



# City of VALLEY FALLS

*Incorporated May 17, 1869*

## City Council Agenda

The City Council meeting is open to the public and will be held at City Hall.

Meetings will be streamed via Facebook Live (<https://www.facebook.com/cityofvalleyfalls>) Please email questions to [cityadmin@valleyfalls.org](mailto:cityadmin@valleyfalls.org) before the meeting.

September 20, 2023 6:30 PM  
Regular Meeting

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL - City Council and Staff  
MINUTES - Regular Meeting of September 6, 2023

PUBLIC COMMENTS & GUESTS:  
*Public Comment Policy*

BUSINESS ITEMS:

1. VFW Insurance
2. Ordinance #16-221 Zoning Change for Front Yard Setbacks
3. Residential Use in Central Business District (CP-4)
4. Haven's Pay Request #3 - \$110,734.97
5. LSSE Grant Agreement
6. SS4A Consultant - PEC
7. KDOT Innovative Technology Grant - Radar Signs

INVOICES - \$135,909.75

TABLED ITEMS: Procedure for appointment & removal for appointed board/ committee members

REPORTS:  
CITY ADMINISTRATOR: Audree Guzman  
PUBLIC WORKS: Bill McCoy  
POLICE: Carrie Clark  
MAYOR: Jeanette Shipley  
FIRE DISTRICT: Salih Doughramaji  
COMMUNITY DEVELOPMENT COMMITTEE: Audree Guzman  
PLANNING & ZONING COMMISSION: Audree Guzman  
CITY COUNCIL COMMENTS/ FEEDBACK/ IDEAS

ANNOUNCEMENTS/ COMMUNICATIONS:  
September 23<sup>rd</sup> - Grasshopper Falls Day/ VFCF Match Day

EXECUTIVE SESSION  
ADJOURNMENT



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

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## **PUBLIC COMMENT POLICY**

**This is a business meeting of the governing body for the City of Valley Falls. We strive to run a smooth and efficient meeting.**

Public Comment is limited to 3 minutes per person. Speakers shall state their name and address. This is intended for citizens to express their views. City Council Members will not engage in dialogue with the speaker. Belligerent, rude, and offensive speakers will be stopped immediately. Citizen should reach out to City Council Members to have personal discussion of their concerns outside of City Council Meetings.

Any comment for agenda items shall be taken only during the specific agenda item. All questions posed during public forum should be answered within the specific agenda item by any City Council Member or followed up as needed by staff in a timely manner during regular business hours following the meeting.

Citizens desiring to comment on matters of a general nature, not specific to an agenda item, shall sign up in advance of the meeting & shall provide name and address, and the purpose or nature of the request. This request should be received by the City Administrator before Friday at noon preceding the meeting. No action or formal comment will be taken on such request at the council meeting. Staff will follow up in a timely manner during regular business hours following the meeting.

## CITY OF VALLEY FALLS

September 6, 2023

### Open Meeting

The meeting was called to order at 6:30 pm by Mayor Jeanette Shipley. Council members present were, Gary McKnight, Salih Doughramaji, Jennifer Ingraham, and Judy Rider. Matt Frakes, was absent.

Staff present: Audree Guzman, City Administrator, Chris Weishaar, City Clerk, Carolyn Clark, Chief of Police, Bill McCoy, Public Works, and Leonard Buddenbohm, City Attorney.

Others present: Dianne Heinen, Larry Springer, Mollie & Jason Kearney, and Allan & Kathy Seigrist.

#### **Minutes:**

The minutes from the August 15, 2023, special meeting was presented.

Salih moved to approve the minutes. Jennifer seconded the motion. Motion carried 4-0.

The minutes from the August 16, 2023, meeting was presented.

Gary moved to approve the minutes. Judy seconded the motion. Motion carried 4-0.

**Public Hearing** – Notice to Exceed Revenue Neutral Rate – Audree presented the reason for the hearing. There was no public comment. The hearing was closed.

**Public Hearing** – 2024 Budget – Audree stated the purpose of the hearing. There was no public comment. The hearing was closed.

**Public Comments & Guests:** Dianne Heinen thanked the council for installing the noon whistle.

#### **BUSINESS ITEMS:**

1. 419 Broadway St - Status Update – Allan was present to discuss the status his building and that Carquest has pulled his license to sell Carquest parts. He anticipates closing by the end of the year and will look at selling the building. The council asked that he keep them updated.

2. Lions Club Bench Donation – Larry Springer was present to request permission to put 2 benches in the park donated by the Lions Club and Paul & Dianne Heinen. The cement pads had already been poured and were ready to be placed. Council advised they appreciate what the Lions Club is doing but to please ask for council approval before proceeding in the future. Gary made a motion to approve the benches. Judy seconded the motion. Motion passed 4-0.

3. RV Park 2-week extension – Mollie & Jason Kearney – Mollie requested permission to stay a few more weeks at the RV park while their pad and carport were finished out in the county. Gary made a motion to approve the stay. Judy seconded the motion. Motion passed 4-0.

4. Animal Permit – 404 Oak St – Robertson requests a permit.

Gary made a motion to approve the chickens. Salih seconded the motion. Motion passed 4-0.

5. Exceed Revenue Neutral Rate Resolution # 2023-09 (Roll Call)

Resolution 2023-09 was presented to Exceed Revenue Neutral Rate.

Gary made a motion to approve the resolution. Jennifer seconded the motion. Motion passed 4-0.

Roll Call – Gary, Salih, Judy, Jennifer all yes.

6. Adoption of the 2024 Budget

Gary made a motion to adopt the 2024 budget. Salih seconded the motion. Motion passed 4-0

7. Proclamation of Constitution Week – Constitution week is September 17 – 23.

Gary made a motion to approve the increase. Jennifer seconded the motion. Motion passed 5-0

8. CMB Licenses - Casey's – Casey's takes ownership on September 26<sup>th</sup> and has applied for a CMB license.

Salih made a motion to approve CMB license. Gary seconded the motion. Motion passed 4-0.

9. Liquor License – Elevator – The License is due to be renewed.

Gary made a motion to renew the license. Jennifer seconded the motion. Motion passed 4-0.

10. BCBS Cost Review – Audree answered questions on her survey of other Cities in Kansas and what insurance they offer and pay. The council decided to leave the insurance as is.

11. Removal of Jason Oliver from Planning Commission Board – After much discussion back and forth and if there would be any liability if he was let go or kept on the board.

Jennifer made a motion to remove Jayson Oliver. Judy seconded the motion. Motion passed 3-1.

**Vouchers:**

September 6th vouchers - \$361,355.51. Salih moved to approve vouchers. Gary seconded the motion. Motion carried 4-0.

**City Administrator:**

**Daily Operations**

**1. Codification** Anticipating draft by end of September.

**2. Budget** Completed budget presentation and entry into state budget form. Will send to county.

**3. Storm Siren** Storm siren has been installed at the park and is fully operational.

**4. Barnes Addition Plot** Plat has been recorded. Gave written and verbal notice to Craig Meyer of 1 year right of refusal period.

**5. Utility Mapping** Water and Sewer maps are live on ArcGIS. Bill and I did two days of training on the system.

**6. Capital Improvement Plan** Working on drafting capital improvement plan. Will review at next work session in October.

**7. BCBS** Worked on comparison of other municipalities coverage and options for the city.

**8. Government Summit** Attended the Government Summit for Technology in Topeka on August 31st.



9. **207 Sycamore St Condemnation** Waiting to put on tax sale.
10. **204 Walnut St Condemnation** Next update August 23rd.
11. **419 Broadway St Condemnation** Next update August 23rd.
12. **Code Enforcement** Sent out letters and created spreadsheet to track code enforcement violations.
13. **Community Development Board** – Collaborative meeting over by-laws on June 28th. Sent letters out for membership to past EDC members and posted on Facebook page.
14. **Planning Commission** – Met on August 10th to review draft ordinance to change setback regulations on double frontage lots. A public hearing has been established for the next meeting is September 14th, 2023 at 6:30 PM.

#### **Grants & Projects**

1. **CDBG Sewer Project Phase 1**- Construction began May 1st. \$400K under budget. Can complete all of Add Alternate and Part of Phase 2. Next timeline for completion anticipated in September.
2. **KDHE Waste Tire Grant** – Awarded grant of \$2,600 for benches and tables. Final report sent and grant is closed out. Awaiting final payment.
3. **SS4A Grant** – Awarded grant of \$40,000 Federal Funding and \$5,000 KDOT. Sent out RFQ for consultants due Sept 15th.
4. **LSSE Grant** Application submitted. To be used for radios and Enterpol RMS. Anticipated award notice in September.
5. **T-Mobile Grant** Application submitted on behalf of Valley Falls Historical Society. Anticipated award notice in September.
6. **K-4 / K-16 Street Lights** –Met with KDOT on July 18th to review recommendations. A speed study and safety study (lighting) were conducted for K-16 and K-4 Highways. The recommendations from the speed study are: installation of a speed radar sign on K-4 south of the Oak St intersection, increased enforcement from KHP and Jefferson County Sheriff, and reduce the speed on west K-16 from 45 to 35. The recommendations from the safety study are: Install reflective decals on the post of the stop signs, paint stop lines on K-16, mark the island with reflective paint at K-4/K-16 junction, possible route pavement markings on K-4 to mark K-16 turnoff, move the entrance to Sewer Lagoons further South on K-4 and install end of roadway sign at K-16/ K-4 intersection (dependent on lagoon entrance being moved). All recommendations will be completed by KDOT by the end of the year with the exception of the driveway. The KDOT maintenance crew will evaluate whether they can move the entrance to the lagoons. No lighting was warranted at the K-16/ K-4 intersection due to low traffic counts and crash logs. KDOT did say they would allow for lighting to be installed at the City's cost. Final reports for the speed study and safety study will be sent once the lagoon entrance has been evaluated.
7. **Opioid Settlement** –Total received to date is \$2,952.96. \$842.44 expended.
8. **American Rescue Plan Act (ARPA)** – Projects completed to date include: gWorks Software, RV Park Electrical Upgrade. Funds used to date: \$23,851.40. Projects pending to date include: KDOT TA Downtown Streetscape Project. Remaining Funds: \$152,106.96.
9. **Automatic Water Meters** – 16 meters left to install. Waiting on more meters. Anticipated delivery is September.

**10. KDHE Lead & Copper** Lead & Copper Inventory due to KDHE by October 16, 2024. Submitted grant application to KDHE for technical assistance.

**Public Works:**

**Water:**

Repaired a water leak at 4th and maple that is going to need to be moved due to it is running thru a manhole.

Repaired a water leak at 10th and Oak caused by drought conditions.

Submitted the Lead and copper samples to KDHE for testing.

**Sewer:**

Working on repairing the diversion box at lagoons to prevent contamination of the non-influent ponds.

Repaired some of the dike erosion on outside of the lagoon.

Sewer crews are almost done with the digging portion of the project.

**Streets/Parks:**

Repaired the parking lot and drive at the river.

Had a meeting with Audree about working on a solution to the issue of the river access drive and lot being damaged each time it rains.

Repaired sidewalk on elm street from water leak repair.

**Police:**

Expedition has had a few more issues mechanically. Officer Taylor has fixed those issues.

I attended a Human Trafficking in Narcotics Investigation training in Kansas City Missouri

I met with AG, and KBI regarding Human Trafficking and Sex Offender Registry

**Mayor:** No Report.

**Fire District:** No Report.

**Economic Development Board:** No Report

**Planning & Zoning Commission:** No Report

**City Council Comments:** None.

**ADJOURNMENT**

Salih made a motion to adjourn the meeting. Jennifer seconded the motion. Motion carried 4-0.

APPROVED: \_\_\_\_\_  
GARY MCKNIGHT, ACTING MAYOR

ATTEST: \_\_\_\_\_  
CHRISTINE WEISHAAR, CITY CLERK

**ORDINANCE NO. 16-221**

**AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF VALLEY FALLS, KANSAS, AS ORIGINALLY ADOPTED BY ORDINANCE NO. 16-201, AND INCORPORATING AS A PART THEREOF AMENDMENTS TO, ARTICLE 21 SUPPLEMENTARY HEIGHT, AREA, AND BULK REGULATION, SECTION 103 MODIFICATION OF AREA REGULATIONS 3.b. AS SETBACKS ON DOUBLE FRONTAGE LOTS IN CITY LIMITS WITHOUT PRIOR APPROVAL BY THE GOVERNING BODY AS A CONDITIONAL USE PERMIT.**

**THAT WHEREAS** on September 20, 2023, the City of Valley Falls, Kansas enacted Ordinance No. 16-221, of the City of Valley Falls, Kansas for said City, official copies of the same being on file with the City Clerk; and

**WHEREAS**, the City of Valley Falls Planning Commission has prior hereto and after given due notice held a public hearing on September 14, 2023 and made certain recommendations for amendments as contained herein; and

**WHEREAS**, the Governing Body of the City of Valley Falls, Kansas desires to approve such amendments to the Zoning Regulations in accordance therein;

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS;**

**Section 1.** That in Article 21, Supplementary Height, Area, and Bulk Regulations, Section 103 Modification of Area Regulations 3.b. shall be amended as follows:

3. Front Yards:

b. On double frontage lots, the required front yard shall be provided on only one street frontage. The front yard setback shall be assigned on the street frontage that establishes the address for the property. The other front yard setback shall meet side yard setbacks for that zoning district.

**Section 2.** That Article 21, Section 103 shall otherwise remain unchanged.

**Section 3.** This Ordinance shall take effect after its publication once in the official city newspaper.

**Passed and approved by the Governing Body of the City of Valley Falls, Kansas on September 20, 2023.**

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Jeanette Shipley, Mayor

(SEAL)  
ATTEST:

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Christine Weishaar, City Clerk

September 5, 2023

Ms. Audree Guzman  
City of Valley Falls  
417 Broadway  
Valley Falls, KS 66616

RE: Pay Estimate #3  
Sanitary Sewer Rehabilitation Phase I  
PEC Project No. 200287-003

Dear Audree:

Please find attached Payment Estimate #3. This request has been reviewed by our office and we have discussed progress and quality with the resident observer. We believe this request should be recommended for payment based on our assessment of efforts and overall progress to date.

We would ask that you review the request and execute as appropriate.

The project payment summary is as follows:

Project Summary:

Original Contract	\$	1,585,218.19
Total Completed to date of Request No. 2	\$	576,454.18
Retainage (10%)	\$	57,645.48
<u>Previous Payments</u>	\$	<u>407,074.36</u>
Amount Due This Request	\$	<b>110,734.97</b>

If you have any questions, please call at your earliest convenience.

Sincerely,  
**Professional Engineering Consultants, P.A.**



Alex M. Darby, P.E.

