



BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING AGENDA

Tuesday, April 18, 2023 at 7:00 PM
City Hall, 415 Broad Street, Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

Leadership Team

Chris McCartt, City Manager
Michael Borders, Assistant City Manager
Bart Rowlett, City Attorney
Lisa Winkle, City Recorder/Treasurer
John Rose, Economic Development Director
Adrienne Batara, Public Relations Director
Floyd Bailey, Chief Information Officer

Ryan McReynolds, Deputy City Manager
Jessica Harmon, Assistant City Manager
Tyra Copas, Human Resources Director
Dale Phipps, Police Chief
John Morris, Budget Director
Scott Boyd, Fire Chief

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

1. New Vision Youth

III. INVOCATION

IV. ROLL CALL

V. RECOGNITIONS AND PRESENTATIONS

1. American Planning Assoc. Innovation in Economic Development Award - Alderman Phillips

VI. APPOINTMENTS

- [1.](#) Consideration of Appointments to the Public Art Committee (AF-93-2023) (Mayor Shull)

VII. APPROVAL OF MINUTES

- [1.](#) April 3, 2023 - Work Session
- [2.](#) April 4, 2023 - Business Meeting

VIII. PUBLIC HEARINGS

COMMENT

Citizens may speak on agenda items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes. A total of thirty minutes is allocated for public comment during this part of the agenda.

IX. BUSINESS MATTERS REQUIRING FIRST READING

- [1.](#) Consideration of a Budget Adjustment Ordinance to Add Two Full-Time Positions to the General Fund in FY23 (AF-84-2023) (Tyra Copas)

X. BUSINESS MATTERS REQUIRING FINAL ADOPTION

- [1.](#) Consideration of a Budget Adjustment Ordinance for the General Projects Special Revenue Fund in FY23 (AF-83-2023) (Chris McCartt)

XI. OTHER BUSINESS

- [1.](#) Consideration of a Resolution Authorizing the Mayor to Execute and Purchase Agreement with Zoll Medical Corporation and the City of Kingsport Fire Department (KFD) (AF-82-2023) (Asst. Chief Terry Arnold)
- [2.](#) Consideration of a Resolution Renewing the Award of the Bid for School Crossing Guard Services and Authorizing the Mayor to Sign All Applicable Documents (AF-88-2023) (Chief Dale Phipps)
- [3.](#) Consideration of a Resolution to Approve the Application and Contract with Virginia Department of Rail and Public Transportation for Federal Transit Administration Section 5303 Planning Funds (AF-81-2023) (Ryan McReynolds)
- [4.](#) Consideration of a Resolution to Use Southern States Automated Systems for City of Kingsport Municipal Court Credit Card Payments (AF-91-2023) (Chief Phipps)

- [5.](#) Consideration of a Resolution Approving a Release of all Property Damage Claims by Big G Express and Ernest Hill for Damage Done to the Greenbelt at 717 West Center Street (AF-97-2023) (Bart Rowlett)
- [6.](#) Consideration of a Resolution Adopting a Policy for the Naming of Public Buildings, Infrastructure, Prominent Public Spaces, and Facilities (AF-99-2023) (Chris McCartt)
- [7.](#) Consideration of a Resolution to Name the Boardroom Located on the Third Floor of City Hall After Mayor Ruth Montgomery and Vice-Mayor Richard Watterson, Sr. (AF-100-2023) (Chris McCartt)

XII. CONSENT AGENDA

All matters listed under the Consent Agenda are considered in the ordinary course of business by the Board of Mayor and Aldermen and will be enacted on by one motion by a roll call vote. However, if discussion of an item is desired by any member of the board, the item will be removed from the Consent Agenda and considered separately.

- [1.](#) Consideration of a Resolution Authorizing a Blanket Order for Copy Paper from Tennessee State Contract (AF-89-2023) (Chris McCartt)
- [2.](#) Consideration of a Resolution Awarding a Contract to Pepsico for the Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools (AF-86-2023) (David Frye)
- [3.](#) Consideration of a Resolution Authorizing the Execution of an Amendment Increasing the Agreement with Gold Creek Foods for Kingsport City Schools Nutrition Services Chicken Commodity Processing and Authorizing the Mayor to Sign All Applicable Documents (AF-96-2023) (David Frye)
- [4.](#) Consideration of a Resolution Authorizing the Purchase of Replacement Math Textbooks by Kingsport City Schools for FY23 and Authorizing the City Manager to Execute a Purchase Order for the Same (AF-85-2023) (David Frye)
- [5.](#) Consideration of a Resolution Authorizing the Execution of an Amendment Increasing the Agreement with Tyson for Kingsport City Schools Nutrition Services Chicken Commodity Processing and Authorizing the Mayor to Sign All Applicable Documents (AF-94-2023) (David Frye)

- [6.](#) Consideration of a Resolution to Award the Bid for Produce Items for School Nutrition Services to Crook Brothers and Authorizing the Mayor to Sign All Applicable Documents (AF-87-2023) (David Frye)
- [7.](#) Consideration of a Resolution to Authorize the Purchase of Foodservice Equipment for School Nutrition Services from Tri-Mark Strategic Equipment LLC dba Strategic Equipment Inc. Utilizing the Sourcewell Cooperative Purchasing Agreement (AF-92-2023) (David Frye)

XIII. COMMUNICATIONS

Citizens may speak on issue-oriented items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non- personal in nature, and they should be limited to five minutes.

1. City Manager
2. Mayor and Board Members
3. Visitors

XIV. ADJOURN



AGENDA ACTION FORM

Consideration of Appointments to the Public Art Committee

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-93-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: Hannah Powell
Presentation By: Mayor Shull

Recommendation:

Approve the appointments.

Executive Summary:

It is recommended to appoint Shane Christian and Scott Eddlemon to fulfill unexpired terms on the Public Art Committee and appoint them for a term set to expire on July 31, 2026.

The committee is comprised of seven members who may be considered, but not limited to, a member from the Arts Council of Greater Kingsport, Downtown Kingsport Assoc., Parks and Recreation Advisory Committee and at-large community members. There are also ex officio members who are city employees representing various departments. Terms are three years with no term limits.

Current Committee:			
Member	Term Expires	No. of Terms	Residing Neighborhood
Jim Begley	7/31/23	Fulfilling unexpired term	At-large
Deborah Mullins	7/31/24	1	At-large
Joshua Reid	7/31/24	2	At-large
Brad Hoover	7/31/25	5	Parks & Rec. Rep.
George Chamoun	7/31/23	Fulfilling unexpired term	At-large
Joe Zoeller	7/31/25	2	Art Organization Rep.
Jennifer Adler	7/31/24	1	At-large

Recommended Committee"			
Member	Term Expires	No. of Terms	Residing Neighborhood
Shane Christian	7/31/26	Fulfilling unexpired term	Theatre Organization Rep.
Deborah Mullins	7/31/24	1	At-large
Joshua Reid	7/31/24	2	At-large
Brad Hoover	7/31/25	5	Parks & Rec. Rep.
Scott Eddlemon	7/31/26	Fulfilling unexpired term/1	Symphony Organization Rep.
Joe Zoeller	7/31/25	2	Art Organization Rep.
Jennifer Adler	7/31/24	1	At-large

Attachments:

1. Shane Christian Bio
2. Scott Eddlemon Bio

Item VI1.

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

William “Shane” Christian



Shane is a Kingsport resident residing at 501 Manor Drive, Kingsport, TN. He is employed by IMIC Hotels holding responsibilities as a Regional Sales Director and currently the General Manager of the Hampton by Hilton in Bristol, TN. Prior to getting in hospitality, Shane worked as a deputy with Hawkins County Sheriff's Department and a Police Officer with Mt. Carmel Police Department from 1996-2002. In 2002, he worked for Sullivan County Sheriff's Office until 2012 finishing his career as a detective specializing in Forensics. Shane currently is on the Bristol, TN Governmental Relations Committee and Vice President of the Kingsport Theater Guild. He is an active member of Christ Fellowship in Kingsport, TN.

William Shane Christian
501 Manor Drive
Kingsport, TN 37660
423-902-4204
Shane.christian@hilton.com

Scott Eddlemon Biography

Scott Eddlemon, timpani & percussion, is a graduate of the Juilliard School (1977) where he studied with Saul Goodman. He has been Principal Timpanist of the Victoria Symphony (Canada) as well as the Spoleto Festival. He has extensive contemporary music experience including projects with Kazuyoshi Akiyama, Pierre Boulez, Dave Brubeck, and Emerson, Lake & Palmer. Scott conceived of the “Isotone: A Collision of Science and Music” series in 2008 while working in sales of nuclear physics instrumentation in Oak Ridge, Tennessee. Since then, concerts have been performed throughout Tennessee as well as in New York City and Vancouver, Canada. He currently plays timpani with the Symphony of the Mountains in Kingsport, TN where he is also the Executive Director. Scott has been married since 1976 to violinist Susan Lang Eddlemon whom he met at the Juilliard School. Scott and Susan have two married children and three grandchildren.



BOARD OF MAYOR AND ALDERMEN WORK SESSION MINUTES

Monday, April 03, 2023 at 4:30 PM
City Hall, 415 Broad Street, Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

I. CALL TO ORDER 4:28 pm by Mayor Shull

II. ROLL CALL by City Recorder/Treasurer Lisa Winkle. All present.

III. DISCUSSION ITEMS

1. Employee Clinic Update - Jodi Majors, Premise Health

Representatives of Premise Health gave a presentation on the current usage of the Employee Health Clinic. They provided statistics regarding types of visits, care given, and medication dispensed. Discussion followed as they answered questions from the board.

2. CDBG Update - Michael Price

Community Planner Price provided information regarding the many programs, grants and partnerships utilized through this initiative.

3. Facility Naming Policy - Chris McCartt

The city manager discussed this item and thanked staff for their efforts in establishing this policy, asking the board to approve it as presented at the business meeting. The Vice-Mayor suggested time limits for naming regarding sponsorship opportunities. Mr. McCartt stated sponsorship should possibly be addressed separately. Discussion ensued.

IV. REVIEW OF BUSINESS MEETING AGENDA

City staff gave a summary for each item on the April 4, 2023 proposed agenda. The following items were discussed at greater length or received specific questions of concerns.

BOARD OF MAYOR AND ALDERMEN WORK SESSION MINUTES

Monday, April 3, 2023 at 4:30 PM

Kingsport City Hall, 415 Broad Street, Boardroom

XI.2 Consideration of a Resolution to Amend the Agreement with Jacobs Engineering Group, Inc. for Smart City Digital Roadmap (AF-77-2023) Deputy City Manager McReynolds presented this item, highlighting the goals for this project to include improving what is already in place and attracting people and businesses to Kingsport. He pointed out a national firm would be walking us through the process, and it will ultimately separate Kingsport from other cities.

XI.3 Consideration of a Resolution Approving the 2023 Amendments to the Tennessee State-Subdivision Opioid Abatement Agreement and Authorizing the Mayor to Execute the Agreement (AF-78-2023) City Attorney Rowlett pointed out this was not the lawsuit in Sullivan County regarding the Baby Doe money but a national level case that is being pursued by several states. He noted that unlike the Baby Doe case, there were restrictions on this one that the money must go to opioid abatement.

XI.4 Consideration of a Resolution Authorizing the Transfer of 251 West New Street to the Industrial Development Board of the City of Kingsport for Re-development (AF-79-2023) The City Manager provided information on this item and answered questions from the board, noting the economic development project would hold until ready to move forward.

V. ITEMS OF INTEREST

1. **Projects Status in Pictures**
2. **Projects Status Report**

VI. ADJOURN

Seeing no other matters presented for discussion, Mayor Shull adjourned the meeting at 6:00 p.m.

ANGELA MARSHALL
Deputy City Recorder

PATRICK W. SHULL
Mayor



BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, April 04, 2023 at 7:00 PM
City Hall, 415 Broad Street, Boardroom

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

City Administration

Ryan McReynolds, Deputy City Manager
Bart Rowlett, City Attorney

Lisa Winkle, City Recorder/Treasurer
Angie Marshall, Deputy City Recorder/City Clerk

- I. **CALL TO ORDER** 7:00 p.m. by Mayor Patrick W. Shull.
- II. **PLEDGE OF ALLEGIANCE TO THE FLAG** by Budget Director John Morris.
- III. **INVOCATION** by Jack Edwards, Serving United Methodist Churches
- IV. **ROLL CALL** by City Recorder/Treasurer Lisa Winkle. All present.
- V. **RECOGNITIONS AND PRESENTATIONS**
Mayor Shull thanked Dr. Philip Wenk, CEO of Delta Dental for his \$250,000 donation to go towards equipment at the new Dental Clinic.
- VI. **APPOINTMENTS** None.
- VII. **APPROVAL OF MINUTES** (*These items are considered under one motion.*)
Motion made by Alderman Olterman, Seconded by Alderman Montgomery.
 1. **March 20, 2023 - Strategic Planning Session**
 2. **March 20, 2023 - Work Session**
 3. **March 21, 2023 - Business Meeting**Passed: All present voting "aye."

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, April 4, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

VIII. PUBLIC HEARINGS None.

COMMENT

Mayor Shull invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward, the mayor closed the public comment segment.

IX. BUSINESS MATTERS REQUIRING FIRST READING

1. **Consideration of a Budget Adjustment Ordinance for the General Projects-Special Revenue Fund in FY23** (AF-83-2023) (Chris McCartt)

Motion made by Vice Mayor George, Seconded by Alderman Duncan.

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2023; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

X. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. **Consideration of a Budget Adjustment Ordinance for Various Funds in FY23** (AF-68-2023) (Chris McCartt)

Motion made by Alderman Montgomery, Seconded by Alderman Olterman.

ORDINANCE NO. 7079 AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR THE YEAR ENDING JUNE 30, 2023; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

2. **Consideration of an Ordinance to Amend the FY 2023 the General Purpose School Fund and the General Project Fund Budgets** (AF-66-2023) (David Frye)

Motion made by Alderman Duncan, Seconded by Alderman Phillips.

ORDINANCE NO. 7080 AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND GENERAL PROJECT FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, April 4, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

XI. OTHER BUSINESS

- 1. Consideration of a Resolution to Amend the Agreement with Jacobs Engineering Group, Inc. for Smart City Digital Roadmap (AF-77-2023) (Ryan McReynolds)**

Motion made by Vice Mayor George, Seconded by Alderman Cooper.

RESOLUTION NO. 2023-207 A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH JACOBS ENGINEERING GROUP, INC., FOR THE SMART CITY DIGITAL ROADMAP AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

- 2. Consideration of a Resolution Approving the 2023 Amendments to the Tennessee State-Subdivision Opioid Abatement Agreement and Authorizing the Mayor to Execute the Agreement (AF-78-2023) (Chris McCartt)**

Motion made by Vice Mayor George, Seconded by Alderman Phillips.

RESOLUTION NO. 2023-208 A RESOLUTION AUTHORIZING THE CITY OF KINGSFORT TO JOIN THE STATE OF TENNESSEE AND OTHER LOCAL GOVERNMENTS IN AMENDING THE TENNESSEE STATE- SUBDIVISION OPIOID ABATEMENT AGREEMENT; APPROVING THE RELATED SETTLEMENT AGREEMENTS; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS AND ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENTS OR THIS RESOLUTION

Passed: All present voting "aye."

- 3. Consideration of a Resolution Authorizing the Transfer of 251 West New Street to the Industrial Development Board of the City of Kingsport for Re-development (AF-79-2023) (John Rose)**

Motion made by Alderman Olterman, Seconded by Alderman Montgomery.

RESOLUTION NO. 2023-209 A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY LOCATED AT 251 WEST NEW STREET TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT AND AUTHORIZING THE MAYOR TO EXECUTE AN APPROPRIATE QUITCLAIM DEED AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO CONVEY THE PROPERTY TO THE INDUSTRIAL DEVELOPMENT BOARD

Passed: All present voting "aye."

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, April 4, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

XII. CONSENT AGENDA *(These items are all considered under one motion.)*

Motion made by Vice Mayor George, Seconded by Alderman Olterman.

Passed as presented with a roll call vote: Alderman Cooper, Alderman Duncan, Vice Mayor George, Alderman Montgomery, Alderman Olterman, Alderman Phillips, Mayor Shull

- 1. Consideration of a Resolution Renewing the Award of the Bid for Unleaded Gasoline & Ultra-Low Sulfur Diesel (AF-73-2023) (Ryan McReynolds)**

RESOLUTION NO. 2023-210 A RESOLUTION RENEWING THE AWARD OF BID FOR PURCHASE OF ULTRA LOW SULFUR DIESEL FUEL AND RENEWING THE AWARD OF BID FOR PURCHASE OF UNLEADED GASOLINE FOR USE IN CITY EQUIPMENT AND VEHICLES TO PETROLEUM TRADERS CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

- 2. Consideration of a Resolution Renewing the Award of the Bid for Propane & Propane Conversion Kits (AF-74-2023) (Ryan McReynolds)**

RESOLUTION NO. 2023-211 A RESOLUTION RENEWING THE AWARD OF BID FOR THE PURCHASE OF PROPANE AUTO GAS AND PROPANE CONVERSION KITS FOR USE IN CITY EQUIPMENT AND VEHICLES TO BLOSSMAN GAS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

- 3. Consideration of a Resolution to Ratify the Mayor's Signature on CDBG Grant Agreement with Keep Kingsport Beautiful for Litter Cleanups (AF-76-2023) (Michael Price)**

RESOLUTION NO. 2023-212 A RESOLUTION RATIFYING THE MAYOR'S SIGNATURE ON A PUBLIC SERVICE SUBRECIPIENT GRANT AGREEMENT WITH KEEP KINGSFORT BEAUTIFUL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING AND AUTHORIZING THE MAYOR TO SIGN ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

- 4. Consideration of a Resolution Approving the Disposal of a Linotype Press (AF-80-2023) (Christ McCartt)**

RESOLUTION NO. 2023-213 A RESOLUTION WAIVING THE REQUIREMENTS FOR THE DISPOSAL OF SURPLUS PERSONAL PROPERTY PURSUANT TO KINGSFORT CODE OF ORDINANCES SECTION 2-571; AUTHORIZING THE SALE OF A LINOTYPE PRESS FROM THE KINGSFORT PRESS; AND AUTHORIZING THE MAYOR TO SIGN A SALE

BOARD OF MAYOR AND ALDERMEN BUSINESS MEETING MINUTES

Tuesday, April 4, 2023 at 7:00 PM

Kingsport City Hall, 415 Broad Street, Boardroom

AGREEMENT AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

XIII. COMMUNICATIONS

1. City Manager

Mr. McCartt stated the annual progress edition was in Wednesday's newspaper and also available on the city's website. He also referred to the Delta Dental announcement the mayor made earlier and stated his appreciation for Phil Wenk and the work he has done to champion the Dental Clinic project. Lastly, he mentioned it was spring break which resulted in the light agenda.

2. Mayor and Board Members

Alderman Duncan congratulated Alderman Montgomery's daughter-in-law for being recognized as the Tennessee School Health Coordinator of the Year. He commented on the CDBG presentation at the work session and also mentioned the exciting growth downtown regarding the parking lot awarded to KEDB. Lastly, he wished everyone a happy Easter. Alderman Cooper encouraged everyone to visit Urban Brews and Creamery during the Hop and Shop this Thursday. She commented on the Lamplight Theatre fundraiser on April 17 and talked about the many programs they support. She promoted the upcoming GOAT Festival and stated the library was gearing up for their summer activities geared for all ages. Alderman Montgomery commented on Keep Kingsport Beautiful. Alderman Philips mentioned it was race week and also talked about the July 4th concert downtown. Alderman Olterman stated DB baseball was off to a great start after winning four in a row. Vice-Mayor George commented on the Funfest concerts and wished everyone a happy Easter. Mayor Shull promoted the PETWORKS fundraising dinner and also discussed the UETHDA initiative that is helping people with their utility bills.

