

TENTATIVE AGENDA  
OTTUMWA CITY COUNCIL

SPECIAL MEETING NO. 4  
Council Chambers, City Hall

January 29, 2019  
5:30 O'Clock P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Member Dalbey, Roe, Stevens, Streeby, Berg and Mayor Lazio.

APPROVAL OF AGENDA

IDENTIFICATION OF CITIZENS DESIRING TO COMMENT ON AGENDA ITEMS:

(When called upon by the Mayor, step to the microphone; state their name, address and agenda item to be addressed. The Mayor will invite you to address the Council when that topic is being discussed. Remarks will be limited to three minutes or less. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments are to be directly germane to the agenda item being discussed; if not directly germane as determined by the Mayor will be ruled out of order.)

**All items on this agenda are subject to discussion and/or action.**

1. Setting February 5, 2019 as the date of a Public Hearing on Plans, Specifications, Form of Contract, and Estimated Cost for the Jefferson Street Reconstruction Project.

RECOMMENDATION: Set the public hearing.

2. Discussion on Replacement of Beach Sound System as presented under Beach Phase 3 – Sound System 2018 RFP 4X.

RECOMMENDATION: Receive presentation; receive recommendation and/or direction if applicable.

3. Discussion on Repair and/or Replacement of the Beach Wave Generating System

RECOMMENDATION: Receive presentation; receive recommendation and/or direction if applicable.

4. Continued Budget Discussions for FY 2019/2020.

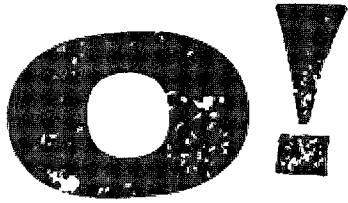
RECOMMENDATION: Receive presentation; receive recommendation and/or direction if applicable

PUBLIC FORUM:

The Mayor will request comments from the public on topics of city business or operations other than those listed on this agenda. Comments shall not be personalized and limited to three minutes or less. Comments not directly applicable to operations, inappropriate, or an improper utilization of meeting time, as determined by the Mayor, will be ruled out of order. When called upon by the Mayor, step to the microphone; give your name, address and topic on which to address the Council. The Council is not likely to take any action on your comments due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department, city administrator or legal counsel for response, if relevant.

ADJOURNMENT:

**\*\*\* It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk's Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. \*\*\***



CITY OF  
O T T U M W A

**FAX COVER SHEET**

City of Ottumwa

DATE: 1/24/19 TIME: 3:00 PM NO. OF PAGES 2  
(Including Cover Sheet)

TO: News Media CO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Tentative Agenda for the January 29<sup>th</sup> Special City Council Meeting.

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Broadcast Report

P 1  
 01/24/2019 15:17  
 Serial No. A5C0011021987  
 TC: 375836

Addressee	Start Time	Time	Prints	Result	Note
KISS	01-24 15:07	00:01:22	002/002	OK	
KTVO	01-24 15:09	00:01:36	002/002	OK	
Ottumwa Courier	01-24 15:14	00:00:57	000/002	No Ans	
KBIZ/KTWA	01-24 15:15	00:00:57	000/002	No Ans	
TOM FM	01-24 15:16	00:00:57	000/002	No Ans	

Note TMR:Timer TX, PDL:Polling, ORG:Original Size Setting, FME:Frame Erase TX, DPS:Page Separation TX, MIX:Mixd Original TX, CALL:Manual TX, CSAC:CSAC, FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, Sp:Special Original, FCODE:F-code, RTX:re-TX, RLV:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax, IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOVR:Receiving length Over, POVR:Receiving page Over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error, DSN:DSN Response Error, PRINT:Compulsory Memory Document Print, DEL:Compulsory Memory Document Delete, SEND:Compulsory Memory Document Send.



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FILED  
CITY OF OTTUMWA

2019 JAN 24 AM 11:45 Staff Summary

CITY OF OTTUMWA  
\*\* ACTION ITEM \*\*

Council Meeting of: January 29, 2019

\_\_\_\_\_  
Engineering  
Department

\_\_\_\_\_  
Alicia Bankson  
Prepared By  
*Garry Seals*  
\_\_\_\_\_  
Department Head

*[Signature]*  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Set the Public Hearing on Plans, Specifications, Form of Contract, and Estimated Cost for the Jefferson Street Reconstruction Project.

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\*\*Public hearing required if this box is checked. \*\*

\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*

RECOMMENDATION: Set time, date, and place of the Public Hearing as:

5:30 PM  
February 5, 2019  
City Hall Chambers

DISCUSSION: The project will consist of full width full depth reconstruction of Jefferson Street from Sixth Street north to approximately 175 feet south of Gara Street. The project will include the installation of sanitary, storm and water mains. A storm system will be installed to separate the combined system. New sidewalk will be placed on the east side of the roadway.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

FILE CITY OF OTTUMWA

Staff Summary

2019 JAN 24 AM 11:49

**\*\* ACTION ITEM \*\***

Council Meeting of: January 29, 2019

Alicia Bankson

Prepared By

Parks Department  
Department

*Gene Rathje*  
Department Head

*[Signature]*  
City Administrator Approval

AGENDA TITLE: Work Session Discussion on Replacement of Beach Sound System.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

PURPOSE: Obtain Council direction regarding replacement of the sound system equipment at the Beach Ottumwa.

DISCUSSION: The procurement of a new sound system for the Beach Ottumwa has history going back to pre-August of 2015. The Engineering Department became involved in the procurement process in August of 2017 as part of the Beach renovation.

The latest effort concluded December 12, 2018 with two bids received and on December 18, 2018 Council refused to award on a vote of 3-2 to the low responsible bidder. Staff will present a chronology of the project seeking direction from the City Council.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:

# Beach Ottumwa Renovations – Phase 3

Sound System Chronology



# Sound System Project Initiated

1. August 11, 2015 – Former City Administrator Helfenberger instructs Parks Director to place price quote for audio system on Park Board Agenda for discussion.
  - Staff Summary indicates that funding for the audio system would come from unused CIP of another project.
  - Unsigned/Undated price quote from Douglass Communications in the amount of \$21,399.00 was the only price quote found in Parks files.
  - No evidence of sealed competitive quotes through an RFP or bid process as dictated by City Code 2-90.
2. June 12, 2016 – Park Advisory Board Meeting where the replacement of the Beach P/A Sound System is again discussed.
  - Staff Summary indicates no money has been budgeted in CIP, but next CIP cycle begins in the Fall of 2016.
  - Board member questions competitive bid process



## Sound System (Con't)

3. November-December 2017 – Engineering discusses project with recognized audio consultant from Northwest Iowa, RDI Works.
  - Consulting fee approximately \$15k for \$100k project.
4. Selection Committee established to oversee selection process for two Beach RFP projects. Councilperson Berg included.
5. December 5, 2017 – Council approves pursuing RFP process for replacement sound system.
  - 4 Responses received.
  - Selection committee meets on two occasions. One meeting to review and select Electronic Sign vendor and second meeting to discuss responses to the Sound System RFP.

## Sound System (Con't)

6. January 24, 2018 thru February 6, 2018 Engineering briefly met individually with Council members to discuss RFP responses. Unanimous consensus to reject responses and start over with a defined scope of work.
7. Engineering worked with IHCC staff to develop plans and specifications.
8. City Administrator Morris responds to Council request to hire local audio consultant. Engineering and Morris interview and PO issued for \$1,500 to Doug Schuck of Courthill Entertainment.
9. Two bids received. Contract award "failed" on a 3-2 Council vote December 18, 2018.

## Key Issues

- Early procurement did not comply with City Code.
- Since Engineering involvement, Council has been aware and approved staff actions through each step of the procurement process.
- Latest bidding process was directed by Council.
- Engineering staff made extra effort to entice local vendor to bid.
- Bid results followed legal requirements for public improvements project.
- Contract Award “failed.” Project must be redesigned and rebid.

**SOUND SYSTEM PROJECT CHRONOLGY**

Engineering Department  
January 24, 2019

Page No.	Date	Item
-	<8-11-2015	City Administrator Helfenberger requests quote from Douglass Communications.
1.	8-11-2015	Parks Board discuss quote for sound system replacement with Bresch
2.	6-14-2016	Park Board discusses sound system project with Bresch and votes to approve.
3.	No Date	Bresch's quote of \$21,399.00
-	Aug-2017	Engineering Engages Sound System Project as part of Phase 3 Beach Renovations.
-	Dec-2017	Several communication exchanges with Mike Clark, RDI Works (Audio Consultant)
4-14.	12-5-2017	Council approval to pursue RFP's for replacement Sound System
15-27.	1-10-2018	4 responses received
-	1-12-2018	Established selection committee including Council member Berg to review responses to electronic sign and sound system RFP's.
28.	1-23-2018	Sound System and Electronic Sign Selection Committee met.
29.	1-26-2018	Sound System and Electronic Sign Selection Committee met.
-	1-24-2018	Met with Council members Berg and Peterson to discuss RFP responses.
-	1-28-2018	Met with Council members Dalbey and Roe to discuss RFP responses.
30.	1-30-2018	Email to selection committee noting general Council direction.
31.	2-1-2018	Email correspondence with City Administrator Morris regarding hiring sound system engineer.
-	2-6-2018	Met with Council member Streeby prior to Council meeting to discuss RFP responses.
32-39.	2-20-2018	RFP Responses formally rejected by Council with direction to put detailed plans and specifications together for competitive bidding process.
40-42.	2-23-2018	Engineering receives explanation/justification email from Bresch
43.	2-23-2018	Rejection letters sent out – sample attached
44-48.	3-28-2018	Bresch sends Engineering copies of competitive quotes from 11-2-16 requested by Council(?)
49-56.	4-13-2018	Memo to Council from City Administrator Morris regarding bid/quote legalities and additional email correspondence.
57-60.	6-30-2018	Preliminary draft complete of plans and specifications with assistance from IHCC Sound Technician Milo Herrick.
61-62.	8-13-18	Issued PO to Courthill Entertainment based on Council suggestion (?).
-	11-20-18	Project Public Hearing – Council approved plans and specifications to obtain bids
-	12-12-18	Two bids received
63-75.	12-18-18	Contract Award tabled by Council 3-2 vote.



8-11-2015 mtg.

the slide evaluation. Andrew Birch stated that they are waxed yearly and it was waxed after the evaluation. Robert Beisch asked about the HVAC system. Gene Rathje stated that we are waiting on Winger Mechanical to do one more thing and then it's done.

The policy for opening and closing park restrooms was discussed next. Kim Hellige suggested that all the park restrooms have similar hours as the Jimmy Jones restroom due to vandalism. Robert Beisch asked who would go around and lock them. Robert LaPoint stated that the police department can't do it because it doesn't work. Robert Beisch stated maybe the police or fire department could lock them. Kim Hellige stated that we are spending a lot of money on vandalism each year on bathrooms. Mitch Niner stated that the toilets from downtown are being refurbished and moved to a new park. Kim Hellige asked how often is the code being changed at the shower house. Gene Rathje stated monthly unless there's a big event then it might get changed sooner. Motion to recommend the policy for opening and closing park restrooms was made by Brian Morgan and 2<sup>nd</sup> by Robert LaPoint. 4 Ayes and Kim Hellige opposed.

The price quote for new audio system for the Beach Ottumwa was discussed next. Gene Rathje stated that the tuner is good but the rest of the equipment needs replaced. Matt Bresch stated that he's worked on the Beach audio system for 8 years and it really needs all new digital equipment. Joe Helfenberger stated that maybe the schools can help with the cost of this project. Mitch Niner stated that the city pays good money for an IT person and that the taxpayers don't need to pay for this. Matt Bresch stated that IT and audio are different. Robert Beisch stated that he likes the concept. Motion to support the concept of new audio system at the Beach was made by Kim Hellige and 2<sup>nd</sup> by Brian Morgan. All ayes.

The Beach Ottumwa waterslide report was discussed next. Gene Rathje stated that the Aquatic Maintenance Repair Company did the report on the slides. Robert Beisch stated that we know that they need work but where do we get the money. Andrew Birch stated that he had sealed the indoor slide cracks and only one area leaks. Brian Morgan asked what is the next big project at the Beach. Andrew Birch stated the boilers. Brian Morgan asked if the boiler would be fixed with CIP money. Gene Rathje stated yes.

The final report from the Beach Task Force was discussed next. Gene Rathje stated that this group has had a year's worth of meetings to get this report together. Robert LaPoint stated that there's nothing really new in the report. Andrew Birch stated that it needs to have light fixtures taken off the report because they won't work for the Beach. Robert Beisch stated that the new council finally wants to take an interest in the Beach. Brian Morgan stated it would cost \$55,000 for a new aquatic's director. Robert Beisch stated that he would like to see one but not enough money. Robert LaPoint stated that Gene works fulltime and he's already has an aquatic's director. Robert Beisch asked how many hours Gene works at the cemetery. Gene Rathje stated around 7 hours on average but 10 hours if there's a project. Robert Beisch asked about marketing and promotions. Mitch Niner stated that you can't bring in money with new programs. Sarah Sels stated not enough money at this time for an aquatics director. Brian Morgan asked Gene how do you delegate your time between parks, cemetery, and Beach. Mitch Niner stated we need more manpower at campground and parks. Gene Rathje stated that he uses his time very efficiently and very seldom takes lunch breaks. Brian Morgan stated that he's not in favor of an aquatics director at this time. Recommend to approve was made by Brian Morgan and 2<sup>nd</sup> by Kim Hellige. It was voted down with a 3 no and 1 yes.

June 14, 2016

The Beach PA/Sound System was discussed next. Gene Rathje stated that the sound system is 24 years old and could try in the Fall through the CIP to get it done. Mayor Lazio stated that it's long overdue and needs to be fixed. Matt Bresch stated that the equipment is all rusted from not being in the air conditioning. The new system would last for 20-30 years with new speakers and a new way to control everything. Robert Beisch asked does it have to go out for bids. Matt Bresch stated that he would donate the design fees and whatever Gene Rathje needs he'll get it without any hidden fees. Brian Morgan stated that this should have been in the 5 year Beach plan because it looks like the Beach is getting double CIP monies. Matt Dalbey also questioned why this wasn't included in the Beach CIP. Kim Hellige asked if the system would be wireless or would wiring be underground. Motion to approve this project was 1<sup>st</sup> made by Sarah Sels and 2<sup>nd</sup> by Kim Hellige. 3 ayes and 1 nay. Motion Passed.

RAGBRAI event was discussed next. Kim Hellige asked about the Beach. Gene Rathje stated that the Beach has been doing well because of good weather and has made a profit of \$22,600 in June. Robert Beisch asked how things were coming along for RAGBRAI groups. Gene Rathje stated that the campground is being taken up for RAGBRAI and asked do we leave the campground open 1<sup>st</sup> come 1<sup>st</sup> serve or have campers leave before RAGBRAI. Robert Beisch stated that his son in law and daughter participate in RAGBRAI and that they usually park on the grass anywhere they can use a generator. He also stated that we shouldn't run away campers and that showers and bathrooms are the most important thing to RAGBRAI people. Gene Rathje stated that the overflow area would be the Legion Parking lot and Wildwood Park for RAGBRAI groups. He also questioned what about the homeless and fees. Robert Beisch stated that we might have to have them leave and everything else stays the same. Gene Rathje stated that it would have to be all or nothing both tent and RV camping. Robert Beisch stated that RAGBRAI RVs should be treated like regular campers in our campground, including fees, on a first come, first serve basis and they may have to park in the grass with no hookups.

VI. PUBLIC COMMENTS;

VII. MEETING ADJOURNMENT:

Motion to adjourn was made by 1<sup>st</sup> by Brian Morgan at 5:45 pm 2<sup>nd</sup> by Kim Hellige. Meeting adjourned.

\_\_\_\_\_  
Park Board Chairman

\_\_\_\_\_  
Director of Parks and Recreation

FILED

2017 NOV 27 AM 10: 04

CITY CLERK  
OTTUMWA, IA

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Dec 5, 2017

Alicia Bankson

Prepared By

Gene Rathje  
Department Head

Park & Recreation  
Department

[Signature]  
City Administrator Approval

AGENDA TITLE: Resolution #254-2017. Approving the Plans, Specifications, Form of Contract and Estimated Cost for The Beach Renovations Phase III Project 2018.

\*\*\*\*\*



\*\*Public hearing required if this box is checked.\*\*



\*\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*\*

RECOMMENDATION: Pass and adopt Resolution #254-2017

DISCUSSION:

This portion of Beach Renovations Phase 3 include five Requests for Proposals (RFP) and consist of the following:  
RFP #1X - Shade Structure Repair  
RFP #2X - LED Lighting Replacement  
RFP #3X - Electronic Entrance Sign  
RFP #4X - Sound Equipment Installation  
RFP #5X - Lagoon and Beach Landscaping

Source of Funds: Bond Proceeds

Budgeted Item:



Budget Amendment Needed:

# Douglass Communications

AUDIO & VIDEO SYSTEMS | 641.683.3114

## The Beach Ottumwa

### Audio System

<u>COMPONENT</u>	<u>QTY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
<u>MIXER/DSP</u>			
Allen & Heath QU-PAC-32 16 x 8 digital mixer	1	\$1,304.00	\$1,304.00
Ipad	1	\$500.00	\$500.00
Wireless Router	1	\$200.00	\$200.00
<u>SPEAKERS</u>			
Community R.5-94WZ 12-inch Horn-loaded 90 x 40 *Outdoor Spks*	6	\$725.00	\$4,350.00
Custom bracket for *Outdoor Spks*	1	\$800.00	\$800.00
Community W2-218WT 8-inch compact system 70V *Indoor Pool Spks*	5	\$700.00	\$3,500.00
Community D5 recessed ceiling loudspeakers 70V *Lobby Spks*	7	\$135.00	\$945.00
<u>POWER AMPLIFIER</u>			
QSC PLD4.3-NA; 4-ch. power amplifier *Outdoor SPKs*	1	\$1,425.00	\$1,425.00
QSC CX204V 4 channels, 200 watts/ch at 70V *Indoor & Lobby Spks*	1	\$1,275.00	\$1,275.00
<u>WIRELESS UNITS</u>			
Audio Technica ATW-3141bD handheld wireless microphone system	2	\$450.00	\$900.00
<u>PLATES</u>			
XLR, MP3. wall plate	2	\$75.00	\$150.00
<b>TOTAL ESTIMATED COST: AUDIO EQUIPMENT</b>			<b>\$15,349.00</b>
Bulk Cabling & Connectors			\$850.00
Installation/Training/Programming			\$5,200.00
<b>TOTAL ESTIMATED COST: AUDIO SYSTEM</b>			<b>\$21,399.00</b>



Proposals will be received and opened by the City of Ottumwa on January 10, 2018. The RFP response report and award recommendations will be presented at the City Council meeting on January 16, 2018 or at a later date as determined by staff. Construction for these RFP's is expected to occur this coming construction season with each RFP have a unique completion date.

**Engineer's Opinion of Cost:**

- RFP #1X - Shade Structure Repair - \$10,000
- RFP #2X - LED Lighting Replacement - \$12,000
- RFP #3X - Electronic Entrance Sign - \$100,000
- RFP #4X - Sound Equipment Installation - \$50,000
- RFP #5X - Lagoon and Beach Landscaping - \$15,000

RESOLUTION #254-2017

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, FORM OF  
CONTRACT, AND ESTIMATED COST FOR THE BEACH  
RENOVATIONS PHASE III PROJECT 2018

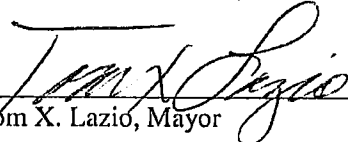
WHEREAS, The City Council of the City of Ottumwa, Iowa has conducted a public hearing on the plans, specifications, form of contract, and estimated cost for the above referenced project; and,

WHEREAS, No objections to the said plans, specifications, form of contract and estimated cost were received.

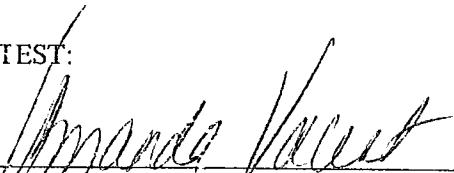
NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The plans, specifications, form of contract, and estimated cost for the above referenced project are hereby approved and adopted.