AMD/tnn

Attachments

Cc: Eric McCormack, Havens Construction Co., Inc

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**Contractor's Application for Payment**

<b>Owner:</b> <u>City of Valley Falls, KS</u>	<b>Owner's Project No.:</b> <u>C20 3043 01</u>
<b>Engineer:</b> <u>Professional Engineering Consultants</u>	<b>Engineer's Project No.:</b> <u>200287-002-6832</u>
<b>Contractor:</b> <u>Havens Construction Co., Inc.</u>	<b>Contractor's Project No.:</b> <u>23008A-SAN</u>
<b>Project:</b> <u>Sanitary Sewer Rehabilitation Phase 1</u>	
<b>Contract:</b> <u>200287-002-6832</u>	
<b>Application No:</b> <u>THREE</u>	<b>Application Date:</b> <u>8/28/2023</u>
<b>Application Period:</b> From <u>6/20/2023</u> to <u>7/20/2023</u>	

1. Original Contract Price	\$	1,585,218.19
2. Net change by Change Orders	\$	-
3. Current Contract Price (Line 1 + Line 2)	\$	1,585,218.19
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	576,454.81
5. Retainage		
a. <u>10%</u> X <u>\$ 576,454.81</u> Work Completed =	\$	57,645.48
b. _____ X <u>\$ -</u> Stored Materials =	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	57,645.48
6. Amount eligible to date (Line 4 - Line 5.c)	\$	518,809.33
7. Less previous payments (Line 6 from prior application)	\$	408,074.36
8. Amount due this application	\$	110,734.97
9. Balance to finish, including retainage (Line 3 - Line 4 + Line 5.c)	\$	1,066,408.86

**Contractor's Certification**

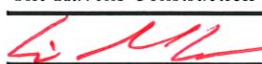
The undersigned Contractor certifies, to the best of its knowledge, the following:


(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

**Contractor:** The Havens Construction Company, Inc.

**Signature:**  Eric J. McCormack Project Manager      **Date:** 8/28/2023

<b>Recommended by Engineer</b>	<b>Approved by Owner</b>
<b>By:</b> 	<b>By:</b> _____
<b>Title:</b> <u>Project Manager</u>	<b>Title:</b> _____
<b>Date:</b> <u>9-5-2023</u>	<b>Date:</b> _____
<b>Approved by Funding Agency</b>	
<b>By:</b> _____	<b>By:</b> _____
<b>Title:</b> _____	<b>Title:</b> _____
<b>Date:</b> _____	<b>Date:</b> _____

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Valley Falls, Kansas	Owner's Project No.:	C20 3043 01
Engineer:	Professional Engineering Consultants, P.A.	Engineer's Project No.:	200287-002-6732
Contractor:	Havens Construction Co, Inc.	Contractor's Project No.:	23008A
Project:	Sanitary Sewer Rehabilitation Phase 1		
Contract:	200287-002-6732		

Application No.: 3 Application Period: From 6/20/2023 to 7/20/2023 Application Date: 7/21/2023

A	B	C	D	E	F	G	H	I	J	K	L
Bid Item No.	Description	Item Quantity	Units	Contract Information		Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
				Unit Price (\$)	Value of Bid Item (C X E) (\$)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)				
<b>Change Orders</b>											
1	Mobilization	1	LS	\$ 59,927.08	\$ 59,927.08	1	\$ 59,927.08		\$ 59,927.08	100%	\$ -
2	Sanitary Sewer Point Repair	20	EA	\$ 7,739.36	\$ 154,787.20	18	\$ 139,308.48		\$ 139,308.48	90%	\$ 15,478.72
3	8" Pipe Rehabilitation (CIPP Lining)	7769	LF	\$ 35.82	\$ 278,285.58		\$ -		\$ -	0%	\$ 278,285.58
4	10" Pipe Rehabilitation (CIPP Lining)	1458	LF	\$ 42.94	\$ 62,606.52		\$ -		\$ -	0%	\$ 62,606.52
5	16" Pipe Rehabilitation (CIPP Lining)	17	LF	\$ 503.64	\$ 8,561.88		\$ -		\$ -	0%	\$ 8,561.88
6	Sanitary Sewer Heaby Cleaning	1438	LF	\$ 7.00	\$ 10,066.00	190	\$ 1,330.00		\$ 1,330.00	13%	\$ 8,736.00
7	Sewer Service Reestablishment (CIPP)	224	EA	\$ 49.96	\$ 11,191.04		\$ -		\$ -	0%	\$ 11,191.04
8	Locate, Raise, and Rehab Buried Manhole	45	EA	\$ 7,499.01	\$ 337,455.45	7.96	\$ 59,692.12		\$ 59,692.12	18%	\$ 277,763.33
9	Locate, Raise, and Rehab Buried Manhole Extra Depth	180	VF	\$ 344.56	\$ 62,020.80	12.416	\$ 4,278.06		\$ 4,278.06	7%	\$ 57,742.74
10	Manhole Replacement (0-6 feet)	27	EA	\$ 9,761.75	\$ 263,567.25	15	\$ 146,426.25		\$ 146,426.25	56%	\$ 117,141.00
11	Manhole Replacement Extra Depth	31	VF	\$ 247.16	\$ 7,661.96	6	\$ 1,482.96		\$ 1,482.96	19%	\$ 6,179.00
12	Manhole Full Rehabilitation (0-6 feet)	34	EA	\$ 4,668.46	\$ 158,727.64	25.76	\$ 120,259.53		\$ 120,259.53	76%	\$ 38,468.11
13	Manhole Full Rehabilitation Extra Depth	210	VF	\$ 344.56	\$ 72,357.60	83.66	\$ 28,825.89		\$ 28,825.89	40%	\$ 43,531.71
14	Manhole Frame and Cover	4	4	\$ 1,381.20	\$ 5,524.80		\$ -		\$ -	0%	\$ 5,524.80
15	Manhole Step Removal	10	10	\$ 265.74	\$ 2,657.40	6	\$ 1,594.44		\$ 1,594.44	60%	\$ 1,062.96
16	Pre-Rehabilitation/Repair CCTV Inspection	11156	LF	\$ 2.50	\$ 27,890.00	3495	\$ 8,737.50		\$ 8,737.50	31%	\$ 19,152.50
17	Bypass Pumping	1	1	\$ 3,625.25	\$ 3,625.25		\$ -		\$ -	0%	\$ 3,625.25
18	Additional CCTV Inspection and Cleaning	6767	LF	\$ 2.50	\$ 16,917.50	1837	\$ 4,592.50		\$ 4,592.50	27%	\$ 12,325.00
19	Additional Manhole 3D Inspection	3	EA	\$ 1,594.46	\$ 4,783.38		\$ -		\$ -	0%	\$ 4,783.38
20	Traffic Control	1	LS	\$ 23,133.36	\$ 23,133.36		\$ -		\$ -	0%	\$ 23,133.36
21	Construction Staking	1	LS	\$ 9,566.72	\$ 9,566.72		\$ -		\$ -	0%	\$ 9,566.72
22	Seed, Fertilize, and Mulch	1	LS	\$ 2,840.81	\$ 2,840.81		\$ -		\$ -	0%	\$ 2,840.81
23	Erosion Control	1	LS	\$ 1,062.97	\$ 1,062.97		\$ -		\$ -	0%	\$ 1,062.97
<b>Change Order Totals</b>					\$ 1,585,218.19		\$ 576,454.81	\$ -	\$ 576,454.81		\$ 1,008,763.38
<b>Original Contract and Change Orders</b>											

*Daryl Kobzar*

Quantity Breakdown for Selected Items

5/20 to 6/20

8	Locate, Raise, and Rehab Buried Manhole 0-6ft	45	EA	\$ 7,499.01	\$ 337,455.45	Current Period Quantity				Previous Quantity				Total Quantity To Date						
						Percent Breakdown			Total QTY	Extension	Percent Breakdown			Total QTY	Extension	Percent Breakdown			Total QTY	Extension
						69%	11%	20%			69%	11%	20%			69%	11%	20%		
						Raise Manhole To	Cementitious Line	Epoxy Line		Raise Manhole To	Cementitious Line	Epoxy Line		Raise Manhole To Grade	Cementitious Line	Epoxy Line	Total QTY	Extension		
Manhole 25						1	1		0.8	\$ 5,999.21				0	\$ -	1	0	0.8	\$ 5,999.21	
Manhole 29									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 34						1	1	1	1	\$ 7,499.01				0	\$ -	1	1	1	\$ 7,499.01	
Manhole 77						1	1	1	1	\$ 7,499.01				0	\$ -	1	1	1	\$ 7,499.01	
Manhole 81									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 80-1									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 89									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 16						1	1		0.8	\$ 5,999.21				0	\$ -	1	1	0	\$ 5,999.21	
Manhole 18									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 24						1	1		0.8	\$ 5,999.21				0	\$ -	1	1	0	\$ 5,999.21	
Manhole 40									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 43									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 44						1			0.69	\$ 5,174.32				0	\$ -	1	0	0	\$ 5,174.32	
Manhole 46									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 53						1	1		0.8	\$ 5,999.21				0	\$ -	1	1	0	\$ 5,999.21	
Manhole 54						1			0.69	\$ 5,174.32				0	\$ -	1	0	0	\$ 5,174.32	
Manhole 10						1			0.69	\$ 5,174.32				0	\$ -	1	0	0	\$ 5,174.32	
Manhole 11									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 101									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 86									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 65									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 126									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 127									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 130									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 131									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 133									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 135									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 136									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 137									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 142									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 5									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 6									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 7									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 122									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 141-1									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 144						1			0.69	\$ 5,174.32				0	\$ -	1	0	0	\$ 5,174.32	
Manhole 3									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 4									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 154									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 156									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 156-1									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 159									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 148									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 150									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 152									0	\$ -				0	\$ -	0	0	0	\$ -	
Manhole 153									0	\$ -				0	\$ -	0	0	0	\$ -	
Total QTY TD						10	6	2	7.96	\$ 59,692.12	0	0	0	0	\$ -	10	6	2	7.96	\$ 59,692.12

9	Locate, Raise, and Rehab Buried Manhole Extra Depth	180	VF	\$ 344.56	\$ 62,020.80	Current Period Breakdown				Previous Quantities				Total Quantities To Date			
						Percent Breakdown		Total QTY	Extension	Percent Breakdown		Total QTY	Extension	Percent Breakdown		Total QTY	Extension
						32%	68%			32%	68%			32%	68%		
						Cementitious Line	Epoxy Line			Cementitious Line	Epoxy Line			Cementitious Line	Epoxy Line		
Manhole 25						4		1.28	\$ 441.04			0	\$ -	4	0	1.28	\$ 441.04
Manhole 29								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 34						0.2	0.2	0.2	\$ 68.91			0	\$ -	0.2	0.2	0.2	\$ 68.91
Manhole 77						4.5	3.8	4.024	\$ 1,386.51			0	\$ -	4.5	3.8	4.024	\$ 1,386.51
Manhole 81								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 80-1								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 89								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 16						12		3.84	\$ 1,323.11			0	\$ -	12	0	3.84	\$ 1,323.11
Manhole 18								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 24						9		2.88	\$ 992.33			0	\$ -	9	0	2.88	\$ 992.33
Manhole 40								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 43								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 44								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 46								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 53						0.6		0.192	\$ 66.16			0	\$ -	0.6	0	0.192	\$ 66.16
Manhole 54								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 10								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 11								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 101								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 86								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 65								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 126								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 127								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 130								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 131								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 133								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 135								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 136								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 137								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 142								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 5								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 6								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 7								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 122								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 141-1								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 144								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 3								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 4								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 154								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 156								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 156-1								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 159								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 148								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 150								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 152								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 153								0	\$ -			0	\$ -	0	0	0	\$ -
Total QTY TD						30.3	4	12.416	\$ 4,278.06	0	0	0	\$ -	30.3	4	12.416	\$ 4,278.06



Quantity Breakdown for Selected Items

12	Manhole Full Rehabilitation (0-6 feet)	34	EA	\$ 4,668.46	\$ 158,727.64	Current Period Quantity					Previous Quantity					Total Quantity To Date				
						Percent Breakdown					Percent Breakdown					Percent Breakdown				
						47%	21%	32%	Total QTY	Extension	47%	21%	32%	Total QTY	Extension	47%	21%	32%	Total QTY	Extension
Replace Casting	Cementitious Lining	Epoxy Line	Total QTY	Extension	Replace Casting	Cementitious Lining	Epoxy Line	Total QTY	Extension	Replace Casting	Cementitious Lining	Epoxy Line	Total QTY	Extension						
Manhole 59						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 67						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 68						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 74						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 75						1			0.47	\$ 2,194.18	0	\$ -	1	0	0.47	\$ 2,194.18				
Manhole 79						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 58						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 61						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 80						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 82						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 83						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 88						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 90						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 92						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 93						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 94						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 14						1	1	1	1	\$ 4,668.46	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 45						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 48						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 49						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 50						1			0.47	\$ 2,194.18	0	\$ -	1	0	0.47	\$ 2,194.18				
Manhole 63						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 64						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 84						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 85						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 95						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 96						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 97						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 9						0			0	\$ -	0	\$ -	0	0	0	\$ -				
Manhole 55						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 56						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 128						1	1		0.68	\$ 3,174.55	0	\$ -	1	1	0.68	\$ 3,174.55				
Manhole 8						1			0.47	\$ 2,194.18	0	\$ -	1	0	0.47	\$ 2,194.18				
Manhole 140						1			0.47	\$ 2,194.18	0	\$ -	1	0	0.47	\$ 2,194.18				
Total QTY TD						33	29	13	25.76	\$ 120,259.53	0	0	0	0	\$ -	33	29	0	21.6	\$ 100,838.74

Percent Breakdown

Percent Breakdown

Total Quantity Complete To Date

13	Manhole Full Rehabilitation Extra Depth	210	VF	\$ 344.56	\$ 72,357.60	Percent Breakdown				Percent Breakdown				Total Quantity Complete To Date			
						31%	69%	Total QTY	Extension	31%	69%	Total QTY	Extension	31%	69%	Total QTY	Extension
Manhole 59						2.4	2.8	2.676	\$ 922.04			0	\$ -	2.4	2.8	2.676	\$ 922.04
Manhole 67						1.5	1.5	1.5	\$ 516.84			0	\$ -	1.5	1.5	1.5	\$ 516.84
Manhole 68						9	8.7	8.793	\$ 3,029.72			0	\$ -	9	8.7	8.793	\$ 3,029.72
Manhole 74						6	6	6	\$ 2,067.36			0	\$ -	6	6	6	\$ 2,067.36
Manhole 75								0	\$ -			0	\$ -	0		0	\$ -
Manhole 79						14.5	14.5	14.5	\$ 4,996.12			0	\$ -	14.5	14.5	14.5	\$ 4,996.12
Manhole 58						4.4		1.364	\$ 469.98			0	\$ -	4.4	0	1.364	\$ 469.98
Manhole 61						4.5		1.395	\$ 480.66			0	\$ -	4.5	0	1.395	\$ 480.66
Manhole 80						0	0.5	0.345	\$ 118.87			0	\$ -	0	0.5	0.345	\$ 118.87
Manhole 82						2.5	2.8	2.707	\$ 932.72			0	\$ -	2.5	2.8	2.707	\$ 932.72
Manhole 83						4.5	4.3	4.362	\$ 1,502.97			0	\$ -	4.5	4.3	4.362	\$ 1,502.97
Manhole 88						3.3	2.7	2.886	\$ 994.40			0	\$ -	3.3	2.7	2.886	\$ 994.40
Manhole 90						4.6	4.9	4.807	\$ 1,656.30			0	\$ -	4.6	4.9	4.807	\$ 1,656.30
Manhole 92						2.5		0.775	\$ 267.03			0	\$ -	2.5	0	0.775	\$ 267.03
Manhole 93						3.8	3.7	3.731	\$ 1,285.55			0	\$ -	3.8	3.7	3.731	\$ 1,285.55
Manhole 94						7.7	7.7	7.7	\$ 2,653.11			0	\$ -	7.7	7.7	7.7	\$ 2,653.11
Manhole 14						3.1		0.961	\$ 331.12			0	\$ -	3.1	0	0.961	\$ 331.12
Manhole 45						4.5		1.395	\$ 480.66			0	\$ -	4.5	0	1.395	\$ 480.66
Manhole 48						5		1.55	\$ 534.07			0	\$ -	5	0	1.55	\$ 534.07
Manhole 49						6.8		2.108	\$ 726.33			0	\$ -	6.8	0	2.108	\$ 726.33
Manhole 50								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 63						3.3		1.023	\$ 352.48			0	\$ -	3.3	0	1.023	\$ 352.48
Manhole 64						9.6		2.976	\$ 1,025.41			0	\$ -	9.6	0	2.976	\$ 1,025.41
Manhole 84						4.8		1.488	\$ 512.71			0	\$ -	4.8	0	1.488	\$ 512.71
Manhole 85						0.4		0.124	\$ 42.73			0	\$ -	0.4	0	0.124	\$ 42.73
Manhole 95						13.5		4.185	\$ 1,441.98			0	\$ -	13.5	0	4.185	\$ 1,441.98
Manhole 96						3.6		1.116	\$ 384.53			0	\$ -	3.6	0	1.116	\$ 384.53
Manhole 97						0.2		0.062	\$ 21.36			0	\$ -	0.2	0	0.062	\$ 21.36
Manhole 9						4		1.24	\$ 427.25			0	\$ -	4	0	1.24	\$ 427.25
Manhole 55								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 56						2.1		0.651	\$ 224.31			0	\$ -	2.1	0	0.651	\$ 224.31
Manhole 128						4		1.24	\$ 427.25			0	\$ -	4	0	1.24	\$ 427.25
Manhole 8								0	\$ -			0	\$ -	0	0	0	\$ -
Manhole 140								0	\$ -			0	\$ -	0	0	0	\$ -
Total QTY TD						136.1	60.1	83.66	\$ 28,825.89	0	0	0	\$ -	136.1	60.1	83.66	\$ 28,825.89

**KANSAS GOVERNOR’S GRANTS PROGRAM**  
**Local Safety and Security Equipment Grant Program**  
**Grant Assurances**

The subgrant award listed below is available pursuant to section 602 of Title VI of the Social Security Act established the Coronavirus State Fiscal Recovery Funds (State Fiscal Recovery Funds), as added by section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) (codified in 42 U.S.C. 802(f); 42 U.S.C. 803 (f), as implemented in 31 C.F.R. 35.1 through 35.12), as awarded to the State of Kansas by the U.S. Department of the Treasury to provide moneys to the State of Kansas to use for expenditures to respond to the public health emergency or its negative economic impacts, to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers, to provide government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the public health emergency, and to make necessary investments in water, sewer, or broadband infrastructure.