3. Visitors None.

XIV. ADJOURN

Seeing no other business for consideration, Mayor Shull adjourned the meeting at 7:35 p.m.

ANGELA MARSHALL
Deputy City Recorder

PATRICK W. SHULL
Mayor



AGENDA ACTION FORM

Consideration of a Budget Adjustment Ordinance to Add Two Full-Time Positions to the General Fund in FY23

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-84-2023
Work Session: April 17, 2023
First Reading: April 18, 2023

Final Adoption: May 2, 2023
Staff Work By: Tyra Copas
Presentation By: Tyra Copas

Recommendation:

Consideration of a Budget Adjustment to add two positions Full-Time Positions to the General Fund in FY23.

Executive Summary:

This request is to amend the General Fund budget by adding two full-time positions in the Finance Organization for succession planning purposes. In a recent organizational review, HR identified approximately 1/3 of the staff, in key positions, are eligible for retirement. Adding two full-time positions, with the intention of succession planning and knowledge transfer, will enable the city to hire, train and prepare for natural attrition over the next 12 - 36 months.

As attrition occurs, these positions will drop off from the overall headcount.

The estimated cost to the General Fund will be \$157,000, which includes salary and benefits.

Account # 100-2001-421.10-10

Attachments:

Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO.

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY ADDING TWO ACCOUNTANT POSITIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2023; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Fund budget be amended by amending the authorized full-time positions by adding two full time Accountant positions at a pay grade A44 for Fiscal Year 2022-2023.

SECTION II. That this ordinance shall take effect from and after the date of its passage, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT III, City Attorney

PASSED ON 1ST READING:

PASSED ON 2ND READING:



AGENDA ACTION FORM

Consideration of a Budget Adjustment Ordinance for the General Projects-Special Revenue Fund in FY23

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-83-2023

Work Session: April 3, 2023

First Reading: April 4, 2023

Final Adoption: April 18, 2023

Staff Work By: John Morris

Presentation By: Chris McCartt

Recommendation:

Approve the Ordinance

The General Projects-Special Revenue Fund is being amended by transferring \$191,004 from the Drug Rehab Facility project (NC2320) to the Dental School project (NC2322), by increasing the Border Reg Dist Sales Tax project (NC2013) by \$80,793, and by appropriating a \$24,500 grant from the Appalachian Resource Conservation and Development Council to the Farmacy Fit project (NC2326) in the amount of \$4,500, to the Double Up Food Bucks project (NC2327) in the amount of \$6,000, to the Build It Up Bucks project (NC2328) in the amount of \$5,000, and to the Appalachian Farmacy (Rx) project (NC2329) in the amount of \$9,000.

Attachments:

1. Ordinance

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO.

AN ORDINANCE TO AMEND VARIOUS FUND BUDGETS FOR
THE YEAR ENDING JUNE 30, 2023; AND, TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Projects-Special Revenue Fund be increased by transferring \$191,004 from the Drug Rehab Facility project (NC2320) to the Dental School project (NC2322), by increasing the Border Reg Dist Sales Tax project (NC2013) by \$80,793, and by appropriating a \$24,500 grant from the Appalachian Resource Conservation and Development Council to the Farmacy Fit project (NC2326) in the amount of \$4,500, to the Double Up Food Bucks project (NC2327) in the amount of \$6,000, to the Build It Up Bucks project (NC2328) in the amount of \$5,000, and to the Appalachian Farmacy (Rx) project (NC2329) in the amount of \$9,000.

Account Number/Description:

General Projects-Special Revenue Fund: 111

Drug Rehab Facility (NC2320)

Revenues:

111-0000-391.01-00 From General Fund

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
	1,291,004	(191,004)	1,100,000
Total:	1,291,004	(191,004)	1,100,000

Expenditures:

111-0000-601.20-99 Miscellaneous

	\$	\$	\$
	1,291,004	(191,004)	1,100,000
Total:	1,291,004	(191,004)	1,100,000

Dental School (NC2322)

Revenues:

111-0000-391.01-00 From General Fund

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
	408,996	191,004	600,000
Total:	408,996	191,004	600,000

Expenditures:

111-0000-601.20-54 Land & Building Rental

	\$	\$	\$
	408,996	191,004	600,000
Total:	408,996	191,004	600,000

Border Reg Dist Sales Tax (NC2013)

Revenues:

111-0000-332.10-15 Border Regions Allocation

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$	\$	\$
	750,777	80,793	831,570
Total:	750,777	80,793	831,570

Expenditures:

111-0000-681.75-10 Meade Tractor

	\$	\$	\$
	750,777	80,793	831,570
Total:	750,777	80,793	831,570

Farmacy Fit (NC2326)**Revenues:**

111-0000-364.56-65 ARCD Council

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$ 0	\$ 4,500	\$ 4,500
Total:	0	4,500	4,500

Expenditures:

111-0000-601.20-99 Miscellaneous

	\$ 0	\$ 4,500	\$ 4,500
Total:	0	4,500	4,500

Double Up Food Bucks (NC2327)**Revenues:**

111-0000-364.56-65 ARCD Council

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$ 0	\$ 6,000	\$ 6,000
Total:	0	6,000	6,000

Expenditures:

111-0000-601.20-99 Miscellaneous

	\$ 0	\$ 6,000	\$ 6,000
Total:	0	6,000	6,000

Build It Up Bucks (NC2328)**Revenues:**

111-0000-364.56-65 ARCD Council

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$ 0	\$ 5,000	\$ 5,000
Total:	0	5,000	5,000

Expenditures:

111-0000-601.20-99 Miscellaneous

	\$ 0	\$ 5,000	\$ 5,000
Total:	0	5,000	5,000

Appalachian Farmacy (Rx) (NC2329)**Revenues:**

111-0000-364.56-65 ARCD Council

	<u>Budget</u>	<u>Incr/(Decr)</u>	<u>New Budget</u>
	\$ 0	\$ 9,000	\$ 9,000
Total:	0	9,000	9,000

Expenditures:

111-0000-601.20-99 Miscellaneous

	\$ 0	\$ 9,000	\$ 9,000
Total:	0	9,000	9,000

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law directs, the welfare of the City of Kingsport, Tennessee requiring it.

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT III, City Attorney

PASSED ON 1ST READING:
PASSED ON 2ND READING:



AGENDA ACTION FORM

Consideration of Resolution Authorizing the City Manager to Execute a Purchase Order to Zoll Medical Corporation for Cardiac Monitor/Defibrillators.

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF- 82-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: Asst. Chief Arnold
Presentation By: Asst. Chief Arnold

Recommendation:

Approve the Resolution

Executive Summary:

The Kingsport Fire Department (KFD) desires to purchase three X Series Monitor Defibrillator devices from Zoll Medical Corporation. The purchase is being made pursuant to National Purchasing Partners Contract PS20200. These X Series devices function to not only monitor but also defibrillate and pace cardiac activity and will be utilized by the KFD operations personnel during cardiac related events and respiratory distress.

The Medical Operations Committee did research and field testing on 2 different manufacturers. Phillips Tempus Pro and Zoll x series. It was determined the Zoll x series monitor completely met our needs in all areas.

The purchase of these monitors will begin the transition towards interoperability with SCEMS and Ballad which in turn will provide a more effective and seamless level of care to the community we serve. These units will replace older units that have reached their manufactured life expectancy.

America Rescue Plan Act (ARPA) funds in the amount of \$97,271.10 will be used to purchase the 3 cardiac monitors. The purchase is being made through National Purchasing Partners, a national purchasing cooperative

Funding is identified in project NC2216

Attachments:

1. Resolution

Item XI1.

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO ZOLL MEDICAL CORPORATION FOR THREE CARDIAC MONITORS FOR THE KINGSPORT FIRE DEPARTMENT UTILIZING NATIONAL PURCHASING PARTNERS CONTRACT NO. P20200

WHEREAS, the Kingsport Fire Department staff recommends the purchase of three X series cardiac monitor/defibrillators from Zoll Medical Corporation utilizing National Purchasing Partners Contract No. P20200 contract; and

WHEREAS, pursuant to Tenn. Code Ann. § 12-3-1205, city is authorized to participate in a cooperative purchasing agreement for the procurement of goods and supplies; and

WHEREAS, in order to purchase the equipment, a purchase order needs to be issued to Zoll Medical Corporation, in the amount of \$97,271.10; and

WHEREAS, the board finds and deems it appropriate to utilize the American Rescue Plan Act funds to cover the costs associated with the purchase of these three cardiac monitors from Zoll Medical Corporation; and

WHEREAS, the funding is identified in project no.: NC2216.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the city manager is authorized to execute a purchase order to Zoll Medical Corporation for three cardiac monitors pursuant to terms of National Purchasing Partners Contract No. P20200 for use by the Kingsport Fire Department in the amount of \$97,271.10.

SECTION II. That the board finds that the actions authorized by this resolution are for a public purpose including recreational and educational, and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

**ZOLL Medical Corporation**

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011

Fax: (978) 421-0015

Email: esales@zoll.com

Quote No: Q-45768 Version: 4

Kingsport Fire Department
130 Island Street
Kingsport, TN 37660

ZOLL Customer No: 7857

Caleb Sick
(423) 229-9441
calebsick@kingsporttn.gov

Quote No: Q-45768

Version: 4

Issued Date: March 7, 2023

Expiration Date: March 31, 2023

Terms: NET 30 DAYS

FOB: Destination

Freight: Free Freight

Prepared by: Tim Nettles
Senior EMS Territory Manager
tnettles@zoll.com
+1 8655993391

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
1	949804	601-2231011-01	X Series Monitor/Defibrillator - 12-Lead ECG, Pacing, NIBP, SpO2, SpCO, EtCO2, CPR Expansion Pack Includes: 4 trace tri-mode display monitor/ defibrillator/ printer, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5in (16.5cm) diagonal screen. Accessories Included: MFC cable and CPR connector, A/C power cord, One (1) roll printer paper, 6.6 Ah Li-ion battery, Carry case, Operator Manual, Quick Reference Guide, and One (1)-year EMS warranty. Parameter Details: Real CPR Help - Dashboard display of CPR Depth and Rate for Adult and Pediatric patients, Visual and audio prompts to coach CPR depth (Adult patient only), Release bar to ensure adequate release off the chest, Metronome to coach rate for Adult and Pediatric patients. See-Thru ® CPR artifact filtering • Interpretative 12-Lead ECG (Full 12 ECG lead view with both dynamic and static 12-lead mode display. 12-Lead OneStep ECG cable - includes 4-Lead limb lead cable and removable precordial 6-Lead set) • ZOLL Noninvasive Pacing Technology • Welch Allyn NIBP with Smartcuff. 10 foot Dual Lumen hose and SureBP Reusable Adult Medium Cuff • Masimo SpO2 & SpCO with Signal Extraction Technology (SET), Rainbow SET® • EtCO2 Oridion Microstream Technology. Microstream tubing set sold separately •	3	\$45,343.00	\$32,816.40	\$98,449.20
2	949804	8000-001392	Masimo rainbow® RC-4 - 4FT, Reusable EMS Patient Cable	3	\$278.00	\$200.90	\$602.70

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Kingsport Fire Department
Quote No: Q-45768 Version: 4

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
3	949804	8000-000459	M-LNCS DCI Reusable Sensor	3	\$334.00	\$241.90	\$725.70
4	949804	8000-0580-01	Six Hour Rechargeable, SurePower II Smart Battery	3	\$890.00	\$421.00	\$1,263.00
5	949804	8200-000100-01	Single Bay Charger for the SurePower and SurePower II batteries	3	\$1,124.00	\$704.50	\$2,113.50
6		8778-89004-WF	X Series - Worry-Free Service Plan - 4 Years At Time of Sale Includes: Annual preventive maintenance, 27% discount on new cables, 27% discount on additional SurePower II Batteries, discount on parameter upgrades, SurePower II Battery replacement upon failure, and accidental damage coverage (see comments). Shipping and use of a Service Loaner during repairs, no charge shipping. Extended warranty is a continuation of the EMS One Year Product Limited Warranty. • ACCIDENTAL DAMAGE COVERAGE: Includes one device outer housing replacement per year per device. This coverage excludes devices that are deemed beyond repair and/or catastrophic damage. Cosmetic damage that does not affect the integrity of the device would not require outer housing replacement. • BATTERY REPLACEMENT PROGRAM: Batteries must be maintained per ZOLL recommended maintenance program - Batteries are replaced upon failure, one for one, throughout the term of the ExpertCare Service contract, should the SurePower II battery or SurePower Charger display a fault - Batteries must be evaluated and confirmed of failure through ZOLL Technical Support and/or an on-site field service technician. - Up to three batteries per device will be covered for batteries acquired from ZOLL in last 24 months for batteries that fail during the Worry-Free service contract period. (When Service Contract purchased post-sale) - For batteries acquired from ZOLL over 24 months ago, one battery per device will be covered for batteries that fail during the Worry-Free service contract period. (When Service Contract purchased post-sale)	3	\$6,710.00	\$6,039.00	\$18,117.00
7		7900-9902	ZOLL ALS Equipment M & E Series Trade In Allowance (EMS Group) See Trade Unit Considerations.	6		(\$1,000.00)	(\$6,000.00)
8		7800-0414-61	LP 15 12-Lead Version 4 Trade In Allowance See Trade Unit Considerations.	3		(\$6,000.00)	(\$18,000.00)

Subtotal: \$97,271.10

Total: \$97,271.10

**ZOLL Medical Corporation**

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Kingsport Fire Department
Quote No: Q-45768 Version: 4

Contract Reference	Description
949804	Reflects GPO NPP 2020 - Contract No. PS20200 contract pricing. Notwithstanding anything to the contrary herein, the terms and conditions set forth in NPP 2020 - Contract No. PS20200 shall apply to the customer's purchase of the products set forth on this quote.

Trade Unit Considerations

Trade-In values valid through March 31, 2023 if all equipment purchased is in good operational and cosmetic condition and includes all standard accessories. Trade-In values are dependent on the quantity and configuration of the ZOLL devices listed on this quotation. Customer assumes responsibility for shipping trade-in equipment at the quantities listed on the trade line items in this quotation to ZOLL's Chelmsford Headquarters within 60 days of receipt of new equipment. Customer agrees to pay cash value for trade-in equipment not shipped to ZOLL on a timely basis.

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to this quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <https://www.zoll.com/about-zoll/invoice-terms-and-conditions> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

1. Delivery will be made upon availability.
2. This Quote expires on March 31, 2023. Pricing is subject to change after this date.
3. Applicable tax, shipping & handling will be added at the time of invoicing.
4. All purchase orders are subject to credit approval before being accepted by ZOLL.
5. To place an order, please forward the purchase order with a copy of this quotation to esales@zoll.com or via fax to 978-421-0015.
6. All discounts from list price are contingent upon payment within the agreed upon terms.
7. Place your future accessory orders online by visiting www.zollwebstore.com.

**ZOLL Medical Corporation**

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Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011

Fax: (978) 421-0015

Email: esales@zoll.com

Kingsport Fire Department
Quote No: Q-45768 Version: 4

Order Information (to be completed by the customer)

☐ Tax Exempt Entity (Tax Exempt Certificate must be provided to ZOLL)

☐ Taxable Entity (Applicable tax will be applied at time of invoice)

BILL TO ADDRESS	SHIP TO ADDRESS
Name/Department:	Name/Department:
Address:	Address:
City / State / Zip Code:	City / State / Zip Code:

Is a Purchase Order (PO) required for the purchase and/or payment of the products listed on this quotation?

☐ Yes PO Number: _____ PO Amount: _____
(A copy of the Purchase Order must be included with this Quote when returned to ZOLL)

☐ No (Please complete the below section when submitting this order)

For organizations that do not require a PO, ZOLL requires written execution of this order. The person signing below represents and warrants that she or he has the authority to bind the party for which he or she is signing to the terms and prices in this quotation.

Kingsport Fire Department

Authorized Signature:

Name: _____
Title: _____
Date: _____



AGENDA ACTION FORM

Consideration of a Resolution Renewing the Award of the Bid for School Crossing Guard Services and Authorizing the Mayor to Sign All Applicable Documents

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-88-2023

Work Session: April 17, 2023

First Reading: N/A

Final Adoption: April 18, 2023

Staff Work By: Comm. S. Chambers

Presentation By: Chief D. Phipps

Recommendation:

Approve the Resolution.

Executive Summary:

Bids were opened on May 24, 2018 for the acquisition of school crossing guard services. The City's Invitation to Bid included a renewal option clause which allows the city to renew the award for an additional 12-month period if costs are acceptable to both parties with BMA approval. Cross Safe requested a consumer price index increase of 1.5% to give their staff a cost of living pay increase. It is the recommendation of the Police Department to extend the school crossing guard services with Cross Safe for an additional 12-month period.

Please see the attached documents.

Kingsport City Schools will transfer a specified amount annually. Funding is identified in the Police Department Budget Account # 110-3001-441-2020

Attachments:

1. Resolution
2. Bid Opening Minutes
3. Recommendation Memo & Renewal Letter

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION RENEWING THE AWARD OF THE BID FOR
SCHOOL CROSSING GUARDS TO CROSS SAFE AND
AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR
THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER
TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, on June 19, 2018, the board adopted Resolution No. 2018-192, awarding bids for the acquisition of school crossing guard services; and

WHEREAS, the invitation to bid included a renewal option clause that allows the city to renew the award for an additional twelve month period, if costs are acceptable to both parties, and with board approval; and

WHEREAS, staff recommends amending the agreement with Cross Safe to renew the award of bid for the period of twelve months, beginning July 1, 2023, and ending June 30, 2024, with a 1.5% cost of living index increase; and

WHEREAS, the funding is identified in the Police Department Budget, Account No.: 110-3001-441-2020.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the amendment to the agreement renewing the award of bid for the school crossing guard services with Cross Safe for an additional year is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the amendment to the agreement renewing the award of bid for the school crossing guard services with Cross Safe for an additional year, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution.

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose including recreational and educational, and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

MINUTES
BID OPENING
May 24, 2018
4:00 P.M.

Present: Sandy Crawford, Procurement Manager; and Brent Morelock, Assistant Procurement Manager

The Bid Opening was held in the Council Room, City Hall.

The Procurement Manager opened with the following bids:

SCHOOL CROSSING GUARD SERVICES		
VENDOR	COST PER CROSSING GUARD PER DAY	COMMENTS
Elite Manufacturing & Professional Services	\$43.10	
Cross Safe	\$43.90	
All City Management Services	\$49.98	
Spur Employment, Inc.	\$13.48*	*Based on one hour per day. Two hours per day would be \$26.96

The submitted bids will be evaluated and a recommendation made at a later date.



KINGSPORT POLICE DEPARTMENT

MEMORANDUM

TO: Nikisha Eichmann, Asst. Procurement Manager

FROM: Commander Sean E. Chambers

RE: School Crossing Guard Services

DATE: March 31, 2023

This memo is to inform you of our desire to continue using Cross Safe for school crossing guard services for the upcoming 2023-2024 school year. Cross Safe has made a request for a price increase to address cost of living expenses. This increase is 1.5% and both the Kingsport Police Department and the Kingsport City School system are agreeable to this nominal increase. This increase will be managed within our proposed FY 24 budget. Since this is a shared endeavor between the Kingsport Police Department and the Kingsport City school system, the MOU between the school system and the police department will be amended to reflect any change involving the shared cost and/or the amount of reimbursement.



