



Livingston City Commission Agenda

November 21, 2017

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 11.7.17 commission meeting Page 3
- B. CONSENT - Approve Bills & Claims Page 8
- C. CONSENT - Ratify Claims Page 20

6. Proclamations

7. Scheduled Public Comment

- A. SCHEDULED PUBLIC COMMENT - Katie Weaver, MSU Extension with update on economic development
- B. SCHEDULED PUBLIC COMMENT - Derek Smith from McNair Skate Park Committee with skate park update

8. Public Hearings

9. Ordinances

10. Resolutions

- A. RESOLUTION NO. 4763 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACCEPTING THE WATER EXTENSIONS FOR ACREVILLE DEVELOPMENT. Page 23

11. Action Items

- A. DISCUSS/APPROVE/DENY - Approve City Manager's Recommendation for Amendment #2 to Agreement Between Owner and Engineer for Professional Services dated February 16, 2016 for the Livingston Water Reclamation (WRF) Upgrade Project. Page 28

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

November 21, 2017 - 6:30 p.m. - City Commission regular meeting, Community Room, City/County Complex

November 22, 2017 - 6:00 p.m. - Parks and Trails Committee regular meeting, Civic Center meeting room

November 23, 2017 - Thanksgiving Day, City offices closed

November 25, 2017 - Small Business Saturday - Downtown Livingston

December 1, 2017 - 5:30 p.m. - Downtown Christmas Stroll

December 5 and 6, 2017 - City/County Sequential Intercept Mapping Workshop, Shane Center Ballroom

December 5, 2017 - 6:30 p.m. City Commission regular meeting, Community Room, City/County Complex

December 12, 2017 - 3:30 p.m. - Historic Preservation regular meeting, Community Room, City/County Complex

December 13, 2017 - 8:30 a.m. - Urban Renewal Agency regular meeting, East Room, City/County Complex

Supplemental Material

Park High Thank You Note

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 11.7.17 commission meeting

Livingston City Commission Meeting
November 7, 2017
6:30 PM
City-County Complex

1. Call to Order

2. Roll Call

- Bennett, Hoglund, Friedman, Schwarz and Sandberg were present.

3. Moment of Silence

4. Pledge of Allegiance

5. Consent Items (00:03:10)

A. CONSENT - Approve minutes from regular 10.17.17 Commission meeting

B. CONSENT - Approve Bills and Claims

C. CONSENT - Approve application for Special Parking Space for Nancy Ann Davis

- Sandberg moved to have Consent Item D removed from Consent Items.
- Friedman made a motion to approve Consent Items A – C. Hoglund seconded.
 - All in favor, motion passed 5-0.

D. CONSENT - Approve WRF change orders for Blower upgrades and SBR basin rebar addition (00:04:08)

- Schwarz made a motion to approve Consent Items D. Friedman seconded.
 - All in favor, motion passed 5-0.

6. Proclamations

7. Scheduled Public Comment

8. Public Hearings

A. ORDINANCE NO. 2066 - AN ORDINANCE OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2036 AND CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED "PARKING, STOPPING, AND STANDING" AND SPECIFICALLY SECTION 9-243 BY ESTABLISHING TWO RESERVED PARKING SPACES FOR THE "WINDRIDER" BUS SERVICE AND PROVIDING FOR A PENALTY FOR VIOLATION. (00:14:32)

- Patricia Grabow made comments (00:16:32)
- Charles Hubbell made comments (00:17:58)
- Michelle Uberuaga made comments (00:18:18)
- David Sweeney made comments (00:18:58)
- Rob Bankston made comments (00:22:12)
- Schwarz made a motion to pass Ordinance No. 2066. Hoglund seconded.
 - All in favor, motion passed 5-0.

9. Ordinances

10. Resolutions

A. RESOLUTION NO. 4761 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DESIGNATING CITY DIRECTOR OF HUMAN RESOURCES AND ADMINISTRATIVE SERVICES AS THE ENVIRONMENTAL CERTIFYING OFFICER FOR MONTANA DEPARTMENT OF COMMERCE HOME GRANT FOR THE LIVINGSTON MEMORIAL HOSPITAL ADAPTIVE RE-USE PROJECT. (00:24:08)

- Friedman made a motion to pass Resolution No. 4761. Hoglund seconded.
 - Motion passed 4-1. (Sandberg opposed.)