The SPARK (Strengthening People and Revitalizing Kansas) Taskforce recommended the Kansas Department of Administration distribute ARPA State Fiscal Recovery Funds for the State Efficiency and Modernization program with the purpose of improving the accessibility and efficiency of delivery of State services to Kansans through investments in State facilities modernization, IT infrastructure, continuity of operations, and safety and security; and for replacement of wildland firefighting equipment. The SPARK Taskforce further recommended the Kansas Governor’s Grants Program (KGGP) distribute a portion of the ARPA State Fiscal Recovery Funds for the Local Safety and Security Equipment (LSSE) Grant Program. The funds distributed to the Subgrantee by the State of Kansas will be administered by the KGGP accordingly.

The Catalog of Federal Domestic Assistance, or CFDA, number for the State Fiscal Recovery Funds, under which LSSE funding is provided, is 21.027. This document contains information specific to this federal grant program.

The subgrant project awarded to **City of Valley Falls** (Subgrantee), Unique Entity Identifier: **Q25GBDVCD7H3**, is for the total amount of **\$29,500**. The portion of the grant award funded by the LSSE grant is **\$26,550**. The portion of the grant award that must be funded by the Subgrantee is **\$2,950**. Grant project costs must be allocated to LSSE funds and match at the proportion documented within this paragraph. The use of match is restricted to the same guidelines, purposes, and allowable costs as the LSSE funds. Hereinafter, all references to the “grant award” or “grant project” are inclusive of both LSSE funds and match.

The grant project number for this subgrant award is **LSSE-12**. As stated in the Subgrantee application, the approved project description is:

To purchase and upgrade mobile and portable radios in the PD to comply with CISA encryption standards.

\_\_\_\_\_ (initials of Authorized Certifying Official)

With acceptance of this grant award, the Subgrantee assures the following:

1. **AWARD PERIOD:** This grant award is for the period October 1, 2023, to December 31, 2024. The Subgrantee shall not allocate any expense made or incurred prior to October 1, 2023, or after December 31, 2024, to this grant award. The Subgrantee shall not allocate any expenditure for any activity, event, or conference that will occur outside the grant award period. All grant award expenses properly obligated on or before December 31, 2024, must be paid within 30 days following the end of the grant award period.

2. **APPROVED PURPOSES AND LIMITATIONS:** Grant project funds shall only be expended for the programs described in 42 U.S.C. 802(f);42 U.S.C. 803 (f), as implemented in 31 C.F.R. 35.1 through 35.12; for the purpose approved by the KGGP; in accordance with any terms and conditions the KGGP attaches to the grant award; and for approved LSSE activities, attributable to the LSSE approved project.

The Subgrantee shall not be approved to use grant funds as follows:

- To supplant federal, state, or local funds that would otherwise be available to improve the accessibility and efficiency of delivery of services to Kansans through investments in facilities modernization, IT infrastructure, continuity of operations, and safety and security; or for replacement of wildland firefighting equipment;
- For fundraising or research, either directly or indirectly;
- For purchase of land;
- To lease, construct, expand, acquire, remodel, renovate, repair, furnish, or make improvements to buildings or similar facilities or for other capital outlay or equipment not expressly authorized; or
- To pay debts or support other agency programs, initiatives, or expenses incurred by other activities beyond the scope of the approved LSSE project.

3. **SOLICITATION:** The Subgrantee shall be in compliance with the specifications outlined in the solicitation under which the submitted application was approved. The terms and conditions of the LSSE solicitation are hereby incorporated by reference into this grant award.

4. **LAWS AND REGULATIONS:** The Subgrantee shall comply with all applicable state and federal laws and regulations that include, among other relevant authorities, provisions of the LSSE grant program, Federal Program Guidelines, and ARPA and corresponding rules and regulations. In addition, a Subgrantee that enters into any contractual or mutual agreement in which a specific role or responsibility of the approved LSSE grant project is assumed by the partnering/contractual entity, will be responsible for assuring compliance with requirements in the Grant Assurances document is met by the partnering/contractual entity.

5. **REPORTING REQUIREMENTS:** The Subgrantee shall comply with any evaluative, statistical, or financial reporting requirements of the LSSE grant program or those set by the KGGP. Any grant requirement deadline not met in which there was not prior approval for an extension will result in consideration by the KGGP to suspend, decrease, or terminate the grant award. This requirement includes, but is not limited to, signed Grant

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Assurances, Special Conditions, financial reports, programmatic reports, and grant project compliance review requirements.

6. **SAM REGISTRATION AND UNIQUE ENTITY IDENTIFIER:** The Subgrantee shall maintain an active registration status in the [U.S. System for Award Management \(SAM\)](#) for the duration of the grant award period. The Subgrantee shall acquire and provide the KGGP with its unique entity identifier as required for SAM registration.
7. **TRAINING AND TECHNICAL ASSISTANCE:** The Subgrantee shall participate in KGGP-sponsored training or technical assistance events as required by the KGGP.
8. **PROCUREMENT PRACTICES:** The Subgrantee shall adhere to their own documented procurement procedures, consistent with their own laws and regulations, as well as with the procurement standards in Federal Office of Management and Budget (OMB) Uniform Guidance for Federal Awards, [2 C.F.R. Part 200](#) (200.318 through 200.327). The Subgrantee shall verify that any vendors/contractors utilized with these LSSE grant funds are not debarred/suspended from participation in federal programs and shall retain documentation of such verification.

The Subgrantee shall comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently \$250,000). The Subgrantee shall contact the KGGP for guidance in meeting the necessary requirements for prior approval.

The Subgrantee should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Documentation of research for such products must be maintained by the Subgrantee.

9. **ACCOUNTING:** Grant fund accounting, auditing, and monitoring procedures necessary to maintain records as the KGGP prescribes shall be employed to ensure fiscal control, proper management, and proper expenditure of grant project funds. The Subgrantee shall maintain books, records, documents, and other evidence to identify the costs directly associated with the delivery of services, specific outcomes, and benefits outlined in the approved grant application. This means at a minimum:
  - (a) The Subgrantee shall keep records that segregate the grant project federal funds from all other funds received by the Subgrantee, keep its accounting for this grant project separate from the accounting of other funds, and spend and report in accordance with the approved grant project budget by program and budget line items;
  - (b) The Subgrantee shall keep supporting documentation for all costs charged to this grant project. This includes payroll reports, time and activity records, purchase orders, invoices, travel authorizations, and other financial documentation for all paid expenses; the portion of the grant project supported by other sources of revenue; contracts for services; and other records that facilitate an effective compliance review; and

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(c) The Subgrantee shall adhere to the applicable uniform (grants) administrative requirements, cost principles, and audit requirements set forth in the Federal OMB Uniform Guidance, [2 C.F.R. Part 200](#), the Kansas Department of Administration, U.S. Department of the Treasury, and the KGGP.

10. **ALLOWABLE COSTS:** All costs allocated to the LSSE grant project shall be consistent with the principles set out in the Federal OMB Uniform Guidance, [2 C.F.R. Part 200](#), Subpart E, and those permitted by the grant program's authorizing legislation. Costs must be reasonable, allocable, and necessary to the grant project's success.
11. **INDIRECT COSTS:** Any indirect cost rate applied to the LSSE grant project shall be approved by the KGGP prior to the application of such indirect costs against grant project expenditures. Further, the Subgrantee shall comply with Section 200.414 of the Federal OMB Uniform Guidance, [2 C.F.R. Part 200](#), Subpart E, and applicable appendices.
12. **AUDIT REQUIREMENTS:** The Subgrantee shall undergo a financial statement audit conducted by an independent certified public accountant for the applicable agency fiscal period(s) under which these grant funds are expended. Such audit must comply with the applicable Federal OMB Uniform Guidance, [2 C.F.R. Part 200](#), Subpart F, organizational audit requirements and the Single Audit requirements. The financial statements are or will be accessible by the public. Nonprofit subgrantees shall mail to the KGGP a copy of the audit report(s) related to expenditure of these LSSE funds.
13. **RECORDS:** All records shall be subject at all reasonable times to inspection, review, or audit by State personnel and other personnel duly authorized by the KGGP, as well as Federal personnel. All financial records, supporting documentation, statistical records, and all other records pertinent to the grant award shall be retained by the Subgrantee for at least five years following the closeout of the grant award.

The Subgrantee shall cooperate with any assessments, national evaluation efforts, or information or data collection requests including, but not limited to, the provision of any information required for the assessment or evaluation of activities within this project.

14. **EQUIPMENT:** The Subgrantee shall submit reports detailing the purchase of equipment, with a unit cost of \$5,000 or more, within 30 days of the payment date. Equipment purchased through this grant project will continue to be used for the purpose it was purchased for as long as needed, whether or not the agency continues to be supported by a LSSE grant. The Subgrantee shall comply with all applicable procurement procedures and procure items through a competitive process. The Subgrantee shall contact the KGGP for guidance in meeting the necessary requirements.
15. **COMMUNICATIONS EQUIPMENT COMPLIANCE:** The Subgrantee shall provide safe and secure interactions and interoperability of communications and ensure compliance with Cybersecurity and Infrastructure Security Agency mandates.

\_\_\_\_\_ (initials of Authorized Certifying Official)

16. **CIVIL RIGHTS AND NONDISCRIMINATION:** All grant projects provided by the Subgrantee shall comply with all applicable nondiscrimination requirements including, but not limited to, the ARPA; U.S. Department of the Treasury Nondiscrimination Regulations; Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000(d) *et seq.*; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. §794; Subtitle A, Title II of the Americans with Disabilities Act (ADA) of 1990, as amended, 42 U.S.C. §12131 *et seq.*, Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*; and the Age Discrimination Act of 1975, 42 U.S.C. §6101 *et seq.*

*Kansas Executive Order (EO) 19-02:* Pursuant to [EO 19-02](#), the Subgrantee shall expressly require all hiring must be on the basis of individual merit and qualifications and expressly prohibit discrimination based on race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation that is unrelated to the person’s ability to reasonably perform the duties of a particular job or position.

*Kansas EO 18-04:* Pursuant to [EO 18-04](#), the Subgrantee:

- Shall comply with all state and federal employment discrimination laws prohibiting sexual harassment and retaliation in the workplace;
- Shall establish agency policies regarding sexual harassment, discrimination, retaliation, confidentiality and anonymous reporting, applicability to intern positions, and training of the policy; and
- Shall conduct annual mandatory training seminars for all staff, employees, and interns in regard to the office regarding the policy against sexual harassment, discrimination, and retaliation, and shall maintain a record of attendance.

*Civil Rights Contact:* The name of the person who has lead responsibility for ensuring that all applicable civil rights requirements are met has been provided to the KGGP. This person shall act as a liaison in civil rights issues with the U.S. Department of the Treasury Department of Civil Rights and Equal Employment Opportunity.

*Civil Rights Finding:* In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, age, or disability against the Subgrantee, the Subgrantee shall forward a copy of the findings to the KGGP and the U.S. Department of the Treasury Office of Civil Rights and Equal Employment Opportunity.

*Civil Rights Policies and Procedures:* The Subgrantee is required to have written policies and procedures in place to assure compliance with applicable civil rights laws, regulations, and policies.

*Training:* The Subgrantee assures all agency staff participate in annual training of its civil rights policies and procedures.

\_\_\_\_\_ (initials of Authorized Certifying Official)

17. **EQUAL EMPLOYMENT OPPORTUNITY PROGRAM:** If required by federal and state law, the Subgrantee has formulated an equal employment opportunity program.
18. **EQUAL TREATMENT FOR FAITH-BASED AND OTHER NEIGHBORHOOD ORGANIZATIONS:** All grant projects provided by the Subgrantee shall comply with the Equal Treatment for Faith-Based Organizations Regulation, 45 C.F.R. Part 87 and amendments thereto. The Subgrantee shall not discriminate against prospective program beneficiaries on the basis of religion. The Subgrantee shall not use grant funds for inherently religious activities, such as worship, religious instruction, or proselytization. Subrecipients of grants may still engage in inherently religious activities, but such activities must be completely separate in time or place from the grant-funded program and participation in such activities by individuals receiving services from the Subgrantee must be voluntary. Further, the Subgrantee shall not discriminate in the provision of services on the basis of a beneficiary's religion, religious belief, refusal to hold a religious belief, or refusal to attend or participate in a religious practice.
19. **LIMITATION ON LOBBYING ACTIVITIES:** The Subgrantee shall not use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification, or adoption of any law, regulation, or policy at any level of government without the express prior written approval of the U.S. Department of the Treasury and the KGGP, in order to avoid violation of 18 U.S.C. §1913.

As required by 31 U.S.C. §1352 and implemented at 28 C.F.R. Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 C.F.R. Part 69, the Subgrantee certifies that:

- (a) No federal appropriated funds have been or will be paid, by or on behalf of the Subgrantee, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant, the Subgrantee shall complete and submit Standard Form – LLL, “Disclosure of Lobbying Activities,” in accordance with its instructions; and
- (c) The Subgrantee shall include the language of this certification in the award documents for all contracts entered into and shall certify and disclose accordingly.

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20. **LIMITED ENGLISH PROFICIENCY:** Procedures are in place to ensure meaningful access by persons with limited English proficiency who are eligible for assistance or services from any Subgrantee program assisted under a LSSE grant award.
21. **TEXT MESSAGING:** The Subgrantee is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant project, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers. Kansas law prohibits texting while driving (K.S.A. 8-15,111).
22. **DISCLAIMER OF LIABILITY:** Neither the State of Kansas nor any agency thereof shall hold harmless or indemnify any Subgrantee beyond that liability incurred under the Kansas Tort Claims Act (K.S.A. 75-6101 *et seq.*) and shall not be held liable for the payment of damages resulting from the performance of installing, maintaining, or providing grant-funded services.
23. **INSURANCE:** The KGGP shall not purchase any insurance against loss or damage to any personal property purchased with grant project funds. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 *et seq.*), the Subgrantee shall bear the risk of any loss or damage to any personal property purchased with grant project funds.
24. **ADDITIONAL REQUIREMENTS:** The Subgrantee understands and agrees to comply with any additional requirements that may be imposed during the grant award period if the KGGP determines that it is warranted.
25. **MISUSE OF GRANT FUNDS:** Misuse of grant funds may result in a range of penalties, including suspension of current and future grant funds, suspension or debarment from state and/or federal grants, recoupment of monies provided under the grant award, and civil and/or criminal penalties.
26. **FRAUD, WASTE, AND ABUSE:** The Subgrantee shall promptly refer to the U.S. Department of the Treasury and the KGGP any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted a false claim for LSSE grant funds under the False Claims Act or committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving LSSE grant funds.
27. **UNUSED FUNDS:** The Subgrantee shall return to the KGGP any unused grant funds on hand within 10 business days after the final Financial Status Report is due.
28. **FAILURE TO COMMENCE GRANT PROJECT:** If the activities described in the grant application have not commenced within 60 days after acceptance of the grant award, the Subgrantee shall report in writing the steps taken to initiate the grant project, the reasons for delay, and the expected starting date. If the activities have not commenced within the next 30 days of receipt of the above correspondence, a further statement in writing regarding the delay shall be submitted to the KGGP. Upon receipt of the second

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correspondence, the KGGP may terminate the grant and all unused grant funds shall be returned together with a complete accounting of all expenditures.

**29. RIGHT TO TERMINATE:** The KGGP reserves the right to terminate any grant award and cease payment to the Subgrantee for failure to comply with applicable laws, regulations, and/or terms and conditions of the grant assurances. Further, the KGGP may seek reimbursement of any or all grant funds and may reclaim any equipment, durable goods, and other property purchased with these grant funds if the Subgrantee fails to perform in accordance with the terms of the grant assurances and reporting requirements.

**30. CORRESPONDENCE AND REPORTS:** Grant Assurances shall be signed, scanned, and emailed to [kggp@ks.gov](mailto:kggp@ks.gov) or mailed to the **Kansas Governor's Grants Program, Landon State Office Building, Room 304 North, 900 SW Jackson Street, Topeka, Kansas 66612-1220**. All other correspondence, reports, and documentation required by this grant shall be submitted by email to [kggp@ks.gov](mailto:kggp@ks.gov) or by mail to the KGGP address above.