APPROVED, PASSED, AND ADOPTED, this 5<sup>th</sup> day of December 2017.

CITY OF OTTUMWA, IOWA

  
\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

  
\_\_\_\_\_  
Amanda Valeri, City Clerk

## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 41  
Council Chambers, City Hall

December 5, 2017  
5:30 O'clock P.M.

Present were Council Member Stevens, Streeby Dalbey, Meyers, Roe, and Mayor Lazio

Meyers moved, seconded by Roe to approve the following Consent Agenda items: Minutes from Regular Meeting No. 39 on November 21, 2017 as presented; Appointment of Cathern Weilbrenner to the Zoning Board of Adjustment, term to expire 12/22/2022; Purchase a John Deere Utility Tractor and 11 foot rear mower for the Parks Department for \$45,500 form Sinclair Tractor; Payment to Chestnut Siding Company in the amount of \$4,517.00 for the South Fire Station Insulation Project; Remove outdated and/or inapplicable policies from the City Policy Manual; Res. No. 256-2017, approving the work as final and complete and approving final pay request for Phase V, Division 3 of the 2016 Sewer Rehab Project; Res. No. 258-2017, approving the contract, bond, and certificate of insurance for the East Main Street Reconstruction Project; Res. No. 262-2017, setting the date for a public hearing on the disposition of City owned property located at 1230 S. Sheridan; Beer and/or liquor applications: Casey's General Store #2208, 1603 W. Second St., La Guadalupana, 301 Church St., El Rancho Grande, 232 E. Main St., Casey's General Store #1678, 346 Richmond, and The Owl's Nest Bar and Grill, 116 S. Court St.; all applications pending final inspections. All ayes.

Roe moved, seconded by Stevens to approve the agenda as presented. All ayes.

City Admin. Morris reported the following:

- Home Base Iowa meeting to be held at Bridgeview Center, Dec. 7, 2017 from 3:00 PM – 5:00 PM
- Website presentations for the proposed upgrade of the City's website are tentatively scheduled for Jan. 9, 2018 and Jan. 23, 2018
- Brad Little, Ottumwa Regional Legacy Foundation, and Bret Douglas, Genus Landscape Architects, presented the proposed Streetscape Master Plan. Mr. Little stated this is just the presentation phase. No funds are being requested at this time. In the future a formal request for support will be presented to Council.
- Police Department 12-hour shifts: Police Chief McAndrew stated Council gave direction to implement 12-hour shifts at the Police Dept. during the Sept. meeting. The shift change was to be implemented within 60 days. With the current staffing levels the move to 12-hour shifts is not feasible. McAndrew reported John Thomas, Union Representative, agreed stating it was unreasonable and irresponsible at the current time and would like to move the implementation date to July 2018. Also, the City needs to be able to negotiate with the Union. With a mandate from the Council that is no longer an option. McAndrew said he is not against the change, but it is a very expensive proposition. City Atty./HR Mgr. Keith stated there will be some changes in the budget relating to the amount of overtime paid. Council Member Meyers said he was concerned in the beginning that this would be a Council mandate. If the City opens one contract it could lead to all the other contracts being opened too. Union representatives will be present at the Dec. 19 meeting.

Mayor Lazio inquired if anyone from the audience wished to address a specific agenda item. Trudy Caviness (2851 Oak Meadow) wished to address Item No. I-1., Ord. No. 3135: Fireworks.

Roe moved, seconded by Streeby to determine the Fly-Ottumwa Air Show meets the requirements to be a City sponsored event and approve the financial and staff support for the Air Show. Council Member Dalbey said the Fly-Iowa event was a success, but each time an event is sponsored it costs the City money. He would like to see a policy adopted regulating the amount of money pledged to community events before making a financial commitment to the event. City Admin. Morris said a policy can be prepared around the first of the year. Meyers moved, seconded by Roe to amend the motion to endorse the event with financial and staff support to be determined at a later date. All ayes. Roll call on the motion as amended. All ayes.

This was the time, place, and date set for a public hearing on the three-year lease agreement between the City of Ottumwa and the Ottumwa Saddle Club for acreage on Emma Street. No objections were received. Streeby moved, seconded by Dalbey to close the public hearing. All ayes.

Roe moved, seconded by Meyers that Res. No. 227-2017, approving the three year lease agreement between the City of Ottumwa and the Ottumwa Saddle Club, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on disposition of City owned property located at 1021 S. Madison. No objections were received. Streeby moved, seconded by Dalbey to close the public hearing. All ayes.

Streeby moved, seconded by Roe that Res. No. 245-2017, accepting the offer and approving the sale of City owned property located at 1021 S. Madison to Mike Shelton for the sum of \$250.00, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on disposition of City owned property located at 343 E. Park Ave. No objections were received. Meyers moved, seconded by Roe to close the public hearing. All ayes.

Meyers moved, seconded by Streeby that Res. No. 248-2017, accepting the purchase offer and approving the sale of City owned property located at 343 E. Park Ave. to Alan M. Stubbs for the sum of \$54,080, less \$2,080.00 closing costs paid by seller, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on the plans, specifications, form of contract, and estimated cost for the Parking Ramp Repairs Project. No objections were received. Streeby moved, seconded by Dalbey to close the public hearing. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 253-2017, approving the plans, specifications, form of contract, and estimated cost for the Parking Ramp Repairs Project, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on the plans, specifications, form of contract, and estimated cost for the Beach Renovations Phase III Project 2018. No objections were received. Roe moved, seconded by Dalbey to close the public hearing. All ayes.

Roe moved, seconded by Dalbey that Res. No. 254-2017, approving the plans, specifications, form of contract, and estimated cost for the Beach Renovations Phase III Project 2018, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on the status of funded activities for the Ottumwa Water Improvements Project. Brad Grefe, Grant Administrator from Area 15 Regional Planning Commission, reported the following:

- In July 2016, the Iowa Economic Development Authority (IEDA) awarded CDBG funds to the City of Ottumwa for the purpose of making improvements to the City's water distribution system.
- The benefit to low-to-moderate income persons is estimated at 51.95% based on Census data provided by IEDA.
- The project benefits all persons in the community regardless of income.
- The City applied for and was awarded \$800,000 in CDBG funds.
- The City was to match the grant award with \$855,000 in local funds for a total original estimated cost of \$1,625,000.
- The primary scope of work for the project was to replace approximately 5,300 linear feet (LF) of water main along North Court between Highway 63 and Alta Vista and another 1,200 LF of water main along Alta Vista from North Court to West Street.
- Four bids were received for the project and the contract for construction was awarded to the lowest bidder, Synergy Contracting, LLC (Bondurant, IA).
- The original bid was \$1,286,697.20. To date, no change orders have been presented; however, a small change order with final quantity adjustments is anticipated before the project closes out.
- As the project has taken longer than expected, two change orders were approved for the engineering contract with French-Reneker-Associates (Fairfield, IA) to provide additional oversight and monitoring of the work.
- The current sum of contracts is \$1,464,397.20; the project overall is nearly \$191,000 under budget.
- Construction began in April 2017. Substantial completion of the construction is estimated to be early December. In talking with the project engineer today, apparently the entire company had been on site the last few weeks to power through the construction, and he believes that only seeding and punch-list items remain to be completed.
- As of the November pay application, the contractor had billed approximately 68% of the contract amount. As of the October invoices, French-Reneker has billed 67% of its contract amount and Area 15 RPC has billed 98% of its contract.
- The CDBG contract end date is July 31, 2019.
- Approximately 25 people were in attendance.

No objections were received. Streeby moved, seconded by Dalbey to close the public hearing. All ayes.

Roe moved, seconded by Meyers that Res. No. 255-2017, approving Change Order No. 2 for the 2016 Sewer Rehab Project Phase V, Division 3, be passed and adopted. Public Works Dir. Seals reported Change Order No. 2 increases the contract amount by \$229,712.54, new contract amount \$1,5659,825.99. All ayes.

Dalbey moved, seconded by Meyers that Res. No. 257-2017, approving Change Order No. 2 for the Beach Renovations Phase 2 – Contract B Boiler/HVAC Equipment Repairs Project, be passed and adopted. Public Works Dir. Seals reported Change Order No. 2 increases the contract amount by \$3,550.00, new contract amount \$97,293.00. All ayes.

Roe moved, seconded by Streeby that Res. No. 260-2017, approving the annual budget of the Ottumwa Water Works Board of Trustees for calendar year 2018, be passed and adopted. Tim Albert, Ottumwa Water Works Plant Manager, reported a blended rate increase of 2% has been approved and will take effect Jan. 1, 2018. All ayes.

Meyers moved, seconded by Streeby that Res. No. 261-2017, approving Change Order No. 3 and Pay Request No. 3 for the 2015 Catch Basin Replacement Program, and rescinding Res. No. 241-2017, be passed and adopted. Public Works Dir. Seals reported Change Order No. 3 increases the contract amount by \$5,719.39, new contract amount \$46,734.81. All ayes.

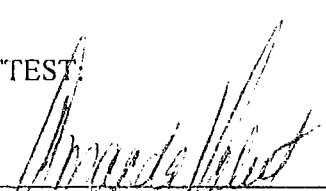
Meyers moved, seconded by Dalbey to pass the first consideration of Ordinance No. 3135-2017, amending Chapter 25, Public Offenses, of the Municipal Code of the City of Ottumwa, Iowa, by repealing Section 25-110 (formerly Section 25-64) and enacting a substitute in lieu thereof allowing the usage of fireworks within the City limits. The Fireworks Committee has recommended allowing the usage of fireworks from 4:00 PM to 10:00 PM on Dec. 29 and Dec. 30 and from 4:00 PM on Dec. 31 to 1:00 AM on Jan. 1. Trudy Caviness, 2851 Oak Meadow, stated she serves on the committee and she believes this ordinance is a good recommendation. This issue is a moving thing until the state gets it settled down. Council Member Roe said he is concerned because the majority of the call volume to the administrative assistant for the Mayor and City Administrator are about fireworks. Fire Chief Miller stated the ordinance is not effective if it is not enforced. Council Member Dalbey said it would better to wait to make any decisions until the state has made a final decision. Roe moved, seconded by Stevens to postpone indefinitely Ordinance No. 3135-2017. Ayes: Stevens, Streeby, Dalbey, Roe. Nays: Meyers. Motion carried.

Mayor Lazio inquired if anyone from the audience wished to address an item not on the agenda. There were none.

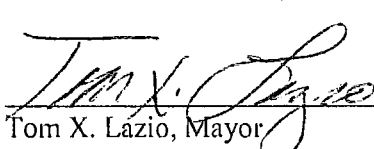
Mayor Lazio reported there will be a ribbon cutting for the new Mercy Clinic on Dec. 6 at 5:00 PM.

Roe moved, seconded by Dalbey that the meeting be adjourned. All ayes. Adjournment was at 7:26 P.M.

ATTEST:

  
Amanda Valent, City Clerk

CITY OF OTTUMWA, IOWA

  
Tom X. Lazio, Mayor

**REQUEST FOR PROPOSAL #4X  
BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION**

The City of Ottumwa, Iowa will be accepting proposals for the INSTALLATION OF NEW INDOOR/OUTDOOR SOUND EQUIPMENT AT THE BEACH OTTUMWA FACILITY.

Work shall include the removal of unwanted existing sound equipment including possible wiring, property shall be disposed of by the contractor. Contractor shall provide all equipment, labor and materials necessary for complete installation of indoor/outdoor sound system. The following parameters shall be considered:

1. Master control shall be located inside office where existing amplifiers and tuners are currently located. Secondary controls may be located in the Raft Rental and/or indoor pool area.
2. System shall be capable of delivering select stereophonic digital sound by different digital means to three different zones (outdoors, indoor pools, and lobby/offices). Each controller shall be equipped with equalizer providing individual control over speaker systems.
3. Existing speaker locations shall receive new speakers. New stereophonic speakers shall be located on top of the filter building and each of the three shade structure grouping.
4. System shall be capable of receiving and transmitting various digital media signals, i.e. CD, MP3, FM and AM.
5. System to include voice over capabilities. Include two wireless microphones for the outdoor area capable of working within 100 feet of the Raft Rental station. Include two wireless microphones for the indoor pool area capable of working within 100 feet of the finalized location of the station. Provide one hardwired microphone, plus one replacement backup connected to the lobby/offices base station.
6. The City is anticipating future installation of Wi-Fi. Include provisions in system for incorporating amenity including sound input connections for future video screens in various parts of the facility.

**INDOOR/OUTDOOR SOUND EQUIPMENT**

Bid Items:

	QTY	UNIT	PRICE	EXTENSION
1. Furnish and Install SOUND EQUIPMENT	1	LS	TOTAL	\$ _____

Owner reserves the right to select the best proposal deemed to be in the best interest of the City of Ottumwa. Contractor shall attach 5 copies of the detailed proposal which describes the full extent of the proposed installation. The contractor may be asked by the selection committee to meet and make a presentation of their proposal prior to selection at no cost to the City.

Contractor shall make necessary field verifications and calculations to satisfy themselves of the amount of work required to complete the project. All labor, materials, and equipment, etc. shall be considered incidental to the lump sum bid item. Hauling of all materials to be disposed shall be included in bid prices. No cost incurred in preparing or presenting the proposal will be paid by the City of Ottumwa. Contractor shall include 100% Performance and Payment Bond to be in effect for one year.

Contractor shall be responsible to visit jobsite and become familiar with the scope of work prior to bid letting. **Sealed Proposals shall be submitted to the City Clerk 105 E. 3<sup>rd</sup> Street, Ottumwa, Iowa 52501, by 2:00 p.m. (central time) on January 10, 2018,** and clearly labeled RFP 4X - BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION. Bid opening to be held shortly thereafter in Room 108 in City Hall.

If there are any questions regarding bid proposal, please contact Scott McCarty or Dwight Dohlman, City of Ottumwa Engineering Department (641) 683-0680.

Enclosures:      Proposal Submission  
                          Contract

Contract Attached

ENGINEERING DEPARTMENT  
CITY OF OTTUMWA, IOWA

PROPOSAL FOR: BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION

\_\_\_\_\_  
Date

TO WHOM IT MAY CONCERN:

The undersigned has examined the advertisement for bid and detailed specifications for construction services and agrees to furnish said construction services in accordance with those documents.

<u>INDOOR/OUTDOOR SOUND EQUIPMENT</u>	QTY	UNIT	PRICE	EXTENSION
Bid Items:				
1. Furnish and Install SOUND EQUIPMENT	1	LS	TOTAL	\$ _____

\_\_\_\_\_  
CONTRACTOR SUPPLIED START DATE / COMPLETION DATE

\_\_\_\_\_  
One (1) year warranty from date of completion  
WARRANTY, (Specify)

TIME REQUIRED

A \$100.00 per day penalty can be assessed for failure to complete this project in the allocated time. The City shall also reserve the right to void the contract and award it to the next lowest responsible bidder, if the undersigned has not started work by the start date.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any informality in connection therewith, or to accept any proposal which in its opinion is to the best interest of the City.

If bid is accepted, the undersigned further agrees to enter into a contract for delivery of said services according to instructions as issued by the City and at the time requested.

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Phone Number

By \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date



## CONTRACT

This contract made and entered into in duplicate at Ottumwa, IA this \_\_\_\_ day of \_\_\_\_ 2018 by and between the CITY OF OTTUMWA, IA hereinafter called the "OWNER" and \_\_\_\_\_ hereinafter called the "CONTRACTOR."

WITNESSETH:

The Contractor hereby agrees to furnish all labor, tools, materials, transportation and equipment necessary to fulfill the contract consisting of: **PROPOSAL OF THE BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION** as stated in the attached RFP # 4X. RFP #4X and signed proposal included as part of this contract.

In the following location to wit; IN SYCAMORE PARK AT THE BEACH OTTUMWA FACILITY, 101 CHURCH STREET, OTTUMWA IOWA.

It is understood and agreed: Contract paid upon satisfactory completion of project and acceptance as directed by City of Ottumwa Engineering Department.

The Owner shall have the right to deduct said liquidated damages from any monies in its hands, otherwise due, or to become due, to said Contractor or to sue for and recover compensation for damages resulting from non-performance of this contract.

The Contractor must comply with all Federal, State and Local Laws and Ordinances. In addition, all OSHA, NFPA and ADA regulations must be complied with.

Section 423.3 of the 2007 Code of Iowa, requires the Contractor to pay sales or use tax on materials or equipment used or supplied during construction. All Contractors shall prepare and require their subcontractors to prepare, sign and acknowledge before a Notary Public the Iowa Department of Revenue Form 35-002, listing their respective expenses for all materials and equipment that becomes an integral part of the completed project. All Contractors shall file with the Owner executed copies of these forms. Receipt of said executed forms by the Owner shall be a pre-requisite of final payment for retained percentage of contract price to the Contractor.

In the event any service tax is paid by the Contractor, the Contractor shall also include in the Form 35-002, aforementioned, a listing of such services furnished which become an integral part of the project under the contract.

Upon completion of said work, the Owner agrees to pay to the Contractor therefore, the prices as set out in RFP #3X, said payment to be made upon presentation of an invoice for aforesaid improvement.

A certificate of insurance for liability, bodily injury, and property damage satisfactory to the Owner in the amount of \$300,000 for each person bodily injury and \$1,000,000 per occurrence of or aggregate limit, or \$1,000,000 combined single limit. The Owner must be included as an additional insured to the

RFP # 4X

certificate of insurance. Also, Worker's Compensation coverage in accordance with State of Iowa statutes must be provided.

Contractor hereby agrees to and shall defend, indemnify and save harmless the Owner and any jurisdiction or agency issuing permits for any work included in the improvement, their officers, agent and representatives from all suits, actions, loss, damage, expense, cost, or claims of any character or any nature brought on account of any injuries including death or damage sustained by any person or property arising out of the work done, whether such injuries to person or damage to property are due or claim to be due to any negligence of the Owner, it's employees or agents or any other person, in fulfillment of the Contract under the terms of this agreement, or on account of any act or omission by the Contractor or his agents, or from any claims or amounts arising or recovered under Worker's Compensation laws or any other law, by-laws, ordinance or order of decree.

Contractor shall, at the option of the Owner, defend the Owner with appropriate counsel and shall further bear all costs and expenses, including the expense of counsel, in defense of any suit arising hereunder.

Contractor will insure a drug free environment in accordance with Federal regulations.

IN WITNESS WHEREOF, this Contract has been executed in duplicate on the date first herein written.

CITY OF OTTUMWA

\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Valent, City Clerk

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

Bid Comparison List

Company Name	Bid Price	Master Contract	Secondary Contract	Capable of Multi-Term Provisions	Blanketing Locations	Blow Bag Structure	Multiple Report Capability for CB, MFR, etc.	Value Added for Capable	Value Added for Outdoor Area	Value Added for Field Work	Value Added for Office	Will Expedite	Value Added Expenses	Notes
West Audio	\$19,029.00	X	X	X	X	X	X	X	X	X	X	X	X	
Wagner	\$4,070.00	X	X	X	X	X	X	X	X	X	X	X	X	
Eyes & Eon Audio	\$33,000.00	X	X	X	X	X	X	X	X	X	X	X	X	
Van Noorden Electric	\$24,940.00	X	X	X	X	X	X	X	X	X	X	X	X	VAGUE: Replace existing with new and use what else VAGUE: some equipment parts to location unknown Cheap Equipment. Exceeds update of existing setup

Bid Comparison List

Company Name	Bid Price	Master Control	Secondary Control	Complete of Multi-Store Functions	Building Speaker Locations	Fiber Optic	Shade Structures	Multiple Input RTU, etc.	Voice over Ethernet	2 Wireless Mic for Outdoor Area	2 Wireless Mic for Foot Deck	2 Wireless Mic for Office	WiFi Capable	Video Vision Expansion	Notes
Wired Audio	\$109,270.00	X	X	X	X	X	X	X	X	1	1	X	X	X	
Winger	\$46,870.00	X	X	X	X	X	X	X	X	X	X	X	X	X	
Spit & Son Audio	\$31,000.00	X	X	X	X	X	X	X	X	X	X	X	X	X	
VeriMaxxer Basic	\$24,400.00	X	X	X	X	X	X	X	X	X	X	X	X	X	VAOLE replaces existing with new, not sure what size VAOLE. Some equipment spec'd location unknown. Cheap Equipment, factory update of existing setup



Qty.	Description	Unit Price	Ext. Price
1	<b>Audio System</b> QU-PAC 32 Channel Mixer w/Router Apple iPad Pro with Case 2 --Apple AirPort Express 4 - Community R.5 Full Range 90 X 40 Speaker Custom Speaker Brackets 3 - Community Compact 2-way 80 X 60 Speaker 5 - Community Compact 2-way 70V 80 X 60 Speaker 7 - Community D5 Ceiling Speaker (white) QSC PLD4.3-NA; 4-ch. power amplifier QSC 4 Channels, 200 watts/ch at 70V 2 - System 10 Pro Digital Wireless 2 Microphones Cables/Connectors/Hardware All Labor	\$35,000.00	\$35,000.00

**Total investment includes on-site delivery, installation, and training.**

**\*Includes Running Pipe Underground for Cable runs\***

**\*Does NOT Include New Telephone Poles If Needed\***

Terms: Fifty percent due upon order. Balance will be due upon completion of installation. Sales, use tax, and express shipping charges are not reflected in total investment of proposal. Pricing is valid until February 08, 2018, unless otherwise noted. A fee of 1.5% per month will be added to all past due invoices.

