



Livingston City Commission Agenda

January 19, 2016

6:30 PM

City – County Complex, Community Room

1. Call to Order

2. Roll Call

3. Moment of Silence

4. Pledge of Allegiance

5. Consent Items

- A. CONSENT - Approve minutes from regular Commission meeting 1.5.16 Page 5
- B. CONSENT - Approve Bills and Claims 1st Half of January 2016 Page 9
- C. CONSENT - Approve 2nd Quarter Pledged Securities Report Page 18
- D. CONSENT - Approve Adam Stern application to Planning Board Page 22

6. Proclamations

7. Scheduled Public Comment

- A. MONTANA DEPARTMENT OF TRANSPORTATION (MDT) PRESENTATION CONCERNING RECOMMENDED SPEED LIMIT NEAR HOSPITAL Page 24
- B. JEFF DICKERSON FROM THE LIVINGSTON YOUTH SOCCER ASSOCIATION WITH A PROJECT UPDATE ON THE FIELDHOUSE AT NORTHSIDE PARK Page 27

8. Public Hearings

9. Ordinances

10. Resolutions

- A. RESOLUTION NO. 4631 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN THE FEDERAL GRANT APPLICATION DOCUMENTS NECESSARY FOR RUNWAY, TAXIWAY AND APRON IMPROVEMENT PROJECTS AT MISSION FIELD. Page 33

B. RESOLUTION NO. 4633 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN THE FIRST AMENDMENT TO REAL PROPERTY BUY-SELL AGREEMENT WITH DURGAN'S, LLC. Page 117

C. RESOLUTION NO. 4632 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, GRANTING A WAIVER OF ALL IMPACT FEES FOR THE LIVINGSTON YOUTH SOCCER ASSOCIATION (LYSA) FIELD HOUSE PROJECT. Page 123

11. Action Items

A. DISCUSS / APPROVE / DENY -- DEADLINE BY WHICH ALBEMARLE / GUEST HOUSE PROJECT MUST BE COMPLETED TO RECEIVE REIMBURSEMENT FUNDS APPROVED AT 1/05/16 CITY COMMISSION MEETING

B. DISCUSS / APPROVE / DENY -- PROPOSAL FOR THE CITY TO PROVIDE 50% OF THE FUNDS NECESSARY FOR A NEW CLERK / RECORDER FOR THE AIRPORT BOARD (PARK COUNTY WILL PROVIDE THE OTHER 50% OF NECESSARY FUNDING)

C. DISCUSS / APPROVE / DENY -- REVIEW CITY COMMISSION VACANCY APPLICATIONS FOR MINIMUM QUALIFICATIONS REQUIRED BY LAW Page 127

D. DISCUSS / APPROVE / DENY -- PRODUCE LIST OF QUESTIONS FOR LIVINGSTON CITY COMMISSION VACANCY APPLICANTS

12. City Manager Comment

13. City Commission Comments

14. Public Comments

Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).

15. Adjournment

Calendar of Events

CALENDAR OF EVENTS

January 14, 2016 - 5:00 p.m. - Urban Renewal Agency Special Meeting - Assessors Office, City/County Complex

January 18, 2016 - Martin Luther King, Jr. Day - City Offices Closed

January 20, 2016 - 8:30 a.m. - Urban Renewal Agency Regular Meeting - East Room, City/County Complex

January 26, 2016 - 5:30 p.m. - Interviews with City Commission Candidates - Community Room, City/County Complex

January 27, 2016 - 6:30 p.m. - Parks and Trails Committee Meeting - Community Room, City/County Complex

February 2, 2016 - 6:30 p.m. - City Commission Meeting - Community Room, City/County Complex

Supplemental Material

Public Works Monthly Report

Notice

- **Public Comment:** The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing-in, and then waiting to be recognized by the Chairman. Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).
- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. The City does not warrant the audio and/or video recording as to content, quality, or clarity.
- **Special Accommodation:** If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.

Backup material for agenda item:

- A. CONSENT - Approve minutes from regular Commission meeting 1.5.16**

MINUTES

Livingston City Commission
January 5, 2016
6:30 p.m.
City- County Complex, Community Room

1. Call to Order

Swearing in Ceremony for Commissioners Friedman and Sandberg.

2. Roll Call

- Bennett, Hoglund, Friedman and Sandberg present.

3. Moment of Silence

4. Pledge of allegiance

- Hoglund made a motion to postpone electing Chairperson and Vice Chairperson until the Commission has a full five member slate. Friedman seconded.
 - All in favor, motion passed 4-0.

5. Consent Items (00:11:05)

A. CONSENT - Approve Minutes from Regular Commission meeting 12.15.15

B. CONSENT Approve Bills and Claims 2nd Half of December 2015

- Friedman made a motion to pass Consent Items A and B. Hoglund seconded.
 - All in favor, motion passed 4-0.

6. Proclamations

7. Scheduled Public Comment

A. SCHEDULED PUBLIC COMMENT -- JEFF DICKERSON FROM LIVINGSTON YOUTH SOCCER ASSOCIATION (LYSA) REQUESTING FEE WAIVER (01:58:00)

- Friedman made a motion to move forward with the request from the Livingston Youth Soccer Association. Hoglund seconded.
 - All in favor, motion passed 4-0.

8. Public Hearings

9. Ordinances

10. Resolutions

A. RESOLUTION NO. 4630 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A STANDARD AUDIT CONTRACT WITH AMATICS CPA GROUP. (00:11:54)

- Hoglund made a motion to pass Resolution No. 4630. Friedman seconded.
 - All in favor, motion passed 4-0.

11. Action Items

A. DISCUSS/APPROVE/DENY -- RESIGNATION OF COMMISSIONER REDDINGTON, DECLARING VACANCY ON COMMISSION, AND PUBLISHING APPLICATION NOTICE IN LIVINGSTON ENTERPRISE (00:14:30)

- Friedman made a motion to accept the resignation of Commissioner Reddington. Sandberg seconded.
 - All in favor, motion passed 4-0.
- Hoglund made a motion to declare a vacancy on the Livingston City Commission. Sandberg seconded.
 - All in favor, motion passed 4-0.
- Friedman made a motion to initiate the process of filling the Livingston City Commission vacancy. Hoglund seconded.
 - All in favor, motion passed 4-0.

B. DISCUSS/APPROVE/DENY -- URBAN RENEWAL AGENCY (URA) GRANT APPLICATION FROM GUEST HOUSE/ALBEMARLE (00:28:20)

- Karla Pettit made comments (00:29:00)
- Bob Ebinger made comments (00:31:00)
- Richard Smith made comments (00:49:33)
- Manny Goetz made comments (00:59:59)
- Rob Gilmore made comments (01:06:56)
- Bill Spanring made comments (01:14:14)
- Patricia Grabow made comments (01:16:44)
- Richard Smith made comments (01:20:15)
- Joe Bauman made comments (01:56:17)
- Hoglund made a motion to approve the URA grant to Guest House/Albemarle. Friedman seconded.
 - Motion passed 3-1. Sandberg opposed.

12. City Manager Comment (02:15:28)

13. City Commission Comments

- Sandberg made comments (02:16:17)
- Friedman made comments (02:17:04)
- Hoglund made comments (02:17:13)
- Bennett made comments (02:19:42)

14. Public Comments

- Liz Kearney made comments (02:23:56)
- Bob Ebinger made comments (02:25:00)
- Patricia Grabow made comments (02:26:06)

15. Adjournment 8:55 p.m.

Backup material for agenda item:

B. CONSENT - Approve Bills and Claims 1st Half of January 2016

For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	351033 PARKING	682 CENTRON SERVICES	Parking ticket colle	105.02
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	City Adm- Workshop	44.00
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	Ordinance #117122	77.00
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	Ordinance #117121	99.00
1000 GENERAL	410130 CITY COMMISSION	225 FIRST INTERSTATE BANK	Commissioners laptop	899.97
1000 GENERAL	410130 CITY COMMISSION	225 FIRST INTERSTATE BANK	Commissioners laptop	387.00
1000 GENERAL	410400 CITY MANAGER	3184 MASTERCARD	ICMA Online purhcaes	594.00
1000 GENERAL	410400 CITY MANAGER	3184 MASTERCARD	Caree Builder	419.00
1000 GENERAL	410530 AUDITING	400 MONTANA DEPARTMENT OF	AFR Filing Fee	2,500.00
1000 GENERAL	410540 FINANCE OFFICER	3184 MASTERCARD	Training - Meals	50.00
1000 GENERAL	410540 FINANCE OFFICER	3184 MASTERCARD	Becki's Retirement P	52.00
1000 GENERAL	410550 ACCOUNTING	3248 AGENDA PAL	Subscription Service	150.00
1000 GENERAL	410550 ACCOUNTING	153 POWERS, DIANE	Bank & errand runs	30.00
1000 GENERAL	411030 PLANNER	879 VERIZON WIRELESS	Planning	13.29
1000 GENERAL	411030 PLANNER	666 TRAF-O-TERIA SYSTEM	Parking tickets	390.52
1000 GENERAL	411030 PLANNER	3184 MASTERCARD	Bath & Body, Office	34.00
1000 GENERAL	411030 PLANNER	102 INDUSTRIAL TOWEL	Mat Cleaning	8.56
1000 GENERAL	411230 FACILITY MAINTENANCE	272 PARK COUNTY	37% Maintenance suppl	133.61
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial Suppl	15.64
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial Suppl	41.49
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial Suppl	33.67
1000 GENERAL	411230 FACILITY MAINTENANCE	3298 EXEC U CARE SERVICES,	December office clea	1,119.42
1000 GENERAL	411230 FACILITY MAINTENANCE	225 FIRST INTERSTATE BANK	37% Snow blower	249.75
1000 GENERAL	411230 FACILITY MAINTENANCE	3446 CTA BUILDING, LLP	February Business Of	1,775.00
1000 GENERAL	411230 FACILITY MAINTENANCE	3407 LIVINGSTON DAYCARE, LLC	Feb 2016 Park lot le	900.00
1000 GENERAL	411230 FACILITY MAINTENANCE	102 INDUSTRIAL TOWEL	Rug Maintenance	37.70
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	879 VERIZON WIRELESS	Central	81.26
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	879 VERIZON WIRELESS	Central	68.48
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	272 PARK COUNTY	City Phones	142.43
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	162 CENTURYLINK	Finance office 110 S	353.46
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	110 S B St	888.58
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	414 E. Callender Int	3,121.17
1000 GENERAL	411700 CENTRAL STORES	3459 MCCI	LaserFische 2/16-2/2	2,623.40
1000 GENERAL	411700 CENTRAL STORES	2999 TEAR IT UP L.L.C.	186# Shredding	55.20
1000 GENERAL	411700 CENTRAL STORES	2958 NEOFUNDS BY NEOPOST	Postage for postage	747.98
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Stamps.com monthly f	24.99
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	change envelopes, Hi	24.83
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Toner	210.87
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Toner, DVD's - Legal	60.43
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Tape, Binders - Fina	23.66
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Stapler, Scissors, M	31.07
1000 GENERAL	411700 CENTRAL STORES	2705 CITY OF LIVINGSTON	coffee creamers	6.75
1000 GENERAL	411700 CENTRAL STORES	2705 CITY OF LIVINGSTON	supplies	3.01
1000 GENERAL	411700 CENTRAL STORES	2705 CITY OF LIVINGSTON	Postage - Police	3.93
1000 GENERAL	411700 CENTRAL STORES	1783 J & H OFFICE EQUIPMENT	Canon lease	213.00
1000 GENERAL	411700 CENTRAL STORES	3353 STORY DISTRIBUTING	Diesel Fuel 316 Gal	486.32
1000 GENERAL	411700 CENTRAL STORES	3353 STORY DISTRIBUTING	Diesel Fuel 579 Gal	1,010.92
1000 GENERAL	420100 OPERATING ACCOUNT	272 PARK COUNTY	Police	72.95
1000 GENERAL	420100 OPERATING ACCOUNT	3184 MASTERCARD	External Radio Mic	233.50
1000 GENERAL	420100 OPERATING ACCOUNT	22 ALL SERVICE TIRE &	Service & Tire Rotat	49.00
1000 GENERAL	420100 OPERATING ACCOUNT	22 ALL SERVICE TIRE &	Service & Tire Rotat	57.00
1000 GENERAL	420100 OPERATING ACCOUNT	402 ALPINE ELECTRONICS RADIO	USB Drive	14.99

For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	420100 OPERATING ACCOUNT	402 ALPINE ELECTRONICS RADIO	USB Drive	64.95
1000 GENERAL	420100 OPERATING ACCOUNT	3371 BALCO UNIFORM COMPANY,	Kynett- Uniform stuff	180.00
1000 GENERAL	420100 OPERATING ACCOUNT	3371 BALCO UNIFORM COMPANY,	Hard - uniform stuff	28.05
1000 GENERAL	420100 OPERATING ACCOUNT	23 CARQUEST AUTO PARTS	Glass Adhesive	3.60
1000 GENERAL	420100 OPERATING ACCOUNT	2705 CITY OF LIVINGSTON	Vehicle Reg	2.00
1000 GENERAL	420100 OPERATING ACCOUNT	2705 CITY OF LIVINGSTON	Vehicle Reg	2.00
1000 GENERAL	420100 OPERATING ACCOUNT	90 COLMEY VETERINARY	K-9 Exam & Meds	113.25
1000 GENERAL	420100 OPERATING ACCOUNT	2671 COMDATA	Dec. Fuel	1,103.68
1000 GENERAL	420100 OPERATING ACCOUNT	3572 COAST TO COAST SOLUTIONS	Handgun evidence & r	308.21
1000 GENERAL	420100 OPERATING ACCOUNT	2426 GRANITETCS, INC	Aug IT support	156.00
1000 GENERAL	420100 OPERATING ACCOUNT	2426 GRANITETCS, INC	Dec IT Support 1	75.00
1000 GENERAL	420100 OPERATING ACCOUNT	2945 MONTES AUTO REPAIR	Anitfreeze/Coolant 1	21.50
1000 GENERAL	420100 OPERATING ACCOUNT	2945 MONTES AUTO REPAIR	Anitfreeze/Coolant 1	80.00
1000 GENERAL	420100 OPERATING ACCOUNT	2437 O'REILLY AUTOMOTIVE, INC	Vehicle headlight	6.37
1000 GENERAL	420100 OPERATING ACCOUNT	2437 O'REILLY AUTOMOTIVE, INC	Vehicle headlight	18.36
1000 GENERAL	420100 OPERATING ACCOUNT	2437 O'REILLY AUTOMOTIVE, INC	Vehicle headlight	49.46
1000 GENERAL	420100 OPERATING ACCOUNT	642 MONTANA LAW ENFORCEMENT	Leadership training-	400.00
1000 GENERAL	420100 OPERATING ACCOUNT	642 MONTANA LAW ENFORCEMENT	Lodging & Meals	131.00
1000 GENERAL	420100 OPERATING ACCOUNT	14 SHOPKO STORES, LLC	USB Drives	29.97
1000 GENERAL	420100 OPERATING ACCOUNT	3376 TRANSUNION RISK &	Investigative search	35.00
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire	142.39
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire	51.67
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire	42.54
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Ben Coffman -Fire Ch	113.32
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire & Recuse	42.52
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire & Recuse	812.52
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire & Recuse	62.54
1000 GENERAL	420400 OPERATING ACCOUNTS	272 PARK COUNTY	Fire 50%	43.62
1000 GENERAL	420400 OPERATING ACCOUNTS	2516 FRONTLINE AG SOLUTIONS,	Hydraulic tool repai	47.40
1000 GENERAL	420400 OPERATING ACCOUNTS	26 LIVINGSTON ACE HARDWARE -	Cleaning supplies	33.96
1000 GENERAL	420400 OPERATING ACCOUNTS	2075 PUBLIC SAFETY CENTER,	Turnout hangers	97.23
1000 GENERAL	420400 OPERATING ACCOUNTS	2 A-1 MUFFLER, INC.	Com 1 Maintenance	77.00
1000 GENERAL	420400 OPERATING ACCOUNTS	2671 COMDATA	December Fuel	489.62
1000 GENERAL	420400 OPERATING ACCOUNTS	2666 MUNICIPAL EMERGENCY	SCBA Repair	117.00
1000 GENERAL	420400 OPERATING ACCOUNTS	1920 HORIZON AUTO PARTS	Repair supplies	6.99
1000 GENERAL	420400 OPERATING ACCOUNTS	1920 HORIZON AUTO PARTS	Repair supplies	4.80
1000 GENERAL	420400 OPERATING ACCOUNTS	23 CARQUEST AUTO PARTS	Alternator	122.06
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	Meals for investigat	24.00
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	Repair supply	152.18
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	Replace vacuum	139.99
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	Lodging fro training	310.95
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	Lodging fro training	103.65
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	meals for training	19.67
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	meals for training	9.23
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	meals for training	19.78
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	meals for training	7.25
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	meals for training	19.75
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	meals for training	19.00
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	meals for training	12.28
1000 GENERAL	420400 OPERATING ACCOUNTS	3565 MAVERICK MANAGMENT	Services rendered- S	3,000.00
1000 GENERAL	420403 BUILDING INSPECTION	879 VERIZON WIRELESS	Code Enforcement	22.90
1000 GENERAL	420403 BUILDING INSPECTION	879 VERIZON WIRELESS	Building dept	13.21

For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	420403 BUILDING INSPECTION	879 VERIZON WIRELESS	Building dept	0.00
1000 GENERAL	420403 BUILDING INSPECTION	2671 COMDATA	Fuel B&P	91.72
1000 GENERAL	430930 CEMETERY OPERATING	879 VERIZON WIRELESS	Cemetery	113.18
1000 GENERAL	430930 CEMETERY OPERATING	2671 COMDATA	Fuel Cemetery	27.24
1000 GENERAL	430950 ROAMING OPERATING	879 VERIZON WIRELESS	Roaming crew - Jones	22.92
1000 GENERAL	430950 ROAMING OPERATING	879 VERIZON WIRELESS	Water 1/2	51.27
1000 GENERAL	430950 ROAMING OPERATING	3184 MASTERCARD	Bath & Body, Office	62.85
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE	- Supplies	97.90
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE	- Fasteners	4.80
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE	- Supplies	34.67
1000 GENERAL	430950 ROAMING OPERATING	2671 COMDATA	Fuel Parks	184.06
1000 GENERAL	430950 ROAMING OPERATING	54 GATEWAY OFFICE SUPPLY	Supplies	18.16
1000 GENERAL	430950 ROAMING OPERATING	776 KENYON NOBLE	Plywood	141.92
1000 GENERAL	430950 ROAMING OPERATING	776 KENYON NOBLE	Plywood	23.50
1000 GENERAL	430950 ROAMING OPERATING	776 KENYON NOBLE	Gold Torx	27.49
1000 GENERAL	430950 ROAMING OPERATING	776 KENYON NOBLE	Plywood	94.00
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	229 River	12.78
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	229 River CC	184.59
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	8th & Park	7.78
1000 GENERAL	430950 ROAMING OPERATING	2087 WISPWEST.NET	Internet	44.95
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	879 VERIZON WIRELESS	Animal Control	64.32
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	3184 MASTERCARD	Muttmitts	1,168.44
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	3184 MASTERCARD	Muttmitts refund	-130.69
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	2671 COMDATA	Fuel Code	101.49
1000 GENERAL	460430 PARKS OPERATING	879 VERIZON WIRELESS	Parks	22.92
1000 GENERAL	460430 PARKS OPERATING	3184 MASTERCARD	Alpine yamaha	40.00
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE	- Supplies	27.97
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE	- Supplies	46.97
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE	- Supplies	6.58
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE	- Bulbs	24.97
1000 GENERAL	460430 PARKS OPERATING	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	15.03
1000 GENERAL	460442 CIVIC CENTER ADMIN	2999 TEAR IT UP L.L.C.	150# shredded - Rec.	48.00
1000 GENERAL	460442 CIVIC CENTER ADMIN	151 NORTHWESTERN ENERGY	Civic Center	1,395.58
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Supplies	30.98
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	151 NORTHWESTERN ENERGY	Pool	338.11
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	Rec. dept	113.38
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	Rec. dept	0.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	ATS	37.98
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	ATS	59.64
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	ATS	44.28
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	146 LIVINGSTON ENTERPRISE	Basketball sign-ups	57.60
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	146 LIVINGSTON ENTERPRISE	Basketball sign-ups	57.60
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	146 LIVINGSTON ENTERPRISE	Basketball sign-ups	57.60
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	146 LIVINGSTON ENTERPRISE	Basketball sign-ups	57.60
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	146 LIVINGSTON ENTERPRISE	Basketball sign-ups	57.60
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Albertson's	17.67
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Michaels'	119.45
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Michaels'	-38.55
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Walmart	17.95
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Blick Art mat'l	64.18
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Town & Country	7.61
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Albertson's	17.02