B. RESOLUTION NO. 4762 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH PARK COUNTY TO FACILITATE ESTABLISHING AND AMENDING INTERLOCAL AGREEMENTS. (00:29:49)

- Friedman made a motion to pass Resolution No. 4762. Hoglund seconded.
 - All in favor, motion passed 5-0.

11. Action Items

A. DISCUSS/APPROVE/DENY - Approve recommendation from Planning Director Jim Woodhull for Planning Board subcommittee (00:36:16)

- Schwarz made a motion to approve developing a joint City-County subcommittee of the Planning Board with the first assignment to be to write a chapter for the Compact Agreement. Hoglund seconded.
- Michelle Uberuaga made comments (00:58:08)
- Dave Sweeney made comments (00:58:48)
 - Motion passed 4-1. (Sandberg opposed.)

B. DISCUSS/APPROVE/DENY - Approve City - County Solid Waste Compact Agreement

(01:05:45)

- Patricia Grabow made comments (01:09:39)
- Schwarz made a motion to approve the City – County Solid Waste Compact Agreement. Friedman seconded.
 - All in favor, motion passed 5-0.
- Chairperson Bennett called for a 10 minute recess. (01:14:00)
- Meeting reconvened (01:26:15)

C. DISCUSS/APPROVE/DENY - Design features to be included in bid process for Main Street 2018 project

(01:26:16)

- Patricia Grabow made comments (01:40:00)
- Andrew Mitchell made comments (01:44:30)
- Mike Inman made comments (01:45:35)
- Michelle Uberuaga made comments (01:50:05)
- Rob Bankston made comments (01:53:35)
- Warren Mabie made comments (01:57:00)
- Charles Hubbell made comments (01:59:45)
- Erica Lighthiser made comments (02: 3:45)
- Hoglund made a motion to table the discussion for two weeks to acquire more information, including drawings, of options other than the information already provided. Friedman seconded.
 - Motion failed 0-5. (03:34:50)
- Jack Luther made comments (03:25:10)
- Charles Hubbell made comments (03:26:10)
- Rob Bankston made comments (03:26:15)
- Anna Clare Scruggs made comments (03:26:40)
- Dan Durgan made comments (03:27:20)
- Mike Inman made comments (03:28:10)
- Patricia Grabow made comments (03:29:20)

- Schwarz made a motion to accept the Main Street proposal recommended in the Traffic Study, including a one way street and curb bulb-outs. Bennett seconded.
 - Motion failed 2-3. (Bennett, Friedman and Sandberg opposed.) (03:35:45)
- Friedman made a motion to approve the Main Street project, including a one way street, without curb bulb-outs. Hoglund seconded.
 - Motion passed 3-2. (Schwarz and Sandberg opposed.)
- Mike Inman made comments (03:38:10)
- Rob Bankston made comments (03:39:10)
- Anna Clare Scruggs made comments (03:39:40)
- Patricia Grabow made comments (03:43:00)
- Rob Bankston made comments (03:44:50)
- Mike Inman made comments (03:45:40)
- Charles Hubbell made comments (03:47:40)

11. City Manager Comment (04:01:20)

12. City Commission Comments

- Sandberg made comments. (03:52:28)
- Bennett made comments. (04:00:20)

13. 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).

- Patricia Grabow made comments. (04:06:15)

14. Adjournment (10:37 PM)

Backup material for agenda item:

- B. CONSENT - Approve Bills & Claims

11/15/17
07:50:45

CITY OF LIVINGSTON
Claim Approval List
For the Accounting Period: 11/17

Page: 1 of 9
Report ID: AP100

Operating Cash
* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
34116	3184 MASTERCARD	15,494.15					
	MacInnes 10/05/17 Medwrite - Sept.	3,693.38			5510 142 420730	350	101000
	MacInnes 10/10/17 Dept. Patches	145.50			1000 141 420400	312	101000
	MacInnes 10/10/17 Dept. Patches	145.50			5510 142 420730	334	101000
	MacInnes 10/17/17 Station supplies	81.83			1000 141 420400	220	101000
	MacInnes 10/17/17 NFA - T. Prahll	763.60*			1000 141 420400	370	101000
	MacInnes 10/17/17 NFA - Chief MacInnes	763.60*			1000 141 420400	370	101000
	MacInnes 10/25/17 Fire & Rescue coins	758.00			1000 141 420400	334	101000
	MacInnes 10/27/17 Hallowee Candy	25.98			1000 141 420400	312	101000
	Tarr 09/30/17 Facebook ad	49.00			1000 109 460449	336	101000
	Tarr 10/05/17 Amazon	56.55			1000 109 460449	220	101000
	Tarr 10/10/17 Town & Country	11.98			1000 109 460449	226	101000
	Tarr 10/10/17 Thimbelinas Quilt shop	27.25			1000 109 460449	226	101000
	Tarr 10/17/17 Walmart	35.52			1000 109 460449	226	101000
	Tarr 10/17/17 Amazon	97.69			1000 109 460449	226	101000
	Tarr 10/17/17 Amazon	40.09			1000 109 460449	226	101000
	Tarr 10/17/17 Michaels	10.79			1000 109 460449	226	101000
	Tarr 10/18/17 Amazon	34.99			1000 109 460449	226	101000
	Tarr 10/17/17 USA Basketball	38.00			1000 109 460449	226	101000
	Tarr 10/17/17 Verified Volunteers	26.00			1000 109 460449	226	101000
	Tarr 10/19/17 Town & Country	18.26			1000 109 460449	226	101000
	Tarr 10/20/17 Albertson's	7.99			1000 109 460449	226	101000
	Tarr 10/22/17 Int'In Montana Inflat	534.00			1000 109 460449	226	101000
	Tarr 10/27/17 Michaels	17.00			1000 109 460449	226	101000
	Tarr 10/27/17 Office Depot	119.30			1000 109 460449	220	101000
	Tarr 10/29/17 Batteries Plus	36.00			1000 109 460449	220	101000
	Tarr 10/31/17 Facebook	50.00			1000 109 460449	336	101000
	Glass 10/05/17 Communications Training Office	419.00			2300 132 420160	380	101000
	Glass 10/06/17 Communications Training Office	419.00			2300 132 420160	380	101000
	Glass 10/16/17 Recertification - Glass	150.00			2300 132 420160	380	101000
	Glass 10/02/17 APCO membership dues	331.00			2300 132 420160	334	101000
	Johnson 10/04/17 PoliceOne. com - K Engle	435.00			1000 131 420100	380	101000
	Johnson 10/28/17 Staples	75.95			1000 131 420100	220	101000
	Johnson 10/28/17 Staples	26.69			1000 131 420100	220	101000
	Singer 10/12/17 Staples. Com	77.95			1000 123 411700	211	101000
	Singer 10/12/17 Staples. Com	29.99			1000 123 411700	211	101000
	Singer 10/12/17 Staples. Com	564.10			1000 123 411700	211	101000
	Harrington 10/23/17 Taxi	12.62			5510 142 420730	370	101000
	Harrington 10/17/17 Travel	17.00			5510 142 420730	370	101000
	Harrington 10/20/17 Travel - Delta Las Vegas	25.00			5510 142 420730	370	101000
	Harrington 10/20/17 Travel - Delta Las Vegas-	173.49			5510 142 420730	370	101000
	Harrington 10/20/17 Travel -	48.00			5510 142 420730	370	101000
	Chambers 10/05/17 Yogo Inn - A. Marlowe	194.60			5510 142 420730	370	101000
	Chambers 10/11/17 Chief's Convention	169.00			1000 141 420400	380	101000