PHONE 704.377.1755 FAX 704.377.3155 WEB parkinc.com
ADDRESS 4900 Old Pineville Road | Charlotte | North Carolina | 28217

Tuesday, April 04, 2023

Nikisha Eichmann
City of Kingsport
225 West Center Street
Kingsport, Tennessee 37660

Dear Nikisha:

The following is a summary of the requested rate increase for crossing guard services for the City of Kingsport's 2023-2024 school year:

➤ Cost per crossing guard per day: \$46.91

Any further questions may be directed towards myself at the Charlotte number listed above.

Sincerely,

Brian A. Haupricht
President



AGENDA ACTION FORM

Consideration of a Resolution to Approve the Application and Contract with Virginia Department of Rail and Public Transportation for Federal Transit Administration Section 5303 Planning Funds

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-81-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: Susan Doran/Lesley Phillips
Presentation By: Ryan McReynolds

Recommendation:

Approve the Resolution

Executive Summary:

Each year, the City of Kingsport, on behalf of the Kingsport MTPO, applies for and receives an allocation of Section 5303 Planning funds from the Federal Transit Administration (FTA) via the Virginia Department of Rail and Public Transportation (DRPT). The Kingsport MTPO's jurisdiction covers part of Virginia as well as Tennessee and receives separate FTA funding through each state government. This is a separate application and contract through Virginia's DRPT based on population in the Virginia portion of the urbanized area. These funds are used by the Kingsport MTPO for transportation planning activities. For FY24 the total grant funding is \$5,416, which is proportioned as follows: FTA 80% or \$4,332, VA DRPT 10% match or \$542, and City of Kingsport 10% match or \$542. Appropriation and a project budget for these funds have already been programmed through the City's FY24 budget process. The action approves submittal of the application and acceptance of the contract and Section 5303 funds.

FTA requires the FY23 Certifications and Assurances be executed by the City of Kingsport. This document contains the requirements that must be adhered to for all grants received from Virginia DRPT. Once this document is complete, the contract(s)/project agreement(s) will be issued.

Attachments:

Resolution
Certifications and Assurances

Item XI3.

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ELECTRONIC APPLICATION AND CONTRACT BETWEEN THE CITY OF KINGSPORT AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION TO RECEIVE FEDERAL TRANSIT ADMINISTRATION PLANNING FUNDS FOR USE BY THE KINGSPORT AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE FISCAL YEAR 2024; AUTHORIZING THE MAYOR TO EXECUTE THE FTA FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES, AND ANY OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE LETTER OF AUTHORIZATION

WHEREAS, the Federal Transit Administration provides planning funds for use by the Metropolitan Planning Organization (MPO) available through the Virginia Department of Rail and Public Transportation (DRPT) in the amount of \$5,416.00 for fiscal year 2024; and

WHEREAS, matching funds in the amount of \$542.00 are required, which are accounted for during the annual budget process and will come from the approved fiscal year 2024 budget for the MPO; and

WHEREAS, the Federal Transit Administration requires the Certifications and Assurances be executed to receive the Section 5303 Planning Funds.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the online application and contract with the Virginia Department of Transportation to receive Federal Transit Administration Planning Funds in the amount of \$5,416.00 and requiring \$542.00 in matching funds for use by the Kingsport Area Metropolitan Transportation Planning Organization for the fiscal year 2024, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Chapter 10 of the Charter of the City of Kingsport, the online application and contract with the Virginia Department of Rail and Public Transportation to receive Federal Transit Administration Planning Funds in the amount of \$5,416.00 and requiring \$542.00 in matching funds for use by the Kingsport Area Metropolitan Transportation Planning Organization for the fiscal year 2024 and any other documents necessary and proper to effectuate the purpose of the letter of Authorization.

SECTION III. That the Federal Transit Administration fiscal year 2023 Certifications and Assurances is approved.

SECTION IV. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney and subject to the requirements of Article X, Chapter 10 of the Charter of the City of Kingsport, a Federal Transit Administration fiscal year 2023 Certifications and Assurances and any other documents necessary and proper to effectuate the purpose of the same.

SECTION V. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the documents referenced herein that do not substantially alter the material provisions of the documents, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION VI. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort, and prosperity of the public.

SECTION VII. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

animals held for research, teaching, or other activities supported by this award of assistance.

- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
- (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
- (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work confirms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.

§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT

Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

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

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and

contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

4.2. Statement for Loan Guarantees and Loan Insurance.

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

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
 - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
 - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
 - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;

- (c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (b) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost

- Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
- (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
- (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 06 (Transit Asset Management Plan),
 - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
 - (4) Category 09 (Formula Grants for Rural Areas),
 - (5) Category 15 (Alcohol and Controlled Substances Testing), and
 - (6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

**FEDERAL FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES FOR FTA
ASSISTANCE PROGRAMS**

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: _____

The Applicant certifies to the applicable provisions of all categories: (*check here*) _____.

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

- 12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs
- 13 State of Good Repair Grants
- 14 Infrastructure Finance Programs
- 15 Alcohol and Controlled Substances Testing
- 16 Rail Safety Training and Oversight
- 17 Demand Responsive Service
- 18 Interest and Financing Costs
- 19 Cybersecurity Certification for Rail Rolling Stock and Operations
- 20 Tribal Transit Programs
- 21 Emergency Relief Program

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature _____ Date: _____

Name _____ Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: _____

Name _____ Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.



AGENDA ACTION FORM

Consideration of a Resolution to Use Southern Automated Systems, Inc. to Accept Credit Card Payments for Kingsport City Court Citations

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-91-2023

Work Session: April 17, 2023

First Reading: N/A

Final Adoption: April 18, 2023

Staff Work By: Captain Chris Tincher

Presentation By: Chief Dale Phipps

Recommendation:

Approve the Resolution

Executive Summary:

Approval of this resolution will allow the Kingsport Police Department to collect city court fines via online credit card payments through Southern Automated Systems, Inc. Currently, the Kingsport Police Department utilizes Southern Automated Systems, Inc. for municipal court software to manage citations and court dockets. Presently, citations must be paid either in person with cash or a credit card or by mailing a check or money order, and a clerk would then process the payment once received. Payments made through Southern Automated's credit card system are more efficient since the credit card processing software is also tied to the court management system.

Southern States Automated Systems, Inc. would agree to provide credit card payment services for the court to streamline this process and offer customers the convenience of online payments. This agreement would be at no cost to the Municipal Court. The customer would pay a convenience fee of \$4.50 plus 3% to Southern Automated Systems Inc. Funds for customer cases (fines and court costs) are deposited into the City's bank account. The convenience fee and percentage would be deposited into Southern Automated Inc.'s account.

Approving this resolution would significantly improve efficiency and customer service.

Attachments:

1. Resolution
2. Add Location form

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT WITH
SOUTHERN AUTOMATED SYSTEMS, INC., FOR CREDIT CARD
PROCESSING SERVICES FOR KINGSPORT CITY COURT AND
AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT
AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO
EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, the Kingsport Police Department currently utilizes software developed by Southern Automated Systems, Inc. to manage citations issued pursuant to the Kingsport Code of Ordinances as well as to manage the city court docket; and

WHEREAS, Southern Automated Systems, Inc., also offers credit card processing services through which fines and court costs may be paid either on-line or in person by credit card with the payments being remitted directly to a participating entities financial account; and

WHEREAS, currently fines and court costs assessed through Kingsport City Court may only be paid by cash, check, or money order which requires payment be made either in person or by mail through the city court clerk's office; and

WHEREAS, the addition of an on-line credit card payment option through Southern Automated Systems, Inc., is not only more convenient for those paying fines but also improves efficiencies as the credit card processing system is tied into the current court management software; and

WHEREAS, a convenience fee of \$4.50 plus 3% of the charge is collected and retained by Southern Automated System, Inc., with no additional charge to the city for use of the system; and

WHEREAS, utilization of the service requires execution of an agreement and the completion of an *"Add Location"* form for routing of the collected fines and court costs.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the credit card payment agreement with Southern Automated Systems, Inc., and *"Add Location"* form for credit card processing services is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the credit card payment agreement for credit card processing services, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said agreement being as follows:

Credit Card Payment Agreement

Southern Automated Systems, providing OmniCourt to the City of Kingsport for its Kingsport Municipal court agrees to provide Credit Card Payment services for the court. Credit Card transactions may be made on line, or at the court.

Transactions (upon approval of CC/verification of amount due from OmniCourt) are automatically posted to OmniCourt, requiring no user intervention and immediate update to case/OmniCourt.

There is no charge to the Kingsport Municipal court, and the defendant pay a convenience fee of 4.50 plus 3% to Southern Automated. Funds for defendants' case (charges) are deposited into Courts bank account of choice, and funds for convenience fee are deposited into Southern Automated account. All Credit Card transactions for Kingsport Municipal court are to be processed thru service provided per this agreement.

Agreement is for 60 months, though either party to this agreement may terminate the agreement for convenience upon 90 days written notice and such termination shall not be deemed a breach of this agreement. Additionally, City of Kingsport will complete and submit the World Pay (Bank providing service) "Add Location Request" document with necessary accompanying documentation with agreement.

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose including recreational and educational, and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

Add location request

Please complete the following information to add a new location. Be sure to attach either a copy of a voided check from the account for the DDA you wish for deposits/withdrawals to occur in, or a confirmation letter from your bank, on bank letterhead, with your routing number, account number and name of the business. No starter checks or deposit slips may be accepted. **Any incomplete requests will not be processed.**

Current Merchant ID # and/or Chain Code: _____

Guarantor Printed Name: _____

Guarantor Signature: _____

Tax ID: _____

Contact E-Mail Address: _____

New Location Information:

Business Name: _____

Street Address: _____

City/State/Zip Code: _____

Store Contact Person/Store Phone #: _____

Store Opening Date: _____ Store # (If Applicable): _____

Annual Sales volume V/MC/Disc: _____ Annual Sales – AMEX: _____

Average Ticket: _____ High Ticket: _____

Card Swipe % CP _____ CNP _____ Environment _____

Website(if eComm) _____

Products to be accepted:

☐ Credit: (Please provide merchant numbers for this location if available)

☐ Visa _____

☐ MasterCard _____

☐ Discover: _____

☐ American Express: _____

☐ Fleet One: _____

☐ Voyager: _____

☐ Wright Express: _____

☐ Debit

☐ Gift Card

☐ POS Check

Equipment

☐ Already have equipment

Terminal Type and model: _____

And/Or

Software Brand: _____

Application Name: _____

Version Number (Required): _____

Contract Name at Vendor: _____

Email of Contact: _____

Phone # of Vendor: _____ Fax # of Vendor: _____

☐ Need to order equipment - A representative will contact you to go over the latest equipment and pricing options.

PLEASE ATTACH A COPY OF A VOIDED CHECK OR LETTER OF CONFIRMATION FROM YOUR BANK, ON A BANK LETTERHEAD, CONTAINING YOUR ACCOUNT NUMBER, ROUTING NUMBER AND YOUR BUSINESS NAME.

Affix Voided Check Here

A DEPOSIT SLIP OR START CHECK WILL NOT BE ACCEPTED!

See above if you do not have any checks for this account.



AGENDA ACTION FORM

Consideration of a Resolution Approving a Release of all Property Damage Claims by Big G Express and Ernest Hill for damage done to the Greenbelt at 717 West Center Street

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-97-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: Hodgson/Rowlett
Presentation By: Bart Rowlett

Recommendation:

Approve the resolution.

Executive Summary:

This resolution authorizes the execution of a release with Big G Express, Inc., and Ernest Hill to resolve a claim for damages to the Greenbelt at or near 717 West Center Street.

On the 13th day of March, an 18-wheeler, driven by Ernest Hill for Big G Express, was making a delivery to the Domtar facility. Hill made a wrong turn and entered the greenbelt on the west side of the Domtar parking lot at 717 West Center Street.

Damage was done to the asphalt path and areas along the path required leveling and re-seeding. The quote for repairs is \$3,697.32. Big G Express has requested a release be executed by City in exchange for payment of the damages.

Attachments:

1. Resolution

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING A PROPERTY DAMAGE
RELEASE WITH BIG G EXPRESS, INC. AND AUTHORIZING
THE MAYOR TO EXECUTE THE RELEASE AND ALL OTHER
DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE
THE PURPOSE OF THIS RESOLUTION

WHEREAS, on March 13, 2023, an 18-wheeler owned by Big G Express Inc., and operated by Ernest Hill, was making a deliver to the Domtar facility; and

WHEREAS, Hill made a wrong turn, and entered the greenbelt on the west side of the Domtar parking lot at 717 West Center Street; and

WHEREAS, as a result damage was done to the asphalt path and areas along the path required leveling and re-seeding; and

WHEREAS, the quote for repairs is \$3,697.32 which Big G Express, Inc. has agreed to pay in exchange for a release of all property damage executed by the city.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That a Release of All Property Damage Claims with Big G. Express, Inc., and Ernest Hill, in exchange for \$3,697.32 is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, a Release of All Property Damage Claims with Big G Express, Inc., and Ernest Hill, to deliver the release and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the release and this resolution, said release being as follows:

RELEASE OF ALL PROPERTY DAMAGE CLAIMS

KNOW ALL MEN BY THESE PRESENTS:

That the Undersigned, being of lawful age for sole consideration of \$3,697.32 to City of Kingsport/does hereby and for my/our/its heirs, executors, administrators, successors and assigns release, acquit and forever discharge Big G Express, Inc. and Ernest Hill, he, their, or its agents, servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships of and from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of service, expenses, rentals and or in any way growing out of any and all known and unknown, foreseen and unforeseen damages the consequences thereof resulting or to result from the occurrence on or about the 13th day of March, 2023 at or near 717 West Center Street in Kingsport, TN.

This undersigned hereby declare(s) and represent(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned, and this Release contains the entire agreement between the parties hereto, and that the terms of this Release are contractual and not mere recital.

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS IT

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the release set out herein that do not substantially alter the material provisions of the release, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY



AGENDA ACTION FORM

Consideration of a Resolution Adopting a Policy for the Naming of Public Buildings, Infrastructure, Prominent Public Spaces, and Facilities

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-99-2023

Work Session: April 17, 2023

First Reading: N/A

Final Adoption: April 18, 2023

Staff Work By: Valk/Rowlett

Presentation By: Chris McCartt

Recommendation:

Approve the resolution.

Executive Summary:

Approval of this resolution will adopt a policy for the naming of public buildings, infrastructure, prominent public spaces, and facilities owned by the City of Kingsport.

Historically, the board has deemed it appropriate to name public buildings, infrastructure, prominent public spaces, and facilities either through its own initiative or based on requests from third parties. The designation was made through adoption of a resolution.

The board lacked any guidelines or process which would facilitate its consideration of a recommended name for city owned property. The proposed policy will provide the board with guidelines for this process.

Attachments:

1. Resolution
2. Policy

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION ADOPTING A POLICY FOR THE NAMING OF
PUBLIC BUILDINGS, INFRASTRUCTURE, PROMINENT
PUBLIC SPACES, AND FACILITIES

WHEREAS, at various times the board on its own initiative desires to name public buildings, infrastructure, prominent public spaces, and facilities or receives requests to consider naming the same from citizens, community groups, businesses or others; and

WHEREAS, historically the board has given consideration to the naming of such city owned property on a case by case basis; and

WHEREAS, the board desires to adopt a policy to guide its consideration of the naming of public buildings, infrastructure, prominent public spaces, and facilities.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the board hereby adopts for the City of Kingsport a public building, infrastructure & facility naming policy as set forth herein:

CITY OF CITY OF KINGSPORT, TENNESSEE
PUBLIC BUILDING, INFRASTRUCTURE, & FACILITY NAMING POLICY

I. Purpose: This document outlines the policy of the City of Kingsport Board of Mayor and Aldermen with respect to the naming of public buildings, infrastructure, prominent public spaces, and facilities owned by the City of Kingsport;

II. Authorization: Except as otherwise provided herein, the authority to name or rename all municipally owned public buildings, infrastructure, prominent public spaces and facilities ultimately rests with the City of Kingsport Board of Mayor and Aldermen. Any naming or renaming shall require adoption of a formal Resolution by the Board of Mayor and Aldermen authorizing such designation;

III. Qualifying Name: In order to qualify for consideration, proposed names must relate to one or more of the following categories:

- a. Geographic location to facility;
- b. An outstanding feature;
- c. Historic site, event or individual;
- d. Names of local significance;
- e. Names of individuals or organizations that have made a substantial contribution in service or substantial financial contribution for acquisition/development/construction;
- f. Individuals recognized nationally or internationally as having made a significant contribution to the humanities, arts, science, or government;
- g. Individuals or organizations that have made significant documented contributions to the city or the community at large;
- h. Individuals from City of Kingsport who distinguished themselves in lifetime service or career over an extended number of years bringing pride, local, regional, state-wide or national recognition to themselves and City of Kingsport.

IV. Process:

1. In General: At its discretion, the City of Kingsport Board of Mayor and Aldermen may formally solicit and/or consider recommendations for the naming of public buildings, infrastructure, and facilities from:

- a. City of Kingsport citizens;
- b. Civic organizations or groups

- c. Residents and businesses that are situated near, beside, or across from the public building, infrastructure or facility considered for naming;
 - d. Established boards and commissions of City of Kingsport including but not limited to the City of Kingsport Parks & Recreation Advisory Board and the City of Kingsport Regional Planning Commission;
 - e. City staff;
 - f. Other committees or groups that have an interest in public building, infrastructure, or facility;
 - g. Other entities or groups that the City of Kingsport Board of Mayor and Aldermen may consider or designate;
2. Consideration of the naming of public buildings, infrastructure, prominent public spaces, and facilities shall be considered no more than twice annually, which shall be presented to the Board during the first and third quarters of the calendar year, though the City Manager shall determine the specific meeting at which the recommendation shall be presented. However, the Board shall retain the discretion to give consideration to naming public buildings, infrastructure, prominent public spaces, and facilities at such other times as the Board deems advisable.
- V. Naming of School Buildings and Facilities: Shall be the responsibility of the Kingsport Board of Education through whatever process is deemed suitable to the Board of Education.
- VI. Sale of Naming Rights: The board may at times be asked to consider sponsorship of municipally owned public buildings, infrastructure, prominent public spaces and facilities which would include the sale of naming rights to third parties. Staff shall report to the board on the feasibility and advisability of the sale of naming rights giving consideration to the importance of the municipally owned public buildings, infrastructure, prominent public spaces and facilities to be sponsored, whether bond or grant money has been or will be used to fund construction, renovation or improvement of the same, the third party desiring to sponsor the same, the consideration offered, duration of the naming right acquired, and other factors the board deems pertinent. If a sale of naming rights is deemed advisable the board shall enter into a contractual agreement for the sale of the naming rights which sets forth the necessary terms and conditions. However, in no event shall any naming right have an indefinite or perpetual duration.
- VII. Renaming: A request to rename public buildings, infrastructure, prominent public space, or facilities will be considered only under specific conditions and will be strictly evaluated to ensure that any change in name would not diminish the original name justification or discount the value of the original name;
- Consideration may be entertained if any of the following apply:
- a. The name of an existing building, infrastructure, or facility from an earlier time no longer has relevance, significance or has been tarnished or diminished;
 - b. The proposed renaming of a building, infrastructure or facility has a cross-section of community support based on the documented contributions the individual or organization has made specifically to the City, community, department, school or program;
 - c. The overall process for renaming beyond what has been outlined in this section shall follow sections I-VI of this policy;
- VIII. Removal of Name: The City of Kingsport Board of Mayor and Aldermen reserves the right to remove a name associated with any public building, infrastructure, prominent public space, and facility owned by the City of Kingsport at any time if in the best interests of the City.
- IX. Policy Amendment: The City of Kingsport Board of Mayor and Aldermen may, in its discretion, establish or amend the process or procedure for the naming of public buildings, infrastructure, or facilities of the City of Kingsport.