Tuesday, January 09, 2018

**REQUEST FOR PROPOSAL #4X  
BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION**

The City of Ottumwa, Iowa will be accepting proposals for the **INSTALLATION OF NEW INDOOR/OUTDOOR SOUND EQUIPMENT AT THE BEACH OTTUMWA FACILITY.**

Work shall include the removal of unwanted existing sound equipment including possible wiring, property shall be disposed of by the contractor. Contractor shall provide all equipment, labor and materials necessary for complete installation of indoor/outdoor sound system. The following parameters shall be considered:

1. Master control shall be located inside office where existing amplifiers and tuners are currently located. Secondary controls may be located in the Raft Rental and/or indoor pool area.
2. System shall be capable of delivering select stereophonic digital sound by different digital means to three different zones (outdoors, indoor pools, and lobby/offices). Each controller shall be equipped with equalizer providing individual control over speaker systems.
3. Existing speaker locations shall receive new speakers. New stereophonic speakers shall be located on top of the filter building and each of the three shade structure grouping.
4. System shall be capable of receiving and transmitting various digital media signals, i.e. CD, MP3, FM and AM.
5. System to include voice over capabilities. Include two wireless microphones for the outdoor area capable of working within 100 feet of the Raft Rental station. Include two wireless microphones for the indoor pool area capable of working within 100 feet of the finalized location of the station. Provide one hardwired microphone, plus one replacement backup connected to the lobby/offices base station.
6. The City is anticipating future installation of Wi-Fi. Include provisions in system for incorporating amenity including sound input connections for future video screens in various parts of the facility.

**INDOOR/OUTDOOR SOUND EQUIPMENT**

Bid Items:

<u>INDOOR/OUTDOOR SOUND EQUIPMENT</u>	QTY	UNIT	PRICE	EXTENSION
1. Furnish and Install SOUND EQUIPMENT	1	LS	TOTAL	<u>\$26,245.00</u>

Owner reserves the right to select the best proposal deemed to be in the best interest of the City of Ottumwa. Contractor shall attach 5 copies of the detailed proposal which describes the full extent of the proposed installation. The contractor may be asked by the selection committee to meet and make a presentation of their proposal prior to selection at no cost to the City.

Contractor shall make necessary field verifications and calculations to satisfy themselves of the amount of work required to complete the project. All labor, materials, and equipment, etc. shall be considered incidental to the lump sum bid item. Hauling of all materials to be disposed shall be included in bid prices. No cost incurred in preparing or presenting the proposal will be paid by the City of Ottumwa. Contractor shall include 100% Performance and Payment Bond to be in effect for one year.

Contractor shall be responsible to visit jobsite and become familiar with the scope of work prior to bid letting. **Scaled Proposals shall be submitted to the City Clerk 105 E. 3<sup>rd</sup> Street, Ottumwa, Iowa 52501, by 2:00 p.m. (central time) on January 10, 2018, and clearly labeled RFP 4X - BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION.** Bid opening to be held shortly thereafter in Room 108 in City Hall.

If there are any questions regarding bid proposal, please contact Scott McCarty or Dwight Dohlman, City of Ottumwa Engineering Department (641) 683-0680.

Enclosures:      Proposal Submission  
                            Contract

Contract Attached

ENGINEERING DEPARTMENT  
CITY OF OTTUMWA, IOWA

PROPOSAL FOR: BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION

1/10/18  
Date

TO WHOM IT MAY CONCERN:

The undersigned has examined the advertisement for bid and detailed specifications for construction services and agrees to furnish said construction services in accordance with those documents.

<u>INDOOR/OUTDOOR SOUND EQUIPMENT</u>	QTY	UNIT	PRICE	EXTENSION
Bid Items:				
1. Furnish and Install SOUND EQUIPMENT	1	LS	TOTAL	\$26,245.00

INSIDE WORK - 3/1/18 to 3/31/18

OUTSIDE WORK - COMPLETED AS WEATHER ALLOWS BY 6/20/18  
CONTRACTOR SUPPLIED START DATE / COMPLETION DATE

One (1) year warranty from date of completion  
WARRANTY, (Specify)

TIME REQUIRED

A \$100.00 per day penalty can be assessed for failure to complete this project in the allocated time. The City shall also reserve the right to void the contract and award it to the next lowest responsible bidder, if the undersigned has not started work by the start date.

It is understood that the City reserves the right to accept or reject any informality in connection therewith, or to accept any proposal which is in conformity with the City.

*Tim ...*  
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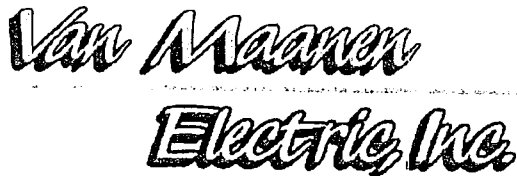
If bid is accepted, the undersigned further agrees to enter into a contract to instructions as issued by the City and at the time requested.

Van Magon Electric, Inc  
Name of Company

641-141-4413  
Phone Number

By [Signature]  
Authorized Signature

1/10/18  
Date



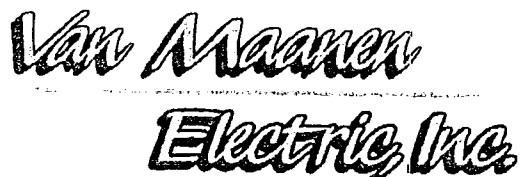
Phone 641-791-9473 • Fax 641-791-9484  
627 N. 19th Ave E. • P.O. Box 1131  
Newport, IA 50208

**This is the RFP response for the replacement sound system to be installed at the Beach Water Park in Ottumwa.**

Van Maanen Electric, Inc. scope of work:

- This quote is based on the limited specifications supplied by the city of Ottumwa.
- Van Maanen Electric conducted a walk through on January 8, 2018 to determine the number of speakers to be replaced.
- Essentially, Van Maanen Electric is providing a replacement sound system for the current system.
- All equipment shall be new and warranted for one year.
- There shall be three zones.
  - Zone 1 The outside area
  - Zone 2 The inside pool area
  - Zone 3 The office area
- The inside pool area now have two sided horns, and these are being replaced with a single horn mainly so we don't have one horn speaker facing another. This causes some sound loss when the sound cancels each other. Van Maanen Electric is replacing eight of the dual horns with twelve of the single horn style.
- There will also be a remote volume control in the inside pool area as well as outside in the raft rental area.
- VME has included an AM-FM tuner. The specification is unclear as to whether this should be included.
- VME will install new 18/2 outdoor rated speaker cabling to each speaker.
- VME will installing the new speakers in the exact location as the existing speakers. No additional poles will be provided or installed.
- VME will use the existing sound system equipment cabinet for the new equipment.
- VME is not responsible to install new underground conduits if the existing underground conduits are not able to be used. This includes water and debris inside the conduits.
- Work to be performed during regular business hours.
- This does not include any provisions for additional grounding or electrical services.
- Includes performance and payment bonds per contract documents
- Includes taxes





Phone: 641 791 WIRE(9473) • Fax: 641 791 9484  
627 N. 19th Ave E • P.O. Box 1131  
Newton, IA 50208

**Equipment: OUTSIDE ZONE 1**

- 22 Atlas Sound Horn Speakers APX40TN
- 1 Bogen GS250D Amplifier
- 1 Audio Technica ATW-1322 dual handheld wireless mic system
- 1 GSRPK Bogen Rack Mount Kit
- 1 Bogen Remote Volume Control GSRV

**Equipment: INSIDE POOL ZONE 2**

- 12 Atlas Sound Horn Speakers APX40TN
- 1 Bogen GS250D Amplifier
- 1 Audio Technica ATW-1322 dual handheld wireless mic system
- 1 GSRPK Bogen Rack Mount Kit
- 1 Bogen Remote Volume Control GSRV

**Equipment: OFFICE/LOBBY ZONE 3**

- 3 Quam C10X/B70/WS Flush Mount Ceiling Speakers
- 3 Quam SSB-2 Speaker Tile support
- 3 Quam ERD-8U Speaker back box enclosure
- 1 Bogen GS35D Amplifier
- 1 GSRPK Bogen Rack Mount Kit
- 2 Bogen DDU250 Desk Top Microphone
- 1 Microphone Jack - Single gang wall plate
- 1 Yamaha T-S500 AM/FM Tuner

Contract Attached

ENGINEERING DEPARTMENT  
CITY OF OTTUMWA, IOWA

PROPOSAL FOR: BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION

01-10-2018

Date

TO WHOM IT MAY CONCERN:

The undersigned has examined the advertisement for bid and detailed specifications for construction services and agrees to furnish said construction services in accordance with those documents.

<u>INDOOR/OUTDOOR SOUND EQUIPMENT</u>	QTY	UNIT	PRICE	EXTENSION
Bid Items:				
1. Furnish and Install SOUND EQUIPMENT	1	LS	TOTAL	<u>\$ 66,870.00</u>

Start Immediately after equipment arrives / work will take Approximately 6 week's to complete  
CONTRACTOR SUPPLIED START DATE / COMPLETION DATE

One (1) year warranty from date of completion  
WARRANTY, (Specify)

TIME REQUIRED

A \$100.00 per day penalty can be assessed for failure to complete this project in the allocated time. The City shall also reserve the right to void the contract and award it to the next lowest responsible bidder, if the undersigned has not started work by the start date.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any informality in connection therewith, or to accept any proposal which in its opinion is to the best interest of the City.

If bid is accepted, the undersigned further agrees to enter into a contract for delivery of said services according to instructions as issued by the City and at the time requested.

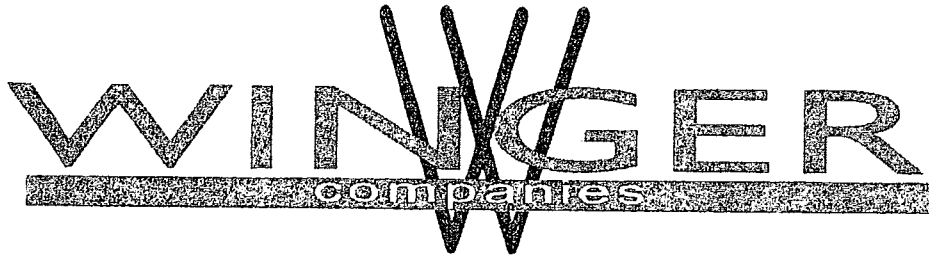
Winger Contracting  
Name of Company

641-682-3407  
Phone Number

By Shea Bates  
Authorized Signature

01-10-2018  
Date

RFP # 4X



PLUMBING SHEETMETAL PROCESS PIPING SERVICE AND MAINTENANCE  
FIRE SPRINKLER SYSTEMS MILLWRIGHT ELECTRICAL DATA TECHNOLOGY

TO: City of Ottumwa

ATTN: Engineering Department

FROM: Shea Bates

RE: RFP #4 – New Sound System at Beach Ottumwa

DATE: 01-10-2018

PROPOSAL NO: 18-551

Our quote is to supply labor and equipment for the following scope of work.

Scope:

1. Provide & Install Equipment for New Sound System at the Beach Ottumwa.
2. Replace all Speakers, and equipment with new, integrate system together.
3. Replace all cabling as needed for sound system to function correctly.
4. Quote includes reusing existing conduits and raceways for all cabling needs outdoors.

Clarifications:

1. All work to be done during normal working hours Mon – Fri 7:00 a.m. – 3:30 p.m
2. Lift Rental IS Included in the Quoted Price.
3. Replacement of any damaged underground, or above ground conduits or raceways outside are not included in price and would be an additional cost to customer.
4. Sales tax not included if applicable.

“All balances are due in full within thirty (30) days of the invoice date. Past due balances will accrue interest at the rate of 2%. If collection requires litigation, we will be entitled to reimbursement for reasonable attorney fees and court costs incurred.”

This quote is valid for 30 days from date of issue.

Thank you for the opportunity to quote this work. If you have any questions, please call.

Respectfully submitted,

A handwritten signature in cursive script that reads "Shea Bates".

Shea Bates  
Winger Companies

Accepted by: \_\_\_\_\_

SB/srb

**REQUEST FOR PROPOSAL #4X**  
**BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION**

The City of Ottumwa, Iowa will be accepting proposals for the **INSTALLATION OF NEW INDOOR/OUTDOOR SOUND EQUIPMENT AT THE BEACH OTTUMWA FACILITY.**

Work shall include the removal of unwanted existing sound equipment including possible wiring. property shall be disposed of by the contractor. Contractor shall provide all equipment, labor and materials necessary for complete installation of indoor/outdoor sound system. The following parameters shall be considered:

1. Master control shall be located inside office where existing amplifiers and tuners are currently located. Secondary controls may be located in the Raft Rental and/or indoor pool area.
2. System shall be capable of delivering select stereophonic digital sound by different digital means to three different zones (outdoors, indoor pools, and lobby/offices). Each controller shall be equipped with equalizer providing individual control over speaker systems.
3. Existing speaker locations shall receive new speakers. New stereophonic speakers shall be located on top of the filter building and each of the three shade structure grouping.
4. System shall be capable of receiving and transmitting various digital media signals, i.e. CD, MP3, FM and AM.
5. System to include voice over capabilities. Include two wireless microphones for the outdoor area capable of working within 100 feet of the Raft Rental station. Include two wireless microphones for the indoor pool area capable of working within 100 feet of the finalized location of the station. Provide one hardwired microphone, plus one replacement backup connected to the lobby/offices base station.
6. The City is anticipating future installation of Wi-Fi. Include provisions in system for incorporating amenity including sound input connections for future video screens in various parts of the facility.

**INDOOR/OUTDOOR SOUND EQUIPMENT**

Bid Items:

<b>INDOOR/OUTDOOR SOUND EQUIPMENT</b>	<b>QTY</b>	<b>UNIT</b>	<b>PRICE</b>	<b>EXTENSION</b>
1. Furnish and Install SOUND EQUIPMENT	1	LS	TOTAL	<u>\$ 109,675<sup>00</sup></u>

Owner reserves the right to select the best proposal deemed to be in the best interest of the City of Ottumwa. Contractor shall attach 5 copies of the detailed proposal which describes the full extent of the proposed installation. The contractor may be asked by the selection committee to meet and make a presentation of their proposal prior to selection at no cost to the City.

Contractor shall make necessary field verifications and calculations to satisfy themselves of the amount of work required to complete the project. All labor, materials, and equipment, etc. shall be considered incidental to the lump sum bid item. Hauling of all materials to be disposed shall be included in bid prices. No cost incurred in preparing or presenting the proposal will be paid by the City of Ottumwa. Contractor shall include 100% Performance and Payment Bond to be in effect for one year.

Contractor shall be responsible to visit jobsite and become familiar with the scope of work prior to bid letting. **Sealed Proposals shall be submitted to the City Clerk 105 E. 3<sup>rd</sup> Street, Ottumwa, Iowa 52501, by 2:00 p.m. (central time) on January 10, 2018, and clearly labeled RFP 4X - BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION.** Bid opening to be held shortly thereafter in Room 108 in City Hall.

If there are any questions regarding bid proposal, please contact Scott McCarty or Dwight Dohlman, City of Ottumwa Engineering Department (641) 683-0680.

Enclosures:      Proposal Submission  
                          Contract

Contract Attached

ENGINEERING DEPARTMENT  
CITY OF OTTUMWA, IOWA

PROPOSAL FOR: BEACH OTTUMWA - PHASE 3 - SOUND EQUIPMENT INSTALLATION

1-6-2018

Date

TO WHOM IT MAY CONCERN:

The undersigned has examined the advertisement for bid and detailed specifications for construction services and agrees to furnish said construction services in accordance with those documents.

<u>INDOOR/OUTDOOR SOUND EQUIPMENT</u>	<u>QTY</u>	<u>UNIT</u>	<u>PRICE</u>	<u>EXTENSION</u>
Bid Items:				
1. Furnish and Install SOUND EQUIPMENT	1	LS	TOTAL	\$ <u>109,675<sup>00</sup></u>

April 2<sup>nd</sup> 2018 - May 23<sup>rd</sup> 2018

CONTRACTOR SUPPLIED START DATE / COMPLETION DATE

One (1) year warranty from date of completion

WARRANTY, (Specify)

TIME REQUIRED

A \$100.00 per day penalty can be assessed for failure to complete this project in the allocated time. The City shall also reserve the right to void the contract and award it to the next lowest responsible bidder, if the undersigned has not started work by the start date.

It is understood that the City reserves the right to accept or reject any or all proposals, to disregard any informality in connection therewith, or to accept any proposal which in its opinion is to the best interest of the City.

If bid is accepted, the undersigned further agrees to enter into a contract for delivery of said services according to instructions as issued by the City and at the time requested.

West Music Company  
Name of Company

(319) 277-1000  
Phone Number

By [Signature]  
Authorized Signature

1-6-2018  
Date



6322 University Avenue  
Cedar Falls, IA 50613  
319-277-1000 | 800-248-7004  
www.westmusic.com

---

EXPERIENCE THE POWER OF MAKING MUSIC

**RFP 4X - BEACH OTTUMWA SOUND SYSTEM PROPOSAL** 1/6/18

The core audio and switching electronics will be located within the same internal storage area as current sound equipment. A new Middle Atlantic SR series wall rack will be installed to house a Symetrix Dante enabled digital mixer for audio/media distribution. The Dante networking will allow the sending and receiving of numerous audio inputs and outputs over Cat5e/6 cabling. This rack will also feature locking drawers for microphone or other audio storage needs.

Two Denon DN-300z media player will be mounted to facilitate separate media selections for different interior/exterior zones of the main building. These media players have the ability to playback media from CD, SD card, USB, BlueTooth, AM/FM, and 3.5mm auxiliary cord input. Master control of all volumes and sources will be controlled via computer interface, mobile app, or keypads located within each zoned area.

An Audio Technica wireless system will also be mounted within the wall rack. A custom input panel will be mounted within the office for the back up Audio Technica AE4100 wired microphone and/or external media source.

Sound for the lobby will be covered by three Community D6 ceiling speakers mounted within the drop ceiling. A Symetrix ARC volume/source selector will be located within the storage area to easily access microphone and audio volume controls for this area.

There will be six Community R.5V2200 will be mounted on the east and west walls to cover audio over the pool. Two Community R.25 speakers will be mounted to cover the bleacher seating. Two Cat5e cables will be installed on the west wall for the Dante microphone and audio inputs along with an ARC volume/source control for this area.

The robust speakers requested to cover the patio will ben mounted either on the south side wall or roof of the main building. Two high power Community IP6-1152 premium weather resistant enclosures featuring a 15" driver and 600 watt power handling. Two Community IS6-118WR 18" 700 watt subwoofers will handle the low frequencies for this large outdoor space.