**31. SPECIAL CONDITION(S):**

(a) The Subgrantee shall attend a webinar training session regarding the Grant Assurances and Reporting Requirements at 9:00 am on September 28, 2023. The Zoom calendar invitations will be provided at a later date by email to the grant project primary contact. Failure to participate in the training could result in the interruption or suspension of the grant award.

(b) The Subgrantee shall submit to the KGGP at [kggp@ks.gov](mailto:kggp@ks.gov) a revised Budget Summary Form to 1) reduce the request to three mobile radios at \$4,500 each and four portable radios at \$4,000 each so that the total LSSE amount is \$26,550 and the total Match amount is \$2,950 and 2) provide the costs per radio in the line item Explanation, no later than October 5, 2023.

**32. REQUIRED SIGNATURE:**

*As the Authorized Certifying Official, I have read and fully understand this Grant Assurances document. By signing, I accept the conditions stated in this document.*

---

Signature of Authorized Certifying Official

Date

---

Type or Print Name of Authorized Certifying Official

---

Title

\_\_\_\_\_ (initials of Authorized Certifying Official)

---

Address (Street, City, State, Zip Code)

\_\_\_\_\_ (initials of Authorized Certifying Official)



REQUEST FOR QUALIFICATIONS

# Safe Streets for All (SS4A) Action Plan

SEPTEMBER 2023





September 15, 2023

Audree Guzman, City Administrator  
City of Valley Falls  
417 Broadway Street  
Valley Falls, KS 66088

Re: Request for Qualifications | Safe Streets for All (SS4A) Action Plan

Dear Ms. Guzman;

Thank you for the opportunity to submit for Valley Falls' Safe Streets for All Action Plan. The federal Safe Streets for All (SS4A) program is a once-in-a-generation opportunity for Valley Falls to assess its street network, and implement changes to provide even safer travel for drivers, bicyclists, and pedestrians. This initiative is especially helpful in supporting the City in its desire to address sidewalks, streetscaping, lighting, and signage in downtown and in the K-4/K-16 gateway into downtown. This Action Plan effort will position the City to apply for SS4A Implementation Grants as well as KDOT Transportation Alternatives (TA) grants and KDOT Safe Route to School grants once it's completed.

There are many qualified firms to complete this Plan for Valley Falls; why should the City choose PEC?

- **We Are Your City Engineer**  
Through our strong relationship with City staff, we have a leg up on the specifics of the City's street network and data, understanding the City's values, and what's important to you.
- **We Take a Visionary and Practical Approach to Planning**  
PEC prides itself on our balanced approach to planning. We understand the City wants a Plan to provide a vision for its street network, accomplishing its other goals: tourism, a practical guidebook as to projects, and funding opportunities to pay for the recommended projects.
- **We Understand Safe Streets for All and the Federal Funding Process**  
This is a new federal program that is rolling out across the country. With our contacts with the State of Kansas Infrastructure Hub and the Kansas Department of Transportation (KDOT) to understand what the State, U.S. Department of Transportation are looking to get out of the SS4A program. We've organized our scope to account for all of the federal requirements through this program and have extensive experience with the requirement associated with planning and designing federally-funded projects.
- **We Deliver**  
Our planning team has secured close to \$25 million in grants for planning initiatives or capital construction projects. We understand any good Plan should always have the end goal of implementation in mind.
- **We Care**  
Whether that be through phone calls with your Client Manager, Alex Darby, or through our attention to detail in our current GIS project with Sheldon Bina, we hope you have seen our caring in action.

Again, thank you for this opportunity. Please contact Kristen Zimmerman, AICP proposed Project Manager – with any questions or comments. Her direct number is 316-206-1495 and email address is kristen.zimmerman@pec1.com. We look forward to hearing from you.

Respectfully submitted,  
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

Benjamin M. Mabry, PE  
Principal-in-Charge

Kristen Zimmerman, AICP  
Project Manager

Alex M. Darby, PE  
Client Manager

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Section One  
**Technical Approach**



# Technical Approach

## Task 1. Project Coordination and Management Plan

The purpose of the Project Coordination and Management Plan is to set the expectation of **consistent and responsive communication** between the Valley Falls team and PEC. The Plan will include a **schedule of deliverables** and check-in meetings, a list of **roles and responsibilities**, and clear **procedures for coordination and communication** between our team and Valley Falls. Effective project management is essential to carrying out a planning initiative that creates trust with partners, carries out a smooth process for the client, stays on schedule and budget, and creates momentum. It's been our experience that regular check-in meetings with the Client to review draft deliverables, seek guidance on upcoming tasks, and share relevant information works best. We hope your experience with us on other projects is indicative of PEC's partnering approach to project management.

Deliverables: » Project Management Plan

## Task 2. Community Engagement

Our foundational principle for community engagement is trust – we start by **building and maintaining trust in the planning process** and in the people. Trust leads to open, meaningful, genuine conversations and a sense of feeling heard. These are the foundations of any successful community engagement campaign that leads to information sharing, empowerment, and lasting change.

Ensuring that stakeholders and the public feels heard provides a good foundation for navigating harder conversations. It's important that trust and relationships are built well in advance. Engaging with the public is not just an opportunity to learn about these issues and solve them, to identify and empower potential advocates, champions, and partners in the on-going work.

Our team is **ALL IN** for the Community Engagement for this project, the quality of the engagement effort will set the tone for the entirety of this Plan and will lay the foundation for the Plan Implementation. We are committed to soliciting, listening to, and incorporating all voices into this planning process with a focus on communities that are disproportionately impacted.

We have several ideas to provide a sense of our values, approach, and familiarity with stakeholders in Valley Falls. The Community Engagement Plan will serve as a tool for staying on schedule – like the Project Management Plan (PMP) – since the engagement phases will be tied to the overall project phasing.

The PEC team will work together with Valley Falls to develop a **community engagement plan** that is based on collaboration, and is focused on an equitable process guided by input from stakeholders and influencers that inspires meaningful input to help engage and empower. This plan will identify outreach efforts and techniques that are appropriate to ensure officials, agencies, local government, the public, and interested parties would have adequate opportunities to provide their input into the development of the Action Plan.

This process is especially important to engage traditionally underserved populations such as those with lower income and education levels, seniors, low rates of vehicle ownership, high obesity, and locations with a high number of schools/ community centers. The public will also be given a chance to comment on the findings and recommendations. Upon conclusion of all public engagement activities, we will prepare a memo outlining a comprehensive understanding of all stakeholder and public input.





## Community Engagement Phase 1: Building Understanding

Before any Plans can be made, we need to understand the safety concerns from all stakeholders. We will go into this phase with open minds and sincere intentions to hear all voices and all concerns. Since the Safe Systems approach is explicitly people focused, we are too. Transportation systems are built to move people and goods. Therefore, it's important to focus on the impacts these systems have on people and communicate our commitment to engage, involve, and empower all interested people throughout this planning process and beyond to implementation. The main focus of this phase is to let stakeholders and the public know we are listening, we care, we want to work together, and we are talking to them first before any decisions are made. Most importantly, we will continue to engage with them throughout the course of the project and through to implementation.

The purpose of Phase 1 is to **understand what's important** to them when it comes to the safety of the system, what issues/problems they see on the system, which projects they support (or don't), and why as well as suggestions they may have for any additional projects to consider. This will yield knowledge on the perceived safety culture and areas of concern. Specific activities include:

- Form a steering committee with local stakeholders including representatives from City Departments (like Public Works or Police), Valley Falls USD 338, area businesses, area churches, and any other active, influential group or organization in Valley Falls. (As a requirement of the SS4A program, a Steering Committee must be formed to develop and implement the Action Plan.)
- Hold individual "Listening Sessions" with people and groups disproportionately impacted by the current transportation system, such as people with disabilities, elderly people, pedestrians, or bicyclists.
- Set up an online and paper survey for the general public to fill out, with a map to identify specific safety concerns and locations
- Develop a project webpage, and content for the City to post updates to its newsletter, website, social media, in City Hall, and share with local media
- Activate an email distribution list, where people can sign up to receive updates on the project status.

## Community Engagement Phase 2: Building Momentum

Once our initial groundwork is complete on assessing the perceived safety culture and concerns, we would shift to building momentum for the Plan. We will continue to engage with the public and stakeholder groups using trusted methods. This is the time to **identify common themes**, identify high priority conflicts that need resolution, and **garner support for Plan adoption**. Specific activities may include:

- Create a Steering Committee Meeting on options for the Countermeasure Toolbox and Vision Zero Toolkit based on safety concerns identified by stakeholders, public, and the Crash Data Analysis
- Identify champions among safety advocates and elected officials and equip them with talking points and materials to use to in their circles of influence
- Develop a series of "Through the Eyes Of..." videos to show the perspective of various users of the transportation system and the types of safety concerns they face
- Define a project logo, motto, website, and other branding materials based on major common themes defined in the Phase One: Building Understanding
- Share information learned in the Crash Data Analysis and State of Practice and Data Review with stakeholders and the public through easily consumable information through handouts, a project website, and social media campaign
- Show how the solutions identified in the Plan can address the concerns identified by the public and each stakeholder group by using visualizations and before/after images for capital projects
- Provide customized talking points and communication materials for each stakeholder group to share among their circles of influence
- Engage trusted media outlets



## Community Engagement Phase 3: Building a Foundation For Success

This last and final phase will align with the **Action Plan completion and adoption**. Our goal is for the planning process to be such a positive and empowering experience for all parties that the Plan is adopted by Valley Falls, as well as partnering organizations critical to implementation such as the school district. This phase will be based on the needs of the Implementation Plan and Programs developed in Task 7 and will include a series of final presentations to the City Council and targeted engagement with those groups that will be part of the overall Implementation effort. This will be the time to communicate the major themes of the planning process, the **implementation framework**, a **call to action** for continued commitment, and **express our gratitude** to all of the people that contributed their input and time to date. We want to ensure that all parties necessary for implementing the plan are equipped with what they need. That will be the real test for success. Specific engagement activities may include:

- Present the Plan to City Council and the governing bodies of other partnering organizations for consideration of adoption (this will be especially important as one of the federal requirements is for the governing body to commit to a future goal of zero roadway fatalities and serious injuries)
- Convene a group of the key leaders working on implementation of the Plan to develop next steps as to how to implement it (e.g., Grant Application for Implementation)
- Thank you cards
- Press releases, and content for the City's website, newsletter, social media, and other communication outlets

**Deliverables:**   » Stakeholder and Public Engagement Plan (draft and final)  
                      » Summary memo outlining a comprehensive understanding of all stakeholder and public input (final)

## Task 3. State of Practice and Crash Data Analysis

This Action Plan needs to be informed by best practices across the State, region, and nation as well as coordinated with existing local, regional, and State Plans and based on local data. For this task, PEC will carry out three specific sub-tasks.

- **Coordination with Other Plans:** Compile relevant data, goals, policies, objectives, strategies, countermeasures, and location priorities from other existing plans including Valley Falls' Comprehensive Plan, zoning, existing land use, and the KDOT Strategic Highway Safety Plan (SHSP).
- **Data Compilation and Assessment:** Compile and assess quality and quantity of the currently available data from either the City, KDOT or other sources including traffic volumes, crash, land use, and demographic data. This data will be used in the crash analysis.
- **Crash Analysis:** Carry out a crash data analysis comparing Valley Falls with similar-sized communities in Kansas to analyze crashes per vehicle miles traveled (VMT), crashes per capita, overall exposure to crash risk, and other relevant factors. Analyze existing conditions and historical trends that provides a baseline level of crashes in Valley Falls. This includes an analysis of locations where there are crashes and the severity of crashes as well as contributing factors and crash types by relevant road users (vehicle, motorcycle, pedestrian, bicycle rider) and prevalence of crashes with an extra focus on those resulting in fatalities and serious injuries. We will use compiled demographic and traffic data to assess long range trends and analyze specific locations both in and out of Environmental Justice (EJ) areas. Through the analysis, PEC will identify:
  - **Emphasis areas** (high-risk areas with the highest fatal and severe injuries crashes)
  - **Prioritized high-risk corridors** (with the highest fatal and severe injuries crashes)
  - **Prioritized high-risk intersections** (with the highest fatal and severe injuries crashes)



Based on the information learned by completing Plan Coordination, Data Assessment, and Crash Analysis, PEC will make recommendations as to how Valley Falls can continue to build up on its Safety Culture through the four E's of traffic safety: education, enforcement, engineering, and equity.

- Deliverables:
- » Technical Memo on Literature and Policy Review (draft and final)
  - » Technical Memo on Data Assessment (draft and final)
  - » Technical Memo on Data Analysis and Findings (including equity considerations) for emphasis areas and high-risk corridors and intersections (draft and final)
  - » Tool or methodology to recreate regional crash distribution with available data on an annual basis (draft and final)

## Task 4. Countermeasure Toolbox

Traffic safety countermeasures are actions designed to counteract a threat to safety, so the Countermeasure Toolbox will include many actions and activities Valley Falls can use to counter identified threats. The Countermeasure Toolbox will be the result of the planning process to date: input from the Public and Stakeholders, State of the Practice and Data Review, and the Crash Data Analysis. For many participants, it will be the highlight of the process since it will **identify specific projects and strategies** for specific agencies to pursue that will lead to positive gains in safety performance measures and in the overall safety culture. It will be important to develop countermeasures that will be context sensitive and **make sense for Valley Falls**. PEC is well positioned to develop countermeasures that make sense on many measures proven effectiveness, public acceptance and political acceptance, feasibility, and cost. It's likely the Countermeasure Toolbox will produce the projects for the Safe Streets For All Implementation Grant applications and other funding opportunities including KDOT Safety programs and other federal programs.

Each countermeasure will include a description, scope, cost estimate, candidate partners, and justification narrative and will be organized around the four E's of traffic safety. Examples of the types of countermeasures that may be considered include the following:

- Equity: Dedicated funding programs for neighborhood scale pedestrian improvements (lighting improvements, cross walks, sidewalk repair, etc.)
- Education: Walking School Bus programs for elementary schools
- Engineering: Design standards for neighborhood-scale traffic calming techniques like speed tables, or concept renderings for reconfigured high risk intersections
- Enforcement: Targeted speed enforcement along designated arterial safety corridors
- Everything Else: Traffic incident management policies and practices, or shoulder rumble strips

PEC has a strong background in regional-level performance measures and the proven correlation between countermeasures and specific performance measures both at the local and regional scale and the federally-mandated safety performance measures: five year moving averages of fatalities, fatality rate, serious injuries, serious injuries rate, and total non-motorized fatalities and serious injuries. We anticipate developing a look up table to show the correlation between the project/strategy/program and likely impact on performance measures.

- Deliverables:
- » Systemic Countermeasure Toolbox (draft and final)
  - » Emphasis Areas Toolbox (draft and final)
  - » Recommended Performance Measures



## Task 5. Implementation Plan & Programs

PEC will coordinate with Valley Falls and the Steering Committee to identify **high, medium, and lower priority activities** in the Countermeasures Toolbox and develop an implementation plan to move forward with each one. Some projects may be identified as candidates to apply for federal SS4A Implementation Grants, some may be identified as candidates to apply to KDOT Transportation Alternatives funding program, or some may be identified as moving forward through local resources, such as changes to local law enforcement practices. PEC will work with Valley Falls to establish a process and create a publicly-accessible tracking mechanism in the form of an **online dashboard (or document)**. The Implementation Plan will also be organized around the four Es of traffic safety. Each activity/project identified as part of the Implementation Plan will be additionally scoped out, and include estimated costs and schedules.

Deliverables:   » Implementation Dashboard (online)  
                      » Cost estimates

## Task 6. Safe Streets Visualizations & Vision Zero Toolkit

We all know that picture and graphics are helpful in sending a powerful message. PEC will develop **intuitive graphics** of specific intersections and corridors in the Implementation Plan to show current and improved. PEC will also develop a **project infographic**, and include the graphics in the project website. We lead the industry in 3-D visualizations. These visualizations can be used by Valley Falls and its partners on their own websites, social media, and print materials. PEC will combine these visualizations along with summary information from the Implementation Plan to develop a **Action Plan Toolkit** for use in public presentation materials. This will be an easily accessible way for City leaders, staff, stakeholders, and the public to see the Plan at a glance.

Deliverables:   » Graphics and infographic (draft and final)  
                      » Action Plan Toolkit (draft and final)

## Task 7. Plan Document

The Consultant will develop a draft and final Action Plan document (which includes all required components for the SS4A Grant application) with the outcomes from stakeholder and public engagement as well as information and findings gathered in the previous tasks. The Action Plan will guide Valley Falls partnering agencies' efforts for improving transportation safety along with reducing roadway fatalities and severe injuries each year on the transportation system.