SECTION II That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

CITY OF CITY OF KINGSPORT, TENNESSEE

PUBLIC BUILDING, INFRASTRUCTURE, & FACILITY NAMING POLICY

- I. Purpose: This document outlines the policy of the City of Kingsport Board of Mayor and Aldermen with respect to the naming of public buildings, infrastructure, prominent public spaces, and facilities owned by the City of Kingsport;
- II. Authorization: Except as otherwise provided herein, the authority to name or rename all municipally owned public buildings, infrastructure, prominent public spaces and facilities ultimately rests with the City of Kingsport Board of Mayor and Aldermen. Any naming or renaming shall require adoption of a formal Resolution by the Board of Mayor and Aldermen authorizing such designation;
- III. Qualifying Name: In order to qualify for consideration, proposed names must relate to one or more of the following categories:
 - a. Geographic location to facility;
 - b. An outstanding feature;
 - c. Historic site, event or individual;
 - d. Names of local significance;
 - e. Names of individuals or organizations that have made a substantial contribution in service or substantial financial contribution for acquisition/development/construction;
 - f. Individuals recognized nationally or internationally as having made a significant contribution to the humanities, arts, science, or government;
 - g. Individuals or organizations that have made significant documented contributions to the city or the community at large;
 - h. Individuals from City of Kingsport who distinguished themselves in lifetime service or career over an extended number of years bringing pride, local, regional, state-wide or national recognition to themselves and City of Kingsport.

IV. Process:

1. In General: At its discretion, the City of Kingsport Board of Mayor and Aldermen may formally solicit and/or consider recommendations for the naming of public buildings, infrastructure, and facilities from:
 - a. City of Kingsport citizens;
 - b. Civic organizations or groups
 - c. Residents and businesses that are situated near, beside, or across from the public building, infrastructure or facility considered for naming;
 - d. Established boards and commissions of City of Kingsport including but not limited to the City of Kingsport Parks & Recreation Advisory Board and the City of Kingsport Regional Planning Commission;
 - e. City staff;
 - f. Other committees or groups that have an interest in public building, infrastructure, or facility;
 - g. Other entities or groups that the City of Kingsport Board of Mayor and Aldermen may consider or designate;
2. Consideration of the naming of public buildings, infrastructure, prominent public spaces, and facilities shall be considered no more than twice annually, which shall be presented to the Board during the first and third quarters of the calendar year, though the City Manager shall determine the specific meeting at which the recommendation shall be presented. However, the Board shall retain the discretion to give consideration to naming public buildings, infrastructure, prominent public spaces, and facilities at such other times as the Board deems advisable.

V. Naming of School Buildings and Facilities: Shall be the responsibility of the Kingsport Board of Education through whatever process is deemed suitable to the Board of Education.

VI. Sale of Naming Rights: The board may at times be asked to consider sponsorship of municipally owned public buildings, infrastructure, prominent public spaces and facilities which would include the sale of naming rights to third parties. Staff shall report to the board on the feasibility and advisability of the sale of naming rights giving consideration to the importance of the municipally owned public buildings, infrastructure, prominent public spaces and facilities to be sponsored. Item X16. er bond or grant money has been or will

be used to fund construction, renovation or improvement of the same, the third party desiring to sponsor the same, the consideration offered, duration of the naming right acquired, and other factors the board deems pertinent. If a sale of naming rights is deemed advisable the board shall enter into a contractual agreement for the sale of the naming rights which sets forth the necessary terms and conditions. However, in no event shall any naming right have an indefinite or perpetual duration.

- VII. Renaming: A request to rename public buildings, infrastructure, prominent public space, or facilities will be considered only under specific conditions and will be strictly evaluated to ensure that any change in name would not diminish the original name justification or discount the value of the original name;

Consideration may be entertained if any of the following apply:

- a. The name of an existing building, infrastructure, or facility from an earlier time no longer has relevance, significance or has been tarnished or diminished;
- b. The proposed renaming of a building, infrastructure or facility has a cross-section of community support based on the documented contributions the individual or organization has made specifically to the City, community, department, school or program;
- c. The overall process for renaming beyond what has been outlined in this section shall follow sections I-VI of this policy;

- VIII. Removal of Name: The City of Kingsport Board of Mayor and Aldermen reserves the right to remove a name associated with any public building, infrastructure, prominent public space, and facility owned by the City of Kingsport at any time if in the best interests of the City.

- IX. Policy Amendment: The City of Kingsport Board of Mayor and Aldermen may, in its discretion, establish or amend the process or procedure for the naming of public buildings, infrastructure, or facilities of the City of Kingsport.



AGENDA ACTION FORM

Consideration of a Resolution to Name the Boardroom Located on the Third Floor of City Hall After Mayor Ruth Montgomery and Vice-Mayor Richard Watterson, Sr.

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-100-2023

Work Session: April 17, 2023

First Reading: N/A

Final Adoption: April 18, 2023

Staff Work By: Chris McCartt

Presentation By: Chris McCartt

Recommendation:

Approve the resolution.

Executive Summary:

This resolution will name the boardroom as the Montgomery-Watterson Boardroom.

Mayor Ruth C. Montgomery served with distinction as Mayor of the City of Kingsport taking office on July 5, 1995 and served until the end of her second term in July, 1999. Prior to her terms as Mayor, Montgomery served in both houses of the General Assembly as well as on the County Court (now county commission). Prior to holding elected office Mayor Montgomery taught business subjects at Dobyns-Bennett High School. During her tenure as Mayor, Montgomery worked diligently to increase the city's fund balance and was successful in doing so. A dedicated public servant, Montgomery was past president of Kingsport Tomorrow, active in the Rotary Club of Kingsport and the Kingsport Garden Club. Throughout her life, Mayor Montgomery strove to provide a better quality of life for the citizens of both Kingsport and the State of Tennessee.

Vice-Mayor Richard Watterson took office on September 4th, 1973 and served until 1997, being the first African-American elected to the Board of Mayor and Aldermen. Watterson's 24 year tenure makes him the longest serving alderman in the City's history. He served as vice-mayor from 1981 to 1995. A graduate of Douglas High School, Watterson served in the United States Navy from 1943 to 1950. A tireless champion for his city and fellow citizens, Watterson served on the Board of Directors of the Kingsport Boy's Club, first chairman of the Riverview Branch Boy's Club, president of the Esquire Club, and was a member of the Kiwanis Club and Optimist Club. The City experienced doubtless advancements and improvements as a result of Vice-Mayor Watterson's talents and unwavering dedication.

Recommendation has been made to name the City Hall boardroom after these most deserving public servants.

Attachments:

1. Resolution

	<u>Y</u>	<u>N</u>	<u>O</u>
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION TO NAME THE BOARDROOM OF CITY HALL
THE MONTGOMERY – WATTERSON BOARDROOM

WHEREAS, the Board of Mayor and Aldermen conducts its business in the boardroom located on the third floor of City Hall; and

WHEREAS, it is fitting and appropriate that such a public space dedicated to the transaction of the affairs of the City be named in honor of individuals who served with distinction and endeavored to improve the City and thereby the peace, comfort, and joy of its citizens; and

WHEREAS, Mayor Ruth C. Montgomery and Vice-Mayor Richard H. Watterson are two such individuals; and

WHEREAS, Mayor Ruth C. Montgomery served as Mayor of the City of Kingsport taking office on July 5, 1995 and serving until the end of her second term in July, 1999; prior to which, Montgomery served in both houses of the General Assembly as well as on the County Court; and

WHEREAS, prior to holding elected office, Mayor Montgomery served the City as a teacher for Kingsport City Schools where she taught business subjects at Dobyne-Bennett High School; and

WHEREAS, during her tenure as Mayor, Montgomery worked diligently to increase the city's fund balance and was successful in doing so as well as achieving other accomplishments for the benefit of the City; and

WHEREAS, dedicated to her community, Montgomery was past president of Kingsport Tomorrow, active in the Rotary Club of Kingsport and the Kingsport Garden Club; and

WHEREAS, throughout her life, Mayor Montgomery strove to provide a better quality of life for the citizens of both Kingsport and the State of Tennessee; and

WHEREAS, Vice-Mayor Richard Watterson took office on September 4th, 1973 and served until 1997, being the first African-American elected to the Board of Mayor and Aldermen; and

WHEREAS, Watterson's 24 year tenure makes him the longest serving alderman in the City's history, during which he served as vice-mayor from 1981 to 1995; and

WHEREAS, a graduate of Douglas High School, Watterson not only served his City but his country as well serving in the United States Navy from 1943 to 1950; and

WHEREAS, A tireless champion for his city and fellow citizens Watterson served on the Board of Directors of the Kingsport Boy's Club, first chairman of the Riverview Branch Boy's Club, president of the Esquire Club, and was a member of the Kiwanis Club and Optimist Club; and

WHEREAS, the City experienced doubtless advancements and improvements as a result of Vice-Mayor Watterson's talents and unwavering dedication.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the board hereby names the boardroom located on the 3rd floor of City Hall as the Montgomery – Watterson Boardroom.

SECTION II. That the City Manager is hereby authorized and directed to acquire and install signage which is worthy and appropriate to exhibit the name of the Montgomery – Watterson Boardroom.

SECTION II That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort, and prosperity of the citizens of the city.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY



AGENDA ACTION FORM

Consideration of a Resolution Authorizing a Blanket Order for Copy Paper from Tennessee State Contract

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-89-2023

Work Session: April 17, 2023

First Reading: N/A

Final Adoption: April 18, 2023

Staff Work By: Committee

Presentation By: C. McCartt

Recommendation:

Approve the Resolution.

Executive Summary:

It is recommended to purchase copy paper from American Paper & Twine utilizing the Tennessee State Contract # 77326 for use in City and Schools locations. The Tennessee State Contract for copy paper is available for local government agencies to use. The contract period is through July 31, 2025 with a two year renewal option. The current pricing is as follows: \$41.90 per case for 8.5" x11", \$59.90 per case for 8.5"x14" & \$47.00 per case for 11"x17". The estimated annual cost for copier paper is \$90,000.00.

Funding is identified in various City and Schools accounts.

Attachments:

1. Resolution
2. Tennessee State Contract

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A BLANKET ORDER FOR THE PURCHASE OF COPY PAPER TO AMERICAN PAPER AND TWINE UTILIZING TENNESSEE STATE CONTRACT NO. 56924 FOR USE BY VARIOUS CITY AND SCHOOL DEPARTMENTS

WHEREAS, staff recommends the purchase of copy paper utilizing Tennessee State Contract #56924, for use by various city and school departments; and

WHEREAS, Tennessee Code Annotated section 12-3-1201 permits city to purchase goods under the same terms and conditions as the Central Procurement Office of the State of Tennessee; and

WHEREAS, in order to purchase the paper, a blanket order needs to be issued to American Paper and Twine in the annual estimated cost of \$90,000.00; and

WHEREAS, funding for this is identified in various city and schools accounts.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the city manager is authorized to execute a blanket order for the purchase of copy paper to American Paper and Twine utilizing Tennessee State Contract #56924, for use by various city and school departments in the annual estimated amount of \$90,000.00.

SECTION II. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY



**STATE OF TENNESSEE, DEPARTMENT OF GENERAL SERVICES
CENTRAL PROCUREMENT OFFICE**

Statewide Multi-Year Contract Issued to:

American Paper & Twine Co
7400 Cockrill Bend Blvd
Nashville, TN 37209

Vendor ID: 0000000895

Contract Number: 00000000000000000000077326

Title: SWC317 Copy Paper

Start Date: February 01, 2023

End Date: July 31, 2025

Renewals: Two (2) optional one-year renewals remaining.

Note from Central Procurement Office: For the most updated pricing, please see the Quarterly Price Update List as pricing for this contract updates regularly (Terms and Conditions section 6.2). This information will be available on the CPO Website, Usage Instructions, and the Edison Supplier Portal.

Is this contract available to local government agencies in addition to State agencies?: Yes

Authorized Users. This Contract establishes a source or sources of supply for all Tennessee State Agencies. "Tennessee State Agency" refers to the various departments, institutions, boards, commissions, and agencies of the executive branch of government of the State of Tennessee with exceptions as addressed in Tenn. Comp. R. & Regs. 0690-03-01-.01. The Contractor shall provide all goods or services and deliverables as required by this Contract to all Tennessee State Agencies. The Contractor shall make this Contract available to the following entities, who are authorized to and who may purchase off of this Statewide Contract ("Authorized Users"):

- a. all Tennessee State governmental entities (this includes the legislative branch; judicial branch; and, commissions and boards of the State outside of the executive branch of government);
- b. Tennessee local governmental agencies;
- c. members of the University of Tennessee or Tennessee Board of Regents systems;
- d. any private nonprofit institution of higher education chartered in Tennessee; and,

- e. any corporation which is exempted from taxation under 26 U.S.C. Section 501(c)(3), as amended, and which contracts with the Department of Mental Health and Substance Abuse to provide services to the public (Tenn. Code Ann. § 33-2-1001).

These Authorized Users may utilize this Contract by purchasing directly from the Contractor according to their own procurement policies and procedures. The State is not responsible or liable for the transactions between the Contractor and Authorized Users.

Note: If "no", attach exemption request addressed to the Central Procurement Officer.

Contract Contact Information:

State of Tennessee
Department of General Services, Central Procurement Office
Contract Administrator: DeRenne Raley
3rd Floor, William R Snodgrass, Tennessee Tower
312 Rosa L. Parks Avenue
Nashville, TN 37243-1102
Phone: 615-251-5173
Fax: 615-741-0684
Email: DeRenne.Raley@tn.gov

Line Information

Line 1

Item ID: 1000154407
8.5 X 11 Copy Paper, White, Letter, 20# Virgin, 92 Brightness, 3-Hole Punch, 10RM/CA
Unit of Measure: CA
Vendor Item/Part #: 561788
Manufacturer Item #:
Unit Price: \$ 46.90

Line 2

Item ID: 1000154408
8.5 X 11 Copy Paper, White, Letter, 20# Virgin, 92 Brightness, 10RM/CA
Unit of Measure: CA
Vendor Item/Part #: 561650
Manufacturer Item #:
Unit Price: \$ 41.90

Line 3

Item ID: 1000154409
8.5 X 14 Copy Paper, White, Legal, 20# Virgin, 92 Brightness, 10RM/CA
Unit of Measure: CA
Vendor Item/Part #: 561703
Manufacturer Item #:
Unit Price: \$ 59.90

Line 4

Item ID: 1000154410
11 X 17 Copy Paper, White, Tabloid, 20# Virgin, 92 Brightness, 5RM/CA
Unit of Measure: CA
Vendor Item/Part #: 561553
Manufacturer Item #:
Unit Price: \$ 47.00

Line 5

Item ID: 1000154411

8.5x11 Canary Yellow Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #:

Manufacturer Item #: DMR81196

Unit Price: \$ 5.90

Line 6

Item ID: 1000154412

8.5x11 Green Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 558601

Manufacturer Item #: DMR81197

Unit Price: \$ 5.90

Line 7

Item ID: 1000154413

8.5x11 Blue Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 558809

Manufacturer Item #: DMR81199

Unit Price: \$ 5.90

Line 8

Item ID: 1000154414

8.5x11 Pink Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 559005

Manufacturer Item #: DMR81198

Unit Price: \$ 5.90

Line 9

Item ID: 1000154416

8.5x11 Gold Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 559401

Manufacturer Item #: DMR81203

Unit Price: \$ 5.90

Line 10

Item ID: 1000154404

8.5x11 Salmon Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 559416

Manufacturer Item #: DMR81206

Unit Price: \$ 5.90

Line 11

Item ID: 1000154405

8.5x11 Ivory Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 559431

Manufacturer Item #: DMR81201

Unit Price: \$ 5.90

Line 12

Item ID: 1000154417

8.5x11 Gray Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 559443

Manufacturer Item #: DMR81195

Unit Price: \$ 5.90

Line 13

Item ID: 1000154418

8.5x11 Lavender Copy Paper, 20 pound

Unit of Measure: RM

Vendor Item/Part #: 559454

Manufacturer Item #: DMR81200

Unit Price: \$ 5.90

Line 14

Item ID: 1000154419

8.5 X 11 Copy Paper, Brights, Letter, 24lb Heavy Weight Bond, Acid Free, Lime Green, 500 Sheets/RM

Unit of Measure: RM

Vendor Item/Part #: 559529

Manufacturer Item #: DMR81322

Unit Price: \$ 19.50

Line 15

Item ID: 1000154423

8.5 X 11 Copy Paper, Brights, Letter, 24lb Heavy Weight Bond, Acid Free, Orange, 500 Sheets/RM

Unit of Measure: RM

Vendor Item/Part #: 559537

Manufacturer Item #: DMR81352

Unit Price: \$ 19.50

Line 16

Item ID:

Colored Copy Paper Additional Offerings Catalog. Historical Purchases include Lemon Yellow, Hot Pink, Bright Green, Bright Red, Lavender Purple, Teal, Fuchsia, Buff, and Cherry

Unit of Measure: CA

Vendor Item/Part #:

Manufacturer Item #:

Unit Price: \$ 25% Discount on Colored Copy Paper Catalog Offerings

Line 17

Item ID: 1000141547

8.5 X 11 Copy Paper, White, Letter, 20# Recycled, 92 Brightness, 3-Hole Punch, 10RM/CA

Unit of Measure: CA

Vendor Item/Part #: 561680

Manufacturer Item #: DMR3965

Unit Price: \$ 56.00

Line 18

Item ID: 1000013793

8.5 X 14 Copy Paper, White, Legal, 20# Recycled, 92 Brightness, 10RM/CA

Unit of Measure: CA

Vendor Item/Part #: 561690

Manufacturer Item #: DMR3964

Unit Price: \$ 68.00

Line 19

Item ID: 1000012001

11 X 17 Copy Paper, White, Tabloid, 20# Recycled, 92 Brightness, 5RM/CA

Unit of Measure: CA

Vendor Item/Part #: 561695

Manufacturer Item #: DMR3963

Unit Price: \$ 60.00

Line 20

Item ID: 1000164833

8.5 X 11 Copy Paper, White, Letter, 20# Recycled, 92 Brightness, 10RM/CA

Unit of Measure: CA

Vendor Item/Part #:

Manufacturer Item #: 561685

Unit Price: \$ 49.50

Line 21

Item ID: 1000154422

8.5 X 11 Copy Paper, Brights, Letter, 24lb Heavy Weight Bond, Acid Free, 30% Recycled Content, Aqua Blue, 500 Sheets/RM

Unit of Measure: RM

Vendor Item/Part #: 559535

Manufacturer Item #: DMR81332

Unit Price: \$ 19.50

Line 22

Item ID: 1000153266

Paper, Sheetfed, Bond, 20#, 8.5 X 11, Dual Purpose, White

Unit of Measure: TH

Vendor Item/Part #:

Manufacturer Item #: Neenah

Unit Price: \$ 70.00

Line 23

Item ID: 1000153382

Paper, Sheetfed, Offset, 70#, 8.5 X 11, White, Smooth

Unit of Measure: TH

Vendor Item/Part #:

Manufacturer Item #: Sylvamo

Unit Price: \$ 26.00

Line 24

Item ID: 1000153446

Paper, Sheetfed, Offset, 70#, 11 X 17, White, Smooth

Unit of Measure: TH

Vendor Item/Part #:

Manufacturer Item #: Sylvamo

Unit Price: \$ 59.00

Michael F.
Perry by LWB

Digitally signed by Michael F.
Perry by LWB
DN: cn=Michael F. Perry by LWB,
o=CPO, ou=DGS,
email=Mike.Perry@tn.gov, c=US
Date: 2023.01.23 12:05:42 -06'00'

DeRenne
Raley

Digitally signed by DeRenne Raley
DN: cn=DeRenne Raley, o, ou=State of
Tennessee Central Procurement Office,
email=DeRenne.Raley@tn.gov, c=US
Date: 2023.01.23 12:02:56 -06'00'

APPROVED:

CHIEF PROCUREMENT OFFICER

BY:

PURCHASING AGENT

DATE

Item XII1.