For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Albertson's	12.88
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Michaels	-19.77
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Facebook	20.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	54 GATEWAY OFFICE SUPPLY	Office supplies	12.50
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	282 LIVINGSTON TRUE VALUE	33 gal recyl bags	15.29
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	26 LIVINGSTON ACE HARDWARE	- supplies	2.49
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	26 LIVINGSTON ACE HARDWARE	- Wastebasket, Mr Clea	10.58
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	26 LIVINGSTON ACE HARDWARE	- Paint	71.98
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	26 LIVINGSTON ACE HARDWARE	- Paint supplies	8.98
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	26 LIVINGSTON ACE HARDWARE	- Paint supplies	49.89
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 MALLOWAY, GEOFF	Instructor fees	90.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	14 SHOPKO STORES, LLC	Supplies - Skate nig	33.91
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3573 WESTPHAL, JENNIFER	Mileage reimbursemen	46.00
Total for Fund:				35,308.03
2220 LIBRARY	460100 LIBRARY SERVICES	3184 MASTERCARD	Postage purchase	100.00
2220 LIBRARY	460100 LIBRARY SERVICES	3184 MASTERCARD	Stamps.com Monthly F	15.99
Total for Fund:				115.99
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	879 VERIZON WIRELESS	Dispatch	38.69
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	272 PARK COUNTY	Dispatch	38.95
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	3466 KIRK MICHAELS ARCHITECT,	Dispatch remodel - s	2,645.00
Total for Fund:				2,722.64
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	146 LIVINGSTON ENTERPRISE	URA meeting	44.00
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	146 LIVINGSTON ENTERPRISE	URA meeting	18.00
Total for Fund:				62.00
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	Livingston SL	4,250.78
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	400 N M SL	12.07
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	608 W Chinook - SL	87.45
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	710 W Call - SL	79.10
Total for Fund:				4,429.40
2500 STREET MAINTENANCE	430220 FACILITIES/CITY SHOP	879 VERIZON WIRELESS	Street	13.21
2500 STREET MAINTENANCE	430220 FACILITIES/CITY SHOP	879 VERIZON WIRELESS	Street	65.02
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3184 MASTERCARD	skillpath	49.75
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3184 MASTERCARD	Bath & Body, Office	62.87
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	22 ALL SERVICE TIRE &	Tires & Mount & Bala	4,636.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	948 BRIDGER ELECTRIC, INC.	Repair at Street Sho	453.40
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2671 COMDATA	Fuel Streets	246.23
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	54 GATEWAY OFFICE SUPPLY	Supplies	25.29
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	528 GRAINGER	Drill Press	110.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	102 INDUSTRIAL TOWEL	Mat Cleaning	8.55
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 621	4,017.19
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 3792B	632.50
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 621	3,428.45

For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 621	1,595.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 621	1,035.05
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 621	4,185.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 621	637.90
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2863 KIMBALL MIDWEST	Supplies	255.77
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2830 LEHRKIND'S COCA-COLA	Water	23.25
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	15.03
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2109 ROCKY MOUNTAIN TRUCK	Seat	514.03
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3043 STAHLY ENGINEERING	P 02L15 R 4443	3,545.53
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	957 RESPOND SYSTEMS	Street First aid	47.73
Total for Fund:				25,602.75
2600 SIDEWALKS	430240 STREET DEPARTMENT	3043 STAHLY ENGINEERING	P 02C14 R 4443	1,050.00
Total for Fund:				1,050.00
2650 BUSINESS IMPROVEMENT	470100 ECONOMIC DEVELOPMENT	3370 LIVINGSTON BUSINESS	Q1 & Q2 FY 16 collec	21,982.29
Total for Fund:				21,982.29
2820 GAS TAX	430240 STREET DEPARTMENT	64 NEWMAN TRAFFIC SIGNS	Signs	1,036.92
Total for Fund:				1,036.92
3950 SID 178	490300 SPEC IMPROVEMENT BONDS	1416 US BANK	Paying Agent Fee - S	350.00
Total for Fund:				350.00
5210 WATER OPERATING	343021 METERED WATER SALES	999999 PIKUL, VICTORIA	Check applied to acc	20.00
5210 WATER OPERATING	430510 WATER ADMINISTRATION	3184 MASTERCARD	skillpath	49.75
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell	22.90
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell	66.61
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell	11.43
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell 1/2	26.08
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water 1/2	0.00
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water 1/2	49.33
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Public works eng	59.26
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Cain	160.02
5210 WATER OPERATING	430515 WATER SERVICES	3184 MASTERCARD	Staples	100.29
5210 WATER OPERATING	430515 WATER SERVICES	3184 MASTERCARD	Amazon	81.52
5210 WATER OPERATING	430515 WATER SERVICES	2705 CITY OF LIVINGSTON	Vehicle Reg	4.00
5210 WATER OPERATING	430515 WATER SERVICES	26 LIVINGSTON ACE HARDWARE -	Fasteners	0.98
5210 WATER OPERATING	430515 WATER SERVICES	26 LIVINGSTON ACE HARDWARE -	Supplies	49.45
5210 WATER OPERATING	430515 WATER SERVICES	26 LIVINGSTON ACE HARDWARE -	Supplies	33.94
5210 WATER OPERATING	430515 WATER SERVICES	26 LIVINGSTON ACE HARDWARE -	Supplies	24.95
5210 WATER OPERATING	430515 WATER SERVICES	22 ALL SERVICE TIRE &	Fix Flat	15.00
5210 WATER OPERATING	430515 WATER SERVICES	948 BRIDGER ELECTRIC, INC.	B street Well	3,162.00
5210 WATER OPERATING	430515 WATER SERVICES	2671 COMDATA	Fuel Water	746.58
5210 WATER OPERATING	430515 WATER SERVICES	424 ENERGY LABORATORIES, INC.	B15121669	37.00
5210 WATER OPERATING	430515 WATER SERVICES	470 HAWKINS, INC	Chlorine	352.00
5210 WATER OPERATING	430515 WATER SERVICES	2527 MSE TECHNOLOGY	Dec 2015 Coliforms	158.40

For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	200 E Reservoir	453.18
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	601 Robin - Well	1,306.82
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	4 Billman - Well	1,566.38
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	CC Pump	16.38
5210 WATER OPERATING	430515 WATER SERVICES	16 PARISI WESTERN PLUMBING &	Bushings & Couplers	61.90
5210 WATER OPERATING	430515 WATER SERVICES	16 PARISI WESTERN PLUMBING &	Brass & Bushings	47.00
5210 WATER OPERATING	430515 WATER SERVICES	3043 STAHLY ENGINEERING	P 00215 R 4416	135.00
5210 WATER OPERATING	430515 WATER SERVICES	957 RESPOND SYSTEMS	PW First aid	95.48
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3574 HD Supply Waterworks, LTD	Sleeve & Clamp	310.66
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	102 INDUSTRIAL TOWEL	Mat Cleaning	8.56
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	17.62
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3016 MT WATERWORKS	Repair Clamp	654.16
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3043 STAHLY ENGINEERING	P 02L15 R 4443	2,597.72
5210 WATER OPERATING	430570 CUSTOMER ACCTG/COLLECTION	2958 NEOFUNDS BY NEOPOST	Postage for postage	748.00
5210 WATER OPERATING	430570 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Shutoff stamp	7.47
Total for Fund:				13,257.82
5310 SEWER OPERATING	430610 SEWER ADMINISTRATION	3184 MASTERCARD	Staples	75.30
5310 SEWER OPERATING	430610 SEWER ADMINISTRATION	112 MONTANA RAIL LINK	Agree 600249	733.50
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Water Cell	24.52
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer Cell 1/2	26.08
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer Cell	22.92
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer Cell	11.43
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer 1/2	0.00
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer 1/2	0.00
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer 1/2	49.33
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	WWTP	45.11
5310 SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	WWTP - pager	22.63
5310 SEWER OPERATING	430620 FACILITIES	102 INDUSTRIAL TOWEL	Mat Cleaning	8.55
5310 SEWER OPERATING	430620 FACILITIES	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	15.03
5310 SEWER OPERATING	430625 SEWER SERVICES	3184 MASTERCARD	skillpath	49.75
5310 SEWER OPERATING	430625 SEWER SERVICES	3184 MASTERCARD	Home Depot	63.94
5310 SEWER OPERATING	430625 SEWER SERVICES	26 LIVINGSTON ACE HARDWARE -	Supplies	49.97
5310 SEWER OPERATING	430625 SEWER SERVICES	26 LIVINGSTON ACE HARDWARE -	Supplies	31.45
5310 SEWER OPERATING	430625 SEWER SERVICES	26 LIVINGSTON ACE HARDWARE -	Supplies	36.19
5310 SEWER OPERATING	430625 SEWER SERVICES	948 BRIDGER ELECTRIC, INC.	Centenial lift stati	65.00
5310 SEWER OPERATING	430625 SEWER SERVICES	2671 COMDATA	Fuel Sewer	260.91
5310 SEWER OPERATING	430625 SEWER SERVICES	776 KENYON NOBLE	Wood	8.37
5310 SEWER OPERATING	430625 SEWER SERVICES	16 PARISI WESTERN PLUMBING &	Sewer Pipe	199.60
5310 SEWER OPERATING	430625 SEWER SERVICES	3040 PRO RENTALS & SALES, INC.	Pump & Hose Rental	95.88
5310 SEWER OPERATING	430625 SEWER SERVICES	3043 STAHLY ENGINEERING	P 00215 R 4416	135.00
5310 SEWER OPERATING	430625 SEWER SERVICES	18 TIRE-RAMA LIVINGSTON	Tire repair	23.95
5310 SEWER OPERATING	430625 SEWER SERVICES	626 UTILITIES SPECIALTIES	Panel Connector	239.20
5310 SEWER OPERATING	430625 SEWER SERVICES	957 RESPOND SYSTEMS	PW First aid	95.47
5310 SEWER OPERATING	430630 COLLECTION AND	3184 MASTERCARD	Amazon	109.98
5310 SEWER OPERATING	430630 COLLECTION AND	679 BAINTER BACKHOE & CAT	Emergency Excavator	1,730.00
5310 SEWER OPERATING	430630 COLLECTION AND	3043 STAHLY ENGINEERING	P 02L15 R 4443	2,281.75
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Staples	154.48
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Costco	17.46
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	26 LIVINGSTON ACE HARDWARE -	Supplies	65.95
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	22 ALL SERVICE TIRE &	Tires, Tubes & Wheel	610.00

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CITY OF LIVINGSTON
Claim Approval by Fund, Account
For the Accounting Period: 1/16

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For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	864 DEPARTMENT OF LABOR &	Boiler WWTP	31.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	864 DEPARTMENT OF LABOR &	Boiler WWTP	31.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	102 INDUSTRIAL TOWEL	Mat Cleaning	23.90
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	2830 LEHRKIND'S COCA-COLA	Water	33.70
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	2830 LEHRKIND'S COCA-COLA	Water	33.70
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	1 TECH ELECTRIC	Electrical on UV	176.75
5310 SEWER OPERATING	430670 CUSTOMER ACCTG/COLLECTION	2958 NEOFUNDS BY NEOPOST	Postage for postage	748.00
5310 SEWER OPERATING	430670 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Shutoff stamp	7.47
Total for Fund:				8,444.22
5410 SOLID WASTE	430810 SOLID WASTE	3184 MASTERCARD	Staples	62.88
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Solid Waste truck	0.00
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Solid Waste truck	13.39
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Transfer Station	14.44
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Scale House	22.92
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Transfer station - V	23.04
5410 SOLID WASTE	430820 FACILITIES	102 INDUSTRIAL TOWEL	Mat Cleaning	8.55
5410 SOLID WASTE	430820 FACILITIES	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	15.03
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	22 ALL SERVICE TIRE &	Flat Repair	40.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	22 ALL SERVICE TIRE &	Flat Repair	40.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	22 ALL SERVICE TIRE &	Tires	740.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	402 ALPINE ELECTRONICS RADIO	Cable	49.99
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	23 CARQUEST AUTO PARTS	Antifreeze	129.24
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	2671 COMDATA	Fuel SW	430.02
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Tub Grinder	417.90
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Curb Tender	295.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 685	110.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	6 1/2" Vise	695.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 685	498.10
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Curb Tender	320.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Curb Tender	270.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 571	5,988.75
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 410E	291.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 570	90.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 410E	291.10
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	776 KENYON NOBLE	Fasteners	16.20
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	3210 LIVINGSTON LOCKS & CLOCKS	Keys & Lever Set	256.50
5410 SOLID WASTE	430835 CAPITAL OUTLAY	3184 MASTERCARD	Amazon	199.99
5410 SOLID WASTE	430835 CAPITAL OUTLAY	948 BRIDGER ELECTRIC, INC.	Final Work for compa	2,555.70
5410 SOLID WASTE	430840 DISPOSAL	2731 MONTANA WASTE SYSTEMS,	Transfer Fees	48,320.03
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	2958 NEOFUNDS BY NEOPOST	Postage for postage	748.00
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Shutoff stamp	7.47
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Scale house supplies	17.18
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3326 CAROLINA SOFTWARE	Waste Works Software	500.00
Total for Fund:				63,477.42
5510 AMBULANCE SERVICES	343000 AMBULANCE SERVICES	999999 ACCENT	Overpayment #1308589	894.40
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	89.28
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	13.21
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	46.91

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CITY OF LIVINGSTON
Claim Approval by Fund, Account
For the Accounting Period: 1/16

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For doc #s from 27325 to 27430, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	13.21
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	Medic 2	33.38
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	272 PARK COUNTY	Amb 50%	43.62
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	55 LIVINGSTON HEALTH	Patient supplies	42.05
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Vent	3.00
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2671 COMDATA	December Fuel	877.29
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	55 LIVINGSTON HEALTH	Patent supplies	88.25
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	55 LIVINGSTON HEALTH	Patent supplies	54.64
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patent supplies	884.06
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Training	99.95
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Training	99.95
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	travel meals	13.23
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Fight to pick up amb	332.60
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Lodging	110.49
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	travel meal	7.29
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Public relations	19.98
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Grille guard - Ambul	875.00
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Jumpkit repair	15.00
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Diesel exhaust fluil	38.67
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2705 CITY OF LIVINGSTON	Vehicle Reg	10.00
			Total for Fund:	4,705.46
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	134 BLANKENSHIP, BECKI	Flex account - acct	211.38
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	2376 KYNETT, JESSIKA	Flex account	8.00
			Total for Fund:	219.38
			Total:	182,764.32

Backup material for agenda item:

C. Approve 2nd Quarter Pledged Securities Report

DEPOSITORY BONDS AND SECURITIES
December 31st, 2015

MATURITY CUSIP NO. TOTAL AMOUNT

FIRST INTERSTATE BANK

All Accounts

Federal Deposit Insurance Corporation			\$ 250,000.00
FMNT	11/22/2017	3134G3A34	\$ 2,000,000.00
TOTAL - First Interstate Bank			<u>\$ 2,250,000.00</u>

OPPORTUNITY BANK

All Accounts

Federal Deposit Insurance Corporation			\$ 250,000.00
Chester Township New Jersey	03/01/2033	166042BP5	\$ 447,906.60
TOTAL - Opportunity Bank			<u>\$ 697,906.60</u>

PLEGGED SECURITIES AND CASH IN BANK
As of
December 31st, 2015

First Interstate Bank

	<u>Total</u>
Cash & CD's on Deposit As of December 31 st , 2015	\$ 2,840,556.05
FDIC Coverage	<u>\$ 250,000.00</u>
Amount Remaining	<u>\$ 2,590,556.05</u>
Pledges required 50%	\$ 1,295,278.03
Actual Amount of Pledges As of December 31 st , 2015	<u>\$ 2,000,000.00</u>
Over (Under) Pledged As of December 31 st , 2015	<u>\$ 1,045,278.03</u>

Opportunity Bank

	<u>Total</u>
CD's on Deposit	
As of December 31 st , 2015	\$ 952,858.96
FDIC Coverage	<u>\$ 250,000.00</u>
Amount Remaining	<u>\$ 702,858.96</u>
Pledges required 50%	\$ 351,429.48
Actual Amount of Pledges	
As of December 31 st , 2015	<u>\$ 447,906.60</u>
Over (Under) Pledged	
As of December 31 st , 2015	<u>\$ 96,447.12</u>

REFERENCE: Section 7-6-207, M.C.A.

Backup material for agenda item:

D. CONSENT - Approve Adam Stern application to Planning Board

City of Livingston
Application for Appointed Office
 (Revised 3/17/03)

Appointed Position Seeking: **Planning Board committee member**

Date of Application: **January 5, 2016**

Name: **Adam Stern**

Address: **208 South F Street, Livingston, MT**

Telephone: daytime: **(406) 224-1875**

after 5:00 p.m.: **(406) 222-5252**

email address: **adam_stern@hotmail.com**

1. Are you a resident of the City of Livingston? **Yes**
2. Are you a registered voter? **Yes**
3. Will you be at least 18 years of age at the time of the appointment? **Yes**
4. Describe the reasons you are interested in this appointment:
I am very interested in the long-term growth of our community. Comprehensive planning is essential for the continued health and vitality of our neighborhoods, and provides for the most efficient use of tax dollars.
5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:
 - A. Occupation: **Senior Scientist / VP Sales & Marketing**
 - B. Education: **Ph.D. Physics, MSU, 2001**
 - C. Experience: **Knowledgeable in city planning and local governance, involved in local government and organizations.**
6. Have you served on any previous boards or in any governmental positions in the past?
 - Urban Renewal Agency (2010-2011)**
 - Planning Board (2011-2015)**
 - Parks and Trails Committee (2012-2015)**
 - City Commission (2012-2015)**
7. Are you currently serving on any Community Boards? **Yes**
Livingston Baseball Association
8. Current Employer? **Resonon, Inc.**
9. Are you available for night meetings? **Yes**
10. Are you available for daytime meetings? **Yes**
11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? **No**
12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? **Recusal, of course.**

Backup material for agenda item:

**A. MONTANA DEPARTMENT OF TRANSPORTATION (MDT) PRESENTATION CONCERNING
RECOMMENDED SPEED LIMIT NEAR HOSPITAL**

PARK COUNTY BOARD OF REALTORS®

Post Office Box 1473 • Livingston, MT. 59047

24

December 19, 2015

Montana Transportation Commission

Montana Department of Transportation

P.O. Box 201001

Helena, MT 59620-1001

RE: Speed Limit Livingston East-Primary 11

Dear Commission,

As President of the Park County Board of Realtors, we are requesting that the Montana Department of Transportation Reduce the speed limit along the two mile segment of Primary 11 from the Yellowstone River Bridge on the east end of Livingston to the Interstate 90 East Interchange in consideration of the Livingston Health Care's new medical center and the new intersection created by that development.

