shall contact the bidder in writing and advise the bidder that he/she/it has five working days to correct the error or withdraw their bid. This correction shall be in writing directed to the Purchasing Agent and shall be postmarked not later than seven working days from the date of the City's written correspondence notifying the bidder of the error.

If a bid correction or modification is not received in a timely fashion, then the Purchasing Agent may reject the bid. If a correction is received and deemed to be appropriate and proper, the Purchasing Agent shall attach same to the original bid document and shall proceed to tabulate the bids as corrected.

7.4 Dollar Limitation:

No purchase shall be divided for the purpose of circumventing the dollar value limitation established herein. The Council may authorize the making of public improvements or the performance of any other City work by any City agency without competitive bidding. Additionally, the Council may authorize cooperative agreements or contracts between the City and other governmental units without the requirements of competitive bidding.

7.5 Default to the City: The Purchasing Agent shall not knowingly accept the bid of a person who is in default in the payment of any taxes, licenses, fees, permits or any other moneys due the City or who is in any other respects disqualified according to any Federal or State law, or any charter or ordinance provision. A contract with a person who is discovered to have been in default or disqualified at the time of the awarding of the contract shall be voidable at the option of the City.

7.6 City's right to negotiate with two lowest bidders: In the best interests of the City, after sealed bids are opened and analyzed in terms of compliance with specifications, the City reserves the right to negotiate terms and conditions, including price, with the two lowest bidders.

7.7 Rejection of Bids:

- A. The City Council has the authority to reject any and all bids, and to accept or recommend the acceptance of other than the lowest responsive bid when the public interest is served thereby and such action is in the best interest of the City.
- B. When the award is not given to the lowest responsive bidder, the City shall provide a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the Purchasing Agent and filed with the other papers relating to the transaction.

7.8 Sole Source

Formal sealed bidding shall be used for any purchase over ~~\$50,000~~\$20,000 unless it is determined to be a single (sole) source procurement by the Purchasing Agent, in his or her discretion.

A sole source procurement exists when:

- (A) There is a lack of responsible competition for a commodity or service which is vital to the operation and best interest of the City;
- (B) A vendor possesses exclusive and/or predominant capabilities;
- (C) A product or service is unique and easily established as one-of-a-kind;
- (D) There is a patented feature providing a superior utility not obtainable from similar products;
- (E) A proprietary right exists and the product is available from only one prime source and not merchandised through wholesalers, jobbers or retailers.

7.9 Professional or General Service Contracts:

The requirements and procedures established in Section 6.0 and 7.0 shall not apply to Professional or General Service Contracts.

**8.0 MUNICIPAL, STATE OR FEDERAL COOPERATIVE
BIDDING AGREEMENT**

- 8.1 The Purchasing Agent may join with other governmental units, including the State of Michigan, federal government or other municipalities, in cooperative purchasing plans where sealed competitive bids or a competitive procurement process was used by the original purchaser and an award was made.

9.0 CONTRACTS AND AGREEMENTS

- 9.1 All contracts and agreements will be submitted to the City Attorney for approval before execution by the City.
- 9.2 All original contracts will be filed in the City Clerk's office.

10.0 PERFORMANCE- BONDS AND PAYMENT BONDS

- 10.1 Pursuant to Act 213 of the Michigan Public Acts of 1963, as amended, all contracts exceeding \$50,000 for the construction, alteration or repair of any public building or public work or improvement shall require a performance and payment bond for 100% of the contract amount. The successful bidder must submit a performance bond and a payment bond which are to be reviewed and approved by the City Attorney prior to the commencement of any work. If required by contract documents, a Maintenance & Guarantee Bond shall be submitted simultaneously with the Performance and Payment Bonds.

11.0 INSURANCE

- 11.1 Insurance: The Contractor will be required to show evidence of automobile and commercial general liability insurance, worker's compensation insurance and professional liability insurance (where applicable), which is acceptable to the City. Additional types of insurance may be required where necessary. The commercial general liability insurance policies shall name the City, its agents, representatives, officers and employees as additional insureds to protect their interests. Both bodily injury and property damage insurance must be on an occurrence basis; and said policies shall provide that the coverage afforded thereby shall be primary coverage to the full limits of liability stated in the declarations, and if said City, agents, representatives, officers or employees have other insurance against the loss covered by said policies, that other insurance shall be excess insurance only. The Contractor shall secure and maintain during the progress of the work such insurance from financially responsible insurance companies, licensed in the State of Michigan, and approved by the City, that will protect the Contractor, its subcontractors, and the City from claims for bodily injury, death, or property damage which may arise from performance of the contract. The Contractor shall

at the time of execution of the contract file with the City certificate(s) of insurance, which shall cover all of the insurance as required herein. The certificates shall reference the project or contract to which they apply. Upon request by the City, the Contractor shall submit all insurance policies for review. The amounts and types of such insurance shall be not less than the following:

1. Minimum required limits of liability:

(A) For jobs with an estimated contract cost of less than \$50,000

(1) Comprehensive Commercial General Liability, limits of at least:

- a. Bodily Injury, each occurrence..... \$300,000
- b. Bodily Injury, each aggregate \$500,000
- c. Property Damage, each occurrence \$100,000
- d. Property Damage, aggregate \$100,000
(or in the alternative to a, b, c, d)
- e. Bodily Injury and Property Damage Combined Single Limit
each occurrence \$500,000
and aggregate \$500,000

(2) Automobile Liability Limits of at least:

- a. Bodily Injury, each person \$300,000
- b. Bodily Injury, each occurrence..... \$500,000
- c. Property Damage, each occurrence \$100,000
(or in the alternative to a, b, c)
- d. Bodily Injury and Property Damage Combined Single Limit
each occurrence \$500,000

(B.) For jobs with an estimated contract cost of \$50,000 or greater and smaller jobs deemed to be dangerous in nature which shall include, but not necessarily limited to, demolition, blasting, excavating and tunneling or other underground work.

(1) Comprehensive Commercial General Liability of at least:

- a. Bodily Injury, each occurrence..... \$1,000,000
- b. Bodily Injury, aggregate \$1,000,000
- c. Property Damage, each occurrence \$500,000
- d. Property Damage, aggregate \$500,000
(or in the alternative to a, b, c, d)
- e. Bodily Injury and Property Damage Combined Single Limit

each occurrence \$1,000,000
 and aggregate \$1,000,000

(2) Automotive Liability and Property Damage Insurance with limits of at least:

- a. Bodily Injury, each person \$1,000,000
- b. Bodily Injury, each occurrence..... \$1,000,000
- c. Property Damage, each occurrence \$1,000,000
 (or in the alternative to a, b, c)
- d. Bodily Injury and Property Damage Combined Single Limit
 each occurrence \$1,000,000

NOTE: To comply with the required limits of liability, each insurance may be placed in more than one policy, including an excess umbrella type policy.

2. Worker's Compensation and Employer's Liability Insurance as required by the State of Michigan for all Contractor's employees and those of its subcontractors engaged in work under this contract. If Contractor is a sole proprietorship and as such is not eligible for Worker's Compensation Coverage, Contractor must submit proof of same, satisfactory to the City. If Contractor is otherwise not obligated to carry Worker's Compensation Coverage, Contractor must submit documentation from the Michigan Department of Labor (Form MDL 337 or its equivalent); and
3. If the contract requires any work procedures involving explosives, blasting, demolition, excavating, trenching, tunneling, underground work, or other dangerous activity as determined by the City, the property damage liability coverage shall include standard explosion, collapse and underground coverage (XCU) for property damage and bodily injury liability coverage with limits of \$1,000,000 each occurrence and \$1,000,000 aggregate; additionally, Contractor shall provide third party pollution liability insurance coverage with minimum limits of \$1,000,000 per occurrence and \$1,000,000 aggregate. The insurance shall name the City and its officers, employees, agents and representatives as an additional insured party.
4. Each policy shall provide for thirty (30) days written notice of cancellation, expiration, termination, or change of policy to the City. The Contractor shall submit evidence of the coverage, to the City for review and approval. The City will, in writing, identify the policies and indicate its approval or disapproval. New policies shall be provided to the City in place of all policies disapproved. Insurances which expire before Contractor's work is accepted by the City shall be renewed and evidence of such renewal shall be submitted to the City for approval.