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# Westmusic

6322 University Avenue  
Cedar Falls, IA 50613  
319-277-1000 | 800-248-7004  
www.westmusic.com

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EXPERIENCE THE POWER OF MAKING MUSIC

Each remote canopy will have two Community W2 or WX series speakers mounted to the structures, powered by Ashly NXe amplifiers. Each will also have an Audio Technica hand held wireless for announcements within each area independently of the main building. A Denon media player will be installed at each location for independent audio selection needs to that area. The ARC volume/source controls will be installed for switching of the media sources. The main microphones in the office will have priority over all media sources and reduce or mute all other sources and microphones.

The wave pool deck audio equipment will be located within the structure, unless an adequate roof overhang available and out of the way from patrons.

Each location will have SurgeX power management and protection equipment installed to provide professional surge and interference elimination.

Cat5e cabling will be utilized for audio distribution to each remote location and pool input panel. This second Cat5e cable will be run for the future expansion of video distribution, networking, or internet to these locations. A trench will be dug to each remote location for these wire runs. The city will provide adequate lawn markings of any buried service lines before this portion of the installation. New grass seed will be applied after filling the cable trenches, after care watering/fertilization of this seed will be the responsibility of the property.

This bid includes rentals of a powered man lift, scaffolding, and trench digging equipment (for Cat5e direct burial runs to each canopy area and pump house), and any electrical needs other than the main power outlet located within the storage area.

As discussed conduit or other wire channel under the cemented patio area from the main building to the grass and also under the walkways to the wave pool will be installed by a third party when these areas are being repaired/restored.

A longer timeframe has been listed to accommodate any inclement weather conditions that may prevent exterior work.

Thank you for your consideration,

Scott Carey  
scarey@westmusic.com  
(319) 277-1000

Beach Ottumwa  
RFP Selection Committee  
Minutes of 1/23/2018 7:30 AM Meeting

Members Present: City Council Member Holly Berg; Parks Director Gene Rathje; Scott McCarty, Engineering; Dwight Dohlman, Engineering.

Items Discussed:

1. Selection Committee engaged in the review of two responses from RFP #3X - Electronic Entrance Sign and four responses for RFP #4X - Sound Equipment installation.
2. Nesper Sign from Cedar Rapids and Cobler Signs of Ottumwa submitted proposals. Nesper Sign's was the most complete response with the best price of \$68,643.00 for 19mm pixels and \$73,643.00 for 16 mm pixels. Cobler's proposal price was \$97,837.50.
3. Telephone conference call with Don Garland of Nesper occurred to verify various aspects of their proposal resulting in a request in pricing for changes in the sign design and extended data plan for wireless programming of the sign. Garland said he would develop that information and email the revised cost to us.
4. Each of the committee members were requested to fill out and turn in their scoring sheets. In a unanimous vote, Nesper Sign received everyone's recommendation to move forward contingent upon updated pricing.
5. Scott McCarty provided illustration of what the old signs could be used for: Attach to the backside of the fencing facing the highway above the filter building and erecting another sign near the intersection of Wapello and Hwy 34 giving travelers at the intersection of the presence of the Beach.
6. Holly Berg suggested the use of the current logo as can be found on the Beach website and not the old logo.
7. Initial reviews of the sound system responses brought the review hour to a close with the committee sharing the same concern regarding the amount of equipment each response included.
8. The four vendors that responded will be asked to break out a separate cost that included equipment only as an additional means to compare.
9. The group agreed to meet again Friday morning at 7:30 on 1/26/18 at the same conference room.

This is my understanding of the items discussed. Please notify the writer of any discrepancies or omissions otherwise these minutes will become part of the record.

Dwight L. Dohlman, P.E.  
City Engineer



Beach Ottumwa  
RFP Selection Committee  
Minutes of 1/26/2018 7:30 AM Meeting

Members Present: City Council Member Holly Berg; Parks Director Gene Rathje; Scott McCarty, Engineering; Dwight Dohlman, Engineering.

Items Discussed:

1. Selection Committee met again to review the Nesper Sign response for RFP #3X - Electronic Entrance Sign and the four responses for RFP #4X - Sound Equipment installation.
2. Selection Committee reviewed the revisions requested from Nesper Signs. Nesper proposed additional costs for a larger message center and a wireless data plan for the life of the sign.
3. The committee approved the additional costs of \$1,027.00 for data service for the life of the sign and \$83,518.00 for the larger message center using 16 mm pixels for a total contractual amount of \$84,545.00.
4. Engineering will work to get the contract documents in place so Council approval at the next City Council meeting is obtained.
5. The next Parks & Rec meeting is scheduled for February 13. Direction will be sought for which logo to use and possibly using the old sign for additional signage around the park. Gene Rathje mentioned that Alliant should be made aware that the old sign is coming down as they granted part of the money for the original signs 26 years ago.
6. With the idea to meet with all the Council members, Dohlman joined a meeting with Council Members Holly Berg, Skip Stevens, and City Administrator Andy Morris to make them aware that the committee will be seeking Council approval to award the electronic sign contract to Nesper Sign from Cedar Rapids at the February 6 City Council meeting and also to gather feedback from the Council members on the scope of the sound system project.
7. Selection Committee turned the discussion to RFP #4X - Sound Equipment Installation.
8. A phone call to Eyes and Ears seeking clarification of their response went unanswered. Voicemail and emails were sent ahead of time alerting them of the Selection Committee's meeting and their desire to discuss their proposal but no response was received.
9. Discussion occurred whether to rebid the project with more details and specifications. The group felt we should wait to decide until we have an understanding from the Council as to how good of a sound system the City Council members feel the Beach needs. If the general consensus from the Council members is we should only spend \$50k on the project, then we'll likely recommend the City Council reject all the responses and start over. If the general consensus is we should continue to seek a quality sound system that may cost in the neighborhood of \$100k, then the selection committee will likely continue discussions with the submitting vendors.
10. The group agreed to set a meeting time at a later date after all the Council members have had a chance to weigh in on the sound system.

This is my understanding of the items discussed. Please notify the writer of any discrepancies or omissions otherwise these minutes will become part of the record.

Dwight L. Dohlman, P.E.  
City Engineer

## Scott McCarty

---

**From:** Dwight Dohlman <dohlmand@ci.ottumwa.ia.us>  
**Sent:** Tuesday, January 30, 2018 2:21 PM  
**To:** bergh@ci.ottumwa.ia.us; 'Gene Rathje'; 'Scott McCarty'  
**Subject:** Beach Ottumwa Selection Committee

I was able to meet with Matt and Marc yesterday afternoon. Their suggestion? Reject the four responses and start over with a sound engineer with a budgetary target of \$100k.

I still need to talk to Victor but this is how we will likely proceed.

### **Dwight L. Dohlman, P.E.**

#### **City Engineer**

105 East Third Street

Ottumwa, IA 52501

P: 641.683.0680

C: 641.226.2624

[dohlmand@ci.ottumwa.ia.us](mailto:dohlmand@ci.ottumwa.ia.us)

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## Dwight Dohlman

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**From:** Dwight Dohlman <dohlmand@ci.ottumwa.ia.us>  
**Sent:** Thursday, February 01, 2018 7:05 AM  
**To:** 'Andy Morris'  
**Cc:** 'Larry Seals'  
**Subject:** RE: Sound System

I share your concern! I have a call into a sound engineer who happens to be out with the flu right now, but the intention would be to discuss hiring him for professional services, which would be on the agenda of a future Council meeting. I have tried the less intrusive means of emailing Victor requesting a phone call but haven't heard anything. I'll call him if I don't hear anything by tomorrow. I don't anticipate any movement one way or the other on the sound system till I talk to Victor.

**From:** Andy Morris [mailto:morrisa@ci.ottumwa.ia.us]  
**Sent:** Wednesday, January 31, 2018 7:50 PM  
**To:** 'Dwight Dohlman'  
**Cc:** 'Larry Seals'  
**Subject:** Sound System

Dwight:

At my afternoon meeting with Skip, and Holly, the subject of the Beach sound system bids were brought to the fore by Skip. I informed him you have been meeting with the Council members, but having difficulties reaching Victor Streeby. Holly said we should (and may already have) hired a sound system engineer. Perhaps you already have done so? Apparently Matt Dalbey, and Marc Roe shared this with Skip.

There is obviously an agenda to hire Eyes, and Ears to install this sound system which is not good.

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FILED

2018 FEB 15 PM 1:01

CITY CLERK  
OTTUMWA, IA

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 20, 2018

Alicia Bankson

Prepared By

Gene Rathje  
Department Head

Park & Recreation

Department

[Signature]  
City Administrator Approval

AGENDA TITLE: Bid report to reject bids received on Beach Phase 3 RFP #4X - Sound Equipment Installation.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

\*\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*\*

RECOMMENDATION: Reject all bids and rebid project by obtaining plans and specifications.

DISCUSSION: Request for Proposals were sent to five different vendors after City Council's project approval for Beach Renovations Phase 3 RFP #4X. Four responses were received on January 10, 2018. Only one vendor responded appropriately as requested by the RFP; however, its proposal was significantly higher than the engineer's opinion of cost. The remaining three vendors submitted incomplete responses.

Source of Funds: Bond Proceeds

Budgeted Item:

Budget Amendment Needed:

The Request for Proposal explained the project parameters and advocated a "Design-Build" approach. Based on feedback from submitting vendors, the variations may be minimized through a "Design-Bid-Build" process. This process may include procuring the services of a sound consultant or engineer to put together plans and specifications so "apple to apple" bids can be obtained.

Plan holders list and bid tab attached.

**PLAN HOLDERS LIST**

RFP #4X - Sound Equipment Installation  
 Ottumwa, Iowa 52501  
 G&A #  
 Bids Received: January 10, 2018

Engineer's Estimate: \$50,000

**Plan Deposit:**

Set No	Name & Address of Plan Holder	Phone/Fax/Email	Plans Mailed	Deposit Received	Plans Returned Refund Mailed	Addendum No. 1
1	Matt Bresch	<a href="mailto:matt@eeavs.com">matt@eeavs.com</a>	Emailed 12/11/2017			
2	IowaAudioVideo	<a href="mailto:morgan@iowaaudiovideo.com">morgan@iowaaudiovideo.com</a>	Emailed 12/11/2017			
3	Audio Engineering Group	<a href="mailto:info@audioengineeringgroup.com">info@audioengineeringgroup.com</a>	Emailed 12/11/2017			
4	R & D Industries 812 10th St Milford, IA 51351	<a href="mailto:mkec@rdiworks.com">mkec@rdiworks.com</a>	Emailed 12/11/2017			
5	West Music 6322 University Ave Cedar Falls, IA 60613	<a href="mailto:scarey@westmusic.com">scarey@westmusic.com</a>	Emailed 12/11/2017			
6						
7						
8						
9						
10						
11						

Bid Comparison List

Company Name	Bid Price	Monitor Control	Secondary Control	Capacity of Multi-Task Function	Working Method & Locations	Print Mfg	Media Support	Multiple Input Capability (e.g. CD, MP3, etc.)	Video cam Capable	2 Wireless Mic for Outdoor Area	3 Wireless Mic for Feed Back	4 Wired Mic for Office	Will Respond to	Other Video Expansion
West Music	\$109,475.00	X	X	X			X	X	X			X		
Wenger	\$44,875.00	X												
Byer & East Audio	\$38,000.00	X												VADUE replace seating with new, not sure what else
Van Moppert Electric	\$34,245.00	X	X	X										VADUE: some equipment spec'd, location unknown Cheap Equipment! Recently update of seating table

## OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 08  
City Council Chambers, City Hall

February 20, 2018  
5:30 O'clock P.M.

The meeting convened at 6:00 P.M.

Present were Council Member Roe, Stevens, Streeby, Berg, Dalbey, and Mayor Lazio.

Streeby moved, seconded by Berg to approve the following Consent Agenda Items: Mins. from Spec. Mtg. No. 5 on Jan. 30, Reg. Mtg. No. 6 on Feb. 6 and Spec. Mtg. No. 7 on Feb. 14, 2018 as presented; Jan. financial report and payment of bills as submitted by the Fin. Dept.; Proclamation of the 50<sup>th</sup> Anniversary of Home Rule in Iowa 2018; Appt. of Derek Craff to the position of Equipment Operator – Street Maintenance Dept. effective Feb. 12, 2018; Payment to Computer Information Systems, Inc. in the amount of \$13,992.00 for a one year License Renewal and Maintenance Agreement for the Police Dept.'s in-house computer software; Purchase GraniteNet sewer televising and inspection software and Rack Mount computer for the amount of \$13,978.00; Renew contract for Fireworks Display for July 4, 2018 through July 4, 2020 including a rain date for each year; Set Mar. 6, 21018 as the date for a public hearing on the proposed adoption of the 2018/2019 City Budget; Set Mar. 6, 2018 as the date for a public hearing on Ottumwa Transit's Consolidated Funding Application; Res. No. 30-2018, setting a public hearing on the Council's intent to approve a Purchase and Development Agreement with Poole's Truck Services, Inc.; Res. No. 33-2018, approving the contract, bond, and certificate of insurance for the 2017 Golf Course Bridge and authorizing the Mayor to sign the contract; Res. No. 39-2018, approve the contract for the Beach Phase 3, RPF 3X – Electronic Entrance Sign; Res. No. 44-2018, authorizing payment for renewal of the City liability and property insurance for Mar. 16, 2018 until Mar. 15, 2019 in the amount of \$399,621.50; Beer and/or liquor applications: Market on Main, 331 E. Main, Casey's General Store #1886, 504 W. Mary St., Hy-Vee Drug Store, 1140 N. Jefferson, Noe's Bar & Grill, 101 S Madison, MAD Ave. Quick Shop, 405 S Madison, all applications pending final inspections.

Roe moved, seconded by Dalbey to approve the agenda as presented.

City Admin. Morris reported the following:

- Dale Uehling, Bridgeview Inc., presented a check to the City of Ottumwa in the amount of \$163,763.00.
- Scot Halgren, Ex. Dir. Bridgeview Center, reported to Council the highlighted projects at Bridgeview: Hotel Project, Solar Energy Project, Capital Improvement Plan and CIP Budget; Attendance and Event data; and the Launch of a new Menu.
- Sustainability Plan to be presented at the Feb. 27, 2018 Special City Council meeting.
- New Officer Employment Agreements policy to be presented at the Mar. 6, 2018 regular City Council Meeting.
- Proposed Animal Ordinance – The Ordinance to amend the current ordinance on the pick-up of dead animals will be presented for the first reading at the Mar. 6, 2018 City Council Meeting.
- Central Addition Park Sign – Council Member Stevens stated a group of citizens would like a sign placed inside Central Addition Park. This sign would be similar to the signs inside Greater Ottumwa Park. This has been voted down by the Parks Advisory Board, but would like Council to take action on the item.
- The Initial Comprehensive Plan RFP Review will start on Feb. 22, 2018.



- Fred Zesiger, Main Street Ottumwa, and Brad Grefe, Area 15 Regional Planning Commission, presented the findings of the Downtown Parking Study.

Mayor Lazio inquired if anyone from the audience wished to address a specific agenda item. There were none.

Roe moved, seconded by Streeby to approve the repair of the Flygt Pump at the Grandview Pump Station for the quoted price from Electric Pump of Des Moines, Iowa in the amount of \$13,530.63, no including freight. All ayes.

Streeby moved, seconded by Dalbey to approve the contract with DrySpace, Inc, for the Beach Phase 3, RFP 6X – Otter Slide Reconstruction in the amount of \$11,650.00. All ayes.

Roe moved, seconded by Berg to approve the grant submission and authorize the Mayor and the Chief of Police to sign the application and contract upon receipt. All ayes.

Dalbey moved, seconded by Streeby to reject all bids and rebid project by obtaining plans and specifications. Council Member Stevens asked what the increase cost of the project will be by hiring a sound engineer. City Engineer Dohlman stated the project costs will increase approximately \$10,000-\$15,000. Council Member Stevens said he doesn't think it's necessary. Ayes: Roe, Streeby, Berg, Dalbey. Nays: Stevens. Motion carried.

This was the time, place, and date set for a public hearing on the plans, specifications, form of contract, and estimated cost for the Montagne Lane Culvert Project. No objections were received. Roe moved, seconded by Streeby to close the public hearing. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 47-2018, approving the plans, specifications, form of contract, and estimated cost for the Montagne Lane Culvert Project, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on the 2018 Ottumwa Housing Pilot Program. Brad Grefe, Area 15 Regional Planning Commission, reported the following:

- How the need for the activities was identified. In addition to the several Community Development and Housing Needs Assessments that have been prepared throughout the last several years for other CDBG projects, additional affordable housing options and increased housing opportunities downtown are identified in the City's most recent Comprehensive Plan.
- Nature and location of the proposed activities will be conducted. The proposed project includes the rehabilitation of the upper level of four two-story buildings in downtown Ottumwa—303, 305, 315, and 320 E. Main St., all owned by Rippling Waters Property Development. Out of twelve letters of interest, Ottumwa was one of four communities invited to submit a full application for this CDBG pilot program targeting upper-story rehabilitation for the creation of rental housing units. In September, we submitted four alternatives to IEDA and this project is the one they invited to apply. Five new rental housing units from one to three bedrooms are proposed in this application.
- How the proposed activities will be funded and the sources of funds. The total cost of the project is estimated at \$1,045,788. Funding for the project will include a \$500,000 request from the Iowa Economic Development Authority's Community Development Block Grant Program. The local match for the project is estimated to be \$545,788. If awarded, the City's contribution to the project will be \$25,000, with the remainder of local match to be paid by Rippling Waters.
- Estimated portion of federal funds that will benefit low- and moderate-income persons. As a stipulation of the grant, each of the units assisted are to be rented to low-moderate income persons for the first five years.

- Plans to minimize displacement of persons and businesses resulting of funded activities. No persons or businesses will be displaced as a part of this project.
- Date the CDBG application will be submitted. On or before 23 February 2018.

No objections were received. Streeby moved, seconded by Dalbey to close the public hearing. All ayes.

Streeby moved, seconded by Stevens that Res. No. 48-2018, authorizing the Mayor to sign and submit the Community Development Block Grant application for the 2018 Ottumwa Housing Pilot Program and, if funded, to sign all contract-related documents, be passed and adopted. All ayes.

Roe moved, seconded by Dalbey that Res. No. 41-2018, fixing an amount for abating a nuisance against certain properties in the City of Ottumwa, Iowa, be passed and adopted. All ayes.

Dalbey moved, seconded by Streeby that Res. No. 42-2018, determining the necessity and setting dates of a consultation and a public hearing on a proposed urban renewal plan for a proposed Vogel Urban Renewal Area in the City of Ottumwa, State of Iowa, be passed and adopted. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 46-2018, approving Change Order No. 3 for Beach Renovations Phase 2 – Contract C Boiler/HVAC Equipment Repairs Project, be passed and adopted. Park & Rec. Dir. Rathje reported Change Order No. 3 increases the contract in the amount of \$900.00, new contract amount \$98,193.00. All ayes.

Dalbey moved, seconded by Stevens that Res. No. 49-2018, authorize the Mayor to sign a Memorandum of Agreement between the Federal Aviation Administration and the City of Ottumwa for the Ottumwa Regional Airport Runway Reconstruction Project, be passed and adopted. All ayes.

Roe moved, seconded by Streeby that Res. No. 50-2018, approving Policy No. 63-2018, Police Staffing, be passed and adopted. All ayes.

Dalbey moved, seconded by Stevens that Res. No. 51-2018., approving Policy No. 62-2018, City Sponsored Events, be passed and adopted. All ayes.

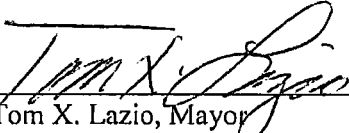
Roe moved, seconded by Berg to pass the second consideration of Ordinance No. 3138-2018, amending the Code of Ordinances (Municipal Code of the City of Ottumwa, Iowa) by amending Chapter 32, Article III, Division 1, Section 32-54 (1) in its entirety and enacting a substitute in lieu thereof. All ayes.

Roe moved, seconded by Streeby to waive the third consideration, pass and adopt Ordinance No. 3138-2018, amending the Code of Ordinances (Municipal Code of the City of Ottumwa, Iowa) by amending Chapter 32, Article III, Division 1, Section 32-54 (1) in its entirety and enacting a substitute in lieu thereof. All ayes.