The Action Plan will include strategies for implementation as well as the methodology to measure progress to review and update the plan every five years (after City Council adoption). The Action Plan will discuss implementation through the adoption of revised or new policies, guidelines, and/or standards, as appropriate.

**The final deliverables for previous tasks will be incorporated as part of the final Action Plan.** The final plan shall be organized and constructed around the four Es of traffic safety: engineering, equity, enforcement, and education.

Deliverables:   » Safe Streets for All Action Plan (draft and final)

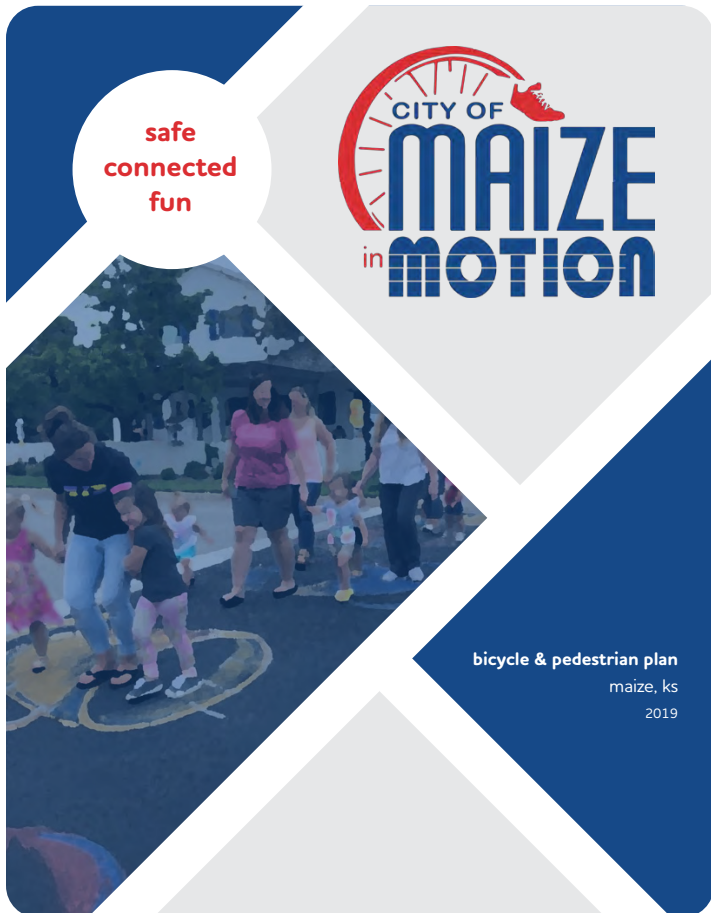
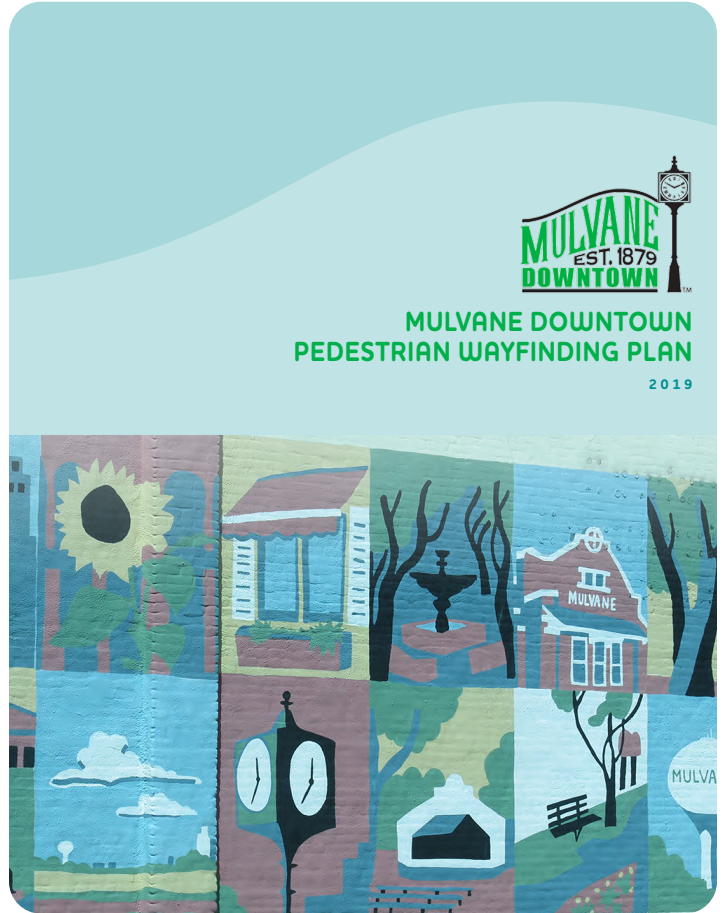


Section Two  
**Project Experience**



# Project Experience

PEC conducted long-range bicycle and pedestrian plans for the municipal clients below. We identified existing conditions, determined current and future needs, recommended projects and implementation strategies including project costs, sequencing, funding, and policies. Client contact references can be found at the end of this section.

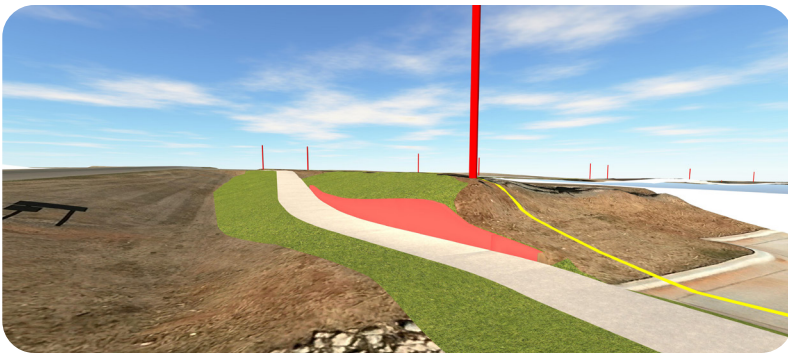






### **SW 10<sup>th</sup> Street Pedestrian Bridge and Shared-Use Path** Topeka, KS

PEC designed a new, 120-foot long prefabricated structural pedestrian bridge with a 10-foot wide shared-use path on the north side of SW 10<sup>th</sup> Street. PEC assisted the City of Topeka with applying for a grant application for additional funding for the shared-use path and pedestrian bridge between Wanamaker Road and Robinson Avenue. Cost of construction rose dramatically due to supply issues. Construction was completed in 2022.



### **Iliff Street Multi-Use Path** Medicine Lodge, KS

PEC is currently providing civil engineering design services for the addition of a multi-use path along Iliff Street (US-281) from 2<sup>nd</sup> Avenue to El Dorado Avenue in Medicine Lodge as a part of the 2023 KDOT Transportation Alternatives Program. This design includes a six-foot wide concrete path, pedestrian crossings, and lighting improvements. The path will increase connectivity from Medicine Lodge High School, commercial, and residential districts to the south.



### **6<sup>th</sup> Street and Tennessee Pedestrian Improvements** Lawrence, KS

The 6<sup>th</sup> Street and Tennessee project included roadway widening, pedestrian facility improvements, ADA crossing, and stormsewer design and relocation. PEC handled utility coordination which included facilitating construction around power and light poles, underground gas, fiber, water, and stormsewer. Additionally, 6<sup>th</sup> Street follows a KDOT route (Route 40) which brought KDOT coordination for funding and plan review. Construction was completed in 2019.





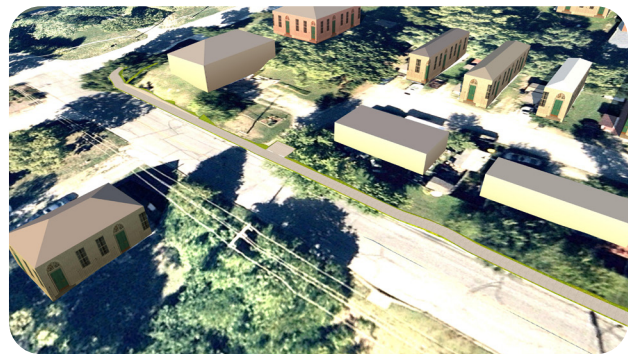
## 82<sup>nd</sup> Street Sidewalk De Soto, KS

PEC provided field survey and civil engineering design for the addition of sidewalk along the south side of 82<sup>nd</sup> Street from Ottawa Street to Delaware Street. This included a utility study of the corridor as well as preliminary estimates of the retaining wall requirements to help determine on which side of the street the sidewalk should be constructed. Following the input from the public, the south side of 82<sup>nd</sup> Street was unanimously selected. A five-foot wide concrete sidewalk and sidewalk ramps were designed with adjoining concrete retaining walls where needed. Driveways were also reconstructed to meet current Americans with Disabilities Act (ADA) cross slope requirements along the portion of sidewalk that crosses the drive. The project finished construction in 2021.



## Ottawa Street Sidewalk De Soto, KS

PEC is currently providing civil engineering design services for the addition of sidewalk along the east side of Ottawa Street from 82<sup>nd</sup> Street to 83<sup>rd</sup> Street. This design includes a five-foot wide concrete sidewalk with adjoining concrete retaining walls, where needed. ADA compliant ramps are designed on the south side of the sidewalk to connect to existing sidewalk on 83<sup>rd</sup> Street. The north part of the sidewalk is designed to connect to the existing 82<sup>nd</sup> Street sidewalk that PEC previously designed for the City. The design also includes the addition of trench drains and the relocation of a conflicting fire hydrant and valve. The project was constructed earlier this year.



## Crash Analysis and Traffic Studies

- Western Kansas Corridor Development; Garden City, KS
- FedEx Facility Development; Pittsburg, KS
- Corridor and Intersection Assessment; Garden City, KS
- US-54 Seward County; Liberal, KS (UNDER ANALYSIS)
- US-400 Bridge Replacement Kiowa County; Mullinville, KS (UNDER ANALYSIS)

## References

### City of Bel Aire, KS

Anne Stephens, PE | City Engineer  
astephens@belaire.gov | 316.744.2451

### City of Maize, KS

Jolene Graham | Deputy City Administrator  
jgraham@maizeks.gov | 316.722.7561

### City of Mulvane, KS

Kent Hixson | City Administrator  
khixson@mulvane.us | 316.777.1143

### City of Rose Hill, KS

Warren Porter | City Administrator  
warren@cityofrosehill.com | 316.776.2712

### City of Topeka, KS

Mark Schreiner, PE | Interim City Engineer  
mschreiner@topeka.org | 785.368.3034

### City of Medicine Lodge, KS

Brian Daily | City Administrator  
brian@medicinelodge.ks.gov | 620.213.1924

### City of Lawrence, KS

Jake Baldwin | Senior Project Manager  
jbaldwin@lawrenceks.org | 785-832-3000

### City of De Soto, KS

Brad Weisenburger | Planning and Capital Projects Director  
bweisenburger@desotoks.us | 913.586.5286





# Section Three

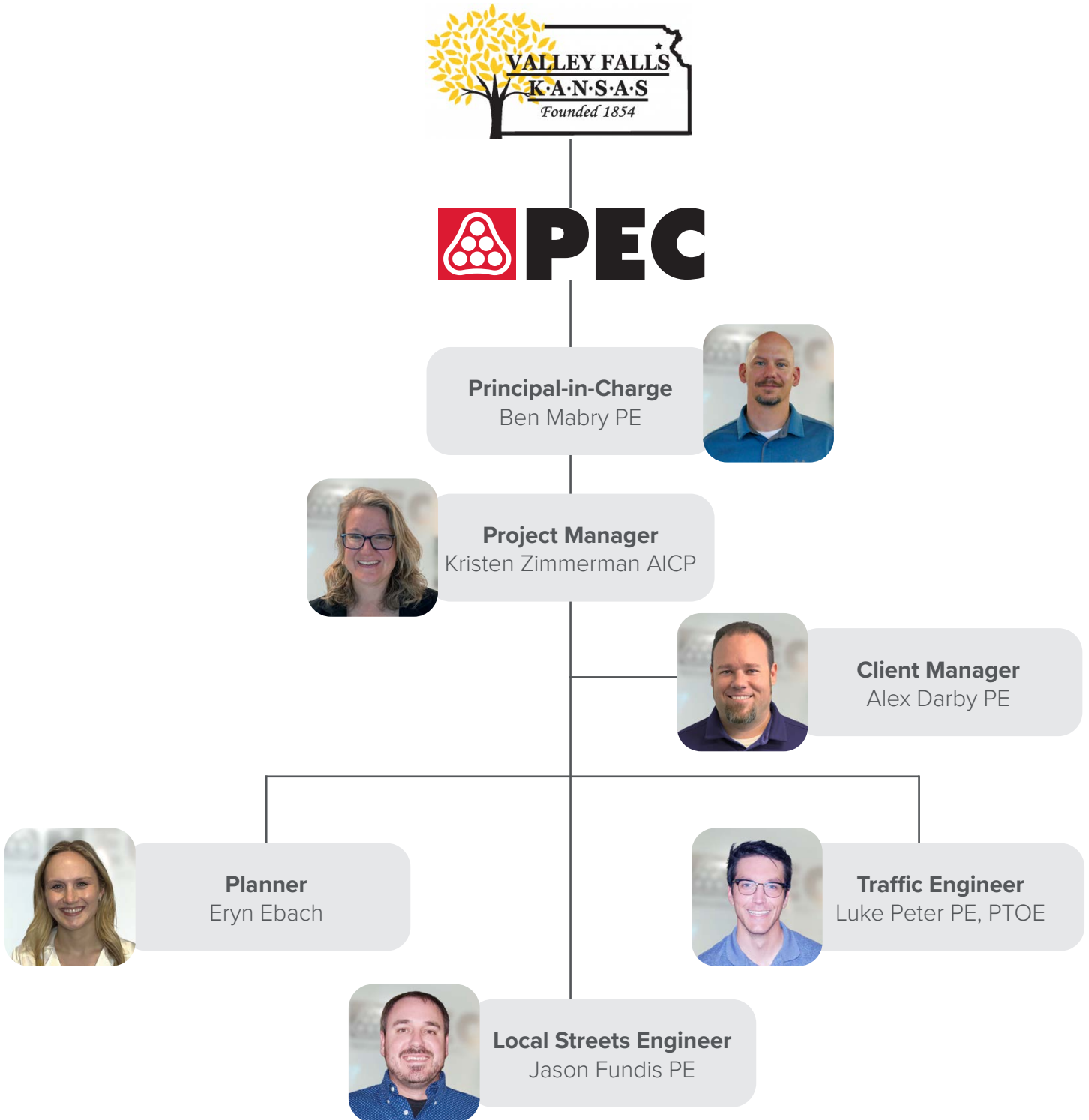
## Key Staff





# Key Staff

We understand the City requests we show only our proposed project manager and lead technical staff representing the majority of hours billed on the project, and as identified in the organizational chart below. We did want to let Valley Falls know that the group of people shown here will be supported by experienced traffic engineers, municipal road design engineers, GIS professionals, land use planners, graphic designers, and administrative professionals.



**Ben Mabry PE**  
**Principal-in-Charge**



**18 Years of Experience**

Ben is VP of Municipal Transportation. He is responsible for managing design teams for roadway projects of all sizes. His experience as City Engineer in several communities in Kansas provides a real-world perspective and an appreciation for the challenges city governments face. As principal-in-charge, Ben will be responsible for the making certain all project challenges are met by the design team.

**Select Project Experience**

- East 16<sup>th</sup> Street Pedestrian and Bicycle Trail; Wellington, KS
- McLaughlin Multi-Use Path; Valley Center, KS
- McLean Boulevard Reconstruction, Maple Street to Douglas Avenue; Wichita, KS
- Meridian Ave Street, Sidewalk, and Multi-Use Path Improvements; Valley Center, KS
- Ottawa Street Sidewalk from 82<sup>nd</sup> Street to 83<sup>rd</sup> Street; De Soto, KS
- Pawnee Avenue Reconstruction including Multi-Use Path; Wichita, KS
- Pedestrian Bike Path and Bridge Inspection; Haysville, KS
- Streetscape Feasibility Study and Concept Improvement Plan; Medicine Lodge, KS
- SW 10<sup>th</sup> Street Pedestrian Bridge and Shared Use Path, Topeka, KS
- University of Kansas Central District Development Road Reconstruction; Lawrence, KS

**Kirsten Zimmerman AICP**  
**Project Manager**



**29 Years of Experience**

Kristen is the team lead overseeing planning, GIS, and land development for PEC. Her responsibilities include project management and support for a variety of land use, municipal, and transportation planning projects, community engagement, geographic information systems (GIS), and grant writing. Kristen has managed a variety of planning projects from environmental scans to long-range transportation plans, and she is known for her people skills and attention to detail.