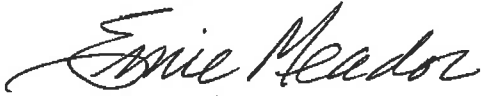
A speed limit reduction to 45 mph seems well justified for a variety of reasons not the least of which is the safety of the employees and patients of Livingston Health Care's new facility. There are over 300 employees and the facility will see over 40,000 patients annually.

The City of Livingston City Commission voted unanimously in early December to support a 45 mph speed limit on that segment of Primary 11. I believe you will find strong public support for enacting the new limit as that section of Primary 11 will see more traffic as that area becomes an extension of the City of Livingston.

Livingston Health Care is our only emergency care provider in Park County. The majority of accident and trauma victims in Park County will be brought there. A speed limit of 45 mph will increase the safety for emergency responders and those victims.

Park County Board of Realtors strongly supports this measure to insure the safety of the public as well as those entering and exiting the facility. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ernie Meador".

Ernie Meador – President

Park County Board of Realtors

Backup material for agenda item:

- B. Jeff Dickerson from the Livingston Youth Soccer Association with a Project update on the Fieldhouse at Northside Park**

Northside Park

Soccer Fields Project

people, parks and pathways

Did you know that in the last year Northside Park and Soccer Fields has:

- Provided a safe place for more than 850 kids to play soccer from March to November
- Hosted a state soccer tournament for clubs from small Montana communities that lack proper facilities
- Generated more than \$150,000 into the local community through a single state soccer tournament
- Been used by many community groups including: Livingston Healthcare Race Series, Mass Ascension Kite Flying Club, Counterpoint group homes, and Livingston Recreation Department
- Generated nearly \$3.8 million into the economy as demonstrated by the 2015 Economic Impact Report completed by the Northern Rocky Mountain Economic Development District
- Provided a place on the north side of town for families and visitors to sled, walk their dogs, jog, and engage in physical activity 12 months a year

This park has had an enormous impact on Livingston and the surrounding communities.

The goal is to complete Phase 3: The Fieldhouse, which will provide the support to ensure this park is taken care of for generations to come. A donation will help to provide for much needed restrooms, equipment storage and maintenance areas, community event space, and a concession area. Income generated by the building will keep the park self-sustaining and increase LYSA scholarships. Phase 3 also includes the landscaping surrounding the building and the cost of connecting to utilities. Without the continued support of generous donors like you, these needs will likely go unmet for another year.

In order to break ground on The Fieldhouse next Spring we need to raise the remaining \$350,000 by February 2016. This facility is vital for the park to continue to be a success. We have already raised over half of the funds needed for this phase. Can we count on you to make a lead donation to this important cause? By making a tax deductible donation to the NSPSF capital campaign, you'll be directly contributing to building costs and the positive economic outcomes in the community. Additionally, you'll be recognized for your generosity as a capital campaign supporter and have potential naming opportunities.

Please help us finish this critical piece of the park so we can break ground and have the Fieldhouse in use in 2016. Enclosed is an informational packet for your review. Hannah Roseberry or I will contact you within the next week to set up a time to meet and answer all of your questions. I look forward to sharing the Fieldhouse phase of NSPSF with you.

Sincerely,



Jeff Dickerson

Northside Park and Soccer Fields Campaign Chairperson

CC: Hannah Roseberry, Campaign Coordinator, Northside Park and Soccer Fields Project



Economic Impact Report Summary

The recent study completed by the Northern Rocky Mountain Economic Development District estimates that the park currently brings more than 2,800 visitors to Livingston annually. Many of these visits will occur during lulls in the traditional tourist flow. The park generates more than \$3,780,000 into the economy through Northside Park construction and annual events, visitors, and visitor related activities based on conservative assumptions. The MYSA Classic Cup tournament in June brought more than 750 visitors into town for a minimum of two nights which will bring more than \$125,000.00 into the economy. The park is also estimated to generate more than 50 jobs. And all of these numbers will only increase with new events and park visits. Below see the gross economic output breakdown for the park.

Gross Economic Output

The aggregated market value of goods and services produced by firms and government enterprises in the County's economy. It is essentially equal to the revenue collected by businesses (including indirect taxes) within the County.

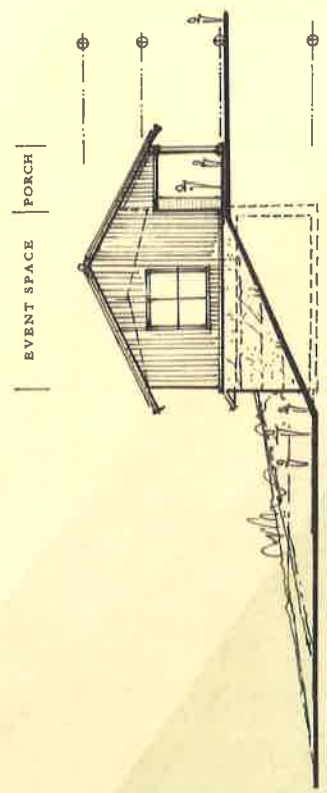
Implan Industry	Frequency	Direct Impact	Indirect and Induced Impact	Total Impact
Park Construction				
Construction related activities	One Time	\$2,600,000	\$892,969	\$3,492,969
LYSA Park-related Expenses				
Annual Park Maintenance	Annually	\$11,000	\$3,988	\$14,988
Staff and Personnel	Annually	\$9,873	\$3,246	\$13,119
Visitor Related				
Visitor- Automotive repair and maintenance	Annually	\$6,874	\$1,589	\$8,463
Visitor - Food services and drinking places	Annually	\$53,030	\$13,896	\$66,926
Visitor - Gasoline stations	Annually	\$66,099	\$14,458	\$80,557
Visitor Hotels and motels, including casino hotels	Annually	\$24,320	\$6,497	\$30,817
Visitor - Miscellaneous store retailers	Annually	\$55,987	\$16,473	\$72,460
Annual Impact Subtotal				\$287,331
Totals:		\$2,827,183	\$953,117	\$3,780,300



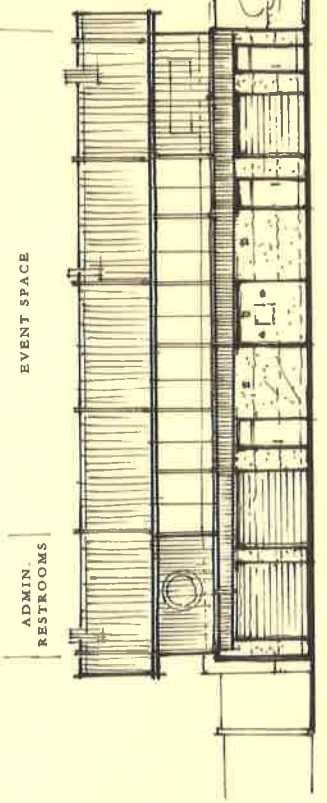
EAST ELEVATION
SCALE: 1" = 8'-0"

- Corrugated or Standing Seam Metal Roofing w/ Metal Gutters
- Wood Soffit / Rafter Tails
- Corrugated Metal Panel Walls
- Exposed Concrete / Sealed

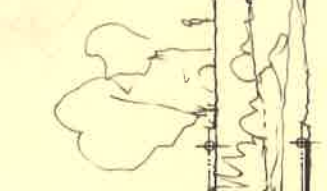
SOUTH ELEVATION
SCALE: 1" = 8'-0"



WEST ELEVATION
SCALE: 1" = 8'-0"



NORTH ELEVATION
SCALE: 1" = 8'-0"



PATH TO FIELD #2

EVENT SPACE | ADMIN. RESTROOMS | EVENT SPACE

EQUIPMENT GARAGE | RESTROOMS | CONCESSIONS

JEFF DICKERSON
NSPSF PROJECT CHAIRPERSON
MILLER ARCHITECTS, P.C.
208 WEST PARK STREET
LIVINGSTON, MONTANA 59047
406.222.7057

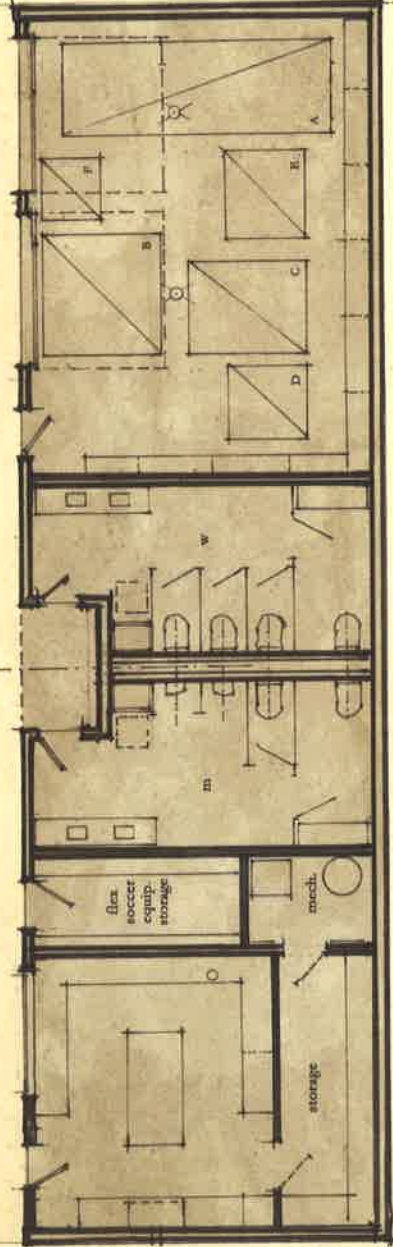
7.3.2014

Northside Park
Soccer Fields Project

OUTDOOR EVENT SPACE

82'-0"

GRILL AREA



CONCESSIONS

RESTROOMS

EQUIPMENT GARAGE / SHOP
Refer to description for equipment list

BELOW GRADE

LOWER LEVEL FLOOR PLAN

SCALE: 1" = 8'-0"



LOWER LEVEL SPACE DESCRIPTIONS

SPACE	SIZE	SQ. FT.
CONCESSIONS	18 x 16	288
STORAGE	18 x 6	108
RESTROOMS	24 x 22	528
(2) M / W		
W.C.	4 / 4	
Lav.	2 / 2	
SOCCER STOR.	6 x 13 ⁶	81
MECH. ROOM	6 x 8	48
FIELD EQUIP./GARAGE	30 x 22	660

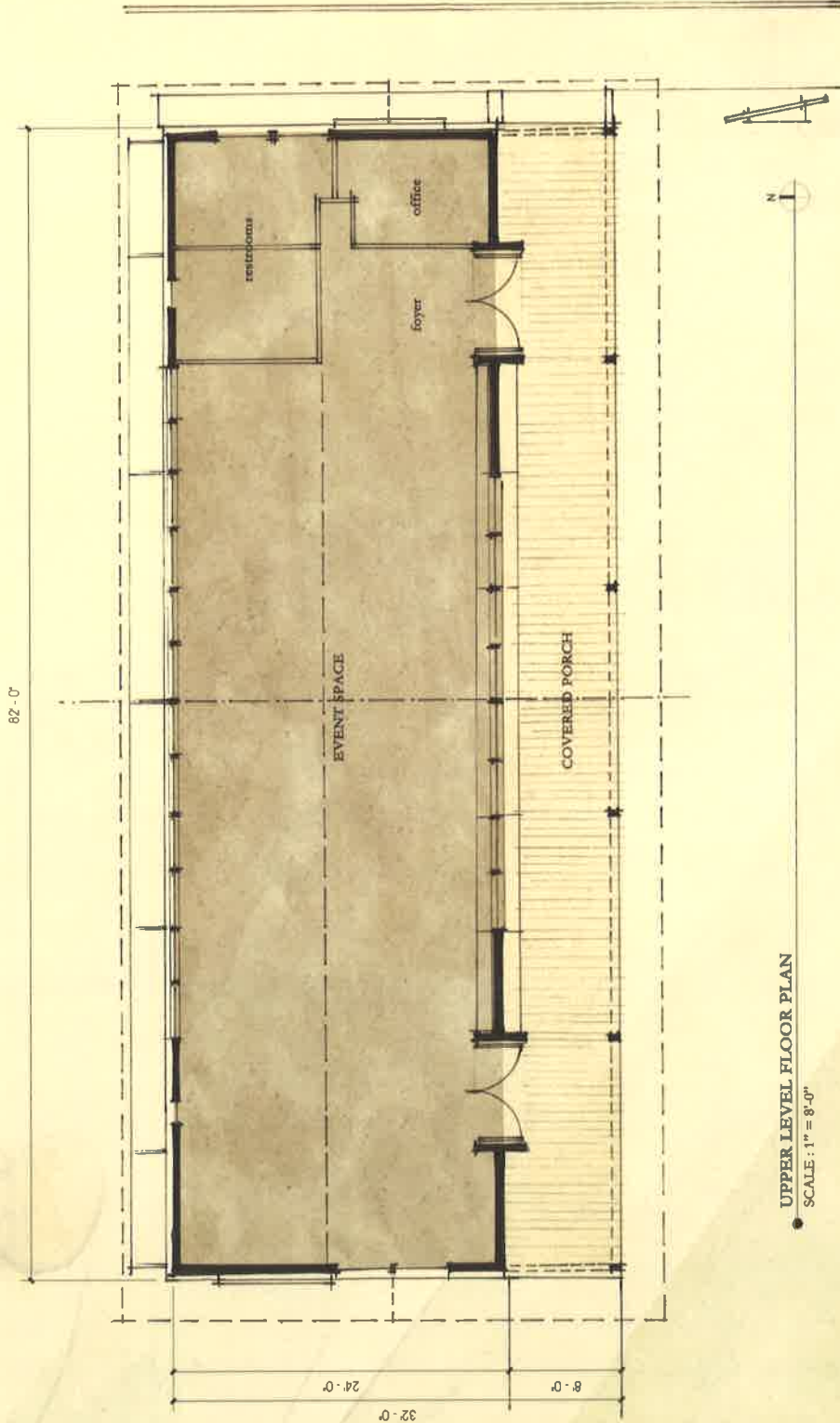
- A. TRACTOR 6x18
 - B. MOWER 8x8
 - C. AREATOR 8x6
 - D. SPREADER 1 5x5
 - E. SPREADER 2 6x6
 - F. STRIPER 4x4
- PROVIDE (2) FLOOR DRAINS
SHOP SINK

TOTAL NET S.F. 1713
TOTAL GROSS S.F. 1968

- ESTIMATED CONCESSION EQUIPMENT:
- Hot Dog Grill
 - Refrigerator Dispenser/Cooler (2)
 - Coffee/Capacitance Machine
 - Ice Cream Cooler
 - Popcorn Machine
 - Hot Plate (2)
 - Crock Pot (2)
 - Microwave (2)
 - Ice Machine
 - Commercial Dishwasher Station

JEFF DICKERSON
NSFSF PROJECT CHAIRPERSON
MILLER ARCHITECTS, P.C.
208 WEST PARK STREET
LIVINGSTON, MONTANA 59047
406.222.7057

7.3.2014



● UPPER LEVEL FLOOR PLAN
 SCALE: 1" = 8'-0"

UPPER LEVEL SPACE DESCRIPTIONS

SPACE	SIZE	SQ. FT.
FLEX / EVENT	64 x 22	1,408
FOYER	8 x 10	80
15 sqft per person / 96 max (Assembly A-2) Occupant Load		
RESTROOMS	16 x 12	192
2009 IBC Table 2902.2		
M / W		
W.C.	1/75	1/75
Lav.	1/200	1/200
2 W.C.	2 W.C.	2 W.C.
1 Lav.	1 Lav.	1 Lav.
ADMIN.	8 x 12	96
TOTAL NET S.F.		1,808
TOTAL GROSS S.F.		1,863
COVERED PORCH	8 x 82	656
GROSS TOTAL		4,487 SQ. FT.
LOWER + UPPER + PORCH		\$400,000 / 4,487 SQ. FT. = \$104/SQ. FT.

JEFF DICKERSON
 NSPSF PROJECT CHAIRPERSON
MILLER ARCHITECTS, P.C.
 208 WEST PARK STREET
 LIVINGSTON, MONTANA 59047
 406.222.7057

7.3.2014

Backup material for agenda item:

- A. RESOLUTION NO. 4631 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN THE FEDERAL GRANT APPLICATION DOCUMENTS NECESSARY FOR RUNWAY, TAXIWAY AND APRON IMPROVEMENT PROJECTS AT MISSION FIELD.**

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Resolution No. 4631

Date of First Consideration / Status: January 19, 2016

Purpose of Legislation: To authorize the City Manager to sign federal grant application documents necessary for Mission Field runway, taxiway and apron improvement projects.

Statutory Authority / Reference: Mont. Code Ann. § 7-3-304(9) (2015)

Background: The Airport Board desires to upgrade and improve the runway, taxiway and apron areas at Mission Field. The projects require some financial assistance from Park County and the City of Livingston, but federal grant assistance will also be necessary for the projects to be completed. The Airport Board hired the engineering firm of Robert Peccia & Associates to assist with the project and prepare the necessary grant application documents. The Airport Board recently requested the Livingston City Manager’s signature on the documents. The City Manager is ready, willing and able to sign the grant application documents upon the City Commission’s go-ahead.

Fiscal Impact: See attached Fiscal Note.

Regulatory Impact (local): N/A.

Attachments: Grant Application Documents and Fiscal Note.

CITY OF LIVINGSTON FISCAL NOTE

Ordinance # _____
 Resolution # 4631

Fiscal Analysis Assumptions

- This grant is for a total of \$205,000, with a 10% local match.
- The City of Livingston and Park County will split this match 50%/50%.
- A total of \$7,000 was included int the Capital Improvement Plan (CIP) for FY 17, this number will be

<u>Costs by Object</u>	<u>FY 16</u>	<u>FY17</u>	<u>FY 18</u>
Personnel	\$ -	\$ -	\$ -
Operating	-	\$ -	\$ -
Capital	10,500	-	-
Debt Service	-	-	-
Total Costs	<u>\$ 10,500</u>	<u>\$ -</u>	<u>\$ -</u>

<u>Funding Source</u>	<u>FY 16</u>	<u>FY17</u>	<u>FY 18</u>
Fund Name General Fund	\$ 10,500	\$ -	\$ -
Total	<u>\$ 10,500</u>	<u>\$ -</u>	<u>\$ -</u>

Signature Jessie R. Hogg
 Date 1/11/2016

RESOLUTION NO. 4631

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN THE FEDERAL GRANT APPLICATION DOCUMENTS NECESSARY FOR RUNWAY, TAXIWAY AND APRON IMPROVEMENT PROJECTS AT MISSION FIELD.