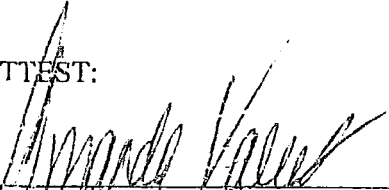
Mayor Lazio inquired if anyone from the audience wished to address the Council on an item not on the agenda. Roger Hornback addressed the Council on his concerns on the compliance of local businesses to the Iowa Can Redemption Laws. He would like to see the Council adopt a local legislation to make the law more enforceable.

Streeby moved, seconded by Stevens that the meeting be adjourned. All ayes. Adjournment was at 7:54 P.M.

CITY OF OTTUMWA, IOWA

  
Tom X. Lazio, Mayor

ATTEST:

  
Amanda Valent, City Clerk

## Dwight Dohlman

---

**From:** Dwight Dohlman <dohlmand@ci.ottumwa.ia.us>  
**Sent:** Friday, February 23, 2018 8:42 AM  
**To:** Scott McCarty (mccartys@ci.ottumwa.ia.us)  
**Subject:** FW: The Beach Sound System Project  
**Attachments:** TheBeachAudioSystem.pdf; 1000hz.bmp; Overview.bmp

fyi

**From:** Matt Bresch [mailto:matt@eeavs.com]  
**Sent:** Thursday, February 22, 2018 6:48 PM  
**To:** 'Andy Morris'  
**Cc:** mayor@ci.ottumwa.ia.us; bergh@ci.ottumwa.ia.us; dalbeym@ci.ottumwa.ia.us; roem@ci.ottumwa.ia.us; stevenss@ci.ottumwa.ia.us; streebyv@ci.ottumwa.ia.us; 'Gene Rathje'; 'Dwight Dohlman'; 'Larry Seals'  
**Subject:** The Beach Sound System Project

Hello Andy and all concerned,

I would like to give an account for what has happened to me over the past 2 years over this Beach sound system project. I feel like I have done whatever I was asked to do for this project and somehow the communication broke down and I got ran over. At this point I just want it in writing what happened so it will not happen to anyone else in the future. Part of the frustration with this whole project is Douglass Communications and now myself as Eyes & Ears have limped the Beach sound system along for about 15 years. We have installed used equipment when other equipment has went down and almost every year done service calls at the Beach because this or that did not work. Many times with no charge to the city.

Two years ago I was asked by the former city administrator and mayor to do a quote for a new sound system at the Beach. This is usually called a design and build project. Upon initial review I told the administrator and mayor that I thought the project would be over \$25,000.00. They told me that if it was over \$25,000.00 we would have to have competitive bids. If it was under \$25,000.00 the council would have to approve the bid but would not have to have competitive bids. I then came back to the administrator and told him I would design the system, which is usually a \$6000.00 process, for free if they believed this was something the council was interested in doing because the total of the project would be over the \$25,000.00. I got the approval to move forward. I met with Gene several times to figure out exactly what the needs were at the Beach, then spent approximately 35 hours drawing the Beach (indoors and outdoors) in a program like AutoCAD called EASE. This is part of any sound designers design process to figure out how many speakers are needed in a particular area and what speakers to use. Once this was done I did a bid and took the results to a parks board meeting. I believe Matt, the mayor and the city administrator were at the first meeting. I did my presentation at the meeting and most were in favor and generally enthusiastic about the project. Mitch got into a huge fight at this meeting with the board president because Mitch wanted competitive bids. I told him he could get competitive bids, but he couldn't use my design. My design was a design and build and they would have to pay me to write specs if they wanted this to be bid by other companies. I took my quotes, proposals, and drawings with me.

We had a 2<sup>nd</sup> meeting with the parks board that went a lot smoother and I re-presented my proposal and I believe it was voted to go ahead and present to the council. Obviously that never happened. I told them at the 2<sup>nd</sup> meeting that the prices were about to go up because technical equipment goes up every year. My original bid at that time was \$21,399.00. I never charged the city for my time for the design or any of the multiple meetings that I attended.

So to my utter surprise approximately 8 weeks ago I got an RFP to bid on a new sound system at the Beach. The specs as everyone knows now were not good. This is not like bidding on concrete where you can say we need a slab 30 x 22 6" thick with rebar every 8 inches. This is very technical equipment and designing that goes into building a sound system. I

talked with every councilman except for Holly because she was not on the council at the time as well as Andy and the mayor and told them that this was going to be a disaster. The dollar amount between bids was going to vary tremendously and you could get business's other than audio companies bidding on the project. Which is exactly what happened. I was told by Skip, Marc, and Matt that the city did not have to take the first bid because they were not an audio company. I'm assuming the reason that didn't happen is because I didn't sign the proper documents, which is fair I guess.

I go back and forth on wanting to bail on this project because I feel like I've gotten ran over. I did what I was asked and invested a lot of time and have gotten nothing for it. I've been told over and over again by council members that this was going to get taken care of and yet here we are 2 years later still trying to get something approved. My original bid two years ago was \$21,399.00. Equipment prices have went up and you are now looking at paying someone to design a system and do the analysis that I already completed. You are about to cost the city an extra \$20,000.00. I love Ottumwa and have been happy that things are slowly starting to change and I understand that mistakes happen. I also get very worked up about this and I apologize for that.

If you would like me to do bid specs, drawings, and everything associated with needing to bid this publicly it will cost \$6,000.00. I would require \$4500.00 up front then \$1500.00 when the project is done to commission the project and make sure it was done correctly. The downside of this for me, although I can still bid the project, I might not get the project if someone else bids lower than I do. However, at this point I believe this to be the best option. At this point I have said what I can and hope I have provided enough information to help you move forward. Attached is my original quote and some screen shots that I pulled from the EASE program. These were part of my original presentation to the Parks Board back in 2015. If you have any questions please feel free to contact me.

Thanks for your time, this is a long email.

---

Matthew Bresch  
Eyes & Ears  
Douglass Communications  
cell 641-777-9928  
[matt@eeavs.com](mailto:matt@eeavs.com)

# Douglass Communications

AUDIO & VIDEO SYSTEMS | 641.683.3114

## The Beach Ottumwa

### Audio System

<u>COMPONENT</u>	<u>QTY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
<u>MIXER/DSP</u>			
Allen & Heath QU-PAC-32 16 x 8 digital mixer	1	\$1,304.00	\$1,304.00
Ipad	1	\$500.00	\$500.00
Wireless Router	1	\$200.00	\$200.00
<u>SPEAKERS</u>			
Community R.5-94WZ 12-inch Horn-loaded 90 x 40 *Outdoor Spks*	6	\$725.00	\$4,350.00
Custom bracket for *Outdoor Spks*	1	\$800.00	\$800.00
Community W2-218WT 8-inch compact system 70V *Indoor Pool Spks*	5	\$700.00	\$3,500.00
Community D5 recessed ceiling loudspeakers 70V *Lobby Spks*	7	\$135.00	\$945.00
<u>POWER AMPLIFIER</u>			
QSC PLD4.3-NA; 4-ch. power amplifier *Outdoor SPKs*	1	\$1,425.00	\$1,425.00
QSC CX204V 4 channels, 200 watts/ch at 70V *Indoor & Lobby Spks*	1	\$1,275.00	\$1,275.00
<u>WIRELESS UNITS</u>			
Audio Technica ATW-3141bD handheld wireless microphone system	2	\$450.00	\$900.00
<u>PLATES</u>			
XLR, MP3, wall plate	2	\$75.00	\$150.00
<b>TOTAL ESTIMATED COST: AUDIO EQUIPMENT</b>			<b>\$15,349.00</b>
Bulk Cabling & Connectors			\$850.00
Installation/Training/Programming			\$5,200.00
<b>TOTAL ESTIMATED COST: AUDIO SYSTEM</b>			<b>\$21,399.00</b>



February 23, 2018

Matt Bresch  
Eyes & Ears Audio Visual Solutions  
Douglass Communications  
11561 Rutledge Rd  
Ottumwa, IA 52501

Re: Beach Phase 3 RFP #4X – Sound Equipment Installation

Dear Mr. Bresch:

Thank you for your proposal response to the above referenced project received on January 10, 2018. The selection committee spent considerable time reviewing the four proposals received before making a recommendation to the City Council. Unfortunately, due to considerable variance in the responses, the selection committee recommended to the City Council that all proposals be rejected. On February 20, 2018, the Ottumwa City Council formally rejected all proposals. Instead, staff received direction to develop more detailed project plans to allow more of an "apples to apples" comparison.

Staff is currently interviewing consultants to prepare the new bidding documents. This project will be re-let at a later date.

Thank you for your interest in this project and we will make you aware of when the new bidding documents are available. It is our hope you will submit a new bid proposal when the project is re-let.

Sincerely,

CITY OF OTTUMWA

Dwight L. Dohlman, P.E.  
City Engineer

DLD/ab

## Dwight Dohlman

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**From:** Matt Bresch <matt@eeavs.com>  
**Sent:** Wednesday, March 28, 2018 11:08 AM  
**To:** 'Dwight Dohlman'  
**Subject:** Quotes  
**Attachments:** JS - Beach Quote.docx; Lifeline - Beach Quote.docx; TheBeachAudioSystem.pdf; image1.jpeg

Hi Dwight

I've attached my original bid along with 2 competitive bids that we got back in 11/02/2016. I think my original bid would go up some because prices have went up. I've also attached a pic of the email I had sent Matt Dalbey so you could see the time stamp. So I couldn't be accused of finagling or anything. Let me know if you have any questions? We should probably get together at the beach if this is something we want to move forward with and go over the details.

Thanks

---

Matthew Bresch  
Eyes & Ears, LLC  
Douglass Communications  
cell 641-777-9928  
[matt@eeavs.com](mailto:matt@eeavs.com)



JS Turner Sound  
23199 217th Avenue  
Centerville, IA 52544

## AUDIO SYSTEM PROPOSAL

Community Loudspeakers	\$12,229.86
Crown Power Amplifiers	\$ 3,100.74
Allen & Heath mixer w/wireless control	\$ 1,999.99
Shure Wireless Microphones	\$ 1,999.99
Installation & Labor	<u>\$10,000.00</u>
	<b>\$29,330.58</b>

Prepared for:

*The Beach*  
*101 Church Street*  
*Ottumwa, IA 52501*



## The Beach – Ottumwa, IA

### Audio System Quote

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#### Complete Audio System Package:

Outdoor speakers  
Indoor Pool speakers  
Lobby speakers  
(1) Digital Mixer  
(2) Power Amplifiers  
(2) Wireless Microphone Systems  
Custom Plates and Cabling

**TOTAL PACKAGE PRICE = \$27,200.00**

**\*\*Total package price includes labor for installation\*\***

# Douglass Communications

AUDIO & VIDEO SYSTEMS | 641.683.3114

## The Beach Ottumwa

### Audio System

<u>COMPONENT</u>	<u>QTY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
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Custom bracket for *Outdoor Spks*	1	\$800.00	\$800.00
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Community D5 recessed ceiling loudspeakers 70V *Lobby Spks*	7	\$135.00	\$945.00
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QSC CX204V 4 channels, 200 watts/ch at 70V *Indoor & Lobby Spks*	1	\$1,275.00	\$1,275.00
<u>WIRELESS UNITS</u>			
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Bulk Cabling & Connectors			\$850.00
Installation/Training/Programming			\$5,200.00
<b>TOTAL ESTIMATED COST: AUDIO SYSTEM</b>			<b>\$21,399.00</b>

**Quotes for the beach**

Matthew Bresch <matte@eeavs.com>

Sent Wed 11/2/2016 8:37 PM

To: 'mmweeries@yahoo.com'

 Message  JS - Beach Quote.docx (1.5 KB)

 Lifeline - Beach Quote.docx (21 KB)

Hi Matt

Let me know if you get this email. I've attached 2 quotes for competitive bids for the beach Ottumwa. Let me know if you need anything else?

Thanks

Matthew Bresch

Eyes & Ears, LLC

Douglass Communications

cell 841-777-9928

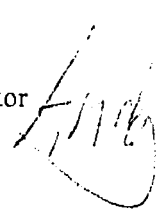
[matte@eeavs.com](mailto:matte@eeavs.com)

File New Move Rules OneNote Unread/ Categorize Follow Address Book Send/Receive All Folders Sent Mail

Move Tags Filter E-mail Find

**MEMORANDUM**

DATE: April 13, 2018  
TO: Mayor, City Council, City Clerk  
FROM: Andrew Morris, City Administrator  
Joni Keith, City Attorney  
RE: Sound System for the Beach



It appears there are two options relative to purchasing the new sound system for the Beach. I have had conversations with some of the Council members but not all of you as to your thoughts and desires in purchasing the new sound system at the Beach. There are to my understanding, three options:

- Accept the sound system bid from Eyes and Ears which Matt Bresch tells me is in the \$26,000 range.
- Institute the competitive bidding process by bringing in a sound engineer to develop specs for all applicants to follow. Dwight estimates the cost of a sound engineer at \$30,000.
- Prepare a more specific RFP and solicit new sealed bids.

Solicitation of a quote does not require the city to accept that quote. That is perhaps the perception, but that is not the case under Iowa Law.

Authorization to spend is set forth:

The City Administrator and Director of Finance can authorize purchases up to \$10,000.

For purchases from \$5,000 to \$15,000 (except those by the CA as indicated), two quotations must be received and reviewed. If two or more have been solicited but not received, the finance director can recommend proceeding.

For purchases from \$15,000 to \$25,000, two sealed bids must be received, or in the alternative, negotiation has been completed after first obtaining two or more quotations without the formalities of sealed bids.

If the cost of this project is at least \$25,000 and above, formal specifications and sealed bids are required. However, there is an exception that the procurement of services which by their nature are not adapted to award by competitive bidding, including but not limited to contracts for the services of individuals possessing high degree of professional skill where the ability or fitness of the individual plays an important part.

In an instance such as this a sound system could meet this threshold, and would be subject to an RFP without the specific plans and specifications. We have attached a copy of the purchasing policy which established purchasing regulations set out in our Code Sec. 2-233 (d).

Staff recommends a new R.F.P. be issued with more specific requirements for equipment that would help eliminate a variability of bids. We would then solicit new sealed bids.

## Sec. 2-233. - Specific purchases.

- (a) *Purchases of \$5,000.00 and under.* The purchasing agent is authorized to purchase on the basis of requisitions (purchase orders) subject to the provisions of this Code, state law, and the rules and guidelines established by the director of finance, materials, supplies, equipment, and contractual services costing no more than \$5,000.00. The city administrator, with approval by the director of finance, is authorized to purchase materials, supplies, equipment and contractual services costing no more than \$10,000.00.
- (b) *Purchases over \$5,000.00 up to \$15,000.00.* With the exception of materials, supplies, equipment and contractual services costing no more than \$10,000.00 and authorized by the city administrator and the director of finance, purchases of materials, supplies, equipment and contractual services costing over \$5,000.00 up to \$15,000.00 shall be made on the basis of requisitions (purchase orders) subject to the provisions of this Code, state law, and the rules and guidelines established by the director of finance, subject, however, to the provision that said purchases shall not be made until at least two quotations, have been received, however, except as hereinafter prohibited, in any case where it is clearly to the advantage to the city to make said purchase without said quotations or where two or more quotations have been solicited but not received, the city council, upon recommendation of the director of finance, may authorize said purchase be made in the open market.
- (c) *Purchases over \$15,000.00 up to \$25,000.00.* Purchases of materials, supplies, equipment and contractual services costing over \$15,000.00 up to \$25,000.00 shall be made on the basis of requisitions (purchase orders) subject to the provisions of this Code, state law, and the rules and guidelines established by the director of finance, subject, however, to the provision that said purchases shall not be made until at least two sealed bids have been received, or in the alternative, negotiation has been completed after first obtaining two or more quotations without the formalities of sealed bids; however, except as hereinafter prohibited, in any case where it is clearly to the advantage to the city to make said purchase without said sealed bids or quotations or where said sealed bids or two or more quotations have been solicited but not received, the city council, upon recommendation of the director of finance, may authorize said purchase be made in the open market.
- (d) *Purchases over \$25,000.00.* The purchasing agent shall issue formal specifications and solicit sealed bids for purchases of materials, supplies, equipment and contractual services costing over \$25,000.00, subject to city council approval, with the

following exceptions:

- (1) The procurement of services which by their nature are not adapted to award by competitive bidding, including but not limited to contracts for the services of individuals possessing high degree of professional skill where the ability or fitness of the individual plays an important part, and contracts for technological services.
  - (2) The procurement of contracts for the disposal of special or hazardous waste materials, where the charge for services cannot be calculated until an analysis of the waste is complete.
  - (3) The procurement of printing or engraving of bonds, official statements and other evidences of indebtedness.
  - (4) The procurement of printing or special materials, supplies, or postage to be used in connection with an election or referendum.
  - (5) The procurement of utility services and fuel and fuel services for vehicles and equipment.
  - (6) The procurement of repair services for equipment and machinery, or for the procurement of repair parts when required repair parts are available only from a single factory source and are sold through a single area-wide distributor, and competitive bids for such repairs are not prospectively obtainable, and the city administrator or designee so finds and declares in writing. The city administrator's written determination shall be filed with the procurement documents in each such instance.
  - (7) Contracts for procurement of goods and/or services through which nonprofit associations, established to aid or assist governmental bodies, or through a cooperative Chapter 28E Agreement, have secured special rates or provisions for the purchase of goods and/or services for the benefit of the city.
  - (8) The procurement of entertainers or performing artists for civic programs and events, when the availability of such person does not lend itself to competitive procurement.
- (e) *Surplus materials and equipment.* The finance director is expressly authorized to procure from any federal, state or local government unit or agency thereof surplus machinery, motor vehicles, materials, supplies, commodities, or equipment as may be made available through the operation of any legislation heretofore or hereafter enacted without conforming to the competitive bidding requirements of this division.



- (f) *Supply schedules.* The finance director is also expressly authorized to procure goods and/or services from supply schedules of the U.S. General Services Administration and from contracts established by the state department of general services, the state department of transportation, and the state communications network pursuant to procedures established by state code or pursuant to supply schedules or accepted bids through the county bidding procedures.
- (g) *Regular, temporary or seasonal employment.* Regular, temporary or seasonal employment contracts or hiring within the city shall not be subject to the competitive bidding process.

(Code 1961, § 17-3; Code 1970, § 2-90; Ord. No. 2384, § 5, 3-7-1979; Ord. No. 2556, § 15, 7-26-1983; Ord. No. 2613, § 13, 8-19-1986; Ord. No. 2867, § 1, 1-19-1999; Ord. No. 3064, § 1, 8-5-2014)

Sec. 2-234. - Procedures for bids and quotations.

- (a) The purchasing agent may accept quotes at his discretion for items costing \$5,000.00 or less.
- (b) Quotations made under section 2-233(b) shall be solicited pursuant to the guidelines of the director of finance and, once received, the purchasing agent shall review and refer the quotes to the city council with recommendations regarding the same.
- (c) Sealed bids solicited under section 2-233(c) shall be solicited by the purchasing agent orally or in writing, directly, or by public notice, and upon receipt of the same the bids shall be opened at the date, time and place required in the bid invitation in the presence of the purchasing agent, the city clerk and the director of finance, after which opening and review the bids shall be referred to the city council with recommendations regarding the same.
- (d) Sealed bids solicited under section 2-233(d) shall be solicited by the purchasing agent by public notice and, upon receipt of the same, the bids shall be opened at the time, date and place set out in the notice and in the presence of the purchasing agent, city clerk, and director of finance, after which opening and review, the bids shall be referred to the city council with recommendations regarding the same.
- (e) Where bids or quotes are received by the city council under subsections (b), (c), and (d) of this section, the council may reject all bids or quotes, order new solicitation of bids or quotes, or award the purchase to the "best bid or quote." In addition, in the instances of where all bids or quotes are rejected and all bids were for the same unit price or total amount or the public interest will not permit a delay by re-advertising

for new bids, the council may grant the purchasing agent the authority to make the purchase of the commodities or the services by negotiation, which said purchase shall be approved by the council.