**Select Project Experience**

- 13<sup>th</sup> Street Sports Park; Andover, KS
- 17<sup>th</sup> Street, I-470 to MacVicar; Topeka KS
- Academy Avenue Improvement Design; Maize, KS
- Meridian Avenue Street, Sidewalk, and Multi-Use Path Improvements; Valley Center, KS
- Wichita Area Metropolitan Planning Organization Planning (WAMPO); Wichita, KS
  - Services On-Call
  - MTP 2050 Planning Assistance
- Yorktown from Central to 13<sup>th</sup> Street Paving; Andover, KS



**Alex Darby PE**  
**Client Manager**



**19 Years of Experience**

Alex leads the Topeka Municipal Team. He is responsible for the design of wastewater gravity/force main collection systems, pump stations, and treatment ponds; water distribution, storage and pump station facilities; site design; storm water evaluation; and site utility assessments. He has completed numerous master planning activities for local communities, including project development, cost estimating, and funding assistance.

**Select Project Experience**

- City of Valley Falls, KS
  - Water System Hydraulic Model and Master Plan
  - Mulberry Street Pavement Rehabilitation
  - Barnes Subdivision Development Design and Construction Administration
  - Sanitary Sewer Rehabilitation Phase 1
- City of Topeka, KS
  - SW 10<sup>th</sup> Street Improvements including Pedestrian Bridge and Shared-Use Path

**Eryn Ebach**  
**Planner**



**7 Years of Experience**

Eryn brings a wealth of knowledge for land use regulations and processes. She is responsible for project management and support on a variety of land use, municipal, and transportation planning projects. Areas of focus include land use, community engagement, and geographic information systems (GIS). She also supports land development projects that include platting, zoning, and development.

**Select Project Experience**

- Housing Needs Analysis; Haven, KS\*
- Housing Needs Analysis; Wellington, KS\*
- Community Development Survey; Newton, KS\*
- Transportation Alternatives, Pedestrian Access Expansion; Winfield, KS\*
- BCBS Pathways, Pedestrian Access Expansion; Winfield, KS\*

*\*projects completed prior to PEC*

**Jason Fundis PE**  
**Local Street Engineer**



**15 Years of Experience**

Jason serves as the Topeka Municipal Transportation Team Lead. Jason's team is responsible for design, plan, and specification development for municipal transportation and site civil projects including grading, paving, drainage, and geometric design. His design experience includes drainage analysis and design, environmental protection, storm sewer, roadway design, traffic control design, and site civil design.

**Select Project Experience**

- City of Valley Falls, KS
  - Mulberry Street Pavement Rehabilitation
- City of Topeka, KS
  - SW 10<sup>th</sup> Street Improvements including Pedestrian Bridge and Shared-Use Path, Wanamaker to Fairlawn
- City of De Soto, KS
  - Ottawa Street Sidewalk
  - 82<sup>nd</sup> Street Sidewalk

**Luke Peter PE, PTOE**  
**Traffic Engineer**



**8 Years of Experience**

Luke is responsible for the design of roadway, grading, utility, stormwater, and erosion control plans. Luke also has experience analyzing traffic data and recommending traffic solutions in numerous traffic studies. He is involved in all project aspects including design/study development and site/field visits during design and construction. Luke is proficient in AutoCAD and Civil 3D, Synchro, InfraWorks, and Vehicle Tracking CAD.

**Select Project Experience**

- 7<sup>th</sup> Street and Jefferson Sidewalk Improvements; Wellington, KS
- Academy Avenue Improvements; Maize, KS
- Greenwich Place Street Design; Wichita, KS
- Iliff Multi-Use Path; Medicine Lodge, KS
- Meridian Street Multi-Use Path; Haysville, KS
- Wichita Area Metropolitan Planning Organization (WAMPO) MTP 2050 Planning Assistance; Wichita, KS



## Section Four

# Qualifications and Capabilities with Federally Funded Projects





# Qualifications and Capabilities with Federally Funded Projects

PEC has extensive experience with planning and engineering projects funded with federal funding, from waterlines to highways to local streets to buildings, PEC has experience planning and designing projects funded through many federal programs as shown in the table, below, and has extensive knowledge of federal requirements such as the Uniform Act for Right of Way acquisition, Buy America, and required design review processes by state agencies administering federal funding. In our experience, Owners handle the grant administration (e.g., submitting progress reports to granting agencies, submit reimbursement requests, tracking budgets, etc.) either in-house or outsource it to a grant administration company. (PEC is glad to provide a recommendation for a grant administration company that we work with regularly.)

Name of Project	Type of Grants	Project Cost	Design
Newton Ground Storage Tank	KDHE	\$3,500,000	✓
Fall River Sanitary Sewer Rehabilitation	KDHE and KDA	\$1,500,000	✓
Medicine Lodge Water System Improvements	CDBG and USDA RD	\$4,500,000	✓
Greenwood County RWD 1 Water System Improvements	CDBG and USDA RD	\$4,000,000	✓
Neodesha Sewer and Water Improvements	USDA RD	\$8,000,000	✓
Neodesha Gas Distribution System Improvements	USDA RD	\$2,400,000	✓
Greensburg Electrical Distribution System	FEMA	\$4,200,000	✓
Greensburg Water Tower	USDA RD, FEMA, and KDHE	\$676,000	✓
Greensburg Streetlights	FEMA	\$1,300,000	✓
Weir Water Distribution System	CDBG and USDA RD	\$1,200,000	✓
Moline Sanitary Sewer Improvements	CDBG and USDA RD	\$1,300,000	✓
Chautauqua Hills PWWSD No. 20	CDBG and USDA RD	\$9,500,000	✓
Fort Scott Storm Water System	USDA RD	\$1,330,000	✓
Fort Scott Sanitary Sewer Improvements	USDA RD	\$1,500,000	✓
Pittsburg Wastewater Treatment Plant	KDHE and EPA	\$4,970,000	✓
Pittsburg Superior Industries Site	KDHE and EPA	\$1,500,000	✓
Pittsburg Water Aeration Basin	USDA RD	\$200,000	✓
City of Gas Water Distribution System	USDA RD	\$532,000	✓
Newton Water Tower	KDHE	\$700,000	✓
Rose Hill Lift Station Replacement	KDHE	\$400,000	✓
Haysville Emergency Water Repairs	USDA RD	\$480,000	✓
Valley Center Waterline Replacements	KDHE	\$200,000	✓
Erie Water System Improvements	EPA	\$500,000	✓





Name of Project	Type of Grants	Project Cost	Design
Ponca City Wastewater Plant	EPA and ODEQ	\$6,500,000	✓
Haysville Water System	USDA RD	\$500,000	✓
Neodesha Water System	USDA RD	\$500,000	✓
Gyp Hills Regional Landfill	KDHE	\$200,000	✓
KS Dept. of Emergency Preparedness/ Clean Air Act	KDHE	\$63,000	✓
Ford Street	USDOT	\$3,000,000	✓
McLaughlin Sidewalk	USDOT	\$500,000	✓
Kechi and Oliver Intersection	USDOT	\$3,500,000	✓

**LEGEND**

- CDBG      Community Development Block Grant  
Federal funding administered by the Kansas Department of Commerce
- USDA RD      U.S. Department of Agriculture Rural Development Program
- FEMA      Federal Emergency Management Agency
- KDHE      Kansas Department of Health and Environment
- KDA      Kansas Department of Agriculture  
Federal emergency management funding administered by the KDA
- EPA      Environmental Protection Agency
- ODEQ      Oklahoma Department of Environmental Quality
- USDOT      U.S. Department of Transportation  
Federal funding, administered by Kansas Department of Transportation



Ford Street



McLaughlin Sidewalk



# Section Five

## Required Acknowledgements







## Required Acknowledgments

CERTIFICATION BY PARTICIPANTS AS TO CURRENT HISTORY  
REGARDING DEBARMENT, ELIGIBILITY, INDICTMENTS, CONVICTIONS, OR  
CIVIL JUDGMENTS

By signing this certificate, the Participant certifies that neither it nor its principals (owner, partner, director, officer, principal investigator, project director, manager, auditor, or any other position involving the administration of federal funds) is:

- (1) not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- (2) has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
- (3) does not have a proposed debarment pending;
- (4) and has not been indicted, convicted, or had a civil judgment rendered against (it) by a court of competent jurisdiction in any manner involving fraud or official misconduct within the past three years.

List any exceptions here: \_\_\_\_\_

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder or respondent responsibility. For any exceptions noted, indicate below to whom it applies, initiating agency, and dates of action.

Providing false information may result in criminal prosecution or administrative sanctions.

Participant/Firm's Name: Professional Engineering Consultants PA

Address: 303 S Topeka

City/State/Zip: Wichita, KS 67202

Authorized Company Official's Name and Title: Michael D. Kelsey, PE | SVP Civil Engineering  
(Typed or Printed)

Signature of Authorized Representative:  9/15/2023  
(Date)



### CERTIFICATION REGARDING LOBBYING

#### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.


(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION	
Professional Engineering Consultants PA	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input type="text"/>	* First Name: Michael Middle Name: D
* Last Name: Kelsey	Suffix: PE
* Title: SVP Civil Engineering	
* SIGNATURE: 	* DATE: 9/15/2023



## Exhibit F

(APPENDIX K)

07-18-80-R26  
Sheet 1 of 7

### REQUIRED CONTRACT PROVISION

#### FEDERAL AID CONTRACTS UTILIZATION OF DISADVANTAGED BUSINESSES

##### I. INTRODUCTION.

The specific requirements for the utilization of Disadvantaged Business Enterprises, hereinafter referred to as DBEs, are set forth in this Required Contract Provision and are imposed pursuant to 49 CFR Part 26, hereinafter referred to as the regulations. This provision meets or exceeds the regulatory requirements. The regulations always take precedence over normal industry practice.

##### A. ASSURANCE.

The Contractor, subrecipient, or subcontractor shall not discriminate on the basis of race, color, national origin, religion, age, disability, income status, veteran status or gender in the performance of the Contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT assisted Contracts. Failure by the Contractor to carry out these requirements is a material breach of this Contract, which may result in the termination of this Contract, or such other remedy as the Kansas Department of Transportation deems appropriate.

##### B. DEFINITIONS.

For the purpose of this Required Contract Provision, the following words and phrases shall have the meanings as stated herein:

- (1) Disadvantaged Business Enterprise (DBE) means a small business concern which is independently owned and controlled by one or more socially and economically disadvantaged individuals and which KDOT has certified as a DBE.
- (2) Small business concern means a small business as defined by Section 3 of the Small Business Act and relevant regulations except that a small business concern shall not include any firms or affiliated firms owned and controlled by the same socially and economically disadvantaged individual or individuals whose value has average, annual gross receipts in excess of \$22,410,000 over the previous three fiscal years.
- (3) Owned and controlled means a business:
  - (a) Which is at least 51 percent unconditionally owned by one or more socially and economically disadvantaged individuals, and
  - (b) Whose management and daily business operations are controlled by one or more such individuals.
- (4) Socially disadvantaged individual means a person who is a citizen or lawful permanent resident of the United States, has suffered social disadvantage in education, employment, or business, and who is a(an):
  - (a) Black American (a person having origins in any of the black racial groups of Africa);
  - (b) Hispanic American (includes a person of Mexican, Puerto Rican, Cuban, Central or South American, or any Spanish or Portuguese culture or origin, regardless of race);
  - (c) Native American (includes a person who is American Indian, Eskimo, Aleut or Native Hawaiian);
  - (d) Asian-Pacific American (includes a person whose origin is from the original people of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands);



- (e) Subcontinent Asian American (includes a person whose origin is India, Pakistan, Bangladesh, Bhutan, Nepal, Sri Lanka, or the Maldives Islands);
- (f) Member of a group, or any other individual of any race or sex, found to be both economically and socially disadvantaged; or
- (g) Women.

(5) Economically disadvantaged means an individual who has a personal net worth of less than \$750,000 excluding the value of their ownership share of the applicant firm and personal residence. The individual has had diminished access to capital and credit compared to non-disadvantaged persons.

(6) Commercially useful function means the qualifying DBE owner performs manages and supervises subcontract work.

(7) Race and gender neutral measure means one that is used to assist any small business.

## II. DBE CONTRACT GOALS.

**A.** KDOT strongly encourages all contractors to utilize DBE firms as subcontractors, suppliers, manufacturers, truckers, and brokers whenever possible and feasible. Greater voluntary participation will result in lower and fewer DBE contract goals. KDOT will set DBE contract goals only to meet the portion of its annual goal that is not met by race and gender neutral means and voluntary participation.

**B.** An eligible DBE is one who KDOT has certified and who is listed in the KDOT DBE directory located on the internet at: <http://www.ksdot.org/doingbusiness.asp>. KDOT also prints a paper directory quarterly, and Contractors may ask the KDOT Office of Civil Rights for a copy of the printed directory. However, as it is only published quarterly, Contractors should be aware that the printed directory may list DBE's who were decertified after the directory was printed, and these DBE's would not be considered eligible DBE's in a letting that followed decertification or when examining good faith efforts. Also, the printed directory will not list DBE's who have been certified after the directory was printed, but KDOT will consider these DBE's in a letting and when examining good faith efforts. Thus, the electronic directory controls as it is the most current information KDOT has available. Any bid proposal listing a firm that is not a KDOT certified DBE at the time of bidding will be considered nonresponsive.

**C.** Contractors shall, as a minimum, seek DBE firms working in the same geographic area in which they seek subcontractors for a given solicitation.

**D.** Contractors are required to make good faith efforts to replace a DBE subcontractor that is unable to perform successfully with another DBE firm. In order to ensure compliance with this requirement, any substitution of DBE subcontractors after the Contractor has submitted a bid to KDOT, must be approved by KDOT Office of Civil Rights. Substitutions will only be allowed for good and sufficient reasons. KDOT must receive a letter from the original DBE stating the reason for the DBE's inability to perform.

**E.** Contractors are also encouraged to use the services of banks owned and controlled by disadvantaged individuals.

**F.** When projects are State or Contractor tied, KDOT will construe DBE participation as if the tied projects are one project. To check DBE participation on tied projects the following method will be used:

- (1) Add the DBE goal dollar amount for the individual tied projects. This becomes the required minimum dollar amount to be subcontracted to DBEs.
- (2) If the total dollar amount actually subcontracted to DBEs on the tied contracts is equal to or greater than the minimum dollar amounts as computed above, it will be determined that the DBE goals have been met.



(3) If a State of Kansas funded project is tied to a federal aid funded project, the DBE contract goals can only be met by DBE subcontractors on the Federal Aid Project.

### III. MEETING DBE CONTRACT GOAL CRITERIA.

The award of the Contract will be conditioned upon satisfaction of the requirements herein established. The apparent low bidder must either meet or exceed the DBE goals for the contract or satisfy KDOT that good faith efforts were made to meet the goals prior to the bid letting.

#### A. REQUIRED DBE PARTICIPATION INFORMATION.

All bidders are required to submit to KDOT with the bid proposal the DBE participation information described below on the form provided in the proposal.

(1) The names of KDOT certified DBE firms that will participate in the Contract (if none, so indicate);

(2) A description of the work each named DBE firm will perform (if none, so indicate);

(3) The actual dollar amount anticipated to be paid to each named DBE firm (if zero dollars, so indicate); except

(4) If the named DBE firm is a supplier, enter 60% of the actual dollar amount anticipated to be paid (if zero dollars, so indicate);

(5) The actual dollar amount (not to exceed 10 percent of DBE subcontract) to be paid ahead of work as DBE mobilization.

(6) For federal aid contracts with a zero DBE goal, list all subcontractors to be utilized, including DBE firms, if any.

#### B. GOOD FAITH DETERMINATION.

It is the bidder's responsibility to meet the DBE contract goals or to provide information to enable KDOT to determine that, prior to bidding, the bidder made good faith efforts to meet such goals.

(1) Good Faith Information Submittal. If the low bidder's required DBE information indicates that the DBE contract goals will be met, the contract will proceed toward award and the low bidder need not submit any further DBE information. Good faith documentation must be submitted within two working days of the bid opening. Example: if bids are opened on Wednesday at 2 p.m., the good faith documentation must be at KDOT Office of Civil Rights before 5 p.m. on Friday.