WHEREAS, the Airport Board desires to upgrade and improve runway, taxiway and apron areas at Mission Field;

WHEREAS, some financial assistance will be provided by Park County and the City of Livingston, but it will be necessary to obtain federal grant assistance for the projects to be completed;

WHEREAS, the Airport Board hired the engineering firm of Robert Peccia & Associates to assist with the project and prepare the necessary grant application documents, which documents are attached hereto and incorporated herein as Exhibit A;

WHEREAS, the Airport Board has requested the Livingston City Manager's signature on the grant application documents; and

WHEREAS, the City Manager is ready, willing and able to sign the grant application documents upon the City Commission's approval thereof.

NOW, THEREFORE, be it resolved by the City Commission of the City of Livingston, Montana, as follows:

The City Manager is hereby authorized to sign the grant application documents collectively attached hereto as Exhibit A.

Dated this ____ day of January, 2016.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney

Resolution No. 4631

Authorizing City Manager to sign grant application documents for Mission Field Airport.

Page 1



ROBERT PECCIA & ASSOCIATES

Transmittal Letter

TO: **City Manager / City Attorney** FROM: **Lance Bowser, P.E.**
 FIRM/AGENCY: **City of Livingston** DATE: **December 16, 2015**
 ADDRESS: **414 East Callender Street** PROJECT #: **A.I.P. 3-30-0051-009-2016**
 CITY/STATE/ZIP: **Livingston / MT / 59047** REGARDING: **Mission Field AIP**
 TELEPHONE:

Transmitted are the following items:

Item Number	Copies	Description
1	1	<i>Application for Federal Assistance SF-424</i>
2	1	<i>Sponsor Certifications</i>
3	1	<i>AIP Development Project Schedule</i>
4	1	<i>Documented Catex</i>

F:\AIRPORTS\15602.0 MISSION FIELD\AIP-00\CORRESP\2015.12.16.CITY.DOCX

Remarks:

Please find enclosed for your distribution / coordination for execution:

Item #1 is the FAA Grant Application, which is based on cost estimates. Following bid opening(s) for the maintenance project the *Grant Offer* will be revised to reflect actual bid prices.

Item #2 are the required Sponsor Certifications. They include *Certification and Disclosure Regarding Potential Conflict of Interest, Drug-Free Workplace, Selection of Consultants, Project Plans and Specifications, Equipment and Construction Contracts, and Construction Project Final Acceptance*. These certifications state the requirements arising out of the grant applications. They help formulate the RPA scope of work of items required to be completed throughout the project. These checklists all state has been / will be completed. The FAA wants to make you aware of all grant requirements in advance of the Grant Application.

Item #3 is the FAA required AIP Development Project Schedule. It is simply a schedule of all the "milestone" dates for completion. No signatures are required with this document.

Item #4 is a checklist certifying that all environmental requirements have been / will be completed. This checklist is very basic for this pavement maintenance only project, to be completed entirely on existing pavements.

HELENA, MT
 P.O. Box 5653
 825 Custer Avenue
 Helena, MT 59604
 Tele 406.447.5000
 Fax 406.447.5036

KALISPELL, MT
 P.O. Box 5100
 102 Cooperative Way, Suite 300
 Kalispell, MT 59903
 Tele 406.752.5025
 Fax 406.752.5024

FORT COLLINS, CO
 400 Remington Street,
 Suite B
 Fort Collins, CO 80524
 Tele 970.484.3206
 Fax 970.484.3209

Application for Federal Assistance SF-424

<p>* 1. Type of Submission</p> <p><input type="checkbox"/> Preapplication</p> <p><input checked="" type="checkbox"/> Application</p> <p><input type="checkbox"/> Changed/Corrected Application</p>	<p>* 2. Type of Application</p> <p><input checked="" type="checkbox"/> New</p> <p><input type="checkbox"/> Continuation</p> <p><input type="checkbox"/> Revision</p>	<p>* If Revision, select appropriate letter(s):</p> <p>- Select One -</p> <p>* Other (Specify)</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------

* 3. Date Received:	4. Application Identifier:
---------------------	----------------------------

5a. Federal Entity Identifier: A.I.P. 3-30-0051-009-2016	* 5b. Federal Award Identifier:
-------------------------------------------------------------	---------------------------------

State Use Only:

6. Date Received by State:	7. State Application Identifier:
----------------------------	----------------------------------

8. APPLICANT INFORMATION:

* a. Legal Name: Park County and the City of Livingston	
* b. Employer/Taxpayer Identification Number (EIN/TIN): 81-6001401	*c. Organizational DUNS: 014175756

d. Address:

* Street1: 414 East Callender Street
 Street 2:

* City: Livingston
 County: Park
 * State: Montana
 Province:
 Country: USA *Zip/ Postal Code: 59047

e. Organizational Unit: Park County and the City of Livingston

Department Name:	Division Name:
------------------	----------------

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr.	First Name: Kerry
Middle Name:	
* Last Name: LaDuke	
Suffix:	

Title: Chairman

Organizational Affiliation: Park County Airport Board

* Telephone Number: (406) 220-0166	Fax Number:
------------------------------------	-------------

* Email: kladuke1144@msn.com

Application for Federal Assistance SF-424

*9. Type of Applicant 1: Select Applicant Type:

B. County Government

Type of Applicant 2: Select Applicant Type:

C. City or Township Government

Type of Applicant 3: Select Applicant Type:

- Select One -

* Other (specify):

* 10. Name of Federal Agency:

FAA - Helena Airports District Office

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

*12. Funding Opportunity Number:

Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City: Livingston

County: Park

State: Montana

* 15. Descriptive Title of Applicant's Project:

a. Runway - Rehabilitate Runway 4-22 (Maintenance)

b. Taxiway - Rehabilitate Taxiways / Taxilanes (Maintenance)

c. Apron - Rehabilitate Apron (Maintenance)

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

*a. Applicant: MT-all

*b. Program/Project: MT-all

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: 01/01/2016

*b. End Date: 11/01/2016

18. Estimated Funding (\$):

*a. Federal	184,500.00
*b. Applicant	_____
*c. State	_____
*d. Local	20,500.00
*e. Other	_____
*f. Program Income	_____
*g. TOTAL	205,000.00

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation on next page.)**

- Yes
- No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. *First Name: Clint
 Middle Name:
 *Last Name: Tinsley
 Suffix:

*Title: Chairman, Park County Commission

*Telephone Number: (406) 461-8868

Fax Number: (406) 632-4880

* Email: commissioners@parkcounty.org

*Signature of Authorized Representative:

*Date Signed:

PLEASE SIGN & DATE

*Signature of Authorized Representative:		*Date Signed:
Signature of Authorized Representative:		*Date Signed:
Prefix:	*First Name: Lisa	
Middle Name:		
*Last Name: Lowy		
Suffix:		
*Title: Interim City Manager, City of Livingston		
*Telephone Number: (406) 823-6000	Fax Number:	
* Email: citymanager@livingstonmontana.org		
*Signature of Authorized Representative:		*Date Signed:

PLEASE

Application for Federal Assistance SF-424

***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

Application for Federal Assistance (Development Projects)

PART II – PROJECT APPROVAL INFORMATION

SECTION A	
<p>Item 1. Does this assistance request require State, local, regional, or other priority rating? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Name of Governing Body: Priority:</p>
<p>Item 2. Does this assistance request require State, or local advisory, educational or health clearances? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Name of Agency or Board: (Attach Documentation)</p>
<p>Item 3. Does this assistance request require clearinghouse review in accordance with OMB Circular A-95? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>(Attach Comments)</p>
<p>Item 4. Does this assistance request require State, local, regional, or other planning approval? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Name of Approving Agency: Date:</p>
<p>Item 5. Is the proposal project covered by an approved comprehensive plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Check one: State <input type="checkbox"/> Local <input type="checkbox"/> Regional <input type="checkbox"/> Location of Plan:</p>
<p>Item 6. Will the assistance requested serve a Federal installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Name of Federal Installation: Federal Population benefiting from Project:</p>
<p>Item 7. Will the assistance requested be on Federal land or installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Name of Federal Installation: Location of Federal Land: Percent of Project: %</p>
<p>Item 8. Will the assistance requested have an impact or effect on the environment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>(See instructions for additional information to be provided.)</p>
<p>Item 9. Will the assistance requested cause the displacement of individuals, families, businesses, or farms? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Number of: Individuals: Families: Businesses: Farms:</p>
<p>Item 10. Is there other related Federal assistance on this project previous, pending, or anticipated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>20-106 Previous Airport Improvement Projects AIP 3-30-0051-001 through 3-30-0051-008-2014 are all complete.</p>

PART II – SECTION C

The Sponsor hereby represents and certifies as follows:

1. Compatible Land Use – The Sponsor has taken the following actions to assure compatible usage of land adjacent to or in the vicinity of the airport:

Resolution 815 created Airport Influence Areas around all three of the County's airports. Language and drawings to assist in controlling the airspace and land use were subsequently adopted.

2. Defaults – The Sponsor is not in default on any obligation to the United States or any agency of the United States Government relative to the development, operation, or maintenance of any airport, except as stated herewith:

None

3. Possible Disabilities – There are no facts or circumstances (including the existence of effective or proposed leases, use agreements or other legal instruments affecting use of the Airport or the existence of pending litigation or other legal proceedings) which in reasonable probability might make it impossible for the Sponsor to carry out and complete the Project or carry out the provisions of the Grant Assurances, either by limiting its legal or financial ability or otherwise, except as follows:

None

4. Consistency with Local Plans – The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

Confirmed. The project is consistent with local plans.

5. Consideration of Local Interest – It has given fair consideration to the interest of communities in or near where the project may be located.

Confirmed. Sponsor has given fair consideration.

6. Consultation with Users – In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport which project is proposed.

Confirmed. Sponsor has notified users.

7. Public Hearings – In projects involving the location of an airport, an airport runway or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

Not applicable.

8. Air and Water Quality Standards – In projects involving airport location, a major runway extension, or runway location it will provide for the Governor of the state in which the project is located to certify in writing to the Secretary that the project will be located, designed, constructed, and operated so as to comply with applicable and air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from such Administrator. Notice of certification or refusal to certify shall be provided within sixty days after the project application has been received by the Secretary.

Not applicable.

PART II – SECTION C (Continued)

9. Exclusive Rights – There is no grant of an exclusive right for the conduct of any aeronautical activity at any airport owned or controlled by the Sponsor except as follows:

None.

10. Land – (a) The sponsor holds the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport subject to the following exceptions, encumbrances, and adverse interests, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

Airport Layout Plan, Exhibit "A", conditionally approved on 01/25/2013, is hereby incorporated by reference.

The Sponsor further certifies that the above is based on a title examination by a qualified attorney or title company and that such attorney or title company has determined that the Sponsor holds the above property interests.

(b) The Sponsor will acquire within a reasonable time, but in any event prior to the start of any construction work under the Project, the following property interest in the following areas of land* on which such construction work is to be performed, all of which areas are identified on the aforementioned property map designated as Exhibit "A":

Not applicable.

(c) The Sponsor will acquire within a reasonable time, and if feasible prior to the completion of all construction work under the Project, the following property interest in the following areas of land* which are to be developed or used as part of or in connection with the Airport as it will be upon completion of the Project, all of which areas are identified on the aforementioned property map designated as Exhibit "A"

Not applicable.

*State the character of property interest in each area and list and identify for each all exceptions, encumbrances, and adverse interests of every kind and nature, including liens, easements, leases, etc. The separate areas of land need only be identified here by the area numbers shown on the property map.

PART III – BUDGET INFORMATION – CONSTRUCTION

SECTION A – GENERAL			
1. Federal Domestic Assistance Catalog Number: <u>20-106</u>			
2. Functional or Other Breakout: _____			
SECTION B – CALCULATION OF FEDERAL GRANT			
Cost Classification	Use only for revisions		Total Amount Required
	Latest Approved Amount	Adjustment + or (-)	
1. Administration expense	\$	\$	\$ 4,000.00
2. Preliminary expense			
3. Land, structures, right-of-way			
4. Architectural engineering basic fees			36,000.00
5. Other Architectural engineering fees			
6. Project inspection fees			10,000.00
7. Land development			
8. Relocation Expenses			
9. Relocation payments to Individuals and Businesses			
10. Demolition and removal			
11. Construction and project improvement			155,000.00
12. Equipment			
13. Miscellaneous			
14. Total (Lines 1 through 13)			205,000.00
15. Estimated Income (if applicable)			
16. Net Project Amount (Line 14 minus 15)			205,000.00
17. Less: Ineligible Exclusions			
18. Add: Contingencies			
19. Total Project Amt. (Excluding Rehabilitation Grants)			
20. Federal Share requested of Line 19			184,500.00
21. Add Rehabilitation Grants Requested (100 Percent)			
22. Total Federal grant requested (lines 20 & 21)			184,500.00
23. Grantee share			20,500.00
24. Other shares			
25. Total Project (Lines 22, 23 & 24)	\$	\$	\$ 205,000.00

SECTION C – EXCLUSIONS

Classification	Ineligible for Participation (1)	Excluded From Contingency Provision (2)
a.	\$	\$
b.		
c.		
d.		
e.		
f.		
g. Totals	\$	\$

SECTION D – PROPOSED METHOD OF FINANCING NON-FEDERAL SHARE

27. Grantee Share		
a. Securities		\$
b. Mortgages		
c. Appropriations (By Applicant)		
d. Bonds		
e. Tax Levies		20,500.00
f. Non Cash		
g. Other (Explain)		
h. TOTAL - Grantee share		20,500.00
28. Other Shares		
a. State		
b. Other		
c. Total Other Shares		
29. TOTAL		\$ 20,500.00

SECTION E – REMARKS

The following items are attached:

1. Airport Sponsor Assurances (02/2014).
2. FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects (02/11/2015).
3. Contract Documents, Specifications, & Plans, incorporated by reference.
4. Design Report, AIP 3-30-0051-009-2016, incorporated by reference.
5. "ALP updated January 2013, filed with AIP 3-30-0051-006/007-2011, incorporated by reference

PART IV – PROGRAM NARRATIVE (Attach – See Instructions)

**PART IV
PROGRAM NARRATIVE**
(Suggested Format)

PROJECT : A.I.P. 3-30-0051-009-2016			
AIRPORT : Mission Field (Livingston) Airport			
<p>1. Objective:</p> <ul style="list-style-type: none"> a. Runway - Rehabilitate Runway 4-22 b. Taxiway - Rehabilitate Connecting Taxiway and Runway Turnarounds c. Apron - Rehabilitate Apron 			
<p>2. Benefits Anticipated:</p> <p>Preventative pavement maintenance provides the most economical extension of pavement life. Crack sealing and apply a seal coat will aid in preventing moisture infiltration into the pavement base and prolong pavement life. A new coal tar application in the tie-down and fueling areas will help prevent pavement damage from any fuel and oil spills. New markings will increase pilot awareness and improved safety.</p>			
<p>3. Approach: (See approved Scope of Work in Final Application)</p> <p>Existing un-sealed cracks will be routed (3/8" deep x 1 1/2" wide, square-edged, carbide-cut reservoir), cleaned and sealed (P-101). Pavement markings will be tabbed to provide easier layout of remarking. Seal Coat (P-608) runway and taxiways using a computer controlled application rate of between 0.10-0.15 gal/SY (residual). Test applications will aid in determining the optimum application rate. Temporary runway markings (P-620) will be painted at "half-rate" with reflective media. Coal tar emulsion (P-630) will be applied in two coats in the tie-down and fueling areas. About 4-weeks later, a second application of white paint and all of the yellow markings shall be completed at "full-rate" with reflective media.</p>			
<p>4. Geographic Location:</p> <p>The Mission Field (Livingston) Airport is located approximately six miles northeast of the City of Livingston in south-central Montana. The airport lies about one mile south of Interstate Highway 90, within Sections 1 and 2 of Township 2 South, and Sections 35 and 36 of Township 1 South, all In Range 10 East</p>			
<p>5. If Applicable, Provide Additional Information:</p>			
<p>6. Sponsor's Representative: (include address & telephone number)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> <p>Owner: Clint Tinsley, Chairman Park County Commission 414 East Callender Street Livingston, MT 59047-2799 (406) 222-4106 commissioners@parkcounty.org</p> </td> <td style="width: 33%; vertical-align: top;"> <p>Owner: City Manager City of Livingston 414 East Callender Street Livingston, MT 59047-2799 (406) 222-2005 citymanager@livingstonmontana.org</p> </td> <td style="width: 33%; vertical-align: top;"> <p>Contact: Kerry LaDuke, Chairman Park County Airport Board 414 East Callender Street Livingston, MT 59047 (406) 220-0166 jkladuke1144@msn.com</p> </td> </tr> </table>	<p>Owner: Clint Tinsley, Chairman Park County Commission 414 East Callender Street Livingston, MT 59047-2799 (406) 222-4106 commissioners@parkcounty.org</p>	<p>Owner: City Manager City of Livingston 414 East Callender Street Livingston, MT 59047-2799 (406) 222-2005 citymanager@livingstonmontana.org</p>	<p>Contact: Kerry LaDuke, Chairman Park County Airport Board 414 East Callender Street Livingston, MT 59047 (406) 220-0166 jkladuke1144@msn.com</p>
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**FAA
Airports**

ASSURANCES

Airport Sponsors

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. Airport Planning Undertaken by a Sponsor.

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

Federal Legislation

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.¹
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

Executive Orders

- a. Executive Order 11246 - Equal Employment Opportunity¹
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 - Environmental Justice

Federal Regulations

- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.¹
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- m. 49 CFR Part 20 - New restrictions on lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.

- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

Specific Assurances

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

Footnotes to Assurance C.1.

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.

- ⁵ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁶ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. Good Title.

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and

has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans,

specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal,

state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;
 - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or

to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-

- 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
 - d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
 - e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
 - f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
 - g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
 - h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
 - i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or

operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

- 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
 - c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
- 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing
 - 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and

roads), including all proposed extensions and reductions of existing airport facilities;

- 3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
 - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
 - 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 - 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.

- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
 - 2) So long as the sponsor retains ownership or possession of the property.
- d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

“The **(Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

e. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a

covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:

- a) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another

eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.

- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated _____ (the latest approved version as of this grant offer) and included in this grant, and in accordance

with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
 - 1) Describes the requests;
 - 2) Provides an explanation as to why the requests could not be accommodated; and
 - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



**FAA
Airports**

Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 2/11/2015

View the most current versions of these ACs and any associated changes at:
http://www.faa.gov/airports/resources/advisory_circulars

NUMBER	TITLE
70/7460-1K	Obstruction Marking and Lighting
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Change 2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28D	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30C Change 1	Airport Winter Safety And Operations
150/5200-31C Changes 1-2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications
150/5210-13C	Airport Water Rescue Plans and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design
150/5210-18A	Systems for Interactive Training of Airport Personnel

NUMBER	TITLE
150/5210-19A	Driver's Enhanced Vision System (DEVS) Ground Vehicle Operations on Airports
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16D	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Airport Avian Radar Systems
150/5220-26 Change 1	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-7B	FAA Policy on Facility Relocations Occasioned by Airport Improvements of Changes
150/5300-13A Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5D	Airport Drainage Design
150/5320-6E	Airport Pavement Design and Evaluation
150/5320-12C Changes 1-8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces

NUMBER	TITLE
150/5320-15A	Management of Airport Industrial Waste
150/5235-4B	Runway Length Requirements for Airport Design
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30H	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retro reflective Markers
150/5345-42G	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43G	Specification for Obstruction Lighting Equipment
150/5345-44J	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures
150/5345-46D	Specification for Runway and Taxiway Light Fixtures

NUMBER	TITLE
150/5345-47C	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49C	Specification L-854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51B	Specification for Discharge-Type Flashing Light Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53D	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-884, Power and Control Unit for Land and Hold Short Lighting Systems
150/5345-55A	Specification for L-893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56B	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-12F	Airport Signing and Graphics
150/5360-13 Change 1	Planning and Design Guidelines for Airport Terminal Facilities
150/5360-14	Access to Airports By Individuals With Disabilities
150/5370-2F	Operational Safety on Airports During Construction
150/5370-10G	Standards for Specifying Construction of Airports
150/5370-11B	Use of Nondestructive Testing in the Evaluation of Airport Pavements
150/5370-13A	Off-Peak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5370-15B	Airside Applications for Artificial Turf
150/5370-16	Rapid Construction of Rigid (Portland Cement Concrete) Airfield Pavements
150/5370-17	Airside Use of Heated Pavement Systems
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness
150/5390-2C	Heliport Design
150/5395-1A	Seaplane Bases

THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY

Updated: 3/7/2014

NUMBER	TITLE
150/5100-14E	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17 Changes 1 - 6	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-9B	Predesign, Prebid, and Preconstruction Conferences for Airport Grant Projects
150/5300-15A	Use of Value Engineering for Engineering Design of Airports Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating (PASER) Manuals
150/5370-6D	Construction Progress and Inspection Report – Airport Improvement Program (AIP)
150/5370-12A	Quality Control of Construction for Airport Grant Projects

ATTACHMENT 1

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations. The contractor shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination. The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. the contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or lease of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports. The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Sponsor or the Federal Aviation Administration (FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contract is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the sponsor or the FAA, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance. In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the sponsor shall impose such contract sanctions as it or the FAA may determine to be appropriate, including, but not limited to:

- a. Withholding of payments to the contractor under the contract until the contractor complies, and/or
- b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions. The contractor shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the sponsor or the FAA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Sponsor to enter into such litigation to protect the interests of the sponsor and, in addition, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

CLAUSES FOR DEEDS, LICENSES, LEASES, PERMITS OR SIMILAR INSTRUMENTS**ATTACHMENT 2**

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the Sponsor pursuant to the provisions of Assurances 5(a) and 5(b).

1. The (grantee, licensee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a DOT program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.
2. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

**REQUIRED STATEMENTS
AIRPORT IMPROVEMENT PROGRAM PROJECTS**

AIRPORT: Mission Field (Livingston Airport – LVM)
LOCATION: Livingston, Montana
AIP PROJECT NO.: AIP 3-30-0051-009-2016

STATEMENTS APPLICABLE TO THIS PROJECT _____

- a. **INTEREST OF NEIGHBORING COMMUNITIES:** In formulating this project, consideration has been given to the interest of communities that are near **Mission Field (Livingston Airport)**.
- b. **THE DEVELOPMENT PROPOSED IN THIS PROJECT** will not require the use of publicly owned land from a public park, recreation area, wildlife and fowl refuge, or a historical site under Federal, State, or Local jurisdiction.
- c. **FBO COORDINATION:** The airport development proposed in this project has been coordinated with the Fixed Base Operator(s) utilizing **Mission Field** and they have been informed regarding the scope and nature of this project.
- d. **THE PROPOSED PROJECT IS CONSISTENT** with existing approved plans for the area surrounding the airport.

The above statements have been duly considered and are applicable to this project. (Provide comment for any statement not checked).

BY: _____ **DATE:** _____

TITLE: Clint Tinsley, Chairman

SPONSORING AGENCY: Park County

BY: _____

TITLE: Marty Malone, Commissioner

SPONSORING AGENCY: Park County

BY: _____

TITLE: Steve Caldwell, Commissioner

SPONSORING AGENCY: Park County

BY: _____ **DATE:** _____

TITLE: _____

SPONSORING AGENCY: City of Livingston

NOTE: Where opposition is stated to an airport development project, whether expressly or by proposed revision, the following specific information concerning the opposition to the project must be furnished.

- a. Identification of the Federal, state, or local governmental agency, or the person or persons opposing the project;
- b. The nature and basis of opposition;
- c. Sponsor's plan to accommodate or otherwise satisfy the opposition;
- d. Whether an opportunity for a hearing was afforded, and if a hearing was held, an analysis of the facts developed at the hearing as they relate to the social, economic, and environmental aspects of the proposed project and its consistency with the goals and objectives of such urban planning as has been carried out by the community.
- e. If the opponents proposed any alternatives, what these alternatives were and the reason for nonacceptance;
- f. Sponsor's plans, if any, to minimize any adverse effects of the project;
- g. Benefits to be gained by the proposed development; and
- h. Any other pertinent information which would be of assistance in determining whether to proceed with the project.

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CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

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

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

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

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

Signed _____ **Date** _____
Title Clint Tinsley, Chairman, Park County

Signed _____
Title Marty Malone, Commissioner, Park County

Signed _____
Title Steve Caldwell, Commissioner, Park County

Signed _____
Title City of Livingston

STANDARD DOT TITLE VI ASSURANCES

Park County and the City of Livingston, Montana (hereinafter referred to as the Sponsor) hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation (DOT), it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and all requirements imposed by 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. Without limiting the above general assurance, the Sponsor agrees concerning this grant that:

1. Each "program" and "facility" (as defined in Section 21.23(a) and 21.23(b)) will be conducted or operated in compliance with all requirements of the Regulations.
2. It will insert the clauses of Attachment 1 of this assurance in every contract subject to the Act and the Regulations.
3. Where Federal financial assistance is received to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
4. Where Federal financial assistance is in the form or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
5. It will include the appropriate clauses set forth in Attachment 2 of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Sponsor with other parties:
 - (a) for the subsequent transfer of real property acquired or improved with Federal financial assistance under this project; and
 - (b) for the construction or use of or access to space on, over, or under real property acquired or improved with Federal financial assistance under this Project.
6. This assurance obligates the Sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Sponsor or any transferee for the longer of the following periods:
 - (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - (b) the period during which the Sponsor retains ownership or possession of the property.
7. It will provide for such methods of administration for the program as are found by the Secretary of transportation of the official to whom he delegates specific authority to give reasonable guarantees that it, other sponsors, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the act, the Regulations, and this assurance.

STANDARD DOT TITLE VI ASSURANCES (Continued)

8. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining Federal financial assistance for this Project and is binding on its contractors, the Sponsor, subcontractors, transferees, successors in interest and other participants in the Project. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

DATED _____

Park County
(Sponsor)

Clint Tinsley, Chairman

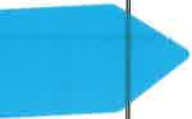
Marty Malone, Commissioner

Steve Caldwell, Commissioner

City of Livingston
(Sponsor)

City Manager

PLEASE
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TITLE VI PRE-AWARD SPONSOR CHECKLIST

Airport/Sponsor: Park County & the City of Livingston, Montana

AIP #: AIP 3-30-0051-009-2016

Project Description(s): Rehabilitate Runway 4-22, Taxiways, and Apron (Pavement Maintenance)

- 1) Please describe any of the following IF they apply to your project: Title VI issues raised at public hearing(s) and the conclusions made; EIS data concerning the race, color, or national origin of the affected community; steps taken or proposed to guard against unnecessary impact on persons on the basis of race, color or national origin.
 None
- 2) Please list any airport related Title VI lawsuits or complaints filed in the preceding year against the sponsor. Include a summary of the findings.
 None (If "None", continue with questions 3 and 4).
- 3) Please list any current applications for federal funding (other than FAA) of airport related projects which exceed the amount for this grant.
 None
- 4) Please list any airport related Title VI compliance review(s) received by the sponsor in the preceding two years. Include who conducted the review and any findings of noncompliance.
 None

To be completed by the Civil Rights Staff

Review completed and approved: _____
Signature

Date: _____

This checklist is only required for projects that involve one of the following: Environmental Assessment or Impact Statement (EIS); airport or runway relocation; major runway extension; relocation of any structure of person; or impact to access or preservation of any burial ceremonial or other sacred or historical structures or lands of any indigenous or ethnic population.

Return to: FAA, Civil Rights, Northwest Mountain Region; 1601 Lind Ave. SW; Renton, WA 98057-3356. FAX: (425) 227-1009 Phone (425) 227-2009

Certification and Disclosure Regarding Potential Conflicts of Interest Airport Improvement Program Sponsor Certification

Sponsor: **Park County & the City of Livingston**

Airport: **Mission Field (Livingston Airport) – LVM**

Project Number: **AIP 3-30-0051-009-2016**

Description of Work:

Rehabilitate Runway 4-22, taxiways, and apron (pavement maintenance).

A sponsor must disclose in writing any potential conflict of interest to the Federal Aviation Administration (FAA) or pass-through entity. No employee, officer or agent of the sponsor or subgrant recipient shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

1. The employee, officer or agent,
2. Any member of his immediate family,
3. His or her partner, or
4. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The sponsor's or subgrant recipient's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements.

Sponsors or subgrant recipients may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by state or local law or regulations, such standards or conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the grantee's and subgrant recipient's officers, employees, or agents, or by contractors or their agents.

The sponsor or subgrant recipient must maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts.

1. By checking "Yes," the sponsor or subgrant recipient certifies that it does not have any potential conflict of interest or Significant Financial Interests. By checking "No," the sponsor or subgrant recipient discloses that it does have a potential conflict of interest, which is further explained below.

Yes No

- 2. The sponsor or subgrant recipient maintains a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. By checking "No", the sponsor or subgrant recipient discloses that it does not have a written policy, which is further explained below.

Yes No

- 3. Explanation of items marked "no":

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of **January, 2016**.

Name of Sponsor: **Park County**

Name of Sponsor's Designated Official Representative: **Clint Tinsley**

Title of Sponsor's Designated Official Representative: **Chairman**

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Name of Sponsor: **City of Livingston**

Name of Sponsor's Designated Official Representative: **Lisa Lowy**

Title of Sponsor's Designated Official Representative: **Interim City Manager**

Signature of Sponsor's Designated Official Representative: _____

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Drug-Free Workplace Airport Improvement Program Sponsor Certification

Sponsor: **Park County & the City of Livingston**

Airport: **Mission Field (Livingston Airport) – LVM**

Project Number: **AIP 3-30-0051-009-2016**

Description of Work:

Rehabilitate Runway 4-22, taxiways, and apron (pavement maintenance).

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

Certification Statements

Except for the certification statement below marked as not applicable (N/A), this list includes major requirements for this aspect of project implementation. This list is not comprehensive nor does it relieve the sponsor from fully complying with all applicable statutory and administrative standards.

1. A statement has been or will be published notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition.
 Yes No N/A

2. An ongoing drug-free awareness program has been or will be established to inform employees about:
 - a. The dangers of drug abuse in the workplace
 - b. The sponsor's policy of maintaining a drug-free workplace
 - c. Any available drug counseling, rehabilitation, and employee assistance programs
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace Yes No N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above.
 Yes No N/A

4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant, the employee will:
- Abide by the terms of the statement
 - Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction
- Yes No N/A
5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title of the employee, to the FAA. Notices shall include the project number of each affected grant.
- Yes No N/A
6. One of the following actions will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:
- Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended
 - Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency
- Yes No N/A
7. A good faith effort will be made to continue to maintain a drug-free workplace through implementation of items 1 through 6 above.
- Yes No N/A

Site(s) of performance of work:

Location 1

Name of Location: **Park County**

Address: **414 East Callender Street, Livingston, MT 59047**

Location 2 (if applicable)

Name of Location: **City of Livingston**

Address: **414 East Callender Street, Livingston, MT 59047**

Location 3

Name of Location: **Mission Field (Livingston Airport)**

Address: **82 Airport Road, Livingston, MT 59047**

Additional documentation for any above item marked "no":

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of **January, 2016**.

Name of Sponsor: **Park County**

Name of Sponsor's Designated Official Representative: **Clint Tinsley**

Title of Sponsor's Designated Official Representative: **Chairman**

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Name of Sponsor: **City of Livingston**

Name of Sponsor's Designated Official Representative: **Lisa Lowy**

Title of Sponsor's Designated Official Representative: **Interim City Manager**

Signature of Sponsor's Designated Official Representative: _____

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Selection of Consultants

Airport Improvement Program Sponsor Certification

Sponsor: **Park County & the City of Livingston**

Airport: **Mission Field (Livingston Airport) – LVM**

Project Number: **AIP 3-30-0051-009-2016**

Description of Work:

Rehabilitate Runway 4-22, taxiways, and apron (pavement maintenance).

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326.2 CFR 200. Sponsors may use other qualifications-based procedures provided they are equivalent to specific standards in 2 CFR §§ 200.317-200.326 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

Certification Statements

Except for the certification statement below marked as not applicable (N/A), this list includes major requirements for this aspect of project implementation. This list is not comprehensive nor does it relieve the sponsor from fully complying with all applicable statutory and administrative standards.

1. Solicitations were or will be made to ensure fair and open competition from a wide area of interest.
 Yes No N/A

2. Consultants were or will be selected using competitive procedures based on qualifications, experience, and disadvantaged enterprise requirements with the fees determined through negotiations after initial selection.
 Yes No N/A

3. A record of negotiations has been or will be prepared reflecting considerations involved in the establishment of fees, which are not significantly above the sponsor's independent cost estimate.
 Yes No N/A

4. If engineering or other services are to be performed by sponsor force account personnel, prior approval was or will be obtained from the Federal Aviation Administration (FAA).
 Yes No N/A

5. The consultant services contracts clearly or will clearly establish the scope of work and delineate the division of responsibilities between all parties engaged in carrying out elements of the project.
- Yes No N/A
6. Costs associated with work ineligible for AIP funding are or will be clearly identified and separated from eligible items in solicitations, contracts, and related project documents.
- Yes No N/A
7. Mandatory contact provisions for grant-assisted contracts have been or will be included in consultant services contracts.
- Yes No N/A
8. The cost-plus-percentage-of-cost methods of contracting prohibited under federal standards were not or will not be used.
- Yes No N/A
9. If the services being procured cover more than the single grant project referenced in this certification, the scope of work was or will be specifically described in the advertisement, and future work will not be initiated beyond five years.
- Yes No N/A

Additional documentation for any above item marked "no":

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of **January, 2016**.

Name of Sponsor: **Park County**

Name of Sponsor's Designated Official Representative: **Clint Tinsley**

Title of Sponsor's Designated Official Representative: **Chairman**

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Name of Sponsor: **City of Livingston**

Name of Sponsor's Designated Official Representative: **Lisa Lowy**

Title of Sponsor's Designated Official Representative: **Interim City Manager**

Signature of Sponsor's Designated Official Representative: _____

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Project Plans and Specifications

Airport Improvement Program Sponsor Certification

Sponsor: **Park County & the City of Livingston**

Airport: **Mission Field (Livingston Airport) – LVM**

Project Number: **AIP 3-30-0051-009-2016**

Description of Work:

Rehabilitate Runway 4-22, taxiways, and apron (pavement maintenance).

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP) labor and civil rights standards applicable to AIP are established by the Department of Labor (www.dol.gov/). AIP Grant Assurance C.1—General Federal Requirements identifies applicable federal laws, regulations, executive orders, policies, guidelines and requirements for assistance under AIP. A list of current advisory circulars with specific standards for design or construction of airports as well as procurement/ installation of equipment and facilities is referenced in standard airport sponsor Grant Assurance 34 contained in the grant agreement.

Certification Statements

Except for the certification statement below marked as not applicable (N/A), this list includes major requirements for this aspect of project implementation. This list is not comprehensive nor does it relieve the sponsor from fully complying with all applicable statutory and administrative standards.

1. The plans and specifications were or will be prepared in accordance with applicable federal standards and requirements, so no deviation or modification to standards set forth in the advisory circulars, or state standard, is necessary other than those previously approved by the Federal Aviation Administration (FAA).
 Yes No N/A

2. Specifications for the procurement of equipment are not or will not be proprietary or written so as to restrict competition. At least two manufacturers can meet the specification.
 Yes No N/A

3. The development that is included or will be included in the plans is depicted on the airport layout plan approved by the FAA.
 Yes No N/A

4. Development that is ineligible for AIP funding has been or will be omitted from the plans and specifications.
 Yes No N/A
5. The process control and acceptance tests required for the project by standards contained in Advisory Circular 150/5370-10 are or will be included in the project specifications.
 Yes No N/A
6. If a value engineering clause is incorporated into the contract, concurrence was or will be obtained from the FAA.
 Yes No N/A
7. The plans and specifications incorporate or will incorporate applicable requirements and recommendations set forth in the federally approved environmental finding.
 Yes No N/A
8. For construction activities within or near aircraft operational areas, the requirements contained in Advisory Circular 150/5370-2 have been or will be discussed with the FAA as well as incorporated into the specifications, and a safety/phasing plan has FAA's concurrence, if required.
 Yes No N/A
9. The project was or will be physically completed without federal participation in costs due to errors and omissions in the plans and specifications that were foreseeable at the time of project design.
 Yes No N/A
10. The design of all buildings have complied or will comply with the seismic design requirements of 49 CFR § 41.120.
 Yes No N/A

Attach Additional documentation for any above item marked "no":

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of **January, 2016**.

Name of Sponsor: **Park County**

Name of Sponsor's Designated Official Representative: **Clint Tinsley**

Title of Sponsor's Designated Official Representative: **Chairman**

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Name of Sponsor: **City of Livingston**

Name of Sponsor's Designated Official Representative: **Lisa Lowy**

Title of Sponsor's Designated Official Representative: **Interim City Manager**

Signature of Sponsor's Designated Official Representative: _____

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Equipment and Construction Contracts Airport Improvement Sponsor Certification

Sponsor: **Park County & the City of Livingston**

Airport: **Mission Field (Livingston Airport) – LVM**

Project Number: **AIP 3-30-0051-009-2016**

Description of Work:

Rehabilitate Runway 4-22, taxiways, and apron (pavement maintenance).

Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General procurement standards for equipment and construction contracts within Federal grant programs are described in 2 CFR §§ 200.317-200.326. Labor and Civil Rights Standards applicable to the AIP are established by the Department of Labor (www.dol.gov) AIP Grant Assurance C.1—General Federal Requirements identifies all applicable Federal Laws, regulations, executive orders, policies, guidelines and requirements for assistance under the AIP. Sponsors may use state and local procedures provided procurements conform to these federal standards.

This certification applies to all equipment projects. Equipment projects may or may not employ laborers and mechanics that qualify the project as a "covered contract" under requirements established by the Department of Labor requirements. Sponsor shall provide appropriate responses to the certification statements that reflect the character of the project.

Certification Statements

Except for the certification statement below marked as not applicable (N/A), this list includes major requirements for this aspect of project implementation. This list is not comprehensive nor does it relieve the sponsor from fully complying with all applicable statutory and administrative standards.