- (f) In determining the "best quotation or best bid," consideration shall be given where, applicable to price, service, delivery time, maintenance, warranties, quality of the product or service and past performance of the person submitting the quote or bid.
- (g) Preference for local goods and services. In recognition that businesses may pay higher property taxes due to their location within the corporate limits and that such taxes may increase the cost of providing goods and services in comparison to businesses located outside the corporate limits and to encourage businesses to locate and remain in the city through the provision of a preference to local businesses in the awarding of city contracts governed by this chapter, the purchasing agent shall give preference to a responsive bid from a business located within the corporate limits over an acceptable low bid submitted by a business located outside the corporate limits, where the city bidder's bid exceeds the acceptable low bid by no more than one percent of the acceptable low bid for contract services only. For local goods, supplies and equipment valued at less than \$150,000.00, where the city bidder's bid exceeds the acceptable low bid by no more than three percent of the acceptable low bid for those goods, supplies and equipment, local preference shall be given. However, there shall be no preference for local goods and services when barred due to federal or state grant requirements.

(Code 1970, § 2-91; Ord. No. 2613, § 14, 8-19-1986; Ord. No. 2867, § 1, 1-19-1999; Ord. No. 2937, § 1, 5-4-2004; Ord. No. 3064, § 1, 8-5-2014)

## Dwight Dohlman

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**From:** Dwight Dohlman <dohlmand@ci.ottumwa.ia.us>  
**Sent:** Thursday, April 19, 2018 2:10 PM  
**To:** 'Joni Keith'; 'Andy Morris'; 'Larry Seals'  
**Subject:** RE: Memo re: Sound System for the Beach

Yes, I would anticipate a higher cost for a sound engineer if one can be found. I just learned of an individual out at Indian Hills who might be willing to help me write a scope of work. I would like to move in that direction is that sounds okay with everyone.

**From:** Joni Keith <keithj@ci.ottumwa.ia.us>  
**Sent:** Thursday, April 19, 2018 12:46 PM  
**To:** 'Andy Morris' <morrisa@ci.ottumwa.ia.us>; 'Larry Seals' <lseals@ci.ottumwa.ia.us>; 'Dwight Dohlman' <dohlmand@ci.ottumwa.ia.us>  
**Subject:** RE: Memo re: Sound System for the Beach

The Sound engineer that Dwight thought he could get was in that range, but it appears that person is not available and I thought the cost was going to escalate because of that to as high as \$50,000. Dwight can chime in on that.

Joni Keith  
City Attorney/HR Manager  
105 E.3rd St.  
Ottumwa, Iowa 52501  
PH: 641-683-0625  
FX: 641-683-0613

**From:** Andy Morris [<mailto:morrisa@ci.ottumwa.ia.us>]  
**Sent:** Thursday, April 19, 2018 12:29 PM  
**To:** 'Joni Keith'; 'Larry Seals'; 'Dwight Dohlman'  
**Subject:** RE: Memo re: Sound System for the Beach

As I recall, the sound engineer was in the range of \$10,000 to \$15,000. What code exclusion would allow us to not hire the sound engineer? If we can avoid doing so, and save the money that would be great. I want to make sure I am clear with the Council as to bidding on a specific set of standards. If these standards can developed without a sound engineer, so much the better.

**From:** Joni Keith [<mailto:keithj@ci.ottumwa.ia.us>]  
**Sent:** Wednesday, April 18, 2018 12:07 PM  
**To:** 'Larry Seals'; 'Dwight Dohlman'  
**Cc:** 'Andy Morris'  
**Subject:** RE: Memo re: Sound System for the Beach

After meeting with Dwight, he felt our exclusion under our code would qualify so that we would not have to spend the money for a sound engineer. It was discussed that Dwight could make a more specific RFP and we could resubmit it for sealed bids. The question is whether the cost for a sound engineer could be too much – anywhere from \$10 to \$50 for a \$25000 system.

Joni Keith  
City Attorney/HR Manager

105 E.3rd St.  
Ottumwa, Iowa 52501  
PH: 641-683-0625  
FX: 641-683-0613

**From:** Larry Seals [<mailto:lseals@ci.ottumwa.ia.us>]  
**Sent:** Wednesday, April 18, 2018 10:14 AM  
**To:** 'Joni Keith'; 'Dwight Dohlman'  
**Cc:** Andy Morris  
**Subject:** RE: Memo re: Sound System for the Beach

Joni

It has always been my understanding that plans and specification should be developed over twenty five thousand. At the presentations I have attended for the last twenty plus years, the high degree of professional skills typically included attorneys, engineers, chemist not equipment salesmen/installer. It was discouraged whenever plans and specification could be developed. The specs would be used to set with a minimum "specific equipment performance or equivalent". We have always been told this is to prevent rigging bids by specking equipment that can only be sole sourced from family and friends.

**From:** Joni Keith [<mailto:keithj@ci.ottumwa.ia.us>]  
**Sent:** Tuesday, April 17, 2018 11:15 AM  
**To:** 'Larry Seals' <[lseals@ci.ottumwa.ia.us](mailto:lseals@ci.ottumwa.ia.us)>; 'Dwight Dohlman' <[dohlmmand@ci.ottumwa.ia.us](mailto:dohlmmand@ci.ottumwa.ia.us)>  
**Subject:** FW: Memo re: Sound System for the Beach

FYI

Joni Keith  
City Attorney/HR Manager  
105 E.3rd St.  
Ottumwa, Iowa 52501  
PH: 641-683-0625  
FX: 641-683-0613

**From:** Katy King [<mailto:kingk@ci.ottumwa.ia.us>]  
**Sent:** Monday, April 16, 2018 10:05 AM  
**To:** 'Holly Berg'; Matt Dalbey; Marc Roe; Chris Reinhard ; 'Tom Lazio'  
**Cc:** Joni Keith  
**Subject:** Memo re: Sound System for the Beach

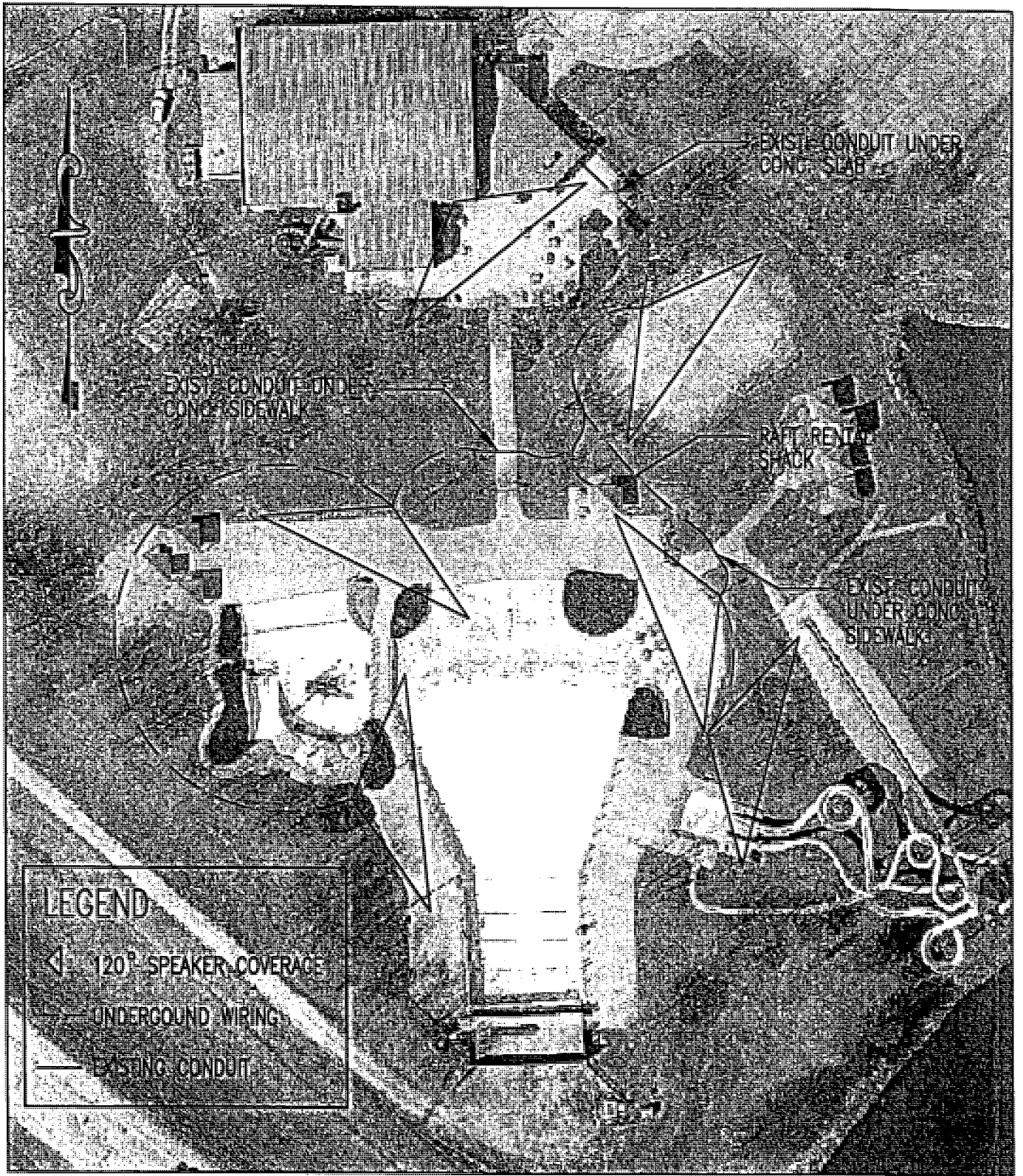
Please see attached memo from Andy and City Attorney Joni Keith.

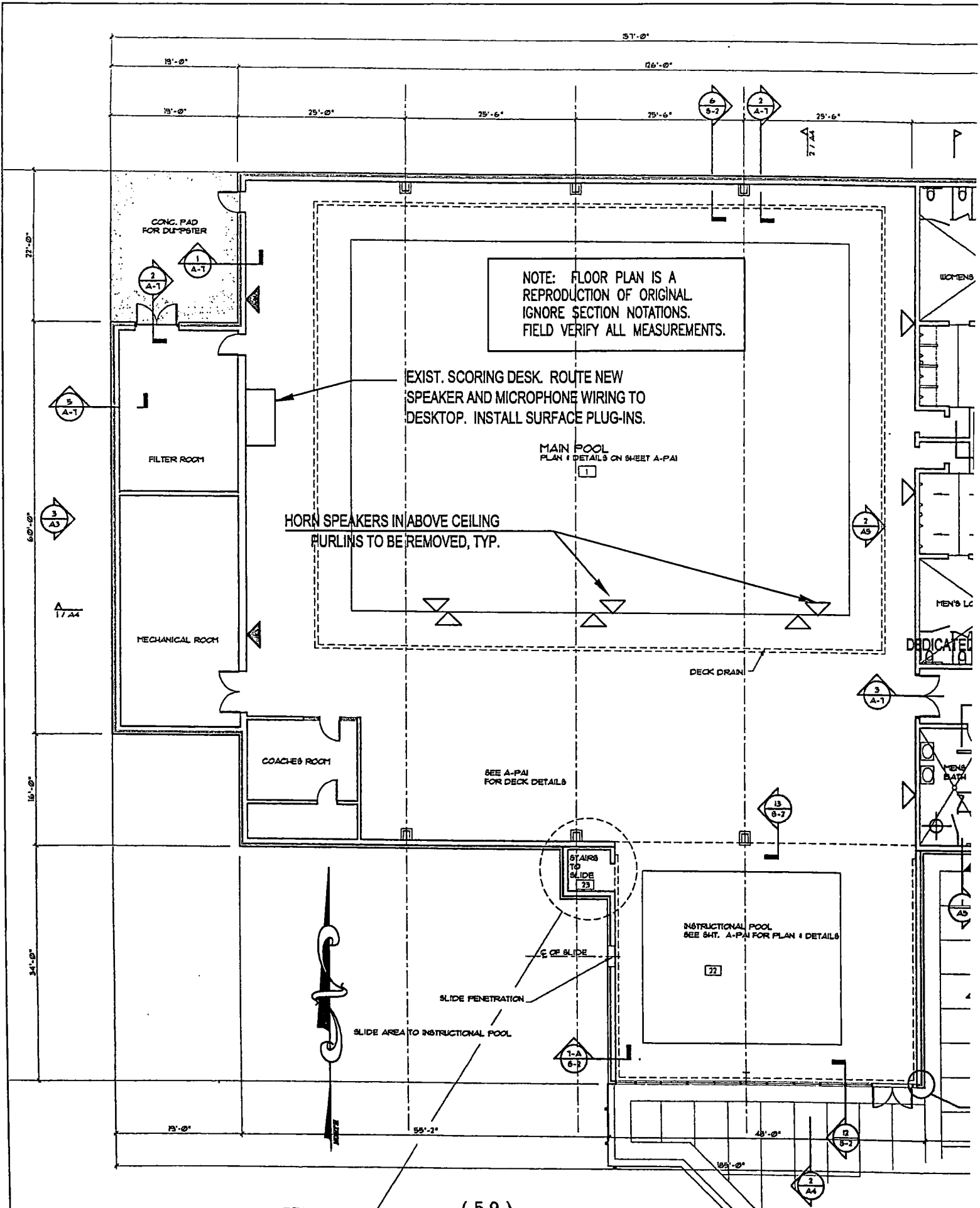
*Katy King*  
*Administration Secretary*  
*City of Ottumwa*  
*641-683-0600*  
*[kingk@ci.ottumwa.ia.us](mailto:kingk@ci.ottumwa.ia.us)*

This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18

WORK SHALL INCLUDE THE REMOVAL OF UNWANTED EXISTING SOUND EQUIPMENT INCLUDING WIRING, CONDUIT, FIXTURES. PROPERTY SHALL BE DISPOSED OF BY THE CONTRACTOR. CONTRACTOR SHALL PROVIDE ALL EQUIPMENT, LABOR AND MATERIALS NECESSARY FOR COMPLETE INSTALLATION OF INDOOR/OUTDOOR SOUND SYSTEM. VENDORS ARE ENCOURAGED TO PREPARE COMPARABLE SOUND SYSTEM PROPOSALS AND REVIEW WITH ENGINEER PRIOR TO BIDDING. THE FOLLOWING PARAMETERS TO BE INCLUDED:

1. EQUIPMENT AND CONTROLS FOR SOUND SYSTEM SHALL BE LOCATED INSIDE EQUIPMENT ROOM WHERE EXISTING AMPLIFIERS AND TUNERS ARE CURRENTLY LOCATED. SEE SHEET SPECIAL PROVISIONS IN PROJECT MANUAL AND SS-2 FOR ADDITIONAL INFORMATION.
2. SYSTEM SHALL BE CAPABLE OF DELIVERING SELECT STEREOPHONIC SOUND BY DIGITAL OR ANALOG MEANS TO THREE DIFFERENT ZONES ( OUTDOORS, INDOOR POOLS, AND LOBBY/OFFICES) .
3. NEW OUTDOOR SPEAKERS SHALL BE MOUNTED ON EXISTING WALLS OR POLES.
  - A. HIGHLY WEATHER-RESISTANT W/ ABS AND GLASS ENCLOSURE, BLACK IN COLOR
  - B. 120° X 120° BROADBAND PATTERN CONTROL
  - C. 250 WATT POWER HANDLING; FREQUENCY RANGE: 80 HZ - 20 KHZ: 100 HZ - 20 KHZ FREQUENCY RESPONSE
  - D. NOMINAL IMPEDANCE: 8 OHMS WITH TRANSFORMER TAPS: 70V: 200W, 100W, 50W, 25W
  - E. 2-WAY COAXIAL LOUDSPEAKER WITH 8" LF.
4. ALL OUTDOOR WIRING SHALL BE ENCLOSED WITH 3/4" SCHEDULE 40 PVC CONDUIT WITH GLUED JOINTS.
  - A. CONDUIT SHALL EXTEND VERTICALLY ALONG SPEAKER POLES TO SPEAKER LOCATION WITH END SEALED TO PREVENT MOISTURE INFILTRATION.
  - B. CONDUIT SHALL BE PLACED 12"-18" BELOW THE GROUND SURFACE.
  - C. CONNECTION TO EXISTING CONDUIT SHALL BE WITH APPROPRIATE FERNCO COUPLER OR PVC GLUED COUPLER CONNECTION.
  - D. SPEAKER AND MICROPHONE WIRING SHALL BE SPECIFICALLY FOR OUTDOOR USE ABOVE AND BELOW GROUND.
  - E. SPEAKER WIRING TO BE 2 CHANNEL, PURE OXYGEN FREE COPPER, HIGH STRAND COUNT 14/2 AWG, TWISTED PAIR, UNSHIELDED CABLE, PVC INSULTED, UV BLACK DIRECT BURIAL JACKET, 300 V RATED WITH INTEDED USAGE WITH 70V AUDIO SYSTEM. OD IS .314 INCHES.
  - F. MICROPHONE CABLE TO BE 22 GA, 2 CONDUCTOR, TWISTED PAIR, ALUMINUM FOIL SHIELDED, PVC INSULATED AND PVC JACKETED, 300 V RATED WITH INTENDED USAGE FOR TRANSMITTING MICROPHONE OR LINE LEVEL AUDIO SIGNAL. OD IS .196 INCHES.
5. RAFT RENTAL SHALL BE THE OUTDOOR LOCATION FOR THE PORTABLE LINE MINI MIXER AND WIRELESS MICROPHONE WHEN THE NEED ARISES. ALTERNATIVELY, THE MINI MIXER AND WIRELESS MICROPHONE SHALL ALSO BE USED IN THE INDOOR POOL FACILITY AS NEEDED.
  - A. PROVIDE A LINE MIXER THAT IS PORTABLE AND HAS 4 MIC/LINE INPUTS (2 W/ CLASS A FET HIGH IMPEDANCE INPUTS) 12 BAR METERS, 3 BAND EQ W/ MUSIQ, 2 AUXES; CONFIGURABLE USB STEREO AUDIO IN/OUT, STEREO MONITOR OUTS, 48V MICROPHONE PHANTOM POWER.
  - B. WIRELESS HANDHELD SYSTEM TO INCLUDE RECEIVER, TRANSMITTER WITH WIRELESS MICROPHONE CAPABLE OF WORKING WITHIN 100 FEET OF THE MINI MIXER LOCATION. RECEIVER TO PROVIDE AUTOMATIC FREQUENCY SCANNING W/ THREE COMPATIBLE FREQUENCY BANDS, TRANSMITTER BATTERY-LIFE FUEL GAGE ON FRONT PANEL. TRANSMITTER TO HAVE BATTERY FUEL GAUGE ON BODY OF MICROPHONE, DUAL COLOR POWER/MUTE STATUS INDICATOR, DIGITAL TONE LOCK, WITH POWER/MUTE PROVISION.
  - C. PROVIDE TWO DESKTOP MICROPHONE STANDS WITH APPROPRIATE HOLDER FOR EQUIPMENT ROOM AND FOR RAFT TENTAL SHACK/ INDOOR POOL LOCATIONS.
  - D. TERMINATE SPEAKER AND MICROPHONE WIRING AT RAFT RENTAL SHACK WITH WEATHERPROOF PLUGINS MOUNTED INTO VERTICAL SURFACE OF COUNTER. TO BE USED ON AN AS NEEDED BASIS. PROVIDE 6 FT. PATCH CORDS FOR MIC AND SPEAKERS. WHEN NOT IN USE, THE LINE MIXER AND WIRELESS MICROPHONE WILL BE REMOVED, STORED IN ITS DESIGNATED CASE AND SECURED IN THE INDOOR POOL FACILITY.
  - E. PROVIDE SWITCHING MECHANISM TO ALLOW REDIRECTION CONTROL. WHEN ENGAGED, RAFT RENTAL SYSTEM CAN CONTROL SOUND VOLUME, SOUND INPUT, AND PROVIDE VOICE OVER CAPABILITIES.





NOTE: FLOOR PLAN IS A REPRODUCTION OF ORIGINAL. IGNORE SECTION NOTATIONS. FIELD VERIFY ALL MEASUREMENTS.

EXIST. SCORING DESK. ROUTE NEW SPEAKER AND MICROPHONE WIRING TO DESKTOP. INSTALL SURFACE PLUG-INS.

MAIN POOL  
PLAN & DETAILS ON SHEET A-PA1

HORN SPEAKERS IN ABOVE CEILING  
FURLINS TO BE REMOVED, TYP.