AGENDA ACTION FORM

Consideration of a Resolution Awarding a Contract to Pepsico for the Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-86-2023

Work Session: April 17, 2023

First Reading: N/A

Final Adoption: April 18, 2023

Staff Work By: Committee

Presentation By: David J. Frye

Recommendation:

Approve the Resolution

Executive Summary:

Requests for proposals for the beverage pouring rights and advertising partnership for Kingsport City Schools were opened on March 1, 2023. One proposal from Pepsico was received. After reviewing the submitted proposal, the administration desires to enter into a three year agreement with Pepsico for the Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools.

Commission will be paid to each school based on quantity sold. Purchases from Pepsico will be made through internal concessions accounts.

The Board of Education approved entering into a three year agreement with Pepsico for the Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools on April 11, 2023.

Attachments:

Bid Tab
Resolution

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING A CONTRACT FOR THE NON-ALCOHOLIC BEVERAGE POURING RIGHTS AND ADVERTISING PARTNERSHIP TO PEPSICO AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT AND THIS RESOLUTION

WHEREAS, proposals for the beverage pouring rights and advertising partnership were opened on March 1, 2023; and

WHEREAS, upon review of the proposals, the board finds Pepsico is the most responsible compliant respondent meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into a three year agreement with Pepsico for the Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools; and

WHEREAS, the Board of Education approved this action on April 11, 2023.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools be awarded to Pepsico.

SECTION II. That the Mayor or in his absence, incapacity, or failure to act, the Vice-Mayor, is authorized and directed to execute, in a form approved by the City Attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an agreement with Pepsico for the Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools and all documents necessary and proper, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

MINUTES
BID OPENING
March 1, 2023
4:00 P.M.

Present: Brent Morelock, Procurement Manager; Nikisha Eichmann, Assistant Procurement Manager

The Bid Opening was held in Conference Room 436, 4th Floor, City Hall

The Procurement Manager opened with the following bids:

RFP – Non-Alcoholic Beverage Pouring Rights and Advertising Partnership for Kingsport City Schools
Vendor:
Pepsico

The submitted proposals will be evaluated and a recommendation made at a later date.



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Execution of an Amendment Increasing the Agreement with Gold Creek Foods for Kingsport City Schools Nutrition Services Chicken Commodity Processing and Authorizing the Mayor to Sign All Applicable Documents

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-96-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: KCS Nutrition Services
Presentation By: David Frye

Recommendation:

Approve the resolution.

Executive Summary:

The City for its Kingsport City Schools entered into an agreement with Gold Creek Foods on July 1, 2020 for chicken commodity processing to maintain a continuous supply for Kingsport City Schools Nutrition Services. The agreement has been extended through June 30, 2023 by amendment.

The state has been able to find bonus pounds of chicken to process to finish the school year and use for our summer feeding program which will increase our contract spend amount. At this time, School Nutrition Services recommends increasing the agreement amount with Gold Creek Foods from \$65,000.00 to \$86,000.00.

The Board of Education approved this motion on April 11, 2023.

All expenditures from this contract are fully funded by the School Nutrition Services budget. School Nutrition Services is a self-supporting department within Kingsport City Schools. School Nutrition Services receives funding from federal reimbursements, state funding, and revenue generated by meal fees, a la carte items sold and catering.

Attachments:

Resolution
Recommendation

Item XII.3.

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF AN
AMENDMENT TO THE AGREEMENT WITH GOLD CREEK
FOODS FOR KINGSPORT CITY SCHOOLS NUTRITION
SERVICES COMMODITY CHICKEN PROCESSING AND
AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS
NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE
OF THE AMENDMENT

WHEREAS, on May 17, 2022, the board approved an amendment to the agreement with Gold Creek Foods to provide commodity chicken processing to Kingsport City School Nutrition Services for the period of July 1, 2022, through June 30, 2023; and

WHEREAS, the current contract price is \$65,000.00; and

WHEREAS, the state has been able to find bonus pounds of chicken to process to finish the school year and use the summer feeding program and therefore will require Kingsport City Schools to purchase additional quantities which will in turn increase the contract price; and

WHEREAS, on April 11, 2023, the Board of Education approved the execution of an amendment to increase the amount of the agreement to \$86,000.00 through June 30, 2023.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That an amendment of the agreement with Gold Creek Foods for commodity chicken processing for Kingsport City Schools Nutrition Services for the not to exceed amount of \$86,000.00 is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment for the same and all documents necessary and proper, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said agreement being as follows:

**AMENDMENT TO THE AGREEMENT
ENTERED INTO BETWEEN GOLD CREEK FOODS
AND CITY OF KINGSPORT, TENNESSEE FOR ITS KINGSPORT CITY SCHOOLS**

On July 1, 2020 an Agreement was entered into by and between Gordon Food Service, Inc., (hereinafter Contractor) and the City of Kingsport Tennessee (hereinafter City). An Addendum to the Agreement was executed on May 18, 2022 to include the period of July 1, 2022 through June 30, 2023. The terms of the Agreement are hereby amended as set forth herein.

SECTION 3. THE CONTRACT PRICE. The City shall pay, in current fund, the Contractor for the performance of this Contract on the basis of the unit price cost per unit, as set forth in SECTION 1 above, and as set out and stipulated in the bid or proposal of said Contract, and the total cost of EIGHTY SIX THOUSAND DOLLARS AND ZERO CENTS (\$86,000.00) is an estimated total cost, based upon the number of units required for the performance of this Contract and in the event there is any variation in the units actually required in the performance of this Contract, and the estimate made above, then the unit price shall in all things control, so that the total estimated cost of

EIGHTY SIX THOUSAND DOLLARS AND ZERO CENTS (\$86,000.00) is subject to being increased in the event the units required for this Contract are greater than that estimated, and is subject to being decreased in the event said units are less than that estimated; which said payment, based upon the unit costs mentioned above, shall be full compensation for all materials and supplies furnished, and all labor done by the Contractor under and pursuant to this Agreement, and said sum shall also pay for all losses or damages of the Contractor arising out of the nature of the work, and for any and all expenses incurred in consequence of the work under this Contract, and for the well and faithful performance of said Contract.

By our signatures we have read the above terms of this Addendum and agree with the terms.

Except as hereby amended, all other terms and conditions of the Agreement effective July 1, 2020 as amended by agreement dated May 17, 2022 shall remain in full force and effect.

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreements set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

MEMORANDUM

TO: KCS Board of Education/Board of Mayor and Alderman

FROM: Jennifer Walker, Supervisor of School Nutrition

DATE: 04/05/2023

RE: Commodity Chicken Processing Contract Renewals

Recommendation: Amend renewal agreement for Tyson and Gold Creek chicken contracts

Kingsport City entered into an agreement with two vendors: Tyson Foods, Inc. and Gold Creek Foods, Inc. to process bulk USDA bulk large chickens into various chicken items beginning July 1, 2020-June 30 2021 and maintain a continuous supply to KCS school nutrition.

The state was able to find bonus pounds of chicken to process to finish the school year and use for our summer feeding program which will increase our contract spend amount.

The current contract not to exceed spend amounts is \$65,000 for Tyson Chicken and \$65,000 for Gold Creek Chicken. KCS School Nutrition recommends to increase these amounts to \$67,000 for Tyson and \$86,000 for Gold Creek.

All expenditures from this contract are fully funded by the School Nutrition Services budget. School Nutrition Services is a self-supporting department within Kingsport City Schools. We receive funding from federal reimbursements, state funding and revenue generated by meal fees, a la carte items sold and catering.



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Purchase of Replacement Math Textbooks by Kingsport City Schools for FY23 and Authorizing the City Manager to Execute a Purchase Order for the Same

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-85-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: Committee
Presentation By: David J. Frye

Recommendation:

Approve the Resolution

Executive Summary:

It is the responsibility of the State Textbook Commission to recommend textbooks for adoption by the State Board of Education. This process is structured to ensure textbooks for all subjects are reviewed once every six years. Subjects are grouped into six groupings so that only one subject or group of subjects is reviewed every year. Local school systems must subsequently adopt books on the official list and provide them to their students. Tennessee Book Company is the official State of Tennessee school book depository/distributor. This year Kingsport City Schools will replace K-8 math textbooks.

The funding for the math textbook purchases will come from the current year General Purpose School Fund and ESSER funds. There is \$631,979.00 in ESSER 3 and \$300,832.00 in GP allocated for math textbook purchases during FY23.

The Board of Education approved the purchase of math textbooks from Tennessee Book Company in the amount of up to \$931,970.00 on April 11, 2023.

Attachments:

Resolution
Quote

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF
REPLACEMENT MATH TEXTBOOKS BY KINGSPORT CITY
SCHOOLS FOR FISCAL YEAR 2023 AND AUTHORIZING THE
CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE
SAME

WHEREAS, the State Board of Education through the State Textbook Commission has reviewed the current textbooks and has recommended new books for adoption by local school districts to use in all grades; and

WHEREAS, Kingsport City Schools will order the math textbooks from Tennessee Book Company in a purchase order for grades K-8 for FY23, at a cost of \$932,811.00; and

WHEREAS, Tennessee Book Company is the contractor responsible for the distribution of textbooks throughout the state of Tennessee; and

WHEREAS, funding is identified in individual school textbook accounts and ESSER 3.0; and

WHEREAS, the Board of Education approved the purchase on April 11, 2023.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS
FOLLOWS:

SECTION I. That the purchase of replacement math text books as designated by the State Board of Education for K-8 of Kingsport City Schools for FY23, from Tennessee Book Company, in the amount of \$932,811.00 is approved and the city manager is authorized to execute a purchase order for same.

SECTION II. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the public.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, City Attorney

TENNESSEE BOOK COMPANY

QUOTE

1550 HEIL QUAKER BLVD, STE 100
PO BOX 3009
LA VERGNE, TN 37086
615-793-5040

ADOPT

Number	319630
Date	04/04/2023
Page	1

Ship-to: 000
KINGSPORT CITY SCHOOLS
CHERYL TURNER
400 CLINCHFIELD ST. STE-200
KINGSPORT TN 37660

Bill-to: 134
KINGSPORT CITY SCHOOLS
ACCOUNTS PAYABLE OFFICE
415 BROAD ST
KINGSPORT TN 37660

Ordered	Requested	Ordered By	Terms	Wh	Freight	Ship Via
04/04/2023	04/04/2023	134-KINGSPORT CITY	NET 30 DAYS	01	PREPAID	ID/LG AVERITT

Po #:	HOLD FOR PO	Ordered By	CHERYL TURNER
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Item	Description	Isbn-13	Ordered	UM	Price	UM	Extension
T85883825	EUREKA MATH SQUARED G/K TN LEA RN & DIGITAL BNDL 6Y Consisting of:	9798885883825	600	EA	198.00	EA	118800.00
38984849	EUREKA MATH SQUARED G/K TN LEA RN:PART-PART-TOTAL M/1	9781638984849	600	EA			
38984856	EUREKA MATH SQUARED G/K TN LEA RN:PART-PART-TOTAL M/2	9781638984856	600	EA			
38984863	EUREKA MATH SQUARED G/K TN LEA RN:PART-PART-TOTAL M/3	9781638984863	600	EA			
38984870	EUREKA MATH SQUARED G/K TN LEA RN:PART-PART-TOTAL M/4	9781638984870	600	EA			
38984887	EUREKA MATH SQUARED G/K TN LEA RN:PART-PART-TOTAL M/5	9781638984887	600	EA			
38984894	EUREKA MATH SQUARED G/K TN LEA RN:PART-PART-TOTAL M/6	9781638984894	600	EA			
T85883863	EUREKA MATH SQUARED G/1 TN LEA RN & DIGITAL BNDL 6Y Consisting of:	9798885883863	600	EA	198.00	EA	118800.00
38984900	EUREKA MATH SQUARED G/1 TN LEA RN:UNITS OF 10 M/1	9781638984900	600	EA			
38984917	EUREKA MATH SQUARED G/1 TN LEA RN:UNITS OF 10 M/2	9781638984917	600	EA			
38984924	EUREKA MATH SQUARED G/1 TN LEA RN:UNITS OF 10 M/3	9781638984924	600	EA			
38984931	EUREKA MATH SQUARED G/1 TN LEA RN:UNITS OF 10 M/4	9781638984931	600	EA			
38984948	EUREKA MATH SQUARED G/1 TN LEA RN:UNITS OF 10 M/5	9781638984948	600	EA			
38984955	EUREKA MATH SQUARED G/1 TN LEA RN:UNITS OF 10 M/6	9781638984955	600	EA			

Item XII4.

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Continued on next page ...

TENNESSEE BOOK COMPANY

1550 HEIL QUAKER BLVD, STE 100
PO BOX 3009
LA VERGNE, TN 37086
615-793-5040

QUOTE

ADOPT

Number	319630
Date	04/04/2023
Page	2

Ship-to: 000
KINGSPORT CITY SCHOOLS
CHERYL TURNER
400 CLINCHFIELD ST. STE-200
KINGSPORT TN 37660

Bill-to: 134
KINGSPORT CITY SCHOOLS
ACCOUNTS PAYABLE OFFICE
415 BROAD ST
KINGSPORT TN 37660

Ordered	Requested	Ordered By	Terms	Wh	Freight	Ship Via
04/04/2023	04/04/2023	134-KINGSPORT CITY	NET 30 DAYS	01	PREPAID	ID/LG AVERITT

Po #:	HOLD FOR PO	Ordered By	CHERYL TURNER
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Item	Description	Isbn-13	Ordered	UM	Price	UM	Extension
T85883900	EUREKA MATH SQUARED G/2 TN LEA RN & DIGITAL BNDL 6Y Consisting of:	9798885883900	600	EA	198.00	EA	118800.00
38984962	EUREKA MATH SQUARED G/2 TN LEA RN:10 TENS M/1	9781638984962	600	EA			
38984979	EUREKA MATH SQUARED G/2 TN LEA RN:10 TENS M/2	9781638984979	600	EA			
38984986	EUREKA MATH SQUARED G/2 TN LEA RN:10 TENS M/3	9781638984986	600	EA			
38984993	EUREKA MATH SQUARED G/2 TN LEA RN:10 TENS M/4	9781638984993	600	EA			
38985006	EUREKA MATH SQUARED G/2 TN LEA RN:10 TENS M/5	9781638985006	600	EA			
38985013	EUREKA MATH SQUARED G/2 TN LEA RN:10 TENS M/6	9781638985013	600	EA			
T85883948	EUREKA MATH SQUARED G/3 TN LEA RN & DIGITAL BNDL 6Y Consisting of:	9798885883948	600	EA	198.00	EA	118800.00
38985020	EUREKA MATH SQUARED G/3 TN LEA RN:UNITS OF ANY NUMBER M/1	9781638985020	600	EA			
38985037	EUREKA MATH SQUARED G/3 TN LEA RN:UNITS OF ANY NUMBER M/2	9781638985037	600	EA			
38985044	EUREKA MATH SQUARED G/3 TN LEA RN:UNITS OF ANY NUMBER M/3	9781638985044	600	EA			
38985051	EUREKA MATH SQUARED G/3 TN LEA RN:UNITS OF ANY NUMBER M/4	9781638985051	600	EA			
38985068	EUREKA MATH SQUARED G/3 TN LEA RN:UNITS OF ANY NUMBER M/5	9781638985068	600	EA			
38985075	EUREKA MATH SQUARED G/3 TN LEA RN:UNITS OF ANY NUMBER M/6	9781638985075	600	EA			

Item XII4.

Customer Copy

Continued on next page ...

TENNESSEE BOOK COMPANY

1550 HEIL QUAKER BLVD, STE 100
PO BOX 3009
LA VERGNE, TN 37086
615-793-5040

QUOTE

ADOPT

Number	319630
Date	04/04/2023
Page	3

Ship-to: 000
KINGSPORT CITY SCHOOLS
CHERYL TURNER
400 CLINCHFIELD ST. STE-200
KINGSPORT TN 37660

Bill-to: 134
KINGSPORT CITY SCHOOLS
ACCOUNTS PAYABLE OFFICE
415 BROAD ST
KINGSPORT TN 37660

Ordered	Requested	Ordered By	Terms	Wh	Freight	Ship Via
04/04/2023	04/04/2023	134-KINGSPORT CITY	NET 30 DAYS	01	PREPAID	ID/LG AVERITT

Po #:	HOLD FOR PO	Ordered By	CHERYL TURNER
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Item	Description	Isbn-13	Ordered	UM	Price	UM	Extension
T85883986	EUREKA MATH SQUARED G/4 TN LEA RN & DIGITAL BNDL 6Y Consisting of:	9798885883986	600	EA	198.00	EA	118800.00
38985082	EUREKA MATH SQUARED G/4 TN LEA RN:FRACTIONAL UNITS M/1	9781638985082	600	EA			
38985099	EUREKA MATH SQUARED G/4 TN LEA RN:FRACTIONAL UNITS M/2	9781638985099	600	EA			
38985105	EUREKA MATH SQUARED G/4 TN LEA RN:FRACTIONAL UNITS M/3	9781638985105	600	EA			
38985112	EUREKA MATH SQUARED G/4 TN LEA RN:FRACTIONAL UNITS M/4	9781638985112	600	EA			
38985129	EUREKA MATH SQUARED G/4 TN LEA RN:FRACTIONAL UNITS M/5	9781638985129	600	EA			
38985136	EUREKA MATH SQUARED G/4 TN LEA RN:FRACTIONAL UNITS M/6	9781638985136	600	EA			
T85884020	EUREKA MATH SQUARED G/5 TN LEA RN & DIGITAL BNDL 6Y Consisting of:	9798885884020	600	EA	198.00	EA	118800.00
38985143	EUREKA MATH SQUARED G/5 TN LEA RN:FRACTIONS ARE NUMBERS M/1	9781638985143	600	EA			
38985150	EUREKA MATH SQUARED G/5 TN LEA RN:FRACTIONS ARE NUMBERS M/2	9781638985150	600	EA			
38985167	EUREKA MATH SQUARED G/5 TN LEA RN:FRACTIONS ARE NUMBERS M/3	9781638985167	600	EA			
38985174	EUREKA MATH SQUARED G/5 TN LEA RN:FRACTIONS ARE NUMBERS M/4	9781638985174	600	EA			
38985181	EUREKA MATH SQUARED G/5 TN LEA RN:FRACTIONS ARE NUMBERS M/5	9781638985181	600	EA			
38985198	EUREKA MATH SQUARED G/5 TN LEA RN:FRACTIONS ARE NUMBERS M/6	9781638985198	600	EA			

Item XII4.