1. A written code or standard of conduct conforming to 2 CFR § 200.319 is or will be in effect governing the performance of the sponsor's officers, employees, or agents in soliciting, awarding and administering procurement contracts.
 Yes No N/A

2. For all contacts, qualified and competent personnel are or will be engaged to perform contract administration, engineering supervision, construction inspection, and testing in accordance with grant assurance C.17.
 Yes No N/A

3. Sponsors that have or are required to have a Disadvantage Business Enterprise (DBE) program on file with the FAA have included or will include clauses required from Title VI of the Civil Rights Act and 49 CFR 23 and 49 CFR 26 for Disadvantaged Business Enterprises in all contracts and subcontracts
- Yes No N/A
4. Sponsor procurement actions using the competitive sealed bid method was or will be:
- Publicly advertised, allowing a sufficient response time to solicit an adequate number of interested contractors or vendors.
 - Prepared to include a complete, adequate and realistic specification that defines the items or services in sufficient detail to allow prospective bidders to respond.
 - Publicly opened at a time and place prescribed in the invitation for bids
 - Prepared such that it allows a firm fixed price contract award to the lowest responsive and responsible bidder.
- Yes No N/A
5. For projects where the Sponsor intends to use the competitive proposal procurement method, Sponsor has or will obtain FAA approval prior to proceeding with a competitive proposal procurement by submitting to the FAA the following:
- Written request to use competitive proposal procurement method
 - Written justification that supports use of competitive proposal method in lieu of the preferred sealed bid procurement method.
- Yes No N/A
6. For construction and equipment installation projects, the bid solicitation includes or will include the current federal wage rate determination for the appropriate type of project
- Yes No N/A
7. All construction and equipment installation contracts contain or will contain provisions for:
- Access to Records
 - Buy American Preferences
 - Civil Rights (General Provisions and Title VI Assurances)
 - Federal Fair Labor Standards
 - Occupational Safety and Health Act requirements
 - Seismic Safety (applies only to projects that include buildings)
 - State Energy Conservation Requirements (as applicable)
 - U.S. Trade Restriction
 - Veterans Preference per 49 USC § 47112(c) (applies only to construction and equipment installation projects)
- Yes No N/A

8. All construction and equipment installation contracts exceeding \$2,000 contain or will contain the provisions established by:
- a. Davis-Bacon and Related Acts
 - b. Copeland "Anti-Kickback" Act
- Yes No N/A
9. All construction and equipment installation contracts exceeding \$3,000 contain or will contain a contract provision that discourages distracted driving
- Yes No N/A
10. All contracts exceeding \$10,000 contain or will contain the following provisions as applicable:
- a. Construction and equipment installation projects - Applicable clauses from 41 CFR Part 60 for compliance with Executive Orders 11246 and 11375 on Equal Employment Opportunity.
 - b. Construction and equipment installation - Contract Clause prohibiting segregated facilities in accordance with 41 CFR part 60-1.8
 - c. All Contracts - Requirement to maximize use of products containing recovered materials in accordance with 2 CFR § 200.322 and 40 CFR part 247.
 - d. All Contracts - Provisions that address termination for cause and termination for convenience
- Yes No N/A
11. All contracts exceeding \$25,000, an appropriate check of the System for Award Management has been or will be made to assure that contracts or subcontracts are not awarded to those individuals or firms suspended, debarred, or excluded from participating in this federally assisted project
- Yes No N/A
12. Contracts exceeding the simplified acquisition threshold (currently \$150,000) include or will include provisions, as applicable, that address the following:
- a. Construction and equipment installation contracts - a bid guarantee of 5%, a performance bond of 100%, and a payment bond of 100%
 - b. Construction and equipment installation contracts - requirements of the Contract Work Hours and Safety Standards Act 40 USC 3701-3708), Sections 103 and 107
 - c. All contracts, Restrictions on Lobbying and Influencing (2 CFR part 200, Appendix II(J)
 - d. All contracts - Conditions specifying administrative, contractual and legal remedies for instances where contractor or vendor violate or breach the terms and conditions of the contract
 - e. All Contracts - Applicable standards and requirements issued under Section 306 of the Clean Air Act (42 USC 7401-7671q), Section 508 of the Clean Water Act (33 USC 1251-1387, and Executive Order 11738
- Yes No N/A

13. Concurrence was or will be obtained from the Federal Aviation Administration (FAA) prior to contract award under any of the following circumstances:

- a. Only one qualified person/firm submits a responsive bid
- b. The contract is to be awarded to other than the lowest responsible bidder
- c. Life cycle costing is a factor in selecting the lowest responsive bidder
- d. Proposed contract prices are more than 10% over the sponsor's cost estimate

Yes No N/A

Additional documentation for any above item marked "no":

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of **January, 2016**.

Name of Sponsor: **Park County**

Name of Sponsor's Designated Official Representative: **Clint Tinsley**

Title of Sponsor's Designated Official Representative: **Chairman**

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Name of Sponsor: **City of Livingston**

Name of Sponsor's Designated Official Representative: **Lisa Lowy**

Title of Sponsor's Designated Official Representative: **Interim City Manager**

Signature of Sponsor's Designated Official Representative: _____

PLEASE



Construction Project Final Acceptance Airport Improvement Program Sponsor Certification

Sponsor: **Park County & the City of Livingston**

Airport: **Mission Field (Livingston Airport) – LVM**

Project Number: **AIP 3-30-0051-009-2016**

Description of Work:

Rehabilitate Runway 4-22, taxiways, and apron (pavement maintenance).

Application

49 USC § 47105(d), authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program. General standards for final acceptance and close out of federally funded construction projects are in 2 CFR § 200.343 - Closeout. The sponsor shall determine that project costs are accurate and proper in accordance with specific requirements of the grant agreement and contract documents.

Certification Statements

Except for the certification statement below marked as not applicable (N/A), this list includes major requirements for this aspect of project implementation. This list is not comprehensive nor does it relieve the sponsor from fully complying with all applicable statutory and administrative standards.

1. The personnel engaged in project administration, engineering supervision, construction inspection and testing were or will be determined to be qualified as well as competent to perform the work.
 Yes No N/A

2. Daily construction records were or will be kept by the resident engineer/construction inspector as follows:
 - a. Work in progress
 - b. Quality and quantity of materials delivered
 - c. Test locations and results
 - d. Instructions provided the contractor
 - e. Weather conditions
 - f. Equipment use
 - g. Labor requirements
 - h. Safety problems
 - i. Changes required Yes No N/A

3. Weekly payroll records and statements of compliance were or will be submitted by the prime contractor and reviewed by the sponsor for conformance with federal labor and civil rights requirements as required by FAA and U.S. Department of Labor.
 Yes No N/A
4. Complaints regarding the mandated federal provisions set forth in the contract documents have been or will be submitted to the Federal Aviation Administration (FAA).
 Yes No N/A
5. All tests specified in the plans and specifications were or will be performed and the test results documented as well as made available to the FAA.
 Yes No N/A
6. For any test results outside of allowable tolerances, appropriate corrective actions were or will be taken.
 Yes No N/A
7. Payments to the contractor were or will be made in compliance with contract provisions as follows:
- a. Payments are verified by the sponsor's internal audit of contract records kept by the resident engineer, and
 - b. If appropriate, pay reduction factors required by the specifications are applied in computing final payments and a summary of pay reductions made available to the FAA.
- Yes No N/A
8. The project was or will be accomplished without significant deviations, changes, or modifications from the approved plans and specifications, except where approval is obtained from the FAA.
 Yes No N/A
9. A final project inspection was or will be conducted with representatives of the sponsor and the contractor, and project files contain documentation of the final inspection.
 Yes No N/A
10. Work in the grant agreement was or will be physically completed and corrective actions required as a result of the final inspection are completed to the satisfaction of the sponsor.
 Yes No N/A
11. If applicable, the as-built plans, an equipment inventory, and a revised airport layout plan have been or will be submitted to the FAA.
 Yes No N/A
12. Applicable close out financial reports have been or will be submitted to the FAA.
 Yes No N/A

13. The construction of all buildings have complied or will comply with the seismic construction requirements of 49 CFR § 41.120.

Yes No N/A

Additional documentation for any above item marked "no":

Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of **January, 2016**.

Name of Sponsor: **Park County**

Name of Sponsor's Designated Official Representative: **Clint Tinsley**

Title of Sponsor's Designated Official Representative: **Chairman**

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Signature of Sponsor's Designated Official Representative: _____

Name of Sponsor: **City of Livingston**

Name of Sponsor's Designated Official Representative: **Lisa Lowy**

Title of Sponsor's Designated Official Representative: **Interim City Manager**

Signature of Sponsor's Designated Official Representative: _____

**PLEASE
&**

AIP DEVELOPMENT PROJECT SCHEDULE

AIRPORT: Mission Field (LVM) AIP NO. 3-30-0051-009-2016
 SPONSOR: Park County & City of Livingston DATE: January 15, 2015
 CONSULTANT: Robert Peccia & Associates DATE: January 15, 2015
 FAA : _____ DATE: _____

PROJECT DESCRIPTION: Crack seal, fog seal, and remark all airside pavements.

ITEM	DATE		COMMENTS
	ESTIMATED	ACTUAL	
1. Environmental approved	Jan-2016		CatEx for Maintenance
2. ALP revised or updated		N/A this AIP	
3. Exhibit "A" updated		N/A this AIP	
4. Airspace approved		N/A this AIP	
5. CIP Data Sheet submitted		9/23/2015	
6. Land Acquisition completed		N/A this AIP	
7. DBE approved		N/A this AIP	
8. Predesign Meeting		11/17/2015	
9. Sponsor Certifications submitted			
Title		N/A this AIP	
Selection of Consultants	Jan-2016		
Real Property Acquisition		N/A this AIP	
Plans & Specifications	Jan-2016		
Equip/Construction Contracts	Jan-2016		
Project Final Acceptance	Jan-2016		
Drug-Free Work Place	Jan-2016		
10. Consultant Contract approved	Jan-2016		
11. Design Report submitted	Jan-2016		
12. Pre. Plans & Specs. Submitted	Feb-2016		
13. Safety Plan submitted	Feb-2016		
14. Final Plans and Specifications	Mar-2016		
15. Bid Opening date	Apr-2016		
16. Bid Tab submitted	Apr-2016		
17. Concurrence in Award	Apr-2015		
18. Application submitted	Jan-2016		
19. Const. Management Plan		N/A this AIP	
20. Preconstruction Meeting	Jul-2016		
21. Construction Start	Jul-2016		
22. Construction Completion	Oct-2016		
23. Exhibit "A" revised		N/A this AIP	
24. Sign Plan revised (Part 139)		N/A this AIP	
25. 5010 updated	Nov-2016		
26. ALP revised		N/A this AIP	
27. Construction As-Builts	Nov-2016		
28. Navalds commissioned		N/A this AIP	
29. Project Closeout Report	Nov-2016		

APPENDIX A. DOCUMENTED CATEX

Airport sponsors should use this form for projects eligible for a categorical exclusion (CATEX) that have greater potential for extraordinary circumstances or that otherwise require additional documentation, as described in the Environmental Orders (FAA Order 1050.1E and FAA Order 5050.4B).

To request a CATEX determination from the FAA, the sponsor should review potentially affected environmental resources, review the requirements of the applicable special purpose laws, and consult with the FAA Environmental Protection Specialist about the type of information needed. Complete this form and send it with any supporting environmental resource documentation to the appropriate FAA Airports Division/District Office. The form and supporting documentation should be provided in accordance with the provisions of FAA Order 5050.4B, paragraph 302b, to allow sufficient time for review. The CATEX cannot be approved until all information/documentation is received and all requirements have been fulfilled.

It is ultimately the sponsor's responsibility to ensure that all of the information necessary for the FAA to make an environmental determination is accurate and complete.

Name of Airport, LOC ID, and Location

Name of Airport: **Mission Field (Livingston)** **Airport Identifier:** **LVM**

Project Title: **Mission Field Improvements**
 A.I.P. 3-30-0051-009-2016

Provide a brief, but complete description of the proposed project, including all project components, justification, estimated start date, and duration of the project. Include connected actions necessary to implement the proposed project (including but not limited to moving NAVAIDs, changing flight procedures, and designating or developing haul routes, new material or expanded material sources, staging or disposal areas). Attach a sketch or plan of the proposed project. Photos can also be helpful.

The major work items associated with this AIP-009-2016 project include:

- *Rehabilitate Runway 4-22 (crack seal, seal coat, and remark)*
- *Rehabilitate Connecting Taxiway and Runway Turnarounds (crack seal, seal coat, and remark)*
- *Rehabilitate Apron (crack seal, seal coat, coal tar emulsion, and remark)*

It is proposed to maintain all eligible pavements by seal coating with emulsified asphalt following crack sealing. A seal coat is the most logical and economical treatment for this surface, which is otherwise performing satisfactorily.

Previously unsealed cracks of 1/8" or wider will have a 3/8" deep by 1 1/2" wide, square-edged reservoir routed in the asphalt surface. This reservoir will be cleaned and dried with a high-pressure air wand, then filled with a hot applied sealant meeting ASTM D 5329. Previously sealed but failed cracks will only be cleaned and re-sealed if they have a void in excess of 1/4"-wide. The sealing operation will be completed only in dry conditions when optimum bonding will be assured.

Coal tar emulsion under tie-down positions and at fueling location on the apron (A-11) will be reapplied. This coating will provide protection to the pavement against fuel and oil spills dissolving the pavement. The original coal tar has deteriorated to the point it is no longer providing a protective seal for the underlying pavement – it needs a new coat. The fueling coal tar area may be expanded in order to better encompass fuel spills; which are evident on the surface.

Since the proposed preventative pavement maintenance will obliterate the existing markings, new ones will be applied. Additionally, to encourage free drainage and prevent break-up of the pavement edge, this project will include applying a soil sterilant to a one-foot width outside all airside pavement perimeters.

The project will proceed from January 2016 through December 2016.

Provide a brief, but complete, description of the proposed project area. Include any unique or natural features within or surrounding the airport property.

Mission Field (Livingston) Airport is located approximately six miles northeast of the City of Livingston in south-central Montana. The airport lies about one mile south of Interstate Highway 90, within Sections 1 and 2 of Township 2 South, and Sections 35 and 36 of Township 1 South, all in Range 10 East. The airport is bordered by cultivated crop land to the east, south and west, and Interstate 90 to the north. The airport can be accessed from Interstate 90 via Airport Road and by US Highway 89.

The project area consists of the airport pavements. Hangars and other airport buildings adjoin these existing paved areas.

Identify the appropriate CATEX paragraph(s) from Order 1050.1E (paragraph 307-312) or 5050.4B (tables 6-1 and 6-2) that apply to the project. Describe if the project differs in any way from the specific language of the CATEX or examples given as described in the Order.

The proposed project complies with categories listed in Paragraphs 307o and 310f from Order 1050.1E (replaced by Order 1050.1F effective 7/16/15):

310e. *Federal financial assistance, licensing, or Airport Layout Plan (ALP) approval for construction or repair of a runway that is existing or taxiway, apron, loading ramp, or*

safety runway area including extension, strengthening, reconstruction, resurfacing, marking, grooving, fillets and jet blast facilities, provided the action will not create environmental impacts outside of an airport or launch facility property. (Corresponds to Paragraph 5-6.4e in 1050.1F)

The circumstances one must consider when documenting a CATEX are listed below along with each of the impact categories related to the circumstance. Use FAA Environmental Orders 1050.1E, 5050.4B, and the Desk Reference for Airports Actions, as well as other guidance documents to assist you in determining what information needs to be provided about these resource topics to address potential impacts. Indicate whether or not there would be any effects under the particular resource topic and, **if needed**, cite available references to support these conclusions. Additional analyses and inventories can be attached or cited as needed.

304a. National Historic Preservation Act (NHPA) resources

Projects that have the potential to cause effects on historic properties require a Section 106 finding in order to meet the requirements of the NHPA regardless of the type of NEPA document being completed. Check with your local Airports Division/District Office to determine if a Section 106 finding is required. Consultation with the State Historic Preservation Officer/Tribal Historic Preservation Officer (SHPO/THPO) may be required, and should be conducted through the FAA.

	YES	NO
<p>Are there historic/cultural resources listed (or eligible for listing) on the National Register of Historic Places located in the Area of Potential Effect? If yes, provide a record of the historic and/or cultural resources located therein.</p> <p><i>A cultural resource survey was not conducted for this project. However, a search of properties listed on the National Register of Historic Places shows no listed sites exist at or near the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the project have the potential to cause effects? If yes, describe the nature and extent of the effects?</p> <p><i>The proposed project would rehabilitate existing runway, apron, and taxiway pavements. There would be no new ground disturbance required and there would be no effects to structures on or near the airport. For these reasons, no effects to historical, architectural, archaeological, or cultural resources are anticipated.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Is the project area previously undisturbed? If yes, provide more information.</p> <p><i>The area affected by the proposed action has previously been disturbed by airport development activities and previous pavement installation.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>Will the project impact tribal land or land of interest to tribes? If yes, describe the nature and extent of the effects and provide information on the tribe affected. Consultation with their THPO may be required.</p> <p><i>There are no tribal lands at or adjacent to the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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304b. Department of Transportation Act Section 4(f) and 6(f) resources

	YES	NO
<p>Are there any properties protected under Section 4(f) (as defined by FAA Order 1050.1E) in or near the project area? This includes publicly owned parks, recreation areas, and wildlife or waterfowl refuges of national, state or local significance or land from a historic site of national, state or local significance.</p> <p><i>A cultural resource survey was not conducted for this project. However, a search of properties listed on the National Register of Historic Places shows no listed sites exist at or near the airport. An online environmental information review showed there are no Section 4(f) resources (publicly owned parks, recreation areas, or wildlife or waterfowl refuges) at or near the Mission Field.</i></p> <p><i>The proposed project will crack seal, seal coat, apply coal tar emulsion, and remark existing pavements.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project construction or operation directly or constructively “use” any Section 4(f) resource? If yes, describe the nature and extent of the use and/or impacts, and why there are no prudent and feasible alternatives. See Desk Reference Chapter 7.</p> <p><i>No direct impacts or constructive use of Section 4(f) resources are expected because the proposed project will be entirely within the existing airport property. The proposed project will crack seal, seal coat, apply coal tar emulsion, and remark existing pavements.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project affect any recreational or park land purchased with Section 6(f) Land and Water Conservation Funds? If so, please explain, if there will be impacts to those properties.</p> <p><i>A review of the online listing of grants maintained by the National Park Service shows there are no sites near the airport that have received Section 6(f) Land and Water Conservation Funds.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304c. Natural, Ecological, or Scenic Resources

This section covers a broad range of categories from farmlands to endangered species to coastal resources to wild and scenic rivers. Items to consider include:

Coastal Resources	YES	NO
<p>Will the project occur in or impact a coastal zone as defined by the State's Coastal Zone Management Plan (CZMP)? If yes, discuss the project's consistency with the State's CZMP. Attach the consistency determination if applicable.</p> <p><i>Not Applicable. There are no Coastal Zones in the State of Montana.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project occur in or impact the Coastal Barrier Resource System as defined by the US Fish and Wildlife Service?</p> <p><i>Not Applicable. There are no Coastal Barrier Resources in the State of Montana.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Ecological Resources	YES	NO
<p>Are there any federal or state listed endangered, threatened, or candidate species or designated critical habitat in or near the project area? This includes species protected by individual statute, such as the Bald Eagle.</p> <p><i>The U.S. Fish and Wildlife Service (USFWS) Montana Ecological Services Field Office website was consulted on November 17, 2015 to identify currently listed threatened or endangered species in Park County. The website showed two Threatened species (Canada Lynx and Grizzly Bears) and two Candidate species (Sprague's Pipit and Whitebark Pine) as occurring within the county. Critical habitat for Canada lynx has been designated within the county.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Does the project affect or have the potential to affect, directly or indirectly, any federal or state-listed, threatened, endangered or candidate species, or designated habitat? If yes, consultation between the FAA and the US Fish & Wildlife Service, National Marine Fisheries Service, and/or the appropriate state agency will be necessary. Provide a description of the impacts and how impacts will be avoided, minimized, or mitigated.</p> <p><i>No adverse effects to threatened, endangered, proposed, or candidate species or critical habitat resulting from this project are anticipated. This conclusion was reached due to the limited scope of the proposed improvements (crack seal, seal coat, apply coal tar emulsion, and remark existing pavements) and because the airport property does not provide habitat essential to any listed species.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the project have the potential to take birds protected by the Migratory Bird Treaty Act? Describe steps to avoid, minimize or mitigation impacts (such as timing windows determined in consultation with the USFWS).</p> <p><i>The proposed project will be entirely constructed on areas that have been previously disturbed by construction of the existing runway, apron, and</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p><i>taxiway pavements. These areas do not represent viable habitat for migratory birds. For this reason, no adverse effects to migratory birds are anticipated.</i></p>		
<p>Does the project area contain resources protected by the Fish and Wildlife Coordination Act? If yes, describe any impacts and steps taken to avoid, minimize or mitigate impacts.</p> <p><i>The proposed project involves rehabilitation of existing runway, apron, and taxiway pavements. There are no elements of the project that would affect resources protected by the Fish and Wildlife Coordination Act.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the project have the potential to impact fish habitat protected under the Magnuson-Stevens Act? If yes, after notifying the FAA and the airport sponsor will take the necessary consultation action. Actions may include preparing an Essential Fish Habitat assessment and consultation with the National Marine Fisheries Service. Describe any adverse impacts, and any conservation measures needed to avoid such impacts.</p> <p><i>The State of Montana does not have any habitat protected under the Magnuson-Stevens Act. There is no designated Essential Fish Habitat and no need to consult with the National Marine Fisheries Service.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Farmland	YES	NO
<p>Is there prime, unique, state or locally important farmland in/near the project area? Describe any significant impacts from the project.</p> <p><i>The NRCS's NCSS Web Soil Survey (interactive soils mapping website) was consulted to identify soil types on the airport property and to determine if any soils are designated as prime farmland, unique farmland, or farmland of statewide or local importance. The mapping showed that none of the soils on the airport property are classified as prime farmland, unique farmland, or farmland of statewide or local importance.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Does the project include the acquisition and conversion of farmland? If farmland will be converted, describe coordination with the US Natural Resources Conservation and attach the completed Form AD-1006.</p> <p><i>There will be no direct or indirect conversion of farmland due to the proposed project.</i></p> <p><i>There is no need to process a Farmland Protection Policy Act form AD-1006 for the proposed improvements because the Act does not apply to land already committed to "urban development or water storage." FAA guidance indicates airport developed lands are considered lands under urban development.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Floodplains	YES	NO
<p>Will the project be located in, encroach upon or otherwise impact a floodplain? If yes, describe impacts and any agency coordination or public review completed including coordination with the local floodplain administrator. Attach the FEMA map if applicable and any documentation.</p> <p><i>A review of mapping available from the FEMA Map Service Center shows no floodplain mapping is available for lands at and around the airport. There is no history of flooding at the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetlands and Other Waters of the U.S.	YES	NO
<p>Are there any wetlands or other waters of the U.S. in or near the project area?</p> <p><i>There are no surface waters on the airport property. Poison Creek is located west of the airport but not within the airport property. National Wetland Inventory mapping for the airport area shows emergent wetland areas along Poison Creek and an unnamed drainage located near the northeast corner of the airport property. Project work areas will occur only on airport pavements.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Has a wetland delineation been completed within the proposed project area? If yes, please provide U.S. Army Corps of Engineers (USACE) correspondence and jurisdictional determination.</p> <p><i>There has been no wetland delineation completed for the airport property and no request for a jurisdictional determination has been made to the USACE.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If a delineation was not completed, was a field check done to confirm the presence/absence of wetlands or other waters of the U.S.? If no to both, please explain what methods were used to determine the presence/absence of wetlands.</p> <p><i>National Wetland Inventory mapping shows emergent wetland areas along Poison Creek and an unnamed drainage located near the northeast corner of the airport property. These wetland areas will not be affected by this project as the project work will occur on the existing pavements.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If yes, will the project result in impacts, directly or indirectly (including tree clearing)? Describe any steps taken to avoid, minimize or mitigate the impact.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Is a USACE Clean Water Act Section 404 permit required? If yes, does the project fall within the parameters of a general permit? If so, which general permit?</p> <p><i>This project involves rehabilitating existing runway, apron, and taxiway pavements. No waters of the US will be affected and a Section 404 permit is not required.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wild and Scenic Rivers	YES	NO
<p>Is there a river on the Nationwide Rivers Inventory, a designated river in the National System, or river under State jurisdiction (including study or eligible segments) near the project?</p> <p><i>There are no National Wild and Scenic Rivers in the Livingston area.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project directly or indirectly affect the river or an area within ¼ mile of its ordinary high water mark?</p> <p><i>Not applicable. There are no National Wild and Scenic Rivers in the Livingston area.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304d. Disruption of an Established Community

	YES	NO
<p>Will the project disrupt a community, planned development or be inconsistent with plans or goals of the community?</p> <p><i>The proposed project occurs on the existing airport property and is intended to help maintain an important County-owned facility.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Are residents or businesses being relocated as part of the project?</p> <p><i>The proposed project occurs on the existing airport property and will not require the relocation of any resident or businesses.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Justice	YES	NO
<p>Are there minority and/or low-income populations in/near the project area?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project cause any disproportionately high and adverse impacts to minority and/or low-income populations? Attach census data if warranted.</p> <p><i>The project occurs on the existing airport property and there are no residences within the airport property. The proposed project would not displace or directly affect any residents or businesses in the project area. No minority and/or low-income populations would be affected by this proposed project.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304e. Surface Transportation

	YES	NO
<p>Will the project cause a significant increase in surface traffic congestion or cause a degradation of level of service provided?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project require a permanent road relocation or closure? If yes, describe the nature and extent of the relocation or closure and indicate if</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>coordination with the agency responsible for the road and emergency services has occurred.</p> <p><i>The proposed project occurs on the existing airport property and will not require the relocation or closure of any roads.</i></p>		
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304f. Noise

	YES	NO
<p>Will the project result in an increase in aircraft operations, nighttime operations, or change aircraft fleet mix?</p> <p><i>The proposed construction project is consistent with planned airport development shown on the ALP. Rehabilitating existing runway, apron, and taxiway pavements will not affect the operations or fleet mix at the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project cause a change in airfield configuration, runway use, or flight patterns - either during construction or after the project is implemented?</p> <p><i>The proposed improvements will not result in changes to the airfield configuration, use of the runway, or flight patterns at the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the forecast exceed 90,000 annual propeller operations, 700 annual jet operations or 10 daily helicopter operations or a combination of the above? If yes, a noise analysis may be required if the project would result in a change in operations.</p> <p><i>The level of annual operations is significantly below these identified thresholds.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Has a noise analysis been conducted, including but not limited to generated noise contours, a specific point analysis, area equivalent method analysis, or other screening method? If yes, provide that documentation.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Could the project have a significant impact (DNL 1.5 dB or greater increase) on noise levels over noise sensitive areas within the 65+ DNL noise contour?</p> <p><i>Rehabilitating existing runway, apron, and taxiway pavements will not affect the number of operations or fleet mix at the airport. Increases in aviation noise levels as a result of this project are not likely.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304g. Air Quality

	YES	NO
<p>Is the project located in a Clean Air Act non-attainment or maintenance area?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If yes, is it listed as exempt, presumed to conform, or will emissions (including construction emissions) from the project be below de minimis levels? (Provide the paragraph citation for the exemption or presumed to conform list below, if applicable.) Is the project accounted for in the State Implementation Plan or specifically exempted? Attach documentation. If exempt or "presumed to</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>conform”, skip the next two questions.</p> <p><i>Not Applicable. Non-attainment area listings and maps for Montana were reviewed. The project area does not lie within a non-attainment area for any of the criteria pollutants listed by the EPA or the Montana Department of Environmental Quality (MDEQ).</i></p>		
<p>Does the project have the potential to increase landside or airside capacity, including an increase of surface vehicles?</p> <p><i>The proposed project is to rehabilitate existing runway, apron, and taxiway pavements at the airport without changing the footprint or classification of the pavements. Therefore, no extra airside capacity will be achieved. The facility does not support surface transportation. Therefore, the construction project will not affect the operations at the airport and consequently not increase air pollution from additional operations. There will be temporary elevated levels of air pollution due to emissions from construction equipment and minor amounts of dust related to sweeping surfaces during pavement rehabilitation efforts.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Could the project impact air quality or violate local, State, Tribal or Federal air quality standards under the Clean Air Act Amendment of 1990?</p> <p><i>The proposed project has little, if any, potential to result in impacts under applicable State or Federal air quality regulations.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the airport have 180,000 general aviation and air taxi operations or 1.3 million enplanements annually? If yes, an air quality analysis may be required if the project would result in a change in operations.</p> <p><i>The level of annual operations is significantly below these identified thresholds.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304h. Water Quality

Airport projects may cause water quality impacts due to their proximity to waterways. Airport related water quality impacts can occur from both point and non-point (stormwater runoff) sources.

	YES	NO
<p>Are there water resources within or near the project area? These include groundwater, surface water (lakes, rivers, etc.), sole source aquifers, and public water supply. If yes, provide a description of the resource, including the location (distance from project site, etc.).</p> <p><i>There are no surface waters, groundwater resources, or sole source aquifers on the airport property.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p>Will the project impact any of the identified water resources? Describe any steps that will be taken to protect water resources during and after construction.</p> <p><i>Due to the lack of water resources in the project area and the limited disturbance area, no impacts to water quality are anticipated with this project.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project increase the amount or rate of stormwater runoff? Describe any steps that will be taken to ensure it will not impact water quality.</p> <p><i>The proposed project will not increase the amount of impervious area at the airport. There will be no increase in the amount or rate of stormwater runoff.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Does the project have the potential to violate federal, state, tribal or local water quality standards established under the Clean Water and Safe Drinking Water Acts?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Are any permits required? If yes, list the appropriate permits.</p> <p><i>The proposed project will be entirely constructed on areas that have been previously disturbed by construction of the existing runway, apron, and taxiway pavements. There is no need for any water quality-related permits from the USACE, Montana Fish, Wildlife and Parks, or Montana Department of Environmental Quality.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304i. Highly Controversial on Environmental Grounds

	YES	NO
<p>Is the project highly controversial? The term “highly controversial” means a substantial dispute exists as to the size, nature, or effect of a proposed federal action. The effects of an action are considered highly controversial when reasonable disagreement exists over the project’s risks of causing environmental harm. Mere opposition to a project is not sufficient to be considered highly controversial on environmental grounds. Opposition on environmental grounds by a federal, state, or local government agency or by a tribe or a substantial number of the persons affected by the action should be considered in determining whether or not reasonable disagreement exists regarding the effects of a proposed action.</p> <p><i>The proposed project will rehabilitate runway, apron, and taxiway pavements, within the existing airport property. There is little, if any potential for impacts to environmental resources. To date, there has been no opposition to this project expressed.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304j. Inconsistent with Federal, State, Tribal or Local Law

	YES	NO
<p>Will the project be inconsistent with plans, goals, policy, zoning, or local controls that have been adopted for the area in which the airport is located?</p> <p><i>The proposed construction project is consistent with planned airport development shown on the ALP.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Is the project incompatible with surrounding land uses?</p> <p><i>The proposed construction project will rehabilitate runway, apron, and taxiway pavements on the existing airport property. There would be no change in the numbers or types of aircraft operations that typically occur at the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

304k. Lighting, Visual, Hazardous Materials, Construction Impacts, Etc.

Light Emissions and Visual Effects

Airport related lighting facilities and activities could affect surrounding light-sensitive areas such as homes, parks, recreation areas, etc. Visual affects deal broadly with the extent to which airport development contrasts with the existing environment/setting.

	YES	NO
<p>Will the proposed project produce light emission impacts?</p> <p><i>The proposed improvements would not change light emissions from equipment or facilities at the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will there be visual or aesthetic impacts as a result of the proposed project and/or have there been concerns expressed about visual/aesthetic impacts?</p> <p><i>The proposed project will rehabilitate existing runway, apron, and taxiway pavements, and will not change the visual environment of the airport and its surroundings.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hazardous Materials

Federal, State, and local laws regulate hazardous materials use, storage, transport or disposal. Disrupting sites containing hazardous materials or contaminates may cause significant impacts to soil, surface water, groundwater, air quality, humans, wildlife, and the organisms using these resources. This category also includes solid waste and hazardous substances.

	YES	NO
<p>Does the project involve or affect hazardous materials?</p> <p><i>A review the Montana Department of Environmental Quality's (MDEQ's) website and online mapping tool did not identify any underground storage tanks (USTs), leaking USTs, sites, Remediation Response sites, or hazardous waste handlers at or near the Mission Field. Yellowstone Air Service Livingston</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p><i>(Facility ID: 3400847) is shown as a Petroleum Tank Release Compensation Fund site by MDEQ. A petroleum spill incident at the facility was resolved in 2006.</i></p>		
<p>Will construction take place in an area that contains or previously contained hazardous materials?</p> <p><i>As indicated above, there are no known sources of hazardous materials present at the airport.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If the project involves land acquisition, is there a potential for this land to contain hazardous materials or contaminants?</p> <p><i>Not Applicable. No land acquisition will occur as part of the proposed project.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the proposed project produce hazardous and/or solid waste either during construction or after? If yes, how will the additional waste be handled?</p> <p><i>The proposed project will be entirely constructed on areas that have been previously disturbed by construction of the existing airside pavements. Minor amounts of solid waste materials typically associated with construction projects may be generated.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Construction

Construction may cause various environmental effects including, but not limited to, increases in dust, aircraft and heavy equipment emissions, stormwater runoff, spill/leaking petroleum, and noise.

	YES	NO
<p>Will the project result in construction impacts, such as reducing local air quality, increase erosion, pollutant runoff, or noise, or disrupt local traffic patterns? If yes, describe measures to avoid and minimize construction impacts.</p> <p><i>Temporary increases in noise levels are anticipated due to the operation of construction vehicles and equipment. Minor temporary impacts to air quality are also expected due to vehicle emissions from construction equipment and generation of particulates (dust) from the operation of sweeping equipment. Increased traffic volumes on airport access roads and other routes due to workers and equipment traveling to and from the airport site are possible. The generation of minor amounts of waste products from construction activities on the site would also occur.</i></p> <p><i>FAA guidance concerning airport drainage, environmental enhancement, and construction controls will be evaluated for provisions that may be incorporated into the contract specifications to minimize the potential impacts of construction activities.</i></p> <p><i>Future bidding documents will require the successful contractor to obtain necessary permits and comply with federal, state, and local laws/regulations</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>regarding pollution of the environment.</i>		
<p>Will the project create short term impacts?</p> <p><i>As indicated above, only minor, localized, and temporary impacts are anticipated as a result of construction activities at the airport.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Will the project result in long term/permanent impacts?</p> <p><i>No long term impacts are anticipated to occur.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Energy Supply and Natural Resources	YES	NO
<p>Will the project change energy requirements or use consumable natural resources?</p> <p><i>None of the materials to be used to construct the proposed improvements are in short supply. A ready supply of energy exists to power equipment needed for construction.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will the project change aircraft/vehicle traffic patterns that could alter fuel usage?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Public Involvement

Through public participation, federal agencies disclose information about a proposed project and expected environmental effects. Many of the special purpose laws (National Historic Preservation Act, Clean Water Act, etc.) require public notice and the opportunity for public involvement.

	YES	NO
<p>Was there any public notification or involvement? If yes, provide documentation.</p> <p><i>The proposed project has been discussed and approved at public meetings of the Park County Commission and City-County Joint Airport Board.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Indirect/Secondary/Induced Impacts

Indirect/Secondary/Induced Impacts are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. They may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

	YES	NO
<p>Will the project result in indirect/secondary/induced impacts?</p> <p><i>The proposed project will be entirely constructed on airport property in areas that have been previously disturbed by construction of existing airside pavements. The proposed project will not cause shifts in the patterns of</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<p><i>population movement and growth, extensive demands for public services, or substantial changes in business or economic activity.</i></p> <p><i>For these reasons, no notable indirect/secondary/induced impacts are anticipated.</i></p>		
<p>When considered with other past, present, and reasonably foreseeable future projects, on or off airport property and regardless of funding source, would the proposed project result in a significant cumulative impact?</p> <p><i>There are no other known past, ongoing, or reasonably foreseeable projects in the vicinity of the airport that would produce cumulative effects to identified environmental resource categories.</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Permits

List any permits required for the proposed project that have not been previously discussed. Provide details on the status of permits.

No additional permits are required aside from those that will be required from the successful bidder as required by their construction contract documents.

Environmental Commitments

List all measures and commitments made to avoid, minimize, mitigate, and compensate for impacts on the environment, which are needed for this project to qualify for a CATEX.

FAA guidance concerning airport drainage, environmental enhancement, and construction controls will be evaluated for provisions that may be incorporated into the contract specifications to minimize the potential impacts of construction activities.

Future bidding documents will require the successful contractor to obtain necessary permits and comply with federal, state, and local laws/regulations regarding pollution of the environment.

Preparer Information

Point of Contact: *Lance Bowser, P.E., Project Manager
Robert Peccia & Associates*

Address: *P.O. Box 5653 825 Custer Avenue*

City: *Helena* **State:** *MT* **ZIP code:** *59604*

Phone Number: *406-447-5000* **Email Address:** *lance@rpa-hln.com*

Signature: *Lance D. Bowser* **Date:** *12/16/2015*

Airport Sponsor Information and Certification

(may not be delegated to consultant)

Provide contact information for the designated sponsor point of contact and any other individuals requiring notification of the FAA decision.

Point of Contact: *Park County*

Address: *414 East Callender Street*

City: *Livingston* **State:** *MT* **ZIP code:** *59047-2799*

Phone Number: *406-222-4106* **Email Address:** *commissioners@parkcounty.org*

Additional Name(s): *City of Livingston*

Additional Email Address(es): *citymanager@livingstonmontana.org*

I certify that the information I have provided above is, to the best of my knowledge, correct. I also recognize and agree that no construction activity, including but not limited to site preparation, demolition, or land disturbance, shall proceed for the above proposed project(s) until FAA issues a final environmental decision for the proposed project(s) and until compliance with all other applicable FAA approval actions (e.g., ALP approval, airspace approval, grant approval) has occurred.

Signature: _____ **Date:** _____

Signature: _____ **Date:** _____

Signature: _____ **Date:** _____

Signature: _____ **Date:** _____



FAA Decision

Having reviewed the above information, certified by the responsible airport official, it is the FAA's decision that the proposed project (s) or development warrants environmental processing as indicated below.

- No further NEPA review required. Project is categorically excluded per (cite applicable 1050.1E CATEX that applies)
- An Environmental Assessment (EA) is required.
- An Environmental Impact Statement (EIS) is required.
- The following additional documentation is necessary for FAA to perform a complete environmental evaluation of the proposed project.

Name: _____ Title: _____
Responsible FAA Official

Signature: _____ Date: _____

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Backup material for agenda item:

- B. RESOLUTION NO. 4633 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN THE FIRST AMENDMENT TO REAL PROPERTY BUY-SELL AGREEMENT WITH DURGAN'S, LLC.**

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Resolution No. 4633

Date of First Consideration / Status: January 19, 2016

Purpose of Legislation: To authorize the City Manager to execute an amendment to the Real Property Buy-Sell Agreement with Durgan's, LLC.