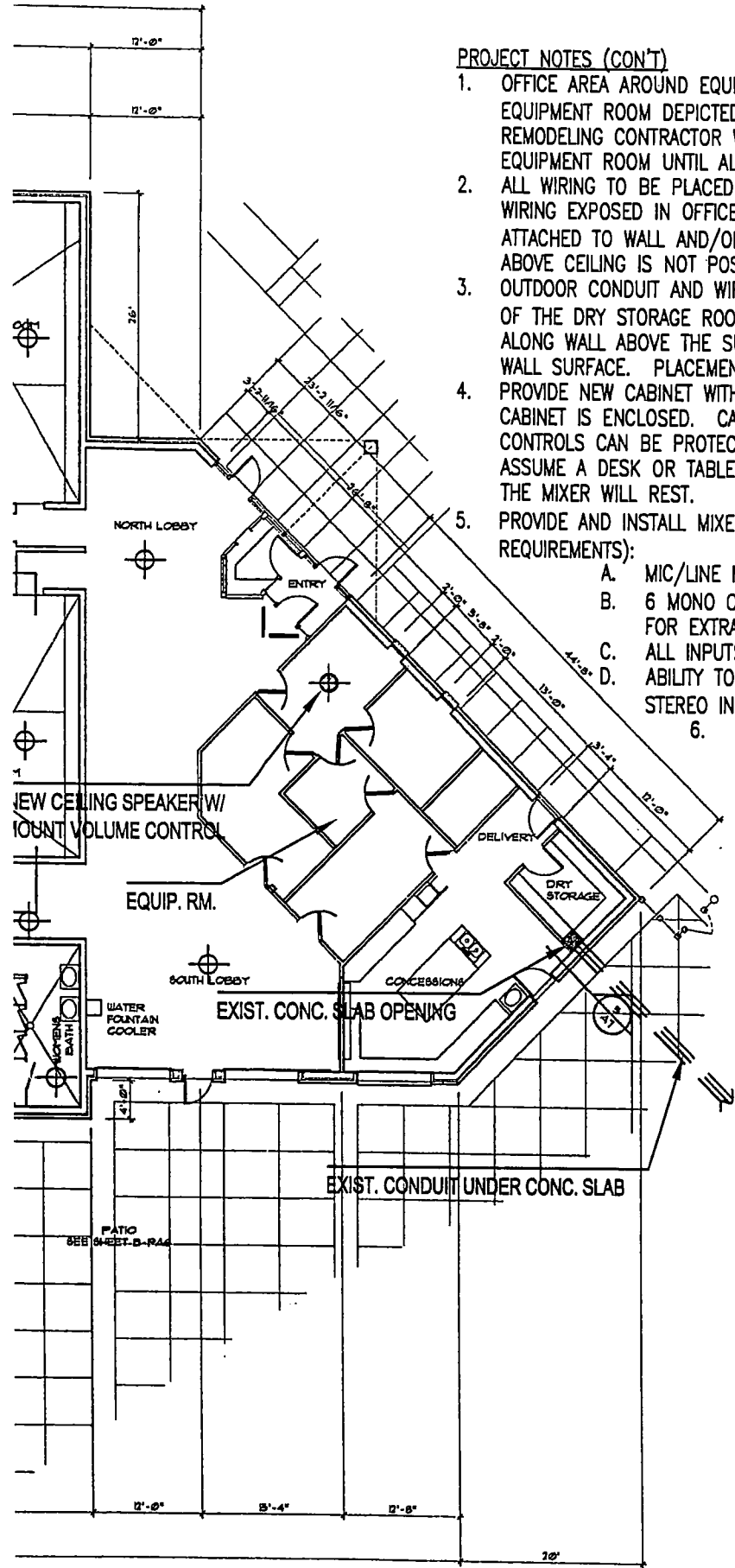
SEE A-PA1 FOR DECK DETAILS

INSTRUCTIONAL POOL  
SEE SHT. A-PA1 FOR PLAN & DETAILS

SLIDE AREA TO INSTRUCTIONAL POOL

**PROJECT NOTES (CON'T)**

1. OFFICE AREA AROUND EQUIPMENT ROOM IS SCHEDULED FOR REMODELING. EQUIPMENT ROOM DEPICTED SHOWS THE REVISED/FINAL WALL ARRANGEMENT. REMODELING CONTRACTOR WILL LEAVE SHEETROCK OFF FROM SOUTHEAST WALL OF EQUIPMENT ROOM UNTIL ALL SOUND SYSTEM WIRING IS IN PLACE.
2. ALL WIRING TO BE PLACED ABOVE THE SUSPENDED CEILING WHENEVER POSSIBLE. WIRING EXPOSED IN OFFICE AND EQUIPMENT ROOM SHALL BE ENCLOSED IN WIREMOLD ATTACHED TO WALL AND/OR CEILING IN THE EVENT PLACEMENT WITHIN WALL OR ABOVE CEILING IS NOT POSSIBLE.
3. OUTDOOR CONDUIT AND WIRING ENTERS THE BUILDING IN THE NORTHEASTERN CORNER OF THE DRY STORAGE ROOM. EXTEND PVC CONDUIT w/ EMT AND WIRING VERTICALLY ALONG WALL ABOVE THE SUSPENDED CEILING. ANCHOR CONDUIT ACCORDINGLY TO WALL SURFACE. PLACEMENT OF CONCRETE FLOORING TO BE INSTALLED BY OTHERS.
4. PROVIDE NEW CABINET WITH RACKS, LOCKABLE GLASS DOOR, AND WHISPER FANS IF CABINET IS ENCLOSED. CABINET MAY BE OPEN CONSTRUCTION PROVIDED THE CONTROLS CAN BE PROTECTED BY THE LOCKING GLASS DOOR. CONTRACTOR SHALL ASSUME A DESK OR TABLE PROVIDED BY OTHERS WILL BE IN PLACE NEARBY WHERE THE MIXER WILL REST.
5. PROVIDE AND INSTALL MIXER TO CONTROL SOUND TO THE THREE ZONES (MIN. REQUIREMENTS):
  - A. MIC/LINE INPUTS: 4 STEREO INPUTS; 4 AUXES.
  - B. 6 MONO CHANNELS; 4 STEREO CHANNELS W/ 2-BAND EQ AND INPUT FOR EXTRA SOURCES.
  - C. ALL INPUTS WITH LEVEL CONTROLS.
  - D. ABILITY TO HANDLE A VARIETY OF MEDIA INCLUDING MUSIQ, USB STEREO IN/OUT, CAKEWALK SONAR X1 LE.
6. PROVIDE AMPLIFIERS TO POWER SOUND TO ALL THREE ZONES.
  - A. ABILITY TO HANDLE BOTH HIGH AND LOW IMPEDANCE.
  - B. SELECTABLE INPUT FORMATS.
  - C. DOUBLE OUTPUT POWER MODE
  - D. EXTERNAL CONTROL VIA ETHERNET
  - E. AUTOMATIC PROTECTION FEATURES FOR LOW LOAD IMPEDANCE, OVERCURRENT, AND OVERHEATING.
  - F. INDIVIDUAL SELECTION OF INPUT SOURCES FOR EACH CHANNEL
  - G. ABILITY TO MIX ANALOG AND DIGITAL CONNECTIONS TO EACH INPUT CHANNEL



**SPEAKER LEGEND**

- ▷ EXISTING HORN SPEAKER
- ▶ NEW TWO-WAY SPEAKERS
- ⊕ EXISTING CEILING SPEAKER



## Dwight Dohlman

---

**From:** Dwight Dohlman <dohlmand@ci.ottumwa.ia.us>  
**Sent:** Monday, August 13, 2018 10:57 AM  
**To:** 'courthillent@gmail.com'  
**Subject:** Beach Sound System  
**Attachments:** SKM\_C454e18081017120.pdf

Doug,  
Attached is the PO for your work.

If you want to use the drawings that I've created as a starting point, you're welcome to mark them up and get them back to me and I'll make the changes. Whatever you put together for specifications will need to go in our standard specification for public improvements; such as the Special Provisions that I created for what I put together. We can do the same with yours.

Let me know if you have any questions.

**Dwight L. Dohlman, P.E.**

City Engineer

105 East Third Street

Ottumwa, IA 52501

P: 641.683.0680

C: 641.226.2624

[dohlmand@ci.ottumwa.ia.us](mailto:dohlmand@ci.ottumwa.ia.us)

# City of Ottumwa

City Hall • 105 East Third  
Ottumwa, Iowa 52501

## PURCHASE ORDER

17161

Vendor's Copy

To Doug Schuck  
722 N Court Rd  
Ottumwa, IA 52501

Ship To:

Beach  
Dwight Dahlman

Date	Fund	Dept.	Object
8-10-18			

Ship Best Way Prepaid

Quantity	Unit	Description	Unit Price	Amount
		Provide plans, specifications for sound system		\$1,500.00

Total Amount

I hereby certify that this order is authorized by a properly executed and approved requisition.

*Mary R. Cook*  
\_\_\_\_\_  
Purchasing Agent

Item No. H.-3.

FILED  
CITY OF OTTUMWA  
2018 DEC 13 AM 9:53  
Staff Summary  
\*\* ACTION ITEM \*\*

Item did not  
pass - Resolution  
Not signed.

Council Meeting of: December 18, 2018

Alicia Bankson

Prepared By

Parks Department  
Department

Gene Rathje  
Department Head

City Administrator Approval

AGENDA TITLE: Resolution #290-2018. Awarding the contract for the Beach Phase 3 – Sound System RFP 4X.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*

RECOMMENDATION: Pass and adopt Resolution #290-2018.

DISCUSSION: This project consists of the complete removal of existing sound equipment including wiring. Contractor shall provide all equipment, labor and materials necessary for complete installation of a new indoor/outdoor sound system to provide quality audio to the lobby, offices, outdoor and indoor pool areas in accordance with proposed plans and specifications.

Bids were received and opened by the City of Ottumwa on December 12, 2018 at 2:00 p.m. Project notices were sent out to three companies and one addendum was issued. Two bids were received. The low bidder is Lifeline Audio Video Technologies of Platteville, Wisconsin, in the amount of \$48,775.00.

Engineers estimate: \$50,000.00

Plan holders' list and bid tab are attached.

Phase 3 - Project Cost Summary to date is as follows:

- Contract A: Concrete Repairs – \$143,700.00
- Contract B: Remodeling Office - \$62,360.00
- Contract C: Masonry Repairs - \$36,081.00
- Contract D: Electrical Repairs - \$49,400.00

Source of Funds: Bond Proceeds

Budgeted Item: Yes

Budget Amendment Needed: No

RFP 1X - Shade Structure Repair	\$ 8,179.62 (Complete)
RFP 2X - LED Lighting Replacement	\$ 9,954.00 (Complete)
REF 3X - Electronic Entrance Sign	\$ 84,545.00 (Complete)
RFP 4X - Sound Equipment Installation	\$ 48,775.00 (Award Amount)
RFP 5X - Lagoon Landscaping	\$ 13,271.00 (Complete)
RFP 6X - Otter Slide	\$ 11,650.00 (Complete)
Phase 3 RFP Contract Amounts (Estimated)	\$176,374.62
Contracts A-D (To Date)	\$291,541.00
Total Phase 3 Costs (To Date)	\$467,915.62
Funding: Phase 3 \$ Available from Bond Proceeds:	\$700,000.00
Wapello County Foundation Grant	\$ 25,000.00

Source of Funds: Bond Proceeds

Budgeted Item: Yes

Budget Amendment Needed: No



RESOLUTION #290-2018

A RESOLUTION AWARDING THE CONTRACT FOR  
BEACH PHASE 3 SOUND SYSTEM RFP 4X

WHEREAS, The City Council of the City of Ottumwa, Iowa did advertise and accept bids for the above referenced project; and,

WHEREAS, Bids were received, proper, and mathematically correct.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The award of contract for the above referenced project is made to the lowest responsible bidder Lifeline Audio Visual Technologies of Platteville, Wisconsin in the amount of \$48,775.00.

APPROVED, PASSED, AND ADOPTED, this 18<sup>th</sup> day of December, 2018.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Tom X. Lazio, Mayor

ATTEST:

\_\_\_\_\_  
Christina Reinhard, City Clerk

Did Not Pass  
3-2 vote - NO.



**Beach Ottumwa Phase 3 – Beach Sound System RFP 4X  
 Bid Tabulation  
 November 21, 2018 2:00 PM**

Company Name	Bid Amount
Lifeline Audio Visual Technologies	\$48,775.00
Communications Engineering	\$53,384.37
Consultant's Opinion of Cost	\$50,000.00

I HEREBY CERTIFY THAT THIS IS A TRUE TABULATION OF THE PROPOSALS RECEIVED DECEMBER 12, 2018 AT 2:00 PM. Dwight L. Dohlman, P.E.

SECTION 00310  
BID PROPOSAL FORM

BEACH SOUND SYSTEM – RFP 4X  
OTTUMWA, IOWA

November 10, 2018

Ms. Christina Reinhard, City Clerk  
City of Ottumwa  
105 E. Third Street  
Ottumwa, IA 52501

Dear Madam,

We the undersigned, doing business as \*Lifeline Audio Video Technologies, and hereinafter known as the Bidder, have examined the Contract Drawings and Project Manual with related documents and the site of the proposed work, and are familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor. We hereby propose to enter into an agreement with the City of Ottumwa, Iowa, to furnish all labor, materials, equipment, skills and facilities for the complete construction of "BEACH SOUND SYSTEM - RFP 4X - Ottumwa, Iowa" within the time set forth herein, all in accordance with the drawings and specifications and addenda thereto, as prepared by the City Engineering Department of Ottumwa, Iowa, excluding State Sales Tax and Local Option Sales Tax for the TOTAL BID PRICE OF:

Forty eight Thousand Seven Hundred Seventy Five Dollars  
(printed words) (\$ 48,775 )

- Insert "a corporation", "a partnership", or "an individual" as applicable.

Lifeline Audio Video Technologies  
Contractor  
By Scott Wright SCOTT Wright  
Title PRESIDENT  
Address 41 Means Drive Suite A  
City, State, Zip PLatteville, WI 53818  
Telephone No 608-348-3057

00310-1



**AWARD OF CONTRACT**

The City will review each bid section and decide whether to award all or part of the work based on the Bid Proposal Form submitted.

This Bid Proposal Form is submitted after careful study of the Contract Drawings and Project Manual and from personal knowledge of the conditions to be encountered at the construction site which knowledge was obtained from the undersigned's own sources of information and not from any official or employee of the City of Ottumwa, Iowa.

By submission of this Bid Proposal Form, the Bidder certifies, and in the case of a joint Bid Proposal form, each party thereto certifies, that this Bid Proposal form has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this Bid Proposal Form with any other Bidder or with any competitor.

If a discrepancy appears between the written and the numerical, the written works will be used as the quoted price. If an error appears in an extension or the addition of terms, the corrected extension or total of the parts shall govern.

It is understood and agreed that a Bid Proposal Form cannot be withdrawn within thirty (30) days without the consent of the City of Ottumwa, Iowa and that the said City has the right to accept or reject any or all Bid Proposal Forms and to waive any irregularities and informalities.

**BID SECURITY**

Accompanying this Bid Proposal Form is a cash deposit, cashier's check, certified check drawn on a bank in Iowa, or share draft drawn on an Iowa credit union, or Bidder's Bond in the amount of: Four Thousand eight hundred seventy seven dollars 50/100

(\$ 4,877.50 ) Dollars

Drawn to the order of the City of Ottumwa, Iowa with the understanding that if this Bid Proposal Form is accepted and the undersigned refuses, fails or neglects to execute a contract and furnish said bonds and insurance certificates within ten (10) days of date of acceptance, said bid security shall be liquidated damages occasioned by such failure and thereupon said City shall realize said bid security and use the proceeds in payment of incurred damages and upon further understanding that said bid security will be promptly returned upon the rejection of this Bid Proposal Form.

COMPLETION TIME, LIQUIDATED DAMAGES

If this Bid Proposal Form is accepted and Contract awarded, the Bidder agrees to the following completion times based upon the Notice to Proceed, all subject to the provisions of the Contract Documents.

The work under the proposed contract shall be commenced within fifteen (15) calendar days after the issuance of the "Notice to Proceed" and shall be completed by May 17, 2019. Failure to meet said requirements will result in liquidated damages of \$200.00 per working day.

ADDENDUM RECEIPTS

Receipt of the following addenda to the Specifications is acknowledged:

Addendum No. 1 Dated Dec. 6, 2018

Addendum No. \_\_\_\_\_ Dated \_\_\_\_\_

The foregoing prices are the basis upon which the undersigned will accept the contract and thereafter complete the work.

Respectively submitted,

Lifeline Audio Video Technologies  
Contractor

41 Meigs Drive SUITE A

PLATTEVILLE WI 53818

By [Signature]  
Address

Title President

State whether the Bidder is sole proprietor, a partnership or a corporation, and if a corporation, the State in which it is incorporated:

Corporation in the State of Wisconsin

Date: Dec 10, 2018

CORPORATE SEAL:



OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 39  
Council Chambers, City Hall

December 18, 2018  
5:30 O'Clock P.M.

The meeting convened at 5:33 P.M.

Present were Council Member Roe, Stevens, Streeby, Berg, Dalbey and Mayor Lazio.

Dalbey moved, seconded by Roe to amend Item B-2 to reflect re-appointment of Gordon Aistrope to the Ottumwa Housing Authority Brd. effective 12/1/2018 and approve the following consent agenda items as amended: Mins. from Special Mtg. No. 36 on November 30, 2018 and Regular Mtg. No. 37 on December 4, 2018 as presented; Re-appointment of Gordon Aistrope to the Ottumwa Housing Authority Brd., term to expire 11/11/2020 and re-appointment of Carolee Kern to the Zoning Brd. of Adjustment, term to expire 12/12/2023; Civil Service Commission Eligibility Lists of December 7, 2018: Engineering Aide – Entrance, Transit Driver – Entrance; Approve the appointment of Chad Carlson to the position of Public Works Superintendent effective December 24, 2018; Approve participation in the Iowa Dept. of Transportation's paint program to purchase paint for the Traffic Maint. Dept. in the 2018-19 fiscal year, with an estimated total of \$10,791.90; Res. No. 295-2018, approve the payment of \$12,769 for the required ten percent match on the Assistance to Firefighters Grant for Self Contained Breathing Apparatus for the Fire Dept.; Beer and/or liquor applications for: Godfrey's Ale House, 2513 Northgate, with outdoor service area; African and Asian Bar, LLC, 105 & 107 N. Market St.; Red Sea Ethiopia and Eritrean Restaurant, 323 E. Main; all applications pending final inspections. All ayes.

Streeby moved, seconded by Roe to approve the agenda as presented. All ayes.

Mayor Lazio introduced Andy Wartenberg, CVB Director. Items of note: Destination Advocacy Training has been successful, CVB launched a new website on 12/10/18 – greaterottumwacvb.org, new sponsorship program, continued efforts with digital marketing campaign are going well.

Mayor Lazio introduced Jody Gates, consultant, to discuss 2018 placarded house success stories. The following properties were highlighted: 576 Crestview, 1346 N. Elm, 337 N. Weller, 208 N. McLean. In 2018, the City disposed 12 houses, 13 vacant lots and 1 commercial building. Continued aggressive program to remove blighted properties.

Mayor Lazio introduced Pastor Mark Eigsti; Pastor George King of Pennsylvania Ave. Methodist Church stepped to the podium to present on his behalf. Requesting the City of Ottumwa to look at an Ordinance proposal which addresses unlicensed massage therapy businesses being a front for prostitution and human trafficking.

Mayor Lazio inquired if there was anyone from the audience who wished to address an item on the agenda. Owen McKee would like to address the Council on Item G-6.

Streeby moved, seconded by Roe to approve the new fees for the Ottumwa Park Campground. Parks & Rec. Dir. Rathje reported that the Ottumwa Parks Adv. Brd. approved raising the tent camping fee from \$10 to \$15 and the RV camping fee from \$17 to \$18, effective April 1, 2019. All ayes.

Roe moved, seconded by Berg to approve the new fees for the Jimmy Jones Shelter. Parks & Rec. Dir. Rathje reported that the Ottumwa Parks Adv. Brd. approved eliminating the \$50 fee for 6 hours or less and increasing the damage deposit from \$50 to \$100 per event, effective immediately. All ayes.