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Continued on next page ...

TENNESSEE BOOK COMPANY

QUOTE

1550 HEIL QUAKER BLVD, STE 100
PO BOX 3009
LA VERGNE, TN 37086
615-793-5040

ADOPT

Number	319630
Date	04/04/2023
Page	4

Ship-to: 000
KINGSPORT CITY SCHOOLS
CHERYL TURNER
400 CLINCHFIELD ST. STE-200
KINGSPORT TN 37660

Bill-to: 134
KINGSPORT CITY SCHOOLS
ACCOUNTS PAYABLE OFFICE
415 BROAD ST
KINGSPORT TN 37660

Ordered	Requested	Ordered By	Terms	Wh	Freight	Ship Via
04/04/2023	04/04/2023	134-KINGSPORT CITY	NET 30 DAYS	01	PREPAID	ID/LG AVERITT

Po #:	HOLD FOR PO	Ordered By	CHERYL TURNER
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Item	Description	Isbn-13	Ordered	UM	Price	UM	Extension
	Entered by: KRD 04/04/23						

Merchandise	Misc	Tax	Freight	Total Due
712800.00	.00	.00	21176.00	733976.00

\$21384

Item XII4.

Customer Copy

... Last Page

TENNESSEE BOOK COMPANY

QUOTE

1550 HEIL QUAKER BLVD, STE 100
PO BOX 3009
LA VERGNE, TN 37086
615-793-5040

ADOPT

Number	319631
Date	04/04/2023
Page	5

Ship-to: 000
KINGSPORT CITY SCHOOLS
CHERYL TURNER
400 CLINCHFIELD ST. STE-200
KINGSPORT TN 37660

Bill-to: 134
KINGSPORT CITY SCHOOLS
ACCOUNTS PAYABLE OFFICE
415 BROAD ST
KINGSPORT TN 37660

Ordered	Requested	Ordered By	Terms	Wh	Freight	Ship Via
04/04/2023	04/04/2023	134-KINGSPORT CITY	NET 30 DAYS	01	PREPAID	ID/LG AVERITT

Po #:	HOLD FOR PO	Ordered By	CHERYL TURNER
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Item	Description	Isbn-13	Ordered	UM	Price	UM	Extension
T38963820	BIG IDEAS TN MATH G/6 ESSENTIAL SRP 6Y	9781638963820	600	EA	109.00	EA	65400.00
T37368053	Consisting of: BIG IDEAS TN MATH G/6 SE	9781637368053	600	EA			
T38964001	BIG IDEAS TN MATH G/7 ESSENTIAL SRP 6Y	9781638964001	520	EA	109.00	EA	56680.00
T37368084	Consisting of: BIG IDEAS TN MATH G/7 SE	9781637368084	520	EA			
T38964186	BIG IDEAS TN MATH G/8 ESSENTIAL SRP 6Y	9781638964186	498	EA	109.00	EA	54282.00
T37368114	Consisting of: BIG IDEAS TN MATH G/8 SE	9781637368114	498	EA			
Entered by: KRD 04/04/23							

Merchandise	Misc	Tax	Freight	Total Due
176362.00	.00	.00	5332.00	181694.00

\$5291

Item XII4.

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... Last Page

TENNESSEE BOOK COMPANY

QUOTE

1550 HEIL QUAKER BLVD, STE 100
PO BOX 3009
LA VERGNE, TN 37086
615-793-5040

ADOPT

Number	319632
Date	04/04/2023
Page	6

Ship-to: 000
KINGSPORT CITY SCHOOLS
CHERYL TURNER
400 CLINCHFIELD ST. STE-200
KINGSPORT TN 37660

Bill-to: 134
KINGSPORT CITY SCHOOLS
ACCOUNTS PAYABLE OFFICE
415 BROAD ST
KINGSPORT TN 37660

Ordered	Requested	Ordered By	Terms	Wh	Freight	Ship Via
04/04/2023	04/04/2023	134-KINGSPORT CITY	NET 30 DAYS	01	PREPAID	ID/LG AVERITT

Po #:	HOLD FOR PO	Ordered By	CHERYL TURNER
-------	-------------	------------	---------------

Item	Description	Isbn-13	Ordered	UM	Price	UM	Extension
T38964360	BIG IDEAS TN ALG 1 W/CALCCHAT & CALCVIEW ESSENTIAL SRP 6Y	9781638964360	100	EA	115.00	EA	11500.00
T37368145	Consisting of: BIG IDEAS TN ALG 1 W/CALCCHAT & CALCVIEW SE	9781637368145	100	EA			
T38964544	BIG IDEAS TN GEO W/CALCCHAT & CALCVIEW ESSENTIAL SRP 6Y	9781638964544	40	EA	115.00	EA	4600.00
T37368190	Consisting of: BIG IDEAS TN GEO W/CALCCHAT & CALCVIEW SE	9781637368190	40	EA			
Entered by: KRD 04/04/23							

Merchandise	Misc	Tax	Freight	Total Due
16100.00	.00	.00	1041.00	17141.00

\$1000

Item XII4.

Customer Copy

... Last Page



AGENDA ACTION FORM

Consideration of a Resolution Authorizing the Execution of an Amendment Increasing the Agreement with Tyson for Kingsport City Schools Nutrition Services Chicken Commodity Processing and Authorizing the Mayor to Sign All Applicable Documents

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-94-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: KCS Nutrition Services
Presentation By: David Frye

Recommendation:

Approve the resolution.

Executive Summary:

The City for its Kingsport City Schools entered into an agreement with Tyson on July 1, 2020 for chicken commodity processing to maintain a continuous supply for Kingsport City Schools Nutrition Services. The agreement has been extended through June 30, 2023 by amendment.

The state was unable to find bonus pounds of chicken to process to finish the school year and use for our summer feeding program. At this time, School Nutrition Services recommends increasing the agreement amount with Tyson from \$65,000 to \$67,000.

The Board of Education approved this motion on April 11, 2023.

All expenditures from this contract are fully funded by the School Nutrition Services budget. School Nutrition Services is a self-supporting department within Kingsport City Schools. School Nutrition Services receives funding from federal reimbursements, state funding, and revenue generated by meal fees, a la carte items sold and catering.

Attachments:

Resolution
Recommendation

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH TYSON FOR KINGSPORT CITY SCHOOLS NUTRITION SERVICES COMMODITY CHICKEN PROCESSING AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on May 17, 2022, the board approved an amendment to the agreement with Tyson to provide commodity chicken processing to Kingsport City School Nutrition Services for the period of July 1, 2022, through June 30, 2023; and

WHEREAS, the current contract price is \$65,000.00; and

WHEREAS, the state has been unable to find bonus pounds of chicken to process to finish the school year and use for the summer feeding program which will increase the current contract amount; and

WHEREAS, on April 11, 2023, the Board of Education approved the execution of an amendment to increase the amount of the agreement to \$67,000.00 through June 30, 2023.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That an amendment of the agreement with Tyson for commodity chicken processing for Kingsport City Schools Nutrition Services for the not to exceed amount of \$67,000.00 is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment for the same and all documents necessary and proper, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution, said agreement being as follows:

**AMENDMENT TO THE AGREEMENT
ENTERED INTO BETWEEN TYSON
AND CITY OF KINGSPORT, TENNESSEE FOR ITS KINGSPORT CITY SCHOOLS**

On July 1, 2020 an Agreement was entered into by and between Gordon Food Service, Inc., (hereinafter Contractor) and the City of Kingsport Tennessee (hereinafter City). An Addendum to the Agreement was executed on May 18, 2022 to include the period of July 1, 2022 through June 30, 2023. The terms of the Agreement are hereby amended as set forth herein.

SECTION 3. THE CONTRACT PRICE. The City shall pay, in current fund, the Contractor for the performance of this Contract on the basis of the unit price cost per unit, as set forth in SECTION 1 above, and as set out and stipulated in the bid or proposal of said Contract, and the total cost of SIXTY SEVEN THOUSAND DOLLARS AND ZERO CENTS (\$67,000.00) is an estimated total cost, based upon the number of units required for the performance of this Contract and in the event there is any variation in the units actually required in the performance of this Contract, and the

estimate made above, then the unit price shall in all things control, so that the total estimated cost of SIXTY SEVEN THOUSAND DOLLARS AND ZERO CENTS (\$67,000.00) is subject to being increased in the event the units required for this Contract are greater than that estimated, and is subject to being decreased in the event said units are less than that estimated; which said payment, based upon the unit costs mentioned above, shall be full compensation for all materials and supplies furnished, and all labor done by the Contractor under and pursuant to this Agreement, and said sum shall also pay for all losses or damages of the Contractor arising out of the nature of the work, and for any and all expenses incurred in consequence of the work under this Contract, and for the well and faithful performance of said Contract.

By our signatures we have read the above terms of this Addendum and agree with the terms.

Except as hereby amended, all other terms and conditions of the Agreement effective July 1, 2020 as amended by agreement dated May 17, 2022 shall remain in full force and effect.

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreements set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

MEMORANDUM

TO: KCS Board of Education/Board of Mayor and Alderman

FROM: Jennifer Walker, Supervisor of School Nutrition

DATE: 04/05/2023

RE: Commodity Chicken Processing Contract Renewals

Recommendation: Amend renewal agreement for Tyson and Gold Creek chicken contracts

Kingsport City entered into an agreement with two vendors: Tyson Foods, Inc. and Gold Creek Foods, Inc. to process bulk USDA bulk large chickens into various chicken items beginning July 1, 2020-June 30 2021 and maintain a continuous supply to KCS school nutrition.

The state was able to find bonus pounds of chicken to process to finish the school year and use for our summer feeding program which will increase our contract spend amount.

The current contract not to exceed spend amounts is \$65,000 for Tyson Chicken and \$65,000 for Gold Creek Chicken. KCS School Nutrition recommends to increase these amounts to \$67,000 for Tyson and \$86,000 for Gold Creek.

All expenditures from this contract are fully funded by the School Nutrition Services budget. School Nutrition Services is a self-supporting department within Kingsport City Schools. We receive funding from federal reimbursements, state funding and revenue generated by meal fees, a la carte items sold and catering.



AGENDA ACTION FORM

Consideration of a Resolution to Award the Bid for School Nutrition Services Produce Products to Crook Brothers and Authorize the Mayor to Sign All Applicable Documents

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-87-2023
Work Session: April 18, 2023
First Reading: N/A

Final Adoption: April 19, 2023
Staff Work By: Committee
Presentation By: David Frye

Recommendation:

Approve the Resolution

Executive Summary:

Kingsport City Schools Nutrition Services administers a contract for Produce Products to maintain a continual supply of items for Kingsport City Schools. An Invitation to Bid was opened on March 1, 2023. There was one bid response from Crook Brothers. The bid was reviewed by School Nutrition and a recommendation was presented to the Board of Education on April 11, 2023 to award the contract to Crook Brothers. The Board of Education approved the recommendation. Kingsport City Schools Nutrition Services is now requesting the Board of Mayor and Alderman approve the resolution to award Crook Brothers the bid for the not to exceed contract amount of \$150,000.00 and authorize the Mayor to sign all applicable documents.

This contract will have an initial term of July 1, 2023 through June 30, 2024. The contract provides an option to renew annually for up to three additional years providing all terms, conditions and cost are acceptable to both parties. The City of Kingsport may rebid the contract at any time.

Funding for the purchases made on this contract will be provided by School Nutrition Services budget.

Attachments:

Bid Minutes
Letter of Recommendation
Resolution

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDDING THE BID FOR SCHOOL NUTRITION PRODUCE PRODUCTS TO CROOK BROTHERS AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, bids were opened March 1, 2023, for the produce products to be provided to Kingsport City School Nutrition Services for the period of July 1, 2023, through June 30, 2024; and

WHEREAS, upon review of the bids, the board finds Crook Brothers is the lowest responsible compliant bidder meeting specifications for the particular grade or class of material, work or service desired and is in the best interest and advantage to the city, and the City of Kingsport desires to enter into an agreement for the purchase of various produce products from Crook Brothers at an estimated amount not to exceed \$150,000.00; and

WHEREAS, the Board of Education approved the recommendation on April 11, 2023; and

WHEREAS, the terms of the agreement include a renewal option on an annual basis in one year increments for up to four additional years providing all terms, conditions and cost are acceptable to both parties; and

WHEREAS, funding is identified in the school nutrition services budget;

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the bid for the various produce products for Kingsport City School Nutrition Services at a cost not to exceed \$150,000.00 is awarded to Crook Brothers, and the mayor is authorized to execute an agreement for same and all documents necessary and proper to effectuate the purpose of the agreement.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an agreement with Crook Brothers for produce products for Kingsport City School Nutrition Services for the period of July 1, 2023, to June 30, 2024, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the public.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY

MINUTES
BID OPENING
March 1, 2023
4:00 P.M.

Present: Brent Morelock, Procurement Manager; and Nikisha Eichmann, Assistant Procurement Manager;

The Bid Opening was held in Conference Room 436, 4th Floor, City Hall.

The Procurement Manager opened with the following bids:

Produce Products for Kingsport City Schools Nutrition Services Program	
Vendor:	Total Cost:
Crook Brothers	\$101,914.10

The submitted bids will be evaluated and a recommendation made at a later date.

MEMORANDUM

TO: KCS Board of Education/Board of Mayor and Alderman

FROM: Jennifer Walker, Supervisor of School Nutrition

DATE: 04/5/2023

RE: School Nutrition Produce Bid

Recommendation: To approve school nutrition produce bid

Kingsport City advertised an intent to bid for a continuous supply of fresh produce for school nutrition starting February 12 and opened bids on March 1, 2023. There was only one bid, Crooks Brothers, who has satisfactorily serviced school nutrition since, July, 2014. The agreement included an option to renew the contract for up to three additional years in one year increments, providing pricing and quality of service is acceptable to the City of Kingsport.

The contract not to exceed spend amount will be \$150,000.00 dollars. KCS School Nutrition recommends to accept this agreement beginning July 1, 2023 through June 30, 2024.

All expenditures from this contract are fully funded by the School Nutrition Services budget. School Nutrition Services is a self-supporting department within Kingsport City Schools. We receive funding from federal reimbursements, state funding and revenue generated by meal fees, a la carte items and catering.



AGENDA ACTION FORM

Consideration of a Resolution to Authorize the Purchase of Foodservice Equipment for School Nutrition Services from Tri-Mark Strategic Equipment LLC dba Strategic Equipment Inc. Utilizing the Sourcewell Cooperative Purchasing Agreement

To: Board of Mayor and Aldermen

From: Chris McCartt, City Manager *CM*

Action Form No.: AF-92-2023
Work Session: April 17, 2023
First Reading: N/A

Final Adoption: April 18, 2023
Staff Work By: Committee
Presentation By: David Frye

Recommendation:

Approve the resolution.

Executive Summary:

City of Kingsport School Nutrition Services Program requests approval to purchase foodservice equipment items for various school locations utilizing the Sourcewell Cooperative Purchasing Agreement with Tri-Mark Strategic Equipment, LLC, dba Strategic Equipment Inc. The City of Kingsport for its School Nutrition Services Program received a quote from Tri-Mark Strategic Equipment, LLC, an authorized distributor of foodservice equipment, in the amount of \$314,851.84. The quoted price includes delivery and installation of equipment at each location.

On April 11, 2023, School Nutrition Services received approval from the Board of Education to make this purchase from Tri-Mark through the Sourcewell Cooperative Purchasing Agreement.

All expenditures from this contract are fully funded by the School Nutrition Services budget. School Nutrition Services is a self-supporting department within Kingsport City Schools.

Attachments:

Resolution
Quote

	Y	N	O
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE A PURCHASE ORDER TO TRI-MARK STRATEGIC
EQUIPMENT LLC D/B/A STRATEGIC EQUIPMENT INC. FOR
FOODSERVICE EQUIPMENT FOR SCHOOL NUTRITION
SERVICES AT VARIOUS SCHOOL LOCATIONS

WHEREAS, the School Nutrition Services Program recommends the purchase of foodservice equipment from Tri-Mark Strategic Equipment LLC d/b/a Strategic Equipment Inc. utilizing the Sourcewell Purchasing Cooperative Contract; and

WHEREAS, Tennessee Code Annotated section 12-3-1205 permits city to participate in a cooperative purchasing agreement for procurement of goods; and

WHEREAS, the city participates in the Sourcewell purchasing cooperative; and

WHEREAS, the city through the Sourcewell Cooperative Purchasing Contract would like to purchase foodservice equipment from Tri-Mark Strategic Equipment LLC d/b/a Strategic Equipment, Inc., for various School Nutrition Services locations within Kingsport City Schools in the amount of \$314,851.84; and

WHEREAS, in order to purchase the equipment, a purchase order needs to be issued to Strategic Equipment Inc. in the amount of \$314,851.84;

WHEREAS, this action was approved by the Board of Education on April 11, 2023; and

WHEREAS, funding for this equipment will come from the School Nutrition Services budget, which is a self-supporting department within Kingsport City Schools.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the city manager is authorized to execute a purchase order to Tri-Mark Strategic Equipment LLC dba Strategic Equipment Inc. for the purchase of foodservice equipment by School Nutrition Services in the amount of \$314,851.84.

SECTION II. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION III. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 18th day of April, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY



Foodservice Equipment, Supplies and Design

Quote

04/04/2023

Strategic Equipment, LLC

dba TriMark Strategic

dba TriMark Foodcraft

dba ISI Commercial Refrigeration

To: Jennifer Walker	Project: Kiingsport City Schools 2023 Large Equipment Bid Kingsport, TN	From: Strategic Equipment, Inc. Kevin Horne 3011 Industrial Parkway East Knoxville, TN 37921 (865) 637-2525 Cell (423) 534-3402
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Job Reference Number: 68438


Thank you for allowing TriMark the opportunity to provide pricing. Please be aware in this very unstable market; manufacturers are experiencing delays, pricing increases and additional freight surcharges and storage fees. **As such, quotes will remain in effect for 10 days.** TriMark reserves the right to make any corrections or adjustments due to cost increases, market fluctuations, supply chain disruptions, tariffs, third party supplier changes in cost, general contractor delays, or any other factors outside of TriMark's control at any time prior to delivery. We apologize for the inconvenience.

For all custom fabricated equipment, exhaust hoods, walk-in coolers/freezers, and all items requiring owner selections of colors or laminate finishes, these prices are current estimates. We will re-quote those items based on the manufacturers' prices in effect at the time when field measurements can be taken and/or color/laminate selections are made by the owner. This policy also applies to all items of standard manufacture that cannot be shipped immediately upon fabrication to an owner's or general contractor's facility.