(2) KDOT Review. KDOT will review all information submitted to determine if the low bidder has met the DBE contract goals and, if not, whether the low bidder made sufficient good faith efforts to meet such goals. The determination of good faith efforts is made on a case-by-case basis and depends on the particular circumstances of the procurement. The issue KDOT will consider is whether the bidder took those steps, a reasonable bidder would have taken to actively and aggressively obtain DBE participation sufficient to meet the goal. A KDOT determination that the low bidder's information failed to show sufficient good faith shall be just cause for rejection of the bid. If the low bid is rejected, the above procedure will be applied to the next lowest bidder, and other bidders if necessary, until a bidder is found that meets the DBE contract goals or establishes that good faith efforts were made to meet the goal. KDOT reserves the right to reject all bids and re-advertise the Contract.

(3) Establishing Good Faith Efforts. To demonstrate good faith efforts to meet DBE contract goals, submit to KDOT documentation on the factors listed as (a) through (g). KDOT has assigned a percentage to each factor that shows the relative importance of each factor to KDOT and to the other



factors. These percentages are a guide only; the circumstances of a particular procurement may justify different percentages or consideration of factors not mentioned. In evaluating the reasonableness of the low bidder's efforts, KDOT may consider whether other bidders met the goal or failed to meet the goal. In evaluating the reasonableness of the low bidder's efforts, KDOT will consider all documentation submitted; yet, documentation created during the bidding process is more credible than documentation created after the letting.

- (a) The bidder negotiated in good faith with interested DBEs. It is the bidder's responsibility to consider the available pool of certified DBEs when determining subcontract or supply needs. It is the bidder's responsibility to furnish DBEs with information about plans or specifications to facilitate the bid. Include names of DBEs considered, information given to the DBE, if any, and an explanation of why agreements could not be reached for DBEs to perform the work. (25%)
- (b) The bidder selected portions of work for which KDOT has capable, certified DBE's to perform. This may include breaking out work items or subcontracting items the prime contractor normally performs. (20%)
- (c) The bidder used good business judgment in rejecting a DBE quote, considering both price and capabilities. If a DBE quote represents a reasonable price for performing the work, the bidder should use that quote even though the DBE quote is higher than a non-DBE quote. However, bidders do not have to use excessive or unreasonable quotes. Before determining that a DBE quote is excessive, the bidder should inquire as to the reason for the disparity between the DBE and non-DBE quotes. The bidder should also evaluate what impact, if any, using a higher DBE price would have on the bidder's overall project bid. A higher DBE price may not be excessive or unreasonable if the price differential is a very small part of the project bid. (20%)
- (d) The bidder solicited capable, certified DBEs through pre-bid meetings, advertising, telephone, mail, facsimile, e-mail, or a combination of the foregoing. The solicitation must have occurred within sufficient time to allow a DBE to respond. Follow up all initial contacts, whether the contact was solicited or unsolicited. If a DBE expresses an interest in the contract or a desire to quote and fails to submit a quote, follow up that contact, whether the contact was solicited or unsolicited. Receiving substantial unsolicited quotes may not be considered actively and aggressively pursuing DBE participation. (10%)
- (e) The bidder assisted interested DBEs in obtaining equipment, supplies, or materials for the project being bid. (10%)
- (f) The combinations of DBEs the bidder considered in trying to meet the goal. It is acceptable to use a portion of several DBE bids. (10%)
- (g) The bidder assisted interested DBEs in obtaining bonding, credit, or insurance on the project being bid. (5%)

(4) Staff of KDOT's Office of Civil Rights and the Chief of Construction and Maintenance will review the documentation submitted and either accept or reject the good faith effort submittal.

(5) At the bidder's request, KDOT's Director of Operations will hold an informal hearing to discuss the bidder's good faith effort submittal. The bidder may have legal counsel present, at the bidder's expense. After the appeal hearing, the Director of Operations will issue the Agency's final administrative decision on whether the bidder made a good faith effort. The decision will be in writing and will explain the basis for the Agency's decision. This will be final agency action and a final order under the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et. seq.* Any petition for judicial review shall be served on the Secretary of Transportation, Kansas Department of Transportation, 700 S.W. Harrison St., Topeka, KS 66603-3754.



### C. COUNTING DBE PARTICIPATION TOWARD DBE CONTRACT GOALS.

DBE participation shall be counted toward meeting the DBE contract goals pursuant to this contract as follows:

(1) A contractor may count toward its DBE contract goals the total dollar value of a contract paid to an eligible DBE, including an approved DBE protégé.

*NOTE: At the time the bid is submitted on the DBE goal sheet, list the actual amount intended to be paid to the DBE. On Form 259, submitted after award, list the same amount as in the contract line item. If this amount differs from the DBE subcontract amount, list the latter amount on the bottom of the form with an explanation.*

(2) A DBE, bidding as a prime contractor, may count toward its DBE contract goals the total dollar value of the work actually performed by the DBE prime contractor, including the cost of supplies and materials the DBE obtains. *Example: A DBE contractor bids as a prime contractor. The contract specifies a \$10,000.00 DBE goal. The DBE prime contractor performs \$50,000 of the work with its own forces. The DBE prime contractor has met the \$10,000 goal.*

(3) A contractor may count toward its DBE goals a portion of the total dollar value of a subcontract with an eligible DBE joint venture equal in proportion to the percentage of ownership and control of the DBE partner in the joint venture. *Example: A contract specifies a \$5,000.00 DBE contract goal. Prime contractor bids \$100,000.00 subcontracting with a joint venture DBE/non-DBE contractor for \$20,000.00 of the work. The percentage of ownership and control of the DBE/non-DBE joint venture is 25% DBE and 75% non-DBE. The prime contractor may count \$5,000.00 ( $\$20,000.00 \times .25$ ; i.e. total dollar value times the percentage of DBE ownership) toward the DBE contract goal, thus fulfilling the DBE requirements of the contract.*

(4) If a non-DBE contractor and DBE contractor form a joint venture and bid as a prime contractor, the joint venture contractor shall fully meet the DBE contract goals specified in the project special provision. The joint venture contractor may count toward its DBE contract goals the total dollar value of the work actually performed by the DBE participant in the joint venture.

*Example: A non-DBE contractor forms a joint venture with a DBE contractor and the joint venture bids the project as a prime contractor. The DBE contract goal is \$10,000.00. The DBE participant in the joint venture performs \$50,000 of the work with its own forces. The joint venture has met the \$10,000 goal. Example: A non-DBE contractor forms a joint venture with a DBE contractor and the joint venture bids the project as a prime contractor. The DBE contract goal is \$100,000.00. The DBE participant in the joint venture performs \$80,000 of the work with its own forces. The joint venture must obtain the remaining \$20,000 in goal through use of another certified DBE firm, or show good faith efforts if the joint venture fails to meet the \$100,000 goal.*

(5) A contractor may count toward its DBE goals 60 percent of its expenditures for materials and supplies obtained from a DBE regular dealer, and 100 percent from a DBE manufacturer. A letter must be submitted to KDOT, detailing the amount, but the amount does not count as a subcontracted percentage.

(a) A manufacturer is a firm that operates a facility that produces goods from raw material on the premises.

(b) A regular dealer is a firm that owns, operates, or maintains a store, or warehouse where materials are stocked and regularly sold to the public. A regular dealer of bulk items (sand, gravel, etc.) need not stock the product if it owns or long-term leases distribution equipment. The supply of structural steel, steel assemblies and petroleum products do not count toward any KDOT DBE goal. A dealer must be responsible for material quality control and must deliver with its own or long term leased equipment to count toward the DBE goal.





(6) A contractor may count toward its DBE goals the following expenditures to DBE firms that are not manufacturers or regular dealers:

- (a) The commission charged for providing a bona fide service in the procurement of essential personnel, facilities, equipment, materials or supplies required for the performance of the contract, provided the commission is reasonable and customary.
- (b) The commissions charged for bonds or insurance provided by a DBE broker for the specific performance of the contract, provided the fee is reasonable and customary. A letter must be submitted detailing the amount, but does not count as a subcontracted percentage.

(7) A contractor may count toward its DBE goals the amount paid to a DBE trucker for transportation or delivery services.

- (a) A DBE trucker who picks up a product at point A and delivers the product to the contractor at point B provides a delivery service. The full amount paid for this service counts toward the DBE goal.
- (b) Some DBE truckers are also a regular dealer (supplier) of a bulk item. In this case, the amount paid for the material delivered will count as 60 percent toward the DBE goal. The DBE trucker is responsible for the quality of the material.
- (c) For DBE truckers or suppliers to be credited toward DBE contract goals, the contractor must submit a letter to KDOT detailing all information formerly found on Form 259, prior to the start of the trucking or supply of material and requesting DBE subcontract credit.

#### **D. COMMERCIALY USEFUL FUNCTION.**

The prime contractor is responsible for ensuring that DBE firms under subcontract to meet a DBE goal perform a commercially useful function (CUF). Failure to fulfill this obligation is a breach of contract and KDOT may invoke the sanctions listed in Section IV (Sanctions). The three criteria for a CUF are:

(1) The DBE firm shall manage the work through personal direct supervision by the DBE owner or a skilled, knowledgeable, full-time superintendent. Management includes scheduling work, ordering equipment and materials, hiring and firing employees, and submitting all required forms and reports. The DBE is not in compliance with this provision if the DBE subcontracts out part or all of the work to another entity.

(2) The DBE shall own all equipment, long term lease all equipment, or own some equipment and long term lease the remaining equipment except for specialized equipment as noted below.

- (a) If the DBE leases equipment, the DBE shall have a written lease that gives the DBE full control of the equipment during the lease period. The DBE shall use its own workers to operate leased equipment.
- (b) A DBE may enter into long term leases with companies operating as prime contractors. The DBE is not in compliance with this provision if the DBE leases equipment from the prime contractor on the project for that project only.
- (c) Exception for specialized equipment: The DBE may lease short term specialized equipment such as a crane from another contractor or third party if this equipment is necessary for the DBE to perform its work and the equipment is of such a nature that it is not economically feasible or practical for the DBE to lease the equipment long term. The contractor shall bill the DBE for this equipment and the DBE shall pay the contractor for the equipment. The DBE is not in compliance with this provision if the contractor deducts from the DBE's pay estimate specialized equipment costs rather than submitting an invoice to and receiving payment from the DBE.

(3) The DBE shall negotiate the cost of, arrange delivery of, and pay for materials, supplies, labor, and equipment. Invoices shall be billed to the DBE and paid by the DBE.

(4) KDOT will not count towards goal or give DBE contract goal credit for the following:





- (a) Monies the prime contractor pays directly for supplies, materials, labor or equipment on the DBE's behalf except for two-party checks approved under Section III.E below.
- (b) Costs deducted from a DBE's pay estimate for supplies, materials, labor or equipment the prime contractor or its affiliate provided.
- (c) Costs incurred for equipment the DBE leases from the contractor on the project if the DBE is using the equipment for that project only and the equipment is not part of a long term lease agreement.
- (d) Costs associated with a portion of a bid item that the Agency is unable to measure clearly.
- (e) Costs incurred for work subcontracted outside normal industry practices, just to meet a goal.

(5) KDOT's determination that a DBE is not performing or did not perform a CUF is not appealable to the US Department of Transportation. KDOT's determination will be final agency action and a final order under the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et. seq.* Any petition for judicial review shall be served on the Secretary of Transportation, Kansas Department of Transportation, 700 S.W. Harrison St., Topeka, KS 66603-3754.

#### **E. BUSINESS INTEGRITY**

Any person or entity will be found to be out of compliance with this required contract provision if any investigation reveals a commission or omission of any act of such serious or compelling nature that the act indicates a serious lack of business integrity or honesty. Such commission or omissions include, but are not limited to:

- (1) Violating any applicable law, regulation, or obligation relating to the performance of obligations incurred pursuant to an agreement with a recipient under a KDOT financial assistance program or,
- (2) Making, or procuring to be made, any false statement or using deceit to influence in any way any action of KDOT.

#### **F. TWO PARTY CHECKS.**

To comply with the current regulation, KDOT is implementing the following two party check procedures. The prime contractor is responsible for following the procedure and for ensuring that DBE subcontractors follow the procedure.

- (1) The DBE owner shall make the request for a two party check to the Office of Civil Rights and shall explain the benefit to the DBE firm.
- (2) The prime contractor shall send the check to the DBE owner who will endorse and forward the check to the supplier. This should be done within the 10 day prompt pay timeframe.
- (3) The amount of the check should not exceed the amount of material paid by KDOT on the latest estimate. *For example if the estimate was taken on 7/23, pay the material bill through 7/23 not through 7/31.*
- (4) Two party checks shall be issued only long enough to establish credit for the DBE firm.
- (5) KDOT will not count towards goal or give DBE contract goal credit for two party checks that have not been pre-approved by KDOT.

#### **IV. SANCTIONS.**

If KDOT finds any contractor, sub-contractor, DBE, joint venture, or mentor/protégé to be out of compliance with this required contract provision, KDOT may impose one or more of the following sanctions:

- (1) Withhold payment of progress payments until the contractor or DBE contractor complies with the payment requirements of this Special Provision.



- (2) Remove the non-complying DBE from the DBE directory until the DBE shows the company is meeting the requirements necessary to perform a CUF, including payment of all bills.
- (3) Deny goal credit as previously stated for failure to replace a non-performing DBE with another DBE (unless good faith effort was made), failure to meet the requirements necessary to perform a CUF, or failure to follow two party check procedures.
- (4) Assess and deduct as liquidated damages the monetary difference between the DBE goal amount and the amount actually paid to the DBEs for which KDOT has allowed DBE goal credit.
- (5) Reject the bidder's bid if the bidder failed to meet the DBE goal and failed to show good faith effort to meet the goal.
- (6) Refer the matter to the Office of the Attorney General, the US Department of Justice, or both for follow-up action.
- (7) Enforce all other remedies KDOT has under other contract provisions such as contract termination, contractor suspension, contractor debarment, and sanctions for failing to pay promptly.

01-26-09 OCR (DW/CDB)  
Jul-09 Letting





400 S Kansas Ave, Suite 200

Topeka, KS 66603

785.233.8300

[www.pec1.com](http://www.pec1.com)

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## 2023 INNOVATIVE TECHNOLOGY PROGRAM



<b>BACKGROUND</b>	<p>The Eisenhower Legacy Transportation Program (IKE) established the Innovative Technology Program to be funded at \$2M per year. Following local consult conversations in 2019, it was clear that Kansas should leverage innovative technology investment opportunities to position the state for the future.</p>
<b>OBJECTIVE</b>	<p>The Innovative Technology Program provides financial assistance to partners for innovative technology projects that improve safety, leverage state funds to increase total technology investment and help both rural and urban areas of the state improve the transportation system.</p>
<b>AVAILABLE FUNDING</b>	<p>\$2M per fiscal year. No project will be awarded more than \$1M per cycle. Funds are for reimbursement only.</p> <p>Projects that address an important transportation need such as promoting safety, improving access or mobility, and implementing new transportation technology.</p>
<b>ELIGIBLE PROJECTS</b>	<p>“Innovative technology” is defined as any technology that does not currently exist in the local community of the project.</p> <p>All transportation system projects are eligible, including roadway (on and off the state system), rail, aviation, unmanned aerial systems (UAS), bicycle/pedestrian, public transit, software, and technology infrastructure.</p>
<b>ELIGIBLE APPLICANTS</b>	<p>Projects typically will be administered by a local unit of government. Non-governmental applications with a local government partner will also be considered. Educational institutions may apply without any partners necessary.</p>
<b>LOCAL MATCH</b>	<p>A minimum of 25% non-state cash match is required. Additional consideration will be given to project applications that commit more than the minimum required match amount. Non-cash local matches will not be considered.</p>
<b>REQUIREMENTS</b>	<p>Candidate projects should include investments that provide transportation benefits and are not eligible for other KDOT programs. Candidate projects may receive additional consideration if they support economic growth, aid in the retention or recruitment of business or add value to a KDOT project. These funds are intended to be spent on technology investments and not on road construction or commonly used technology with other available programs such as fiber optic lines. If this funding is part of a larger project, KDOT funding should be allocated to the innovative technology aspect of the broader project.</p>
<b>SELECTION PROCESS</b>	<p>The annual application window will begin on August 1, 2023. Selection criteria will include consideration of projects that meet program objectives, eligibility categories and requirements. Geographic distribution will also be considered during project selection. Applications will be due November 30, 2023. The selection committee will score applications and the awarded projects will be announced by December 31, 2023.</p>
<b>HOW TO APPLY</b>	<p>A Project Concept Form must be submitted prior to an application. Once KDOT has reviewed the concept, an application will be sent to you.</p> <p>All KDOT Innovative Technology Program applications and attachments must be submitted as a single PDF document. Please submit your signed and completed application packet by <b>November 30, 2023</b>, via email to <a href="mailto:InnovTechProgram@ks.gov">InnovTechProgram@ks.gov</a>. If you do not receive a confirmation email within two business days, please email or call.</p>
<b>KDOT CONTACT</b>	<p>Matt Stormer Innovative Technologies Manager, Bureau of Innovative Technologies 785-296-0937 <a href="mailto:Matt.Stormer@ks.gov">Matt.Stormer@ks.gov</a></p>



# City of Valley Falls

Established 1854

COUNCIL MEETING DATE: September 20, 2023

INVOICES IN THE TOTAL AMOUNT OF: \$135,909.75

APPROVED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF KANSAS

COUNTY OF JEFFERSON

I hereby certify that the attached bills are just, correct, and remain unpaid, and that the amount therein is actually due and owing according to law.