This was the time, place, and date set for a public hearing for instituting proceedings to take additional action for the issuance of not to exceed \$4,500,000 General Obligation Bonds. No objections were received. Roe moved, seconded by Streeby to close the public hearing. All ayes.

Roe moved, seconded by Streeby that Res. No. 285-2018, instituting proceedings to take additional action for the issuance of not to exceed \$4,500,000 General Obligation Bonds, be passed and adopted. Finance Dir. Jay reported these bonds will be used to finance housing demolition, streetscape, and sewer projects. All ayes.

This was the time, place, and date set for a public hearing on instituting proceedings to take additional action for the issuance of not to exceed \$1,400,000 General Obligation Urban Renewal Bonds. No objections were received. Streeby moved, seconded by Berg to close the public hearing. All ayes.

Dalbey moved, seconded by Roe that Res. No. 286-2018, instituting proceedings to take additional action for the issuance of not to exceed \$1,400,000 General Obligation Urban Renewal Bonds, be passed and adopted. Finance Dir. Jay reported these bonds will be used to finance the Airport runway project. All ayes.

This was the time, place, and date set for a public hearing on instituting proceedings to take additional action for the issuance of not to exceed \$200,000 General Obligation Bonds. No objections were received. Streeby moved, seconded by Berg to close the public hearing. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 287-2018, instituting proceedings to take additional action for the issuance of not to exceed \$200,000 General Obligation Bonds, be passed and adopted. Finance Dir. Jay reported these bonds will be used to finance Bridgeview projects. All ayes.

This was the time, place and date set for a public hearing on authorizing the issuance of not to exceed \$6,160,000 General Obligation Bonds, Series 2019, and levying a tax for the payment thereof. No objections were received. Streeby moved, seconded by Dalbey to close the public hearing. All ayes.

Roe moved, seconded by Streeby that Res. No. 288-2018, authorizing the issuance of not to exceed \$6,160,000 General Obligation Bonds, Series 2019, and levying a tax for the payment thereof, be passed and adopted. Finance Dir. Jay reported these bonds will be used to finance the 2019 CIP as previously approved by Council. All ayes.

This was the time, place, and date set for a public hearing on the sale of City owned property located at 701 West Fourth Street. No objections were received. Dalbey moved, seconded by Streeby to close the public hearing. All ayes.

Streeby moved, seconded by Stevens that Res. No. 293-2018, accepting the offer and approving the sale of City owned property located at 701 West Fourth Street to Larry E. Waller for the sum of \$2,250, be passed and adopted. Two bids were received on December 11, 2018. All ayes.

This was the time, place and date set for a public hearing on the establishment of a Self-Supported Municipal Improvement District. Individuals stepped to the podium for discussion. Mr. McKee, owner of McKee Coins, discussed how the streetscape project has the street in front of his business tore up and will be for another year. This will hurt businesses in this area. And, how are the zones within SSMID calculated? His business is located in the highest zone. Do you really think it's going to bring more businesses to the downtown area if you raise the taxes?

TJ Heller, CEO Greater Ottumwa Partners in Progress, responded. Implementation of this SSMID District is not meant to put extra burden on the business owners, but knows they will have a growing period during the streetscape project.

Comments were also heard from Tricia Smith (Main Street board member), Josh Gettings (Riverside Cyclery owner), Bryan Lee (Lee's Photography) and Fred Zesiger (Main Street Ottumwa Director).

Councilman Streeby requested to keep the public informed on how this SSMID District is working, how much money is generated from it and how is this District positively impacting our community.

Roe moved, seconded by Dalbey to close the public hearing. All ayes.

Roe moved, seconded by Berg that Res. No. 294-2018, approve the establishment of a Self-Supported Municipal Improvement District, be passed and adopted. An Ordinance will be prepared and presented to council at least 30 days after this public hearing and would be subject to final approval at that time. Since this district is also in an urban renewal district, an Amendment to the Tax increment Financing Agreement will need to be developed to allow for the use of these funds for this purpose. All ayes.

Dalbey moved, seconded by Streeby that Res. No. 284-2018, assessing 2018 weed mowing charges against certain lots in the City of Ottumwa, Iowa for a total, including administrative fees, of \$53,516.00, be passed and adopted. All ayes.

Roe moved, seconded by Streeby that Res. No. 289-2018, award the contract for the Milner Pump Station Removal Project to DC Concrete & Construction of Douds, Iowa in the amount of \$33,678.00, be passed and adopted. Public Works Dir. Seals reported three bids were received. All ayes.

Berg moved, seconded by Roe that Res. No. 290-2018, award the contract for the Beach Phase 3-Sound System 2018 RFP 4X – to Lifeline Audio Video Technologies of Platteville, Wisconsin in the amount of \$48,775.00, be passed and adopted. Councilman Stevens doesn't understand why when this was presented two years ago, it was around \$25,000 and now it's up to almost \$49,000. Mr. Bresch, owner of Eyes and Ears, has limped the sound system along at the Beach for years discussed why he did not bid this job. Ayes: Berg, Roe. Nays: Stevens, Streeby, Dalbey. Motion failed.

Streeby moved, seconded by Dalbey that Res. No. 291-2018, approving Change Order No. 1 and accepting the work as final and complete for the 2018 Street Crack Repair Program, be passed and adopted. Public Works Dir. Seals reported change order no. 1 increases the contract by \$534.75 for quantity adjustments, making the total contract sum \$44,904.75. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 292-2018, approving Change Order No. 1 for the Wapello St. and Albia Rd. Roundabout Project (also known as the North Ferry and Albia Rd. Modern Roundabout Project), be passed and adopted. Public Works Dir. Seals reported change order no. 1 increases the contract by \$4,067.41. Ayes: Stevens, Streeby, Berg. Nays: Roe, Dalbey. Motion carried.

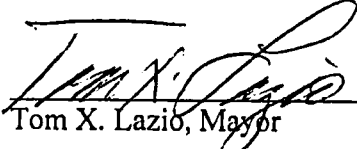
Roe moved, seconded by Dalbey that Res. No. 296-2018, approve Policy No. 68-2018 to establish guidelines for dealing with individuals and groups that damage parks and recreational facilities, be passed and adopted. Parks & Rec. Dir. Rathje reported this policy was developed by the Ottumwa Parks Adv. Brd. to help prevent future damage to Ottumwa's Parks. The Park Brd. approved this policy at their meeting on 12/11/18. This policy will go into effect immediately. All ayes.

Mayor Lazio inquired if anyone from the audience wished to address an item not on the agenda. There were none.

Mayor Lazio reported we have an opening on the Historic Preservation Committee and he encourages volunteers to sign up. Reminder that the next regular scheduled City Council meeting will be held on January 8, 2019.

Roe moved, seconded by Streeby that the meeting adjourn. All ayes. Adjournment was at 6:54 P.M.

CITY OF OTTUMWA, IOWA

  
Tom X. Lazio, Mayor

  
ATTEST:  
  
Christina Reinhard, City Clerk

CITY OF OTTUMWA

Staff Summary  
2019 JAN 24 AM 11:49  
\*\* ACTION ITEM \*\*

Council Meeting of: January 29, 2019

\_\_\_\_\_ Alicia Bankson  
Prepared By

\_\_\_\_\_ Parks Department  
Department

\_\_\_\_\_ Gene Ratkyj  
Department Head

\_\_\_\_\_ [Signature]  
City Administrator Approval

AGENDA TITLE: Work Session Discussion on Repair/Replacement Beach Wave Generation System.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

PURPOSE: Obtain Council direction regarding replacement or ongoing repair of existing wave generation equipment at the Beach Ottumwa.

DISCUSSION: The Beach wave generation equipment is 25 years old and proprietary in nature. The City hired Aquatic Development Group (ADG) to assess the condition of the equipment and present recommendations. ADG is the original supplier of the equipment. Their assessment indicated the equipment has outlived its useful life and recommended complete replacement.

Engineering staff has evaluated the deficiencies as outlined by the assessment of ADG and determined the feasibility of ongoing maintenance of the wave generation equipment in lieu of complete replacement. There are pros and cons for each consideration to be discussed. Engineering hopes a direction from the Council can be established so the needed repairs can be accomplished by the coming swim season.

Source of Funds:

Budgeted Item:

Budget Amendment Needed:





Sent Via E-Mail

Proposal No. 180828-K01

REVISION 2

December 5, 2018

Mr. Dwight Dohlman, PE  
City of Ottumwa  
Engineering Department  
105 East Third Street  
Ottumwa, Iowa 52501

dohlmand@ci.ottumwa.ia.us

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The following proposal is submitted for:  
**The Beach Ottumwa**  
**WaveTek Wave Generation System Components**

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**Furnished for installation by others:**

**WaveTek Wave Generation System Phased Approach**

**Phase One Equipment Includes:**

- (3) 16" Stainless steel Varawave air directional valves.
- (1) Lot valve installation hardware.
- (3) Stainless steel wave fan transition duct & elbow.
- (3) Neoprene duct transition band.
- (12) Stainless steel band clamp.
- (1) Motor control center including PLC and motor starters. 460V-3 ph.
- (1) Emergency E-Stop
- (1) Temperature switch
- (1) 15 H.P. piston air compressor w/120 gal. receiver tank.
- (1) Desiccant dryer
- (1) Lot 1-1/2" pneumatic piping and control components.
- (1) Pneumatic system flexible connection.
- (1) Spare parts kit.
- System start-up and operator training services
- Freight to the project site.

**PHASE ONE TOTAL PRICE: \$115,375.00**



**AQUATIC DEVELOPMENT GROUP**

P.O. Box 648 | 13 Green Mountain Drive, Cohoes, NY 12047 | 518.783.0038 | aquaticgroup.com

**For reference only**

**Phase Two Equipment Includes:**

- (3) 50 H.P. WaveTek stainless steel wave generators.
- Freight to the project site.
- System start-up services.

**(Pricing to be provided at time of future purchase.)**

**All Pricing Excludes:**

- Equipment installation.
- Electrical work.
- Receiving, unloading or storage of equipment at the project site.
- Grouting, concrete work, caulking, sealants, paint, bonding, or other non-identified items.

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**Due to the ongoing cost fluctuations for raw materials, this proposal is effective for a maximum of 30 days from proposal date.**

Taxes: Proposal pricing excludes any applicable state and/or local sales and/or use taxes. Taxes are the responsibility of the purchaser.

Freight Costs: FOB manufacturing plant, Cohoes, NY 12047 **Freight IS included.**

Delivery: 12-16 weeks after receipt of approved drawings and payments in accordance with the payment terms.

Payment Terms: 10% Deposit, 40% approved shop drawings, 40% prior to shipment and 10% upon start up and operator training. (net 30 Days)

Acceptance: By signing the Terms & Conditions' sheet, the proposal is in effect as stated. If a purchase order is substituted for the acceptance of the proposal, it must have the proposal numbers on it and will be equivalent to acceptance of Hydrotech's full proposal.

Prepared By: **David L. Keim** — Aquatic Development Group/Hydrotech Systems Ltd.  
Phone: (518) 783-0038 – Fax: (518) 783-0474

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**TERMS AND CONDITIONS OF SALE**

The following terms and conditions of sale shall apply to the sale of all products by the Aquatic Development Group, Inc., including any of its subsidiary companies (hereafter called ADG or Seller). When signed by you (hereafter called Purchaser) and returned to us, these terms and conditions, together with the terms of the Proposal submitted herewith, shall constitute the Agreement between the parties as to the matters covered therein.

1. Unless Purchaser is notified otherwise, the terms of ADG's Proposal shall remain open for thirty (30) days from the date of the quotation and are subject to repricing thereafter. If the Purchaser delays performance by ADG or if circumstances beyond the control of either party delay performance for an unreasonable time, the contract price shall be subject to increase due to increased product costs incurred by ADG. Whether any such delay is unreasonable shall be determined based upon the party's expectations as to the completion date. In the event ADG must store materials, partially fabricated or completed equipment in its manufacturing plant as a result of Purchaser delaying the manufacture/delivery

schedule for the equipment for more than thirty (30) days, a storage charge of fifty dollars (\$50.00) per day shall be added to the purchase price.

2. Purchaser agrees to pay any and all applicable state and/or local sales and/or use taxes.
3. Custom fabricated items require that Purchaser pay a deposit in accordance with the payment terms of the Proposal and approve ADG's shop drawings. The owner, architect or contractor shall return approved shop drawings to ADG prior to fabrication. Under no circumstances shall ADG be obligated to commence fabrication prior to receipt of both the deposit and approved shop drawings. In the event that any changes are made to previously approved shop drawings and such changes result in a price increase, ADG shall not be obligated to continue fabrication until it has received payment of the full amount of the price increase.
4. Purchaser hereby grants to ADG a security interest in the equipment to secure payment of the purchase price. Purchaser hereby authorizes ADG to file financing statements, with or without Purchaser's signature, from time to time as ADG may deem necessary or desirable. Purchaser hereby appoints ADG as its attorney in fact to execute and deliver notices of lien, financing statements and any other documents necessary to perfect the security interest hereby granted and also agrees to pay all costs associated therewith.
5. Purchase price, payment and freight terms shall be as stated in the Proposal. Amounts not paid when due shall accrue interest at the rate of one and one-half percent (1.5%) per month from the due date until payment is received. Purchaser shall be responsible for unloading all equipment, for all costs of unloading and for all demurrage.
6. Upon failure by Purchaser to pay any installment when due in accordance with the payment terms of the Proposal or if the credit of the Purchaser shall at any time, in the judgment of ADG, become impaired, ADG, at its option, may require payment in advance on all future installments and/or cease work until payment is made. In the event of a default in payment following installation, ADG may enter upon the premises of the Purchaser and reclaim the equipment and resell all or any part of it for credit to the balance owed by Purchaser.
7. ADG shall not be responsible for any loss or damage to Purchaser caused by delay or failure to perform hereunder when such delay or failure is due to fires, strikes, weather conditions, acts of God, acts or failure to act by Purchaser or other parties to the project in connection with the equipment is being purchased, inability to secure or delay in receipt of materials from usual sources or other causes beyond its control. ADG's sole and exclusive liability to Purchaser for any matter arising out of or relating to the equipment shall be general money damages in the aggregate not in excess of the lesser of Purchaser's actual direct damages or the amount actually paid by Purchaser to ADG for the equipment. In no event shall ADG be liable to Purchaser for consequential or incidental damages of any kind or amount.
8. Purchaser agrees to pay any and all attorney fees and court costs should attorneys be employed or court proceedings initiated to collect any monies due under this Agreement.
9. Risk of loss or damage to the equipment shall pass to Purchaser upon shipment of the equipment from ADG's plant. Purchaser shall be responsible for providing a safe place to store the equipment from the time of delivery to the job site. If installed by Purchaser, Purchaser shall install the equipment in accordance with shop drawings provided by ADG. If the equipment is installed by ADG, ADG shall notify Purchaser in writing when installation is complete. Immediately upon receipt of such notification, Purchaser shall visually inspect the equipment for defects and notify ADG in writing of any visible blemishes, marks, dents, or other defects. Purchaser's failure to notify ADG of any defects in the equipment in writing within five (5) days of receipt of notice of completion shall constitute acceptance of the equipment as installed. Purchaser shall be responsible for protecting the equipment from damage by other vendors, subcontractors, weather or other factors including, but not limited to, damage from dropped construction materials or equipment, acid washing of decking and tile face or other causes beyond ADG's control. ADG shall not be held responsible for any such damage nor shall the occurrence of any such damage serve to delay payments to ADG in accordance with the terms of the Proposal. Any additional work performed by ADG to repair such damage shall be at an additional charge to Purchaser to be negotiated.
10. If the equipment is installed by ADG, upon completion of start-up and training in proper operation and maintenance of the equipment, Purchaser will provide (or if Purchaser is not the owner of the equipment cooperate with ADG in getting the owner to provide) a signed acknowledgment of same.
11. Except as otherwise expressly provided in ADG's warranty to be delivered upon acceptance of the equipment, ADG warrants that the equipment shall be free from defects in material and workmanship for one (1) year from the date of installation of the equipment (if installed by ADG) or the date of delivery (if not installed by ADG), subject to the following conditions:
  - A. ADG's liability shall be limited to either repair or replacement, at ADG's option, within a reasonable time after receipt of written notice of alleged defect; and is expressly conditioned upon the receipt of such notice within the warranty period, and shall in no event include any resulting or consequential damages.

B. ADG shall not be liable for any damage to the equipment resulting from failure to follow proper procedures for installation, operation or maintenance of the equipment or for any damages to the equipment caused by persons that are not direct employees of ADG.

C. In no event shall this warranty be honored until payment in full has been received in accordance with the payment terms of the Proposal.

D. In the event of any inconsistency between the foregoing terms and conditions and the terms of the warranty delivered upon acceptance of the equipment, the terms of the warranty shall govern.

12. If the equipment is a WaveTek® wave generating system for a wave pool or a FlowRider®, Purchaser acknowledges that Purchaser understands the risks associated with use of such equipment. Persons using the wave pool or the FlowRider® will be moved – sometimes against their will and in ways they cannot control. Such involuntary movement creates the risk of injury. Persons using the wave pool or FlowRider® can suffer a variety of injuries, from minor to serious. It is the responsibility of the owner and operator of the wave pool to advise persons using the wave pool of these risks and also to take appropriate steps to minimize the risks. Accordingly, Purchaser hereby agrees to defend, indemnify and hold harmless ADG, its officers and employees from all suits, demands or claims, and all damages, losses, liabilities, expenses, settlements (whether voluntary or otherwise) and judgments incurred in connection therewith, including attorneys' fees and court costs, for damages for bodily injury or death, resulting from or arising out of the operation or maintenance of the wave pool or the FlowRider® by owner or any of owner's employees or agents, or from failure to disclose any risk to persons or property associated with the use of the wave pool or the FlowRider®. If Purchaser will not be the owner of the wave pool or the FlowRider® Purchaser will cooperate with ADG to obtain such indemnity from the owner.

13. ADG holds an exclusive license (the "License") from Whitewater West Industries, Ltd. (Whitewater) to market, sell, manufacture and install the FlowRider® in North America and the eastern Canadian provinces. The License requires that all operators of FlowRiders® be licensed by Whitewater in accordance with the terms of a License to Operate and FLOW Membership Agreement (the "Operator License"), a copy of which is included with the Proposal, as a condition to purchase of the FlowRider®. By acceptance of this Agreement, Purchaser acknowledges and agrees to enter into the Operator License or, if Purchaser will not be the owner/operator of the FlowRider®, to assist ADG in causing the owner/operator to enter into the Operator License.

14. The Proposal and these Terms and Conditions of Sale constitute the entire agreement between the parties. There are no understandings, representations or warranties of any kind not expressly set forth herein. No modifications hereof shall be effective unless in writing and signed by an authorized representative of the party claiming to be bound thereby.

If our Proposal and the foregoing terms and conditions of sale meet with your approval, please sign below and return one copy to ADG. A photocopy, facsimile or electronic copy shall have the same effect for all purposes as an original signed copy.

**Accepted by Seller**

**Accepted by Purchaser**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**Sent Via E-Mail**

**Proposal No. 180828-K01**

**August 28, 2018**

**Mr. Dwight Dohlman, PE  
City of Ottumwa  
Engineering Department  
105 East Third Street  
Ottumwa, Iowa 52501**

**dohlmand@ci.ottumwa.ia.us**

The following proposal is submitted for:  
**The Beach Ottumwa  
WaveTek Wave Generation System**

**Furnished for installation by others:**

**WaveTek Wave Generation System**

**Includes:**

- (2) 75 H.P. WaveTek stainless steel wave generators.
- (3) 16" Stainless steel Varawave air directional valves.
- (2) Fan splitters.
- (2) Blower check valves.
- (3) Stainless steel wave elbows.
- (1) Motor control center including PLC and motor starters. 460V-3 ph.
- (1) Emergency E-Stop
- (1) 15 H.P. piston air compressor.
- (1) Lot pneumatic control components.
- (1) Stainless steel caisson flange
- (1) Wave elbow.
- (1) 16" PVC wave duct.
- (1) Spare parts kit.
- System start-up and operator training services
- Freight to the project site.

**TOTAL PRICE: \$191,100.00**



**AQUATIC DEVELOPMENT GROUP**

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