Item	Qty	Description	Sell	Sell Total
0000		ROSS N ROBINSON MIDDLE SCHOOL		
1	1 ea	MOBILE HEATED CABINET	\$5,393.08	\$5,393.08
		FWE / Food Warming Equipment Co., Inc. Model No. MTU-12 Quick Ship - Heated Cabinet, mobile, (12) pair universal tray slides, (12) 18" x 26" or (24) 12" x 20" pan capacity 4-1/2" OC, adjustable on 1- 1/2" increments, insulated, moisture-temp system, electronic controls, insulated, removable water reservoir, (1) flush mounted door, stainless steel interior & exterior, 5" casters (2) rigid & (2) swivel with brakes, NSF, CE, cULus, IPX4, ENERGY STAR®		
	1 ea	Two year limited parts & one year labor warranty, standard		



Item	Qty	Description	Sell	Sell Total
	1 ea	120v/50/60/1-ph, 13.8 amps, 1650 watts, NEMA 5-15P, standard (US)		
	1 ea	See-thru Lexan door add suffix "L" to model number, per door	\$248.94	\$248.94
	1 ea	Full Perimeter Bottom Bumper	\$159.55	\$159.55
	1 ea	Push/Pull Handle, pair	\$77.85	\$77.85
ITEM TOTAL:				\$5,879.42
2	1 ea	MICROWAVE STEAMER OVEN Panasonic Model No. NE-3280 PRO2 Sonic Steamer Microwave Oven, ventless, 3200 Watts, 1.6 cu. ft. capacity, connectionless, rethermalizer, (5) power levels, (4) heating elements, 3-stage cooking, 16 program memory capacity, digital display, dial timer, removable center shelf, see-thru drop down door, stainless steel cabinet & cavity, cULus, NSF	\$4,468.74	\$4,468.74
	1 ea	3 year parts & labor warranty and 3 year magnetron warranty		
	1 ea	208v/60/1-ph, 28.0 amps, NEMA 6-30P, standard		
	2 ea	Carlisle 10401B13 StorPlus™ High Heat Hot Food Pan, 1/1 full size, 12.7 qt. capacity, 4" deep, easy-lift notch, capacity indicators, reinforced corners, chip/crack resistant, temperature range: -40° to 380°F, stackable, dishwasher safe, textured non-slip finish, polyether sulfone, amber, NSF, Made in USA, BPA free	\$49.41	\$98.82
	2 ea	Carlisle 10410U13 StorPlus™ High Heat Universal Lid, for 1/1 full-size food pan, handled, solid, stackable, temperature range: -40° to 380°F, dishwasher safe, textured non-slip finish, polyether sulfone, amber, BPA free, NSF, Made in USA	\$28.75	\$57.50
	4 ea	Carlisle 10421B13 StorPlus™ High Heat Hot Food Pan, 1/2 size, 5.5 qt. capacity, 4" deep, easy-lift notch, capacity indicators, reinforced corners, chip/crack resistant, temperature range: -40° to 380°F, stackable, dishwasher safe, textured non-slip finish, polyether sulfone, amber, NSF, Made in USA, BPA free	\$21.20	\$84.80
	4 ea	Carlisle 10430U13 StorPlus™ High Heat Universal Lid, for 1/2-size food pan, handled, solid, stackable, temperature range: -40° to 380°F, dishwasher safe, textured non-slip finish, polyether sulfone, amber, BPA free, NSF, Made in USA	\$13.29	\$53.16
ITEM TOTAL:				\$4,763.02
2.1	1 ea	MICROWAVE STAND Titan Stainless Model No. 32FMDS-24 Microwave Stand, Floor mount, 32"W x 24"D, tubular legs, 16/300 stainless steel construction	\$1,564.96	\$1,564.96
	1 ea	C4 Casters, 5"H, (2) with brake (set of 4)	\$169.25	\$169.25
	1 ea	MOD 48" High & Constructed of 1-1/2" Square Tubing		
ITEM TOTAL:				\$1,734.21
0000		PALMER CENTER PRE-SCHOOL		
4	1 ea	MICROWAVE STEAMER OVEN	\$4,468.74	\$4,468.74

Item	Qty	Description	Sell	Sell Total
		Panasonic Model No. NE-3280 PRO2 Sonic Steamer Microwave Oven, ventless, 3200 Watts, 1.6 cu. ft. capacity, connectionless, rethermalizer, (5) power levels, (4) heating elements, 3-stage cooking, 16 program memory capacity, digital display, dial timer, removable center shelf, see-thru drop down door, stainless steel cabinet & cavity, cULus, NSF		
	1 ea	3 year parts & labor warranty and 3 year magnetron warranty		
	1 ea	208v/60/1-ph, 28.0 amps, NEMA 6-30P, standard		
	2 ea	Carlisle 10401B13 StorPlus™ High Heat Hot Food Pan, 1/1 full size, 12.7 qt. capacity, 4" deep, easy-lift notch, capacity indicators, reinforced corners, chip/crack resistant, temperature range: -40° to 380°F, stackable, dishwasher safe, textured non-slip finish, polyether sulfone, amber, NSF, Made in USA, BPA free	\$49.41	\$98.82
	2 ea	Carlisle 10410U13 StorPlus™ High Heat Universal Lid, for 1/1 full-size food pan, handled, solid, stackable, temperature range: -40° to 380°F, dishwasher safe, textured non-slip finish, polyether sulfone, amber, BPA free, NSF, Made in USA	\$28.75	\$57.50
	4 ea	Carlisle 10421B13 StorPlus™ High Heat Hot Food Pan, 1/2 size, 5.5 qt. capacity, 4" deep, easy-lift notch, capacity indicators, reinforced corners, chip/crack resistant, temperature range: -40° to 380°F, stackable, dishwasher safe, textured non-slip finish, polyether sulfone, amber, NSF, Made in USA, BPA free	\$21.20	\$84.80
	4 ea	Carlisle 10430U13 StorPlus™ High Heat Universal Lid, for 1/2-size food pan, handled, solid, stackable, temperature range: -40° to 380°F, dishwasher safe, textured non-slip finish, polyether sulfone, amber, BPA free, NSF, Made in USA	\$13.29	\$53.16
ITEM TOTAL:				\$4,763.02
4.1	1 ea	MICROWAVE STAND Titan Stainless Model No. 32FMDS-24 Microwave Stand, Floor mount, 32"W x 24"D, tubular legs, 16/300 stainless steel construction	\$1,564.96	\$1,564.96
	1 ea	C4 Casters, 5"H, (2) with brake (set of 4)	\$169.25	\$169.25
	1 ea	MOD 48" High & Constructed of 1-1/2" Square Tubing		
ITEM TOTAL:				\$1,734.21
0000		ABRAHAM LINCOLN ELEMENTARY SCHOOL		
6	1 ea	MOBILE HEATED CABINET FWE / Food Warming Equipment Co., Inc. Model No. MTU-12 Quick Ship - Heated Cabinet, mobile, (12) pair universal tray slides, (12) 18" x 26" or (24) 12" x 20" pan capacity 4-1/2" OC, adjustable on 1-1/2" increments, insulated, moisture-temp system, electronic controls, insulated, removable water reservoir, (1) flush mounted door, stainless steel interior & exterior, 5" casters (2) rigid & (2) swivel with brakes, NSF, CE, cULus, IPX4, ENERGY STAR®	\$5,393.08	\$5,393.08
	1 ea	Two year limited parts & one year labor warranty, standard		

Item	Qty	Description	Sell	Sell Total
	1 ea	120v/50/60/1-ph, 13.8 amps, 1650 watts, NEMA 5-15P, standard (US)		
	1 ea	All Swivel Casters	\$31.72	\$31.72
	1 ea	Full Perimeter Bottom Bumper	\$159.55	\$159.55
	1 ea	Push/Pull Handle, pair	\$77.85	\$77.85
		ITEM TOTAL:		\$5,662.20
7	1 ea	HOT WATER DISPENSER	\$3,543.65	\$3,543.65
		Hatco Model No. AWD-12		
		Atmospheric Hot Water Dispenser, countertop design, 12-gallon capacity, automatic fill, pushbutton portion control, low water cut-off, electronic temp. control with digital display, stainless steel tank & base, cULus, UL EPH Classified, Made in USA		
	1 ea	NOTE: Sale of this product must comply with Hatco's Minimum Resale Price Policy; consult order acknowledgement for details		
	1 ea	NOTE: Includes 24/7 parts & service assistance, call 414-671-6350		
	1 ea	208v/60/1-ph, 5.0 kW		
	1 ea	Standard plug NEMA 6-30P		
	1 ea	AWD-PLUMB 3 ft. rubber drain hose with 10 ft. 1/4" inlet tubing	\$50.60	\$50.60
		ITEM TOTAL:		\$3,594.25
8	1 ea	WORK TABLE, STAINLESS STEEL TOP	\$992.92	\$992.92
		Titan Stainless Model No. 3SLUB-30		
		Work Table, 36"W x 30"D x 41"H, 16/300 stainless steel top, backsplash, legs, undershelf & adjustable bullet feet, NSF		
		ITEM TOTAL:		\$992.92
9	1 ea	MILK COOLER	\$8,693.12	\$8,693.12
		Traulsen Model No. RMC58D6		
		Spec-Line Forced-Air Double Access Milk Cooler, sliding door, holds (16) 13"x13" crates or (10) 13"x19" milk crates, stainless steel interior and exterior, reinforced floor, sliding caster rails, (4) heavy-duty stainless steel dunnage racks, top-mount refrigeration system, digital control, E-Z clean gaskets, floor drain, 6" factory mounted adjustable casters, 1/3 hp, cETLus, NSF		
	1 ea	3 year service/labor, 5 year compressor warranty, standard		
	1 ea	115v/60/1-ph, 7.2 amps, NEMA 5-15P		
		ITEM TOTAL:		\$8,693.12
SL1	1 ea	SERVING COUNTER, UTILITY	\$5,046.50	\$5,046.50
		Duke Manufacturing Model No. TST-88PG		
		Thurmaduke™ Solid Top Unit, mobile utility counter, 88"W x 32"D x 36"H, 16ga stainless steel top, 20ga paint grip steel body & undershelves, 5" dia. gray poly swivel casters & brakes, NSF		
	1 ea	217102 Silver Hammer powder coat paint finish		
	1 ea	MOD-14-6 14ga stainless steel top, in lieu of standard	\$340.27	\$340.27
	1 ea	ILD Internal Locking Device (on both ends), stainless steel pin & latch	\$207.04	\$207.04

Item	Qty	Description	Sell	Sell Total
		line up device under countertop, per unit price (Note: Units required to be portable)		
	1 ea	SOLID-HD-6CU Tray Slide, customer's side, 88" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high (specify any special height) ***Mounted at 29"***	\$1,185.66	\$1,185.66
	5 ea	CUT-OP2 Rectangular cutout with raw edge, must be 12" or less, in counter top, body panel or a shelf (specify cutout size & location)	\$70.93	\$354.65
	1 ea	CUT-OP3 Rectangular cutout with reinforced edges, in counter top, body panel or a shelf, counter top max. right to left is 4" less than unit length (specify cutout size & location)	\$176.36	\$176.36
	1 ea	TDST-X-1 For special length not listed (maximum one-piece length of 88"): To next longer standard unit price...ADD (for TST models)	\$344.10	\$344.10
	1 ea	TS462-88 Contemporary Food Shield, 87-1/2"W x 20"D x 20-1/8"H, adjustable from full-service to self-service guard, single shelf, sloped guard with fixed end closures, 3/8" glass overshef & guard with 1/4" glass ends (tempered with polished rounded edges), sloped Ø 1" tube posts, stainless steel finish posts mounted through countertop with mounting flange	\$4,191.52	\$4,191.52
	1 ea	MOD-SPL Special length overshef, to next longest size, ADD	\$348.89	\$348.89
	1 ea	TS400LED-6 LED light under shelf & wired to base, 120v/60/1-ph (this may require cord & plug option)	\$1,761.72	\$1,761.72
	1 ea	TS400HT-6 Radiant Heater, under shelf & wired to base, 120v/60/1-ph (this may require cord & plug option)	\$2,508.39	\$2,508.39
	1 ea	TDST-MOD For special height rail	\$348.89	\$348.89
	1 ea	ICB CUSTOM Electric inter connect box with outlets breakers and cord, mounted in the base	\$2,114.45	\$2,114.45
ITEM TOTAL:				\$18,928.44

SL1.1	1 ea	HOT FOOD WELL UNIT, DROP-IN, ELECTRIC Duke Manufacturing Model No. WW-5 Waterless Hot Food Well Drop-In Unit, electric, dry operation, with (5) 12" x 20" hot food well, 76-1/2"W x 23-1/2"D x 10.3"H, stainless steel well, removable FDA approved black silicone rubber liner, fully insulated galvanized exterior housing, touch screen control panel, (3) preset temperatures, Wi-Fi enabled, without drain, 72" control wire, includes spacing rim, UL EPH Classified, cULus	\$9,713.44	\$9,713.44
	1 ea	WW-5-208 208v/60/1-ph, 12.0 amps, (5) NEMA 6-20P		
ITEM TOTAL:				\$9,713.44

SL2	1 ea	SERVING COUNTER, UTILITY Duke Manufacturing Model No. TST-74PG Thurmaduke™ Solid Top Unit, mobile utility counter, 74"W x 32"D x 36"H, 16ga stainless steel top, 20ga paint grip steel body & undershelves, 5" dia. gray poly swivel casters & brakes, NSF	\$4,473.32	\$4,473.32
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Item	Qty	Description	Sell	Sell Total
	1 ea	217102 Silver Hammer powder coat paint finish		
	1 ea	MOD-14-5 14ga stainless steel top, in lieu of standard	\$291.38	\$291.38
	1 ea	ILD Internal Locking Device (on both ends), stainless steel pin & latch line up device under countertop, per unit price (Note: Units required to be portable)	\$207.04	\$207.04
	1 ea	SOLID-HD-5CU Tray Slide, customer's side, 74" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high (specify any special height) ***Mounted at 29"***	\$1,039.01	\$1,039.01
	1 ea	CORD 6 ft. cord & plug	\$41.22	\$41.22
	1 ea	E-OP2 Electric outlet, mounted in base, with galvanized junction box, duplex or single receptacle & stainless steel cover, wired to existing power source	\$266.46	\$266.46
	2 ea	CUT-OP2 Rectangular cutout with raw edge, must be 12" or less, in counter top, body panel or a shelf (specify cutout size & location)	\$70.93	\$141.86
	1 ea	CUT-OP3 Rectangular cutout with reinforced edges, in counter top, body panel or a shelf, counter top max. right to left is 4" less than unit length (specify cutout size & location)	\$176.36	\$176.36
	1 ea	MOD-31 For special height unit: 32" height	\$302.89	\$302.89
	1 ea	LOUVER Stainless louvered panel at customer side for drop-in ventilation	\$1,094.61	\$1,094.61
	1 ea	TDST-MOD For special height rail	\$348.89	\$348.89
ITEM TOTAL:				\$8,383.04
SL2.1	1 ea	HOT / COLD SHELF Duke Manufacturing Model No. HF64-2-FOL-FOL HotFrost™ Refrigerated cold only shelf merchandiser, 2-tier cold only food display, drop-in unit, 64"W x 24"D, fits (2) 18 x 26" pan per shelf, individually controlled tiers, programmable color touch screen control, stainless steel body and shelves, self contained refrigeration, 120v/60/1 phase, 9.8 amps, NEMA 5-15P	\$19,170.00	\$19,170.00
ITEM TOTAL:				\$19,170.00
SL4	2 ea	CASH REGISTER STAND Duke Manufacturing Model No. TCS-30PG Thurmaduke™ Cashier Stand, mobile, 30"W, 32"D, 36"H, 16ga stainless top, 20ga paint grip steel body & partial undershelf, stainless steel tube foot rest, 5" dia. gray poly swivel casters & brakes, NSF	\$2,654.09	\$5,308.18
	2 ea	217102 Silver Hammer powder coat paint finish		
	2 ea	CS-DR Stainless steel drawer, no lock, for TCS cashier stand	\$437.08	\$874.16
	2 ea	MOD-14-2 14ga stainless steel top, in lieu of standard	\$145.69	\$291.38
	2 ea	SOLID-HD-32CL Tray Slide, cashier's left, 32" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high (specify any special height)	\$529.09	\$1,058.18


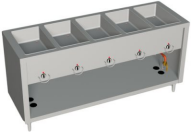
Item	Qty	Description	Sell	Sell Total
	2 ea	SOLID-HD-32CR Tray Slide, cashier's right, 32" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high (specify any special height)	\$529.09	\$1,058.18
	2 ea	CORD 6 ft. cord & plug	\$41.22	\$82.44
	2 ea	E-OP2 Electric outlet, mounted in base, with galvanized junction box, duplex or single receptacle & stainless steel cover, wired to existing power source	\$266.46	\$532.92
	2 ea	CUT-OP1-G Round cutout with grommet, in counter top, body panel or a shelf (specify cutout diameter & location)	\$70.93	\$141.86
ITEM TOTAL:				\$9,347.30

0000 THEODORE ROOSEVELT ELEMENTARY SCHOOL

10	1 ea	TILTING SKILLET BRAISING PAN, ELECTRIC	\$21,239.34	\$21,239.34
		Vulcan Model No. VE30		
		Braising Pan, electric, 30-gallon capacity, 12 kW FastBatch™ embedded heating technology, 36" wide open base, manual tilt, 9" deep stainless steel pan with gallon markings, pouring lip & removable strainer, pan holder, spring assist cover with drip edge, water tight solid state controls, includes L faucet bracket, 12" stainless steel legs with adjustable flanged feet, cULus, UL EPH Classified		
	1 ea	1 year limited parts & labor warranty, standard		
	1 ea	K-12 School Nutrition extended warranty extends the warranty for 12 months beyond the 12 month Original Equipment Warranty, not to exceed 24 months from date of installation		
	1 ea	208v/60/3-ph, 12 kW, 33.0 amps, direct wire		
	1 ea	BPDOV-1 2" draw-off valve, left front straight with strainer (pan support not available on 30-gallon)	\$1,417.78	\$1,417.78
ITEM TOTAL:				\$22,657.12

0000 ANDREW JACKSON ELEMENTARY SCHOOL

11	1 ea	ICE MAKER, CUBE-STYLE	\$3,537.58	\$3,537.58
		Hoshizaki Model No. KM-350MAJ		
		Ice Maker, Cube-Style, 22"W, air-cooled, self-contained condenser, production capacity up to 489 lb/24 hours at 70°/50° (393 lb AHRI certified at 90°/70°), crescent cube style, stainless steel finish, R-404A refrigerant, 115v/60/1-ph, 9.05 amps, NSF, UL, ENERGY STAR®		
	1 ea	Warranty: 3-Year parts & labor on entire machine		
	1 ea	Warranty: 5-Year parts & labor on evaporator		
	1 ea	Warranty: 5-Year parts on compressor & air-cooled condenser		
	1 ea	H9320-51 Water Filtration System, single configuration, 18.4" H (manifold & cartridge)	\$250.41	\$250.41
	1 ea	Warranty: 1-Year on entire water filtration system & replaceable elements, standard		
ITEM TOTAL:				\$3,787.99
13	1 ea	MICROWAVE STEAMER OVEN	\$4,468.74	\$4,468.74