Statutory Authority / Reference: Mont. Code Ann. §§ 7-3-304(9) and 7-1-4124(3) (2015)

Background: The City of Livingston desires to someday build a below-grade crossing to serve the northwest side of Livingston. Plans for the desired below-grade crossing show a portion of the roadway crossing over and through land presently owned by Durgan's, LLC. Daniel Durgan from Durgan's, LLC approached former City Manager Ed Meece to inquire as to the City's interest in purchasing the land. Over the course of several months the former City Manager and Daniel Durgan negotiated a sale. The process ultimately culminated with the Livingston City Commission requesting the City Administration present Durgan's, LLC with a buy-sell that included normal contingencies and a purchase price of \$250,000.00. The Livingston City Commission approved of the buy-sell by Resolution No. 4621. A provision of the buy-sell requires that the property appraise for at least \$250,000. Unfortunately, the appraisal has not been completed because the appraiser has been ill. As a result, the closing date must be extended from January 15, 2016 to February 10, 2016.

Fiscal Impact: N/A.

Regulatory Impact (local): N/A.

Attachments: First Amendment to Real Property Buy-Sell Agreement.

RESOLUTION NO. 4633

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN THE FIRST AMENDMENT TO REAL PROPERTY BUY-SELL AGREEMENT WITH DURGAN'S, LLC.

WHEREAS, the City of Livingston desires to build a below-grade crossing that will serve the northwest side of the city;

WHEREAS, plans for the desired below-grade crossing show a portion of the roadway crossing over and through land presently owned by Durgan's, LLC;

WHEREAS, Daniel Durgan from Durgan's, LLC approached former City Manager Ed Meece to inquire as to the City's interest in purchasing the land;

WHEREAS, over the course of several months the former City Manager and Daniel Durgan negotiated a sale, which process culminated with the Livingston City Commission requesting the City Administration present Durgan's, LLC with a buy-sell that included normal contingencies and a purchase price of \$250,000.00;

WHEREAS, the Livingston City Commission approved a buy-sell for the property via Resolution No. 4621;

WHEREAS, a provision in the buy-sell requires that the property appraise for at least \$250,000; and

WHEREAS, the appraisal has been delayed because of an illness and, therefore, the closing date must be extended from January 15, 2016 to February 10, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, as follows:

The City Manager is hereby authorized to enter into the First Amendment to Real Property Buy-Sell Agreement attached hereto and incorporated herein as Exhibit A.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this _____ day of January, 2016.

Resolution No. 4633

Authorizing the City Manager to sign an amendment to the Real Property Buy-Sell Agreement with Durgan's, LLC

Page 1

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney

FIRST AMENDMENT TO REAL PROPERTY BUY-SELL AGREEMENT

THIS FIRST AMENDMENT TO REAL PROPERTY BUY-SELL AGREEMENT (this “Amendment”) is entered into as of the latest date set forth by a signature below, by and between **DURGAN’S, LLC**, a Montana limited liability company (the “Seller”), and the **CITY OF LIVINGSTON, MONTANA**, a municipal corporation and political subdivision of the State of Montana (the “Buyer”; and sometimes together with the Seller, the “Parties”).

RECITALS:

A. The Seller and the Buyer entered into a Real Property Buy-Sell Agreement that calls for the Buyer to purchase certain real property from the Seller (the “Agreement”); and

B. The Seller and the Buyer desire to amend the Agreement to reflect certain changed conditions and the new understanding between the Parties as set forth hereinafter.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained in this Amendment, the Parties agree as follows:

1. Specific Amendment. Paragraph 7, which is entitled “Closing,” is hereby deleted in its entirety and shall be replaced with the following:

Closing. Subject to Buyer’s right of extension detailed in Paragraph 5 above, closing (“Closing”) under this Agreement shall occur on or before February 10, 2016. Buyer reserves the right to call for the Closing at any mutually agreed upon time prior to that mentioned above; provided, however, that Buyer can only do so after giving ten (10) days prior written notice to Seller of the election to accelerate the time of Closing. Closing is to be held at the Escrow Agent’s office. The date on which Closing actually occurs shall be referred to as the “Closing Date.”

2. Effective Date. This Amendment, when executed by the Parties, shall be effective as of the date stated above.

3. Conflict. In the event of a conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall govern.

4. Effect. Except as specifically amended and/or modified by this Amendment, the Agreement is hereby ratified and confirmed and all other terms of the Agreement shall remain in full force and effect, unaltered and unchanged by this Amendment. Whether or not specifically amended by this Amendment, all of the terms and provisions of the Agreement are hereby amended to the extent necessary to give effect to the purpose and intent of this Amendment.

5. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

6. Defined Terms. Any terms not defined in this Amendment shall have the meaning assigned to them in the Agreement.

IN WITNESS WHEREOF, the Parties have executed this Amendment, effective as of the date indicated above.

CITY OF LIVINGSTON

DURGAN'S, LLC

Lisa Lowy – Interim City Manager
Date: _____

By: _____
Its: _____
Date: _____

Attest:

Approved as to form:

Lisa Herrald

Erik Coate – City Attorney

Backup material for agenda item:

- C. RESOLUTION NO. 4632 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, GRANTING A WAIVER OF ALL IMPACT FEES FOR THE LIVINGSTON YOUTH SOCCER ASSOCIATION (LYSA) FIELD HOUSE PROJECT.**

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Resolution No. 4632

Date of First Consideration / Status: January 5, 2016 (approved but requires resolution)

Purpose of Legislation: To grant Livingston Youth Soccer Association (LYSA) a waiver of all impact fees in connection with its field house project.

Statutory Authority / Reference: Mont. Code Ann. § 7-3-304(9) (2015) and Code of Ordinances, City of Livingston, Montana § 24-11

Background: The Livingston Youth Soccer Association (LYSA) requested waivers of all impact fees and building permit fees for its field house project at the Livingston City Commission's regular meeting on January 5, 2016. The Livingston City Commission approved the requested waivers of all impact fees and building permit fees by motion and a unanimous vote of the four (4) commissioners in attendance. However, further review of local ordinances by the City Attorney and the City Planner indicates that a waiver of impact fees must take the form of a resolution. In accordance with the above, the City Attorney and the City Planner have requested that the waiver of impact fees the Livingston City Commission granted to LYSA on January 5, 2016 be memorialized in the form of a resolution. The total amount of the waiver request is \$7,427.92.

Fiscal Impact: See attached Fiscal Note.

Regulatory Impact (local): N/A.

Attachments: Fiscal Note, letter and email.

RESOLUTION NO. 4632

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, GRANTING A WAIVER OF ALL IMPACT FEES FOR THE LIVINGSTON YOUTH SOCCER ASSOCIATION (LYSA) FIELD HOUSE PROJECT.

WHEREAS, the Livingston Youth Soccer Association (LYSA) requested waivers of all impact fees and building permit fees for its field house project at the Livingston City Commission’s regular meeting on January 5, 2016;

WHEREAS, the Livingston City Commission approved the requested waivers of all impact fees and building permit fees by motion and a unanimous vote of the four (4) commissioners in attendance;

WHEREAS, further review of local ordinances by the City Attorney and the City Planner indicates that a waiver of impact fees must take the form of a resolution;

WHEREAS, in accordance with the above, the City Attorney and the City Planner have requested the waiver of impact fees the Livingston City Commission granted to LYSA on January 5, 2016 be memorialized in the form of a resolution.

NOW, THEREFORE, be it resolved by the City Commission of the City of Livingston, Montana, as follows:

Livingston Youth Soccer Association is hereby granted a waiver of all impact fees in connection with its field house project, which impact fees amount to \$7,427.92.

Dated this ____ day of January, 2016.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney

CITY OF LIVINGSTON FISCAL NOTE

Ordinance # _____
 Resolution # 4632

Fiscal Analysis Assumptions

- The impact fees for the Livingston Youth Soccer Association's field house project have been requested to be waived.

- Whenever any impact fee is waived, the waived fee must be paid by the general fund.

<u>Revenue by Type</u>	<u>FY 16</u>	<u>FY 17</u>	<u>FY 18</u>
Police Impact Fees	\$ 1,204	\$ -	\$ -
Fire/EMS Impact Fees	\$ 387		
Transporation Impact Fees	\$ 5,837		
 Total Revenues	 <u>\$ 7,428</u>	 <u>\$ -</u>	 <u>\$ -</u>

<u>Benefitting Fund</u>	<u>FY 16</u>	<u>FY 17</u>	<u>FY 18</u>
Fund Name Impact Fees	\$ 7,428	\$ -	\$ -
 Total	 <u>\$ 7,428</u>	 <u>\$ -</u>	 <u>\$ -</u>

<u>Costs by Object</u>	<u>FY 16</u>	<u>FY17</u>	<u>FY 18</u>
Personnel	\$ -	\$ -	\$ -
Operating	7,428		
Capital			
Debt Service			
 Total Costs	 <u>\$ 7,428</u>	 <u>\$ -</u>	 <u>\$ -</u>

<u>Funding Source</u>	<u>FY 16</u>	<u>FY17</u>	<u>FY 18</u>
Fund Name General Fund	\$ 7,428	\$ -	\$ -
 Total	 <u>\$ 7,428</u>	 <u>\$ -</u>	 <u>\$ -</u>

Signature Jessie R. Hogg
 Date 1/11/2016

Backup material for agenda item:

- C. DISCUSS / APPROVE / DENY -- REVIEW CITY COMMISSION VACANCY APPLICATIONS FOR MINIMUM QUALIFICATIONS REQUIRED BY LAW**

Minimum Qualifications for Commissioners

- The City Commission shall hold a public session at which it reviews “all applications to determine that the applicants meet the minimum qualifications as set forth by state law.” The qualifications “include that the applicant is a citizen of the United States, a resident of the City of Livingston for at least thirty (30) days, at least eighteen (18) years of age and a registered voter.”

Code of Ordinances, City of Livingston, Montana § 2-14(F).

- **Qualifications of commissioners.** Members of the commission shall be residents of the city or town and have the qualifications of electors.

Mont. Code Ann. § 7-3-4315 (2015).

- **Qualified elector.** Any citizen of the United States 18 years of age or older who meets the registration and residence requirements provided by law is a qualified elector unless he is serving a sentence for a felony in a penal institution or is of unsound mind, as determined by a court.

Constitution of Montana – Article IV – Section 2.

- **Eligibility for public office.** Any qualified elector is eligible to any public office except as otherwise provided in this constitution. The legislature may provide additional qualifications but no person convicted of a felony shall be eligible to hold office until his final discharge from state supervision.

Constitution of Montana – Article IV – Section 4.

- **Qualifications of voter.**

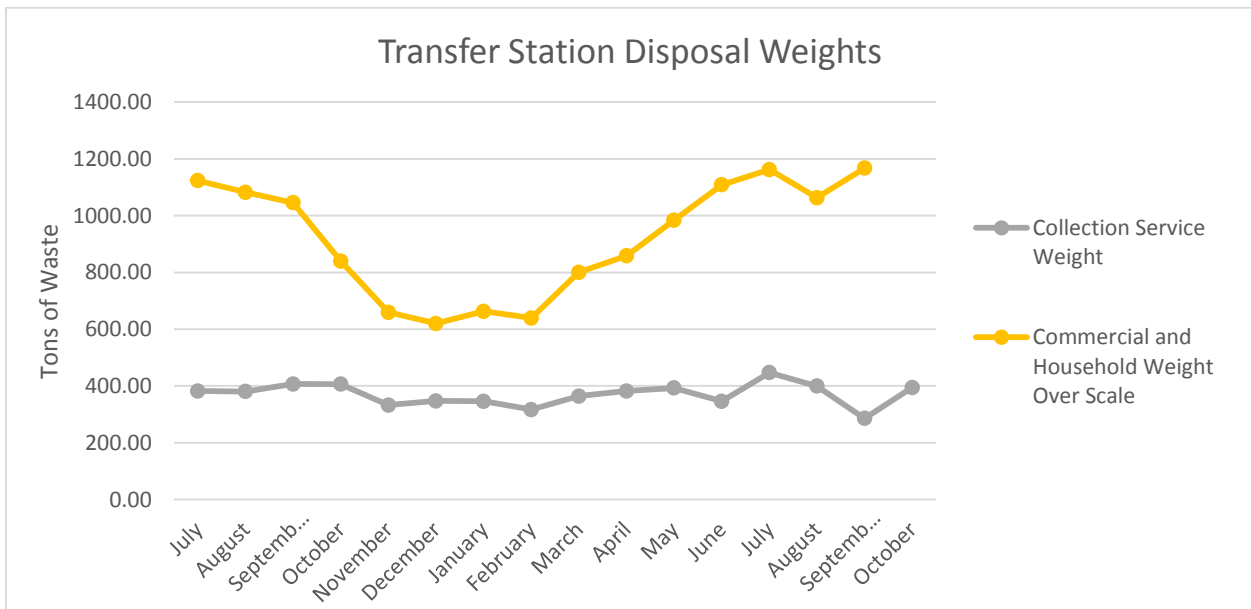
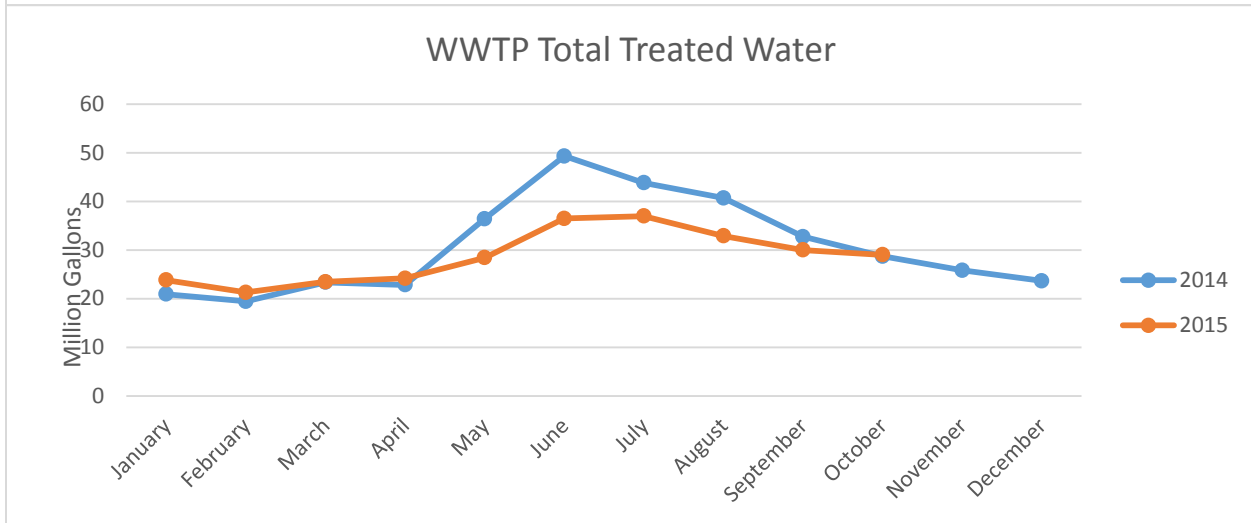
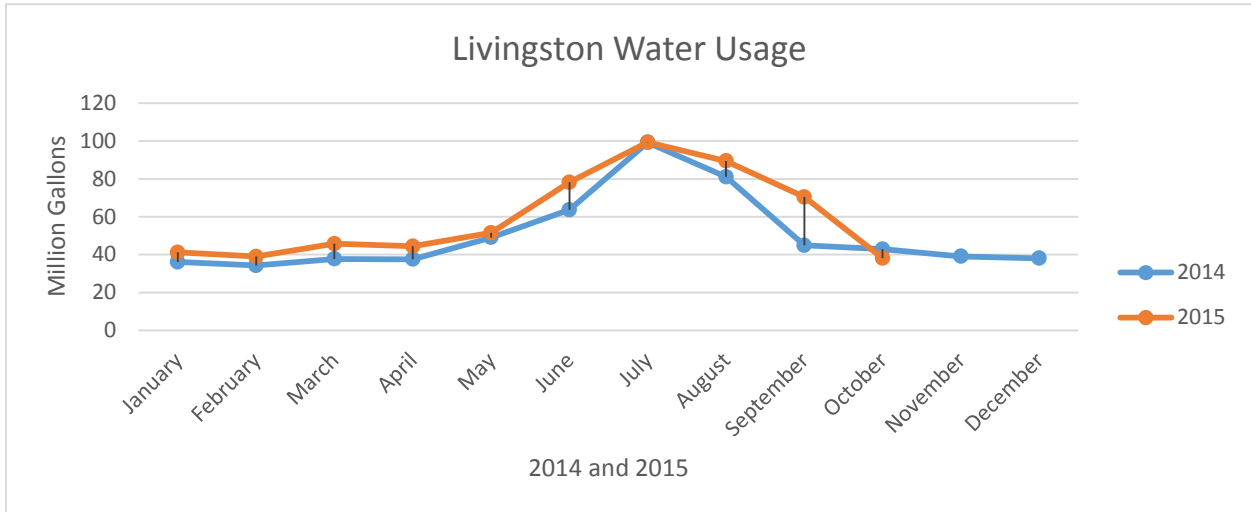
1. A person may not vote at elections unless the person is:
 - a. registered as required by law;
 - b. 18 years of age or older;
 - c. a resident of the state of Montana and of the county in which the person offers to vote for at least 30 days, except as provided in [13-2-514](#); and
 - d. a citizen of the United States.
2. A person convicted of a felony does not have the right to vote while the person is serving a sentence in a penal institution.
3. A person adjudicated to be of unsound mind does not have the right to vote unless the person has been restored to capacity as provided by law.

Mont. Code Ann. § 13-1-111 (2015).

Backup material for agenda item:

Public Works Monthly Report

Public Works Operations



Project	Details	Status
View Vista	Replacing Curb, Gutter, and Sidewalk along View Vista Drive, H Street, and F Street. Project will provide ADA approved sidewalks as well as safe routes to schools and the Fairgrounds for pedestrians and bikers.	Project has been completed!
Four Tennis Court Battery at Sacagawea Park	A new four court tennis battery will be constructed to the south east of current tennis courts	Project has been completed! The Tennis Association plans on a grand opening celebration next year.
2015 Capital Improvement Project	Water and Sewer lines will be upgraded in alley between Main and B Street from Callender to Geysler.	Williams Construction will shut down construction for the winter in the first part of November. At that time all street crossings will be paved.
CTEP Sidewalks	Improving sidewalk sections through town that have cracks, lips, and other defects that are safety hazards.	AV Construction has completed main work. Many punch list items remain to be completed.
Transportation Alternatives Sidewalk Project	Replacing sidewalk approaches at 5 th and E street intersections with ADA approved ramps, curb and gutter.	Project documents are finalized with MDT. MDT awarded the contract. Start time will be between now and spring depending on weather.
O Street Trail	Creating a pedestrian and bike trail connecting O Street and the Veterans Bridge.	Stahly Engineering is finalizing the design.
Chip seal	Chips Sealing roads in Ridgeview Subdivision and along N Main Street	Chip sealing was completed in August.
Alley Repair	Fix Alley between 7 th and 8 th to correct drainage and erosion problems	Project in preliminary design phase.
Summit Street Repair	Fix Summit Street between Main and B Street by regrading and paving street.	Project in design phase.
2016 CIP	Replacing streets and sidewalk along with utilities in the downtown from 2 nd to B St. along Callender and from Callender to Lewis St. along Main St.	Project is in design with TD&H Engineering. Meetings about the vaults and the projects effects are being held with those affected.

Public Works Projects