Approved by:

\_\_\_\_\_  
City Administrator

Subscribed and sworn to before me this \_\_\_\_\_ day of September, 2023

\_\_\_\_\_  
City Clerk

**CLAIMS REPORT**  
**Check Range: 9/07/2023- 9/20/2023**

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
ADVANCE	LIFE INSURANCE				
DOLLAR GENERAL	fan, gas treatment		32.25	23645	9/20/23
EFTPS	FED/FICA TAX		4,024.44	22073466	9/13/23
EVERGY	ELECTRIC		19.37	22073464	9/07/23
FORTE	ACH Fees		67.50	22073470	9/12/23
HALL COMMERCIAL PRINTING	Business Cards		50.00	23646	9/20/23
HAVENS CONSTRUCTION	Sewer Phase 1		110,734.97	23647	9/20/23
HAWKINS	Chlorine Cylinder		40.00	23648	9/20/23
KPERS	KPERS TIER III		2,542.76	22073468	9/13/23
KPERS457	KPERS ROTH		910.00	22073469	9/13/23
KANSAS RURAL WATER ASSOCIATION	Water Map Update		1,139.46	23649	9/20/23
KSDOR PAYROLL	STATE TAX		662.43	22073467	9/13/23
LKM	LKM Conference		425.00	23650	9/20/23
MOT	PRINTING		82.03	23651	9/20/23
VALLEY FALLS CHAMBER	Chamber Bucks		100.00	23652	9/20/23
WASTE MANAGEMENT	Trash Service		12,924.01	23653	9/20/23
WERRING LAW LLC	City Prosecutor Services		500.00	23654	9/20/23
WESTERN CONSULTANTS	Sewer Phase 1		1,380.50	23655	9/20/23
WESTERN HARDWARE & AUTO	ethernet cord, brushes, roller		275.03	23656	9/20/23
			=====		
	Accounts Payable Total		135,909.75		

**CLAIMS REPORT  
CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
100	GENERAL FUND	5,681.91
720	WATER UTILITY	2,044.53
721	WATER RESERVE	1,139.46
730	SEWER UTILITY	114,119.84
740	SOLID WASTE (TRASH)	12,924.01
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	TOTAL FUNDS	135,909.75



City of  
**VALLEY FALLS**

*Incorporated May 17, 1854*

**City Administrator Report  
City Council September 20, 2023**

### Daily Operations

1. **Codification** Anticipating draft by end of September.
2. **Budget** Budget sent to county.
3. **Capital Improvement Plan** Working on drafting capital improvement plan. Will review at next work session in October.
4. **USACE** The Corp has notified us that in the near future they will be installing traffic counting devices on the Corp leased in the City. Locations of the devices will later be announced.
5. **Record Retention** Reviewing documents, maps, and plans. Organizing required documents and destroying records no longer needed per Record Retention laws. Creating document for record retention schedule specific to City of Valley Falls. Will be in compliance with Kansas Historical Society, CDBG, IRS, etc. Reviewed by legal counsel, KHS, and approved by City Council. There are records from 30+ years no longer required to be obtained (i.e. timesheets, applications, etc.).
6. **Welcome Sign** Finalizing design for new welcome sign on Sycamore for Chamber of Commerce.
7. **204 Walnut St Condemnation** Next update October 4<sup>th</sup>.
8. **419 Broadway St Condemnation** Business closing. Building will be sold.
9. **Community Development Board** -Needing one more member to start meetings.
10. **Planning Commission** - Met on September 14<sup>th</sup> to hold public hearing for front yard set back change. Next meeting is October 12<sup>th</sup> at 6:30 PM.

### Grants & Projects

1. **CDBG Sewer Project Phase 1** - Construction began May 1<sup>st</sup>. \$400K under budget. Can complete all of Add Alternate and Part of Phase 2. Update timeline and budget at progress meeting on September 19<sup>th</sup>.
2. **KDHE Waste Tire Grant** - Awarded grant of \$2,600 for benches and tables. Final report sent and grant is closed out. Awaiting final payment.
3. **SS4A Grant** - Awarded grant of \$40,000 Federal Funding and \$5,000 KDOT. Sent out RFQ for consultants due Sept 15<sup>th</sup>. Received on proposal for consultant and one response to deny submitting a proposal.
4. **LSSE Grant** Awarded \$26,550 from State, \$6,000 from Jefferson County Substance Abuse Council, and \$10,190 city match. This grant will purchase new radios and
5. **T-Mobile Grant** Resubmitted grant. Awards anticipated mid-November.
6. **K-4 / K-16 Street Lights** -A speed study and safety study (lighting) were conducted for K-16 and K-4 Highways. The recommendations from the speed study are: installation of a speed radar sign on K-4, increased enforcement, and reduce the speed on west K-16 from 45 to 35. The recommendations from the safety study are: Install reflective decals on the post of the stop signs, paint stop lines on K-16, mark the island with reflective paint at K-4/K-16 junction, possible route pavement markings on K-4 to mark K-16 turnoff, move the entrance to Sewer Lagoons further South on K-4 and install end of roadway sign at K-16/ K-4 intersection (dependent on lagoon entrance being moved). All recommendations will be completed by KDOT by the end of the year with the exception of the driveway. The KDOT maintenance crew will evaluate whether they can move the entrance to the lagoons. No lighting was warranted at the K-16/ K-4 intersection due to low traffic counts and crash logs. KDOT did say they would allow for lighting to be installed at the City's cost. Final reports for the speed study and safety study will be sent once the lagoon entrance has been evaluated.
7. **Opioid Settlement** -Total received to date is \$2,952.96. \$842.44 expended.
8. **American Rescue Plan Act (ARPA)** - Projects completed to date include: gWorks Software, RV Park Electrical Upgrade. Funds used to date: \$23,851.40. Projects pending to date include: KDOT TA Downtown Streetscape Project. Remaining Funds: \$152,106.96.
9. **Automatic Water Meters** - 16 meters left to install. Waiting on more meters. Anticipated delivery is September.
10. **KDHE Lead & Copper** Lead & Copper Inventory due to KDHE by October 16, 2024. Submitted grant application to KDHE for technical assistance.

**CITY OFFICE**

417 Broadway • Valley Falls, Kansas 66088-1200  
Phone 785-945-6612 • Fax 785-945-3341



FUND GL	BANK NAME	JULY CASH BALANCE	AUGUST RECEIPTS	AUGUST DISBURSMENTS	AUGUST CASH BALANCE	INVOICES PAID	BANK BALANCE	2023 BUDGET	YTD BILLS	BUDGET REMAINING
GENERAL OPERATING FUND										
100	CASH - CHECKING	161,294.75	46,062.47	33,014.63	174,342.59	13,655.02		729,701.00	545,987.03	183,713.97
160	CASH - CHECKING	5,317.19	66.00	0.00	5,383.19			6,500.00		6,500.00
200	CASH - CHECKING	151,782.12	0.00	0.00	151,782.12			50,000.00	13,741.90	36,258.10
300	CASH - CHECKING	74,512.87	0.00	0.00	74,512.87			172,841.00	6,500.00	166,341.00
400	CASH - CHECKING	726.71	0.00	0.00	726.71			63,000.00	64,105.00	1,105.00
500	CASH - CHECKING	167,636.09	22,306.65	19,709.74	170,233.00	770.99		182,393.00	104,298.49	78,094.51
600	CASH - CHECKING	77,999.21	0.00	0.00	77,999.21			60,000.00		60,000.00
720	CASH - CHECKING	50,322.23	21,687.91	15,942.43	56,067.71	7,878.31		543,500.00	315,496.40	228,003.60
721	CASH - CHECKING	29,337.80	0.00	1,139.46	28,198.34	1,139.46		50,000.00	9,501.66	40,498.34
730	CASH - CHECKING	42,405.15	13,516.49	151,675.31	180,563.97	146,442.50		3,821,000.00	871,872.39	2,949,127.61
731	CASH - CHECKING	36,300.00	0.00	0.00	36,300.00			50,000.00	1,400.00	48,600.00
740	CASH - CHECKING	74,611.23	8,851.91	12,924.01	70,539.13	12,924.01		258,000.00	112,340.24	145,659.76
790	CASH - CHECKING	0.00	0.00	0.00	0.00					
GENERAL OPERATING FUND TOTALS		787,435.05	112,491.43	234,405.58	665,520.90	182,810.29	482,710.61	5,986,935.00	2,228,053.40	3,758,881.60
CHECKING - POOL										
160	CASH - CHECKING POOL	0.00	0.00	0.00	0.00			6,500.00		6,500.00
CHECKING - POOL TOTALS		0.00	0.00	0.00	0.00	0.00		6,500.00		6,500.00
VF PUBLIC BUILDING COMMISSION										
500	MONEY MARKET- PUBLIC BUILDING	15,192.29	0.00	0.00	15,192.29			182,393.00	104,298.49	78,094.51
VF PUBLIC BUILDING COMMISSION		15,192.29	0.00	0.00	15,192.29	0.00	15,192.29	182,393.00	104,298.49	78,094.51
KENALL BANK CD'S										
300	CD X1565	0.00	0.00	0.00	0.00			172,841.00	6,500.00	166,341.00
500	CD X0971	153,500.00	0.00	0.00	153,500.00			182,393.00	104,298.49	78,094.51
720	CD X0503	0.00	0.00	0.00	0.00			543,500.00	315,496.40	228,003.60
720	CD X0524	0.00	0.00	0.00	0.00					
720	CD X0535	0.00	0.00	0.00	0.00					
721	CD X0503	0.00	0.00	0.00	0.00			50,000.00	9,501.66	40,498.34
721	CD X0504	0.00	0.00	0.00	0.00					
721	CD X0535	0.00	0.00	0.00	0.00					
731	CD X2279	91,083.20	0.00	0.00	91,083.20			50,000.00	1,400.00	48,600.00
KENALL BANK CD'S TOTALS		244,583.20	0.00	0.00	244,583.20	0.00	244,583.20	998,734.00	437,196.55	561,537.45



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

**Public Works Report  
September 20, 2023**

**Water:**

Repaired a water leak on Oak Street that happened over the weekend. We have had 14 water leaks on the main from 7<sup>th</sup> street to 19<sup>th</sup> street running down Oak Street 4 in the last 12 months

Repaired a water leak on 15<sup>th</sup> street east of oak street

Got the results back on the lead and copper sampling and all were with in regulatory limits

**Sewer:**

Started doing the mowing out at the lagoon but with the current soil conditions and the degree of slope on the levee's we are going to need moisture before it can be finished safely

Continuing to assist Havens with the sewer project as needed

**Parks:**

Cleaned out the grass area behind the library used most of the rubble to line ditches and create boundaries

**Other:**

Did more dirt work at the river to try to make it easier for maintenance

Burned the pile of debris that was in the middle of the river

Drained the pool and will be winterizing it soon



City of  
**VALLEY FALLS**

*Incorporated May 17, 1869*

**Police Department Report**  
**September 20, 2023**

Officer Rivera and I are attending the Critical Decision Making for Complex Coordinated Terrorists Attacks (CCTA) in KCK this Wednesday and Thursday.

We are making arrangements with the Jefferson County Humane Society to "borrow" some of the dogs needing adoption and walking them around Grasshopper Falls Day in order to help the very full animal shelter. Officers are making bandits for the dogs to wear in order to place more attention towards them.

Officer Rivera and I are attending training in Topeka in December for 2023 Northeast Kansas Child Exploitation Investigations Conference. This conference will focus on child exploitation and human trafficking operations. Officer Rivera is researching the equipment cost to help investigate these crimes in our area.

Jeramie Scherer of the NA/AA organization met with me. We discussed several ideas to help bring awareness to the addiction problem, but also ideas to assist those struggling with addiction. We are setting a date for him, another member of the NA/AA, and myself to make contact with known addicts in our community. We are taking the recovery bags with educational recovery books to them in order to have them aware there are resources available and that we are supporting them into recovery.

Calls for service:	09/12 Disturbance Arrest	09/03 Outside agency assist
09/16 Business checks	09/12 VB game	09/03 Domestic
09/16 Traffic Stop	09/12 Traffic stop	09/05 Suspicious activity
09/16 Traffic Stop	09/11 Traffic stop	09/05 Criminal Trespass/Stalking
09/16 Traffic Stop	09/10 Traffic stop	Arrest
09/16 Traffic Stop	09/10 Traffic stop	09/03 Traffic stop
09/15 HS Football game	09/08 Traffic stop	09/03 Warrant arrest
09/15 Business checks	09/08 Motorist assist	09/02 Business checks
09/15 Traffic stop	09/08 Traffic stop	09/01 Traffic stop
09/14 Vehicle maintenance	09/08 Traffic stop	09/01 Traffic stop
09/14 VB game	09/08 Traffic stop	09/01 Traffic stop
09/14 Suspicious activity	09/08 Traffic stop	09/01 Outside agency assist
09/14 Business checks	09/08 Business checks	09/01 Traffic stop
09/13 Criminal damage to property report	09/07 Business checks	
09/13 Traffic stop	09/07 Traffic stop	
09/13 Business checks	09/07 Traffic stop	
09/09 Traffic stop	09/06 Business checks	
09/09 Traffic stop	09/03 Traffic stop	
09/09 Traffic stop	09/03 Traffic stop	
09/09 Traffic stop	09/03 Checked the river	
09/09 Traffic stop	09/03 Suspicious activity	

## EXECUTIVE SESSION MOTIONS

There is no standard format for the motion to recess into executive session which will apply to all situations. Because the statutory language requires the motion contain both the "justification" and the "subjects" to be discussed, the motion should include the statutory reason for recessing into executive session and a more specific description of the topic for discussion.

### 1. **Statutory reason for non –elected personnel needs a more specific reason which could be Individual employee's performance**

I move the city council recess into executive session to discuss an individual employee's performance pursuant to the **non-elected personnel** matter exception, K.S.A. 75-4319 (b) (1) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

### 2. **Statutory reason for Attorney – Client privilege needs a more specific reason which could be discuss contract, Litigation, Claim, or other such more specific item.**

I move the city council recess into executive session to discuss a claim pursuant to **Attorney – Client privilege** matter exception, K.S.A. 75-4319(b)(2) to include: the City Attorney and (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

### 3. **For employer-employee negotiations a more specific description could be salary.**

I move the city council recess into executive session to discuss salary pursuant to **employer-employee negotiations** matter exception, K.S.A. 75-4319(b) (3) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

### 4. **For property acquisition matters a more specific description could be purchase cost.**

I move the city council recess into executive session to preliminary discuss purchase cost pursuant to **property acquisition** matter exception, K.S.A. 75-4319(b)(6) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

**K.S.A. 75-4319.** Closed or executive meetings; conditions; authorized subjects for discussion; binding action prohibited; certain documents identified in meetings not subject to disclosure. (a) Upon formal motion made, seconded and carried, all bodies and agencies subject to the open meetings act may recess, but not adjourn, open meetings for closed or executive meetings. Any motion to recess for a closed or executive meeting shall include a statement of (1) the justification for closing the meeting, (2) the subjects to be discussed during the closed or executive meeting and (3) the time and place at which the open meeting shall resume. Such motion, including the required statement, shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the body or agency. Discussion during the closed or executive meeting shall be limited to those subjects stated in the motion. (b) No subjects shall be discussed at any closed or executive meeting, except the following:

- (1) Personnel matters of nonelected personnel;
- (2) consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship;
- (3) matters relating to employer-employee negotiations whether or not in consultation with the representative or representatives of the body or agency;
- (4) confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships;
- (5) matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person;
- (6) preliminary discussions relating to the acquisition of real property;