Item	Qty	Description	Sell	Sell Total
		Panasonic Model No. NE-3280 PRO2 Sonic Steamer Microwave Oven, ventless, 3200 Watts, 1.6 cu. ft. capacity, connectionless, rethermalizer, (5) power levels, (4) heating elements, 3-stage cooking, 16 program memory capacity, digital display, dial timer, removable center shelf, see-thru drop down door, stainless steel cabinet & cavity, cULus, NSF		
	1 ea	3 year parts & labor warranty and 3 year magnetron warranty		
	1 ea	208v/60/1-ph, 28.0 amps, NEMA 6-30P, standard		
	2 ea	Carlisle 10401B13 StorPlus™ High Heat Hot Food Pan, 1/1 full size, 12.7 qt. capacity, 4" deep, easy-lift notch, capacity indicators, reinforced corners, chip/crack resistant, temperature range: -40° to 380°F, stackable, dishwasher safe, textured non-slip finish, polyether sulfone, amber, NSF, Made in USA, BPA free	\$49.41	\$98.82
	2 ea	Carlisle 10410U13 StorPlus™ High Heat Universal Lid, for 1/1 full-size food pan, handled, solid, stackable, temperature range: -40° to 380°F, dishwasher safe, textured non-slip finish, polyether sulfone, amber, BPA free, NSF, Made in USA	\$28.75	\$57.50
	4 ea	Carlisle 10421B13 StorPlus™ High Heat Hot Food Pan, 1/2 size, 5.5 qt. capacity, 4" deep, easy-lift notch, capacity indicators, reinforced corners, chip/crack resistant, temperature range: -40° to 380°F, stackable, dishwasher safe, textured non-slip finish, polyether sulfone, amber, NSF, Made in USA, BPA free	\$21.20	\$84.80
	4 ea	Carlisle 10430U13 StorPlus™ High Heat Universal Lid, for 1/2-size food pan, handled, solid, stackable, temperature range: -40° to 380°F, dishwasher safe, textured non-slip finish, polyether sulfone, amber, BPA free, NSF, Made in USA	\$13.29	\$53.16
ITEM TOTAL:				\$4,763.02
13.1	1 ea	MICROWAVE STAND Titan Stainless Model No. 32FMDS-24 Microwave Stand, Floor mount, 32"W x 24"D, tubular legs, 16/300 stainless steel construction	\$1,564.96	\$1,564.96
	1 ea	C4 Casters, 5"H, (2) with brake (set of 4)	\$169.25	\$169.25
	1 ea	MOD 48" High & Constructed of 1-1/2" Square Tubing		
ITEM TOTAL:				\$1,734.21
16	1 ea	HOT FOOD SERVING COUNTER / TABLE Duke Manufacturing Model No. E305-25PG AeroServ™ Hot Food Unit, electric, 74"W x 24.5"D x 36"H, 20ga stainless steel top, (5) stainless steel heat wells, drains, copper manifolds, (1) valve, infinite controls, paint grip steel body and undershelf, 6" stainless steel legs & adjustable feet, cULus, UL EPH Classified (NOTE: Electric values & plug configurations change for 3 phase or when adding electric options - Contact Factory for more info)	\$4,000.78	\$4,000.78
				
	1 ea	E30525-208-3 208v/60/3-ph, 4500 watts, 12.5 amps	\$226.21	\$226.21
	1 ea	217120 Sky Blue powder coat paint finish		



Item	Qty	Description	Sell	Sell Total
	1 ea	SOLID-HD-5CU Tray Slide, customer's side, 74" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high: Tray slides to be 27" high	\$1,039.01	\$1,039.01
	1 ea	MOD-SPH Special height unit -30" height	\$348.89	\$348.89
	1 ea	839-1SN Buffet Shelf, 72-3/8" W x 10-1/2" D x 20" H, stainless steel construction, with glass sneeze guard on (1) side only, without lights, heat rod or lamps, 1/4" acrylic end guards, NSF	\$1,620.82	\$1,620.82
	1 ea	FL-5 Fluorescent Lights, mounted under shelf, wired to base, for 72-1/2" long models, 120v/60/1-ph	\$1,153.08	\$1,153.08
ITEM TOTAL:				\$8,388.79

0000 **KINGSPORT CITY SCHOOLS SNS WAREHOUSE**



19	1 ea	MOBILE HEATED CABINET	\$5,393.08	\$5,393.08
		FWE / Food Warming Equipment Co., Inc. Model No. MTU-12 Quick Ship - Heated Cabinet, mobile, (12) pair universal tray slides, (12) 18" x 26" or (24) 12" x 20" pan capacity 4-1/2" OC, adjustable on 1-1/2" increments, insulated, moisture-temp system, electronic controls, insulated, removable water reservoir, (1) flush mounted door, stainless steel interior & exterior, 5" casters (2) rigid & (2) swivel with brakes, NSF, CE, cULus, IPX4, ENERGY STAR®		
	1 ea	Two year limited parts & one year labor warranty, standard		
	1 ea	120v/50/60/1-ph, 13.8 amps, 1650 watts, NEMA 5-15P, standard (US)		
	1 ea	See-thru Lexan door add suffix "L" to model number, per door	\$248.94	\$248.94
	1 ea	Full Perimeter Bottom Bumper	\$159.55	\$159.55
	1 ea	Push/Pull Handle, pair	\$77.85	\$77.85
ITEM TOTAL:				\$5,879.42



0000 **JOHN SEVIER MIDDLE SCHOOL**

21	1 ea	PASS-THRU HEATED CABINET	\$23,004.00	\$23,004.00
		Traulsen Model No. RHF232WP-FHS Spec-Line Heated Cabinet, Pass-thru, two-section, stainless steel exterior and interior, standard depth cabinet, full-height door or doors with Santoprene® EZ-Clean Gaskets, (3) clear coated adjustable shelves per section, microprocessor controls, 6" adjustable stainless steel legs, NSF, UL rated, ENERGY STAR®		
	1 ea	208/115v/60/1-ph, 15.5 amps, standard		
	1 ea	3 year service/labor warranty, standard		
	1 ea	Full height glass door in lieu of solid, per door	\$942.68	\$942.68
	1 ea	Full height glass door in lieu of solid, per door	\$942.68	\$942.68
	1 ea	Full height solid door, standard		
	1 ea	Full height solid door, standard		
	1 ea	Thermometer side: Left door hinged left/right hinged right, standard		
	1 ea	Rear: Left door hinged left/right hinged right, standard		
	26 ea	Universal tray slide - per pair	\$126.04	\$3,277.04
	6 ea	Credit for standard coated shelf, deduct	\$-110.23	\$-661.38

Item	Qty	Description	Sell	Sell Total
			ITEM TOTAL:	\$27,505.02
0000		JOHN F KENNEDY ELEMENTARY		
22	2 ea	MOBILE HEATED CABINET	\$5,393.08	\$10,786.16
		 FWE / Food Warming Equipment Co., Inc. Model No. MTU-12 Quick Ship - Heated Cabinet, mobile, (12) pair universal tray slides, (12) 18" x 26" or (24) 12" x 20" pan capacity 4-1/2" OC, adjustable on 1-1/2" increments, insulated, moisture-temp system, electronic controls, insulated, removable water reservoir, (1) flush mounted door, stainless steel interior & exterior, 5" casters (2) rigid & (2) swivel with brakes, NSF, CE, cULus, IPX4, ENERGY STAR®		
	2 ea	Two year limited parts & one year labor warranty, standard		
	2 ea	120v/50/60/1-ph, 13.8 amps, 1650 watts, NEMA 5-15P, standard (US)		
	2 ea	See-thru Lexan door add suffix "L" to model number, per door	\$248.94	\$497.88
	2 ea	Full Perimeter Bottom Bumper	\$159.55	\$319.10
	2 ea	Push/Pull Handle, pair	\$77.85	\$155.70
			ITEM TOTAL:	\$11,758.84
0000		DOBYNS BENNETT HIGH SCHOOL		
23	2 ea	CONVEYOR OVEN, ELECTRIC	\$17,432.92	\$34,865.84
		 TurboChef Model No. HHC2620 STD HCW-9500-501 High h Conveyor 2620™ Conveyor Oven, Rapid Cook, electric, countertop, stackable design (requires stacking kit), 26" wide by 20" length cook chamber, variable speed motor, idle mode, built-in self diagnostics, smart voltage sensor technology, cool to touch covers and panels, stainless steel front, top, sides and back, stainless steel interior, cULus, CE, UL EPH Classified, ANSI/NSF 4, TUV (standard) TurboChef Cleaner Only Starter Kit, includes (1) cleaner packet, (1) 24oz bottle and (1) foamer trigger		
	2 ea	All items FOB: Carrollton, Texas: Consumable/accessory orders less than \$5,000 will incur a handling fee. Orders shipping standard ground will incur a \$15.00 handling fee. Orders shipping other than standard ground will incur \$25.00 handling fee		
	2 ea	One year parts and labor warranty		
	2 ea	208/240v/50/60/3-ph, 40.0amps, 6 foot cord (nominal), NEMA 15-50P, standard		
	1 ea	HCT-3004-2 Cart, Double/Triple, 23.5" (62.2 cm), with locking casters, for HhC 1618, 2020 & 2620	\$833.95	\$833.95
	1 ea	HCT-3029 Kit, Stacking, includes diverter brackets, HhC 2020 to HhC 2020 Oven or HhC 2620 to HhC 2620 Oven	\$127.13	\$127.13
			ITEM TOTAL:	\$35,826.92
24	1 ea	MOBILE HEATED CABINET	\$5,393.08	\$5,393.08

Item	Qty	Description	Sell	Sell Total
		FWE / Food Warming Equipment Co., Inc. Model No. MTU-12 Quick Ship - Heated Cabinet, mobile, (12) pair universal tray slides, (12) 18" x 26" or (24) 12" x 20" pan capacity 4-1/2" OC, adjustable on 1- 1/2" increments, insulated, moisture-temp system, electronic controls, insulated, removable water reservoir, (1) flush mounted door, stainless steel interior & exterior, 5" casters (2) rigid & (2) swivel with brakes, NSF, CE, cULus, IPX4, ENERGY STAR®		
	1 ea	Two year limited parts & one year labor warranty, standard		
	1 ea	120v/50/60/1-ph, 13.8 amps, 1650 watts, NEMA 5-15P, standard (US)		
	1 ea	See-thru Lexan door add suffix "L" to model number, per door	\$248.94	\$248.94
	1 ea	Full Perimeter Bottom Bumper	\$159.55	\$159.55
	1 ea	Push/Pull Handle, pair	\$77.85	\$77.85
ITEM TOTAL:				\$5,879.42
0000		GEORGE WASHINGTON ELEMENTARY SCHOOL		
26	1 ea	ICE MAKER, CUBE-STYLE Hoshizaki Model No. KM-350MAJ Ice Maker, Cube-Style, 22"W, air-cooled, self-contained condenser, production capacity up to 489 lb/24 hours at 70°/50° (393 lb AHRI certified at 90°/70°), crescent cube style, stainless steel finish, R-404A refrigerant, 115v/60/1-ph, 9.05 amps, NSF, UL, ENERGY STAR®	\$3,537.58	\$3,537.58
	1 ea	Warranty: 3-Year parts & labor on entire machine		
	1 ea	Warranty: 5-Year parts & labor on evaporator		
	1 ea	Warranty: 5-Year parts on compressor & air-cooled condenser		
	1 ea	H9320-51 Water Filtration System, single configuration, 18.4" H (manifold & cartridge)	\$250.41	\$250.41
	1 ea	Warranty: 1-Year on entire water filtration system & replaceable elements, standard		
	ITEM TOTAL:			\$3,787.99
0000		JOHN F KENNEDY -- SERVING LINE		
SL1	1 ea	SERVING COUNTER, UTILITY Duke Manufacturing Model No. TST-88PG Thurmaduke™ Solid Top Unit, mobile utility counter, 88"W x 32"D x 36"H, 16ga stainless steel top, 20ga paint grip steel body & undershelves, 5" dia. gray poly swivel casters & brakes, NSF	\$5,046.50	\$5,046.50
	1 ea	217102 Silver Hammer powder coat paint finish		
	1 ea	MOD-14-6 14ga stainless steel top, in lieu of standard	\$340.27	\$340.27
	1 ea	ILD Internal Locking Device (on both ends), stainless steel pin & latch line up device under countertop, per unit price (Note: Units required to be portable)	\$207.04	\$207.04
	1 ea	SOLID-HD-6CU Tray Slide, customer's side, 88" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing	\$1,185.66	\$1,185.66

Item	Qty	Description	Sell	Sell Total
		tracks, & mounted 34" high (specify any special height) ***Mounted at 29"***		
	5 ea	CUT-OP2 Rectangular cutout with raw edge, must be 12" or less, in counter top, body panel or a shelf (specify cutout size & location)	\$70.93	\$354.65
	1 ea	CUT-OP3 Rectangular cutout with reinforced edges, in counter top, body panel or a shelf, counter top max. right to left is 4" less than unit length (specify cutout size & location)	\$176.36	\$176.36
	1 ea	TS462-88 Contemporary Food Shield, 87-1/2"W x 20"D x 20-1/8"H, adjustable from full-service to self-service guard, single shelf, sloped guard with fixed end closures, 3/8" glass overshef & guard with 1/4" glass ends (tempered with polished rounded edges), sloped Ø 1" tube posts, stainless steel finish posts mounted through countertop with mounting flange	\$4,191.52	\$4,191.52
	1 ea	MOD-SPL Special length overshef, to next longest size, ADD	\$348.89	\$348.89
	1 ea	TS400LED-6 LED light under shelf & wired to base, 120v/60/1-ph (this may require cord & plug option)	\$1,761.72	\$1,761.72
	1 ea	TS400HT-6 Radiant Heater, under shelf & wired to base, 120v/60/1-ph (this may require cord & plug option)	\$2,508.39	\$2,508.39
	1 ea	TDST-MOD For special height rail	\$348.89	\$348.89
	1 ea	ICB CUSTOM Electric inter connect box with outlets breakers and cord, mounted in the base	\$2,114.45	\$2,114.45
ITEM TOTAL:				\$18,584.34
SL1.1	1 ea	HOT FOOD WELL UNIT, DROP-IN, ELECTRIC Duke Manufacturing Model No. WW-5 Waterless Hot Food Well Drop-In Unit, electric, dry operation, with (5) 12" x 20" hot food well, 76-1/2"W x 23-1/2"D x 10.3"H, stainless steel well, removable FDA approved black silicone rubber liner, fully insulated galvanized exterior housing, touch screen control panel, (3) preset temperatures, Wi-Fi enabled, without drain, 72" control wire, includes spacing rim, UL EPH Classified, cULus	\$9,713.44	\$9,713.44
				
	1 ea	WW-5-208 208v/60/1-ph, 12.0 amps, (5) NEMA 6-20P		
ITEM TOTAL:				\$9,713.44
SL2	1 ea	SERVING COUNTER, UTILITY Duke Manufacturing Model No. TST-74PG Thurmaduke™ Solid Top Unit, mobile utility counter, 74"W x 32"D x 36"H, 16ga stainless steel top, 20ga paint grip steel body & undershelves, 5" dia. gray poly swivel casters & brakes, NSF	\$4,473.32	\$4,473.32
				
	1 ea	217102 Silver Hammer powder coat paint finish		
	1 ea	MOD-14-5 14ga stainless steel top, in lieu of standard	\$291.38	\$291.38
	1 ea	ILD Internal Locking Device (on both ends), stainless steel pin & latch line up device under countertop, per unit price (Note: Units required to be portable)	\$207.04	\$207.04
	1 ea	SOLID-HD-5CU Tray Slide, customer's side, 74" W x 12-1/4" D, solid	\$1,039.01	\$1,039.01

Item	Qty	Description	Sell	Sell Total
		stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high (specify any special height) ***Mounted at 29"***		
	1 ea	CORD 6 ft. cord & plug	\$41.22	\$41.22
	1 ea	E-OP2 Electric outlet, mounted in base, with galvanized junction box, duplex or single receptacle & stainless steel cover, wired to existing power source	\$266.46	\$266.46
	2 ea	CUT-OP2 Rectangular cutout with raw edge, must be 12" or less, in counter top, body panel or a shelf (specify cutout size & location)	\$70.93	\$141.86
	1 ea	CUT-OP3 Rectangular cutout with reinforced edges, in counter top, body panel or a shelf, counter top max. right to left is 4" less than unit length (specify cutout size & location)	\$176.36	\$176.36
	1 ea	LOUVER Stainless louvered panel at customer side for drop-in ventilation	\$1,094.61	\$1,094.61
	1 ea	TDST-MOD For special height rail	\$348.89	\$348.89
ITEM TOTAL:				\$8,080.15
SL2.1	1 ea	HOT / COLD SHELF	\$19,170.00	\$19,170.00
		 Duke Manufacturing Model No. HF64-2-FOL-FOL HotFrost™ Refrigerated cold only shelf merchandiser, 2-tier cold only food display, drop-in unit, 64"W x 24"D, fits (2) 18 x 26" pan per shelf, individually controlled tiers, programmable color touch screen control, stainless steel body and shelves, self contained refrigeration, 120v/60/1 phase, 9.8 amps, NEMA 5-15P		
ITEM TOTAL:				\$19,170.00
SL4	1 ea	CASH REGISTER STAND	\$2,654.09	\$2,654.09
		 Duke Manufacturing Model No. TCS-30PG Thurmaduke™ Cashier Stand, mobile, 30"W, 32"D, 36"H, 16ga stainless top, 20ga paint grip steel body & partial undershelf, stainless steel tube foot rest, 5" dia. gray poly swivel casters & brakes, NSF		
	1 ea	217102 Silver Hammer powder coat paint finish		
	1 ea	CS-DR Stainless steel drawer, no lock, for TCS cashier stand	\$437.08	\$437.08
	1 ea	MOD-14-2 14ga stainless steel top, in lieu of standard	\$145.69	\$145.69
	1 ea	SOLID-HD-32CL Tray Slide, cashier's left, 32" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high (specify any special height)	\$529.09	\$529.09
	1 ea	SOLID-HD-32CR Tray Slide, cashier's right, 32" W x 12-1/4" D, solid stainless steel, on hinged brackets, with (2) 1/8" die-formed rubbing tracks, & mounted 34" high (specify any special height)	\$529.09	\$529.09
	1 ea	CORD 6 ft. cord & plug	\$41.22	\$41.22
	1 ea	E-OP2 Electric outlet, mounted in base, with galvanized junction box, duplex or single receptacle & stainless steel cover, wired to existing power source	\$266.46	\$266.46

Item	Qty	Description	Sell	Sell Total
	1 ea	CUT-OP1-G Round cutout with grommet, in counter top, body panel or a shelf (specify cutout diameter & location)	\$70.93	\$70.93
			ITEM TOTAL:	\$4,673.65
			Merchandise	\$295,548.91
			Freight	\$7,637.14
			Installation	\$11,665.79
			Total	\$314,851.84

PRICING PER SOURCEWELL CONTRACT #063022-SES

These prices include delivery, uncrating, and setting in place. All final connections are the responsibility of the owner.

This Quote shall be subject to TriMark's Terms of Sale <https://www.trimarkusa.com/SiteMedia/SiteResources/Terms/TriMark-Terms-and-Conditions-of-Sale.pdf>, which are incorporated herein by reference and shall govern. The parties specifically agree that no signature shall be required in order for this Quote or its applicable terms and conditions to be deemed legally binding and enforceable on Customer where the intent to be so bound can be inferred (including by acceptance or retention of products or services), notwithstanding contrary requirements under any law.

Any tax or similar fees shown in this Quote are an estimate only.

Florida Refrigeration License # CAC1821900

Austin	Beaumont	Houston	Lewisville
TACLB52729R	TACLA35912C	TACLA108388C	TACLB16860C

Regulated by the Texas Department of Licensing and Regulation, P.O. BOX 12157, Austin, Texas, 1-800-803-9202. www.tdlr.texas.gov

I understand, agree to and accept the above terms and conditions.

Acceptance: _____ Date: _____

Printed Name: _____

Project Grand Total: \$314,851.84