5. The Contractor shall advise all insurance companies to familiarize themselves with all of the conditions and provisions of the contract, and insurance companies shall waive the right to special notification for any change or modification of the contract, extension of time, decreased or increased work, cancellation or of any other act or acts by the City or its authorized employees or agents pertaining to the contract. Failure to so notify the aforesaid insurance companies of such changes shall in no way relieve the insurance companies of its obligation under the contract.
6. Nothing contained in these insurance requirements is to be construed as limiting the extent of the Contractor's responsibility for payment of damages resulting from its operations under this contract.
7. If the contract involves new construction, Contractor shall purchase and maintain an Owner's and Contractor's Protective Liability insurance policy and property insurance upon the Work at the site in the amount of the full replacement cost thereof. The insurance shall include the interests of the City, Contractor, Subcontractors, and if applicable, Engineer, Engineer's Consultant, each of whom is deemed to have an insurable interest and shall be listed as an insured or additional insured;

Be written on a Builder's Risk "all-risk" or open peril or special causes of loss policy form that shall at least include insurance for physical loss and damage to the Work, temporary buildings, falsework, and Work in transit and shall insure against at least the following perils: fire, lightning, extended coverage, theft, vandalism and malicious mischief, earthquake, collapse, debris removal, demolition occasioned by enforcement of Laws and Regulations, water damage, and such other perils or causes of loss as may be specifically required by supplementary conditions. The form of policy for this coverage shall be Completed Value.

Include expenses incurred in the repair or replacement of any insured property (including but not limited to fees and charges of engineers and architects);

Cover materials and equipment in transit for incorporation in the Work or stored at the site or at another location that was agreed to in writing by City prior to being incorporated in the Work; and,

Be maintained in effect until payment is made unless otherwise agreed to in writing by City and Contractor with 30 days written notice to each other additional insured to whom a certificate of insurance has been issued.

The policies of insurance required to be purchased and maintained by Contractor in accordance with this paragraph must be approved by City prior to commencement of construction.

- 11.2 Each policy shall provide for thirty (30) days written notice of cancellation, expiration, termination, or change of policy to the City. The Contractor shall submit evidence of the coverage, to the City for review and approval. The City will, in writing, identify the policies and indicate its approval or disapproval. New policies shall be provided to the City in place of all policies disapproved. Insurances which expire before Contractor's work is accepted by the City shall be renewed and evidence of such renewal shall be submitted to the City for approval.
- 11.3 The Contractor shall advise all insurance companies to familiarize themselves with all of the conditions and provisions of the contract, and insurance companies shall waive the right to special notification for any change or modification of the contract, extension of time, decreased or increased work, cancellation or of any other act or acts by the City or its authorized employees or agents pertaining to the contract. Failure to so notify the aforesaid insurance companies of such changes shall in no way relieve the insurance companies of its obligation under the contract.
- 11.4 Nothing contained in these insurance requirements is to be construed as limiting the extent of the Contractor's responsibility for payment of damages resulting from its operations under this contract.

12.0 PREQUALIFICATION PROCEDURE

12.1 Policy

- A. At the discretion of the Department Head responsible for a public works construction project, bidders may be required to become prequalified prior to bidding such projects. When required, bidders shall demonstrate their ability to successfully complete the proposed work as provided below. The City is not required to consider a prequalification application if it submitted less than 10 days before the date for opening bids for a project on which the bidder desires to bid.
- B. Equipment, experience, and key personnel - The bidder shall submit evidence of all of the following:
 - (1) The availability of equipment required to perform work in the classifications for which the bidder seeks approval.
 - (2) Experience of its key qualified personnel who will provide field supervision of the work in the classifications for which the bidder seeks approval.
 - (3) Experience of the company or principals of the company, or both, in

the work classifications requested.

- C. Work classifications - The bidder shall identify the work classification or classifications for which it is requesting prequalification when submitting a prequalification application. A bidder will be classified for types of work on the basis of its experience and resources at the time of filing the prequalification application. When additional experience or resources have been obtained, the bidder may submit information for consideration by the Purchasing Agent to add work classifications.
- D. Evidence of current prequalification with the Michigan Department of Transportation (MDOT) for the classifications of work involved in the contract will be sufficient evidence of qualification.
- E. The Purchasing Agent shall have the right to adjust the prequalification list of bidders as he or she becomes aware of substantial changes in the information and circumstances of a bidder or if other reasonable cause exists such as unsatisfactory contract performance or failure to pay bills and/or claims. Should an applicant for prequalification disagree with the determination of the Purchasing Agent with regard to same, the City Manager shall within ten days of the receipt of a written request review the original information and/or such additional information as the applicant may choose to submit, and confirm in writing either the original determination of the Purchasing Agent or revise same as appropriate.
- F. The Purchasing Agent shall maintain a list of prequalified bidders who are eligible to bid upon public works construction projects for the City of Jackson. The Purchasing Agent shall maintain and update the list as deemed necessary and shall notify bidders of changes in qualification status. Prequalification will expire after five (5) years.
- G. Bidding procedure - The Department Head will identify the required work classification or classifications of the prime bidder for the construction project. The work classification(s) will be included in the advertisement for the project.

13.0 RETAINAGE PROCEDURE

- 13.1 In all contracts involving progress payments, the provisions of Act 524 of 1980 as last amended shall be adhered to.

Upon receipt of a progress payment request from a contractor, the City department head supervising a project shall notify the City Accountant of the appropriate amount of retainage to be deposited in an escrow account for said project; said amounts to be disbursed by the Accountant to the contractor only after written certification by the supervising department head that disbursement is appropriate.

Progress payment retainage amounts to be deposited in such escrow accounts shall be based upon the following schedule:

- A. Retention of up to ten percent (10%) of the payments claimed until all work is fifty percent (50%) complete;
- B. After the work is fifty percent (50%) in place, there shall be no additional retainage beyond that provided for in (A) if the Contractor is making satisfactory progress and there is no specific cause for further withholding; provided, however, that if satisfactory progress is not being made, the City department head supervising a project may cause the City Accountant to place in the above referenced escrow accounts as retainage an additional amount of up to 10 percent (10%) of the dollar value of work more than 50% in place.

It is understood that the process described above shall not be applicable to contracts requiring three or less progress payments or a contract having a dollar value of less than \$30,000.

14.0 EMERGENCY PURCHASES OF GOODS AND SERVICES

- 14.1 Under circumstances deemed to be an emergency by the City Manager, purchases of goods and services may be made by the City in a manner inconsistent with this manual; provided, however, that as soon as practicable thereafter, a full, written explanation reciting the rationale for such extraordinary action shall be provided to the City Council.
- 14.2 Whenever there exists an apparent threat to the public health, welfare or safety of the City or its residents, the Manager may authorize the Purchasing Agent to award a contract without competitive sealed bids by utilizing the quotation procedures as set forth in Section 6.2 or such other competition procedure as may be practical

under the circumstances for the emergency purchase of supplies, services or construction items.

- 14.3 As soon as possible after the award the Manager shall file with the Council a full written report of the circumstances surrounding the emergency purchase.

15.0 PROFESSIONAL OR GENERAL SERVICES

- 15.1 Where professional or general service providers are employed by the City as consultants to draw contracts and supervise and administer construction projects, or provide other general service related functions they may do so using contract documents of their choosing, provided, however, that all such documents shall be approved in advance of use by the City Attorney and Purchasing Agent and all relevant bid procedures of the City shall be adhered to by the Consultant.

All contracts involving consultants/professional, or general services must obtain the prior review and approval of the City Manager. Additionally, any contract for consultants/professional and general services involving an expenditure of funds in excess of \$10,000 shall require proposals from at least three service providers or firms if they are available to submit. Provided, however, if the department wishing to engage in consultant/professional or general service provider is unable to obtain at least two proposals, a written explanation of such inability must be submitted to the City Manager.

16.0 TIE BIDS

- 16.1 If two or more low bids are received for the same total amount or unit price, and the quality and service are equal, the contract shall be awarded to one of the tie bidders by drawing lots in public, unless one of the bidders is a taxpayer or resident of the City, in which case such taxpayer or resident shall be awarded the contract.

17.0 CONTRACT MODIFICATIONS, AMENDMENTS AND CHANGE ORDERS

- 17.1 After a contract has been awarded it may become necessary to make modifications to reflect changes in circumstances and unforeseen needs. Change

orders are permitted if the modification does not cause a fundamental change to the contract. If the City reasonably determines that a fundamental change in a contract is necessary, the City may terminate the existing contract, put the matter out for competitive bidding and award a new contract (possibly to a new party).

When a proposed change order increases the dollar amount of a contract, said change order must be requested by the Department Head who originally obtained authorization to solicit bids for the contract. If the dollar amount of the change order together with the original contract and all prior change orders is less than \$50,000~~\$20,000~~, the change order must~~may~~ be authorized~~approved~~ by co-signatures of both the Department Head and the City Manager; ~~if the change order is \$50,000 or more total amount is \$20,000 or greater, it must be authorized by City Council~~the change order must be submitted to City Council and approved by majority vote of its members before it may become effective.

18.0 Contracting with MBE's and WBE's

18.1 In accordance with 2 CFR Part 200.321 (a), (b) (1-6), all necessary affirmative steps will be taken to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

a) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

b) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

c) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

d) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

e) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and,

f) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (a) through (e) of this section.

The purchasing agent shall be responsible to perform said duties as outlined in Section 3.0 of this policy in accordance with 2 CFR Part 200.318-326 when procuring competitive bids.