11/15/17
07:50:45

CITY OF LIVINGSTON
Claim Approval List
For the Accounting Period: 11/17

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Report ID: AP100

Operating Cash
* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund	Org	Acct	Object	Proj	Cash Account
		Chambers 10/11/17	Chief's Convention	10.95*			1000	141	420400	370		101000
		Chambers 10/11/17	Chief's Convention	363.66*			1000	141	420400	370		101000
		Chambers 10/05/17	MT Emergency Medical Assoc.	300.00			5510	142	420730	380		101000
		Chambers 10/25/17	Rib & Chop	54.00*			1000	141	420400	370		101000
		Chambers 09/29/17	Amazon	14.50			1000	141	420400	381		101000
		Emter 10/11/17	Harbor Freight	6.99			5310	503	430640	230		101000
		Schneider 09/29/17	Northern Rockies Tree Schoo	216.47			1000	155	430950	370		101000
		Schneider 10/19/17	Society of Arboriculture	217.00			1000	155	430950	402		101000
		Schneider 10/27/17	Society of Arboriculture	89.90			1000	155	430950	402		101000
		Johansson 10/18/17	Staples.com	6.72			1000	155	430100	220		101000
		Johansson 10/18/17	Staples.com	6.72*			2500	151	430240	200		101000
		Johansson 10/18/17	Staples.com	6.72			5210	502	430510	220		101000
		Johansson 10/18/17	Staples.com	6.72			5310	503	430610	210		101000
		Johansson 10/18/17	Staples.com	6.72			5410	504	430810	210		101000
		Johansson 10/25/17	Staples.com	57.74			5310	503	430610	210		101000
		Stordalen 10/26/17	John Deere	47.60			5410	504	430830	231		101000
		Schweigert 10/06/17	Tuition - Havre	300.00			5210	502	430515	380		101000
		Schweigert 10/03/17	Cellular Plus Iphone6	62.49			5210	502	430515	231		101000
		Schweigert 10/03/17	Cellular Plus Iphone6	62.48			5310	503	430625	231		101000
		Schweigert 10/27/17	Travel - Billings, Brandal	347.05			5210	502	430515	370		101000
		Fetterhoff 10/02/17	Hampton Inn -GreatFalls	352.89			1000	103	410400	370		101000
		Fetterhoff 10/02/17	Hampton Inn -GreatFalls	352.89*			1000	104	410540	370		101000
		Fetterhoff 10/09/17	Stamps.Com	24.99			1000	123	411700	310		101000
		Fetterhoff 10/24/17	Taxi- Las Vegas	36.95*			1000	104	410540	370		101000
		Fetterhoff 10/25/17	Training meals	43.89*			1000	104	410540	370		101000
		Fetterhoff 10/26/17	Training meals	78.19*			1000	104	410540	370		101000
		Fetterhoff 10/26/17	Training meals	31.79*			1000	104	410540	370		101000
		Fetterhoff 10/27/17	Training travel	15.00*			1000	104	410540	370		101000
		Fetterhoff 10/27/17	Training meals	59.53*			1000	104	410540	370		101000
		Fetterhoff 10/27/17	Training meals	10.74*			1000	104	410540	370		101000
		Fetterhoff 10/27/17	Postage	100.00			1000	123	411700	310		101000
		Fetterhoff 10/29/17	Taxi - Las Vegas	21.68*			1000	104	410540	370		101000
		Fetterhoff 10/29/17	Training - Lodging	649.94*			1000	104	410540	370		101000
		Fetterhoff 10/29/17	Training meals	20.18*			1000	104	410540	370		101000
		Grady 10/06/17	Office supplies	105.49			2220	201	460100	210		101000
		Grady 10/06/17	Office supplies	3.67			2220	201	460100	210		101000
		Grady 10/06/17	Office supplies	3.72			2220	201	460100	210		101000
		Grady 10/06/17	Office supplies	16.43			2220	201	460100	210		101000
		Grady 10/04/17	Stamps.com	100.00			2220	201	460100	310		101000
		Grady 10/04/17	Stamps.com	15.99			2220	201	460100	310		101000
		Grady 10/17/17	Amazon - books	39.11			2220	201	460100	227		101000
		Grady 10/17/17	Amazon - credit	-9.59			2220	201	460100	227		101000
		Grady 10/17/17	Amazon - credit	-12.99			2220	201	460100	227		101000
		Grady 10/16/17	Office supplies	88.80			2220	201	460100	210		101000
		Lowy 10/02/17	Ace Hardware	7.58*			1000	109	460442	231		101000

11/15/17
07:50:45

CITY OF LIVINGSTON
Claim Approval List
For the Accounting Period: 11/17

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Report ID: AP100

Operating Cash
* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	Lowy 10/05/17	Walmart		45.74*			1000 109 460442	231	101000
	Lowy 10/14/17	Habitat for Humanity		150.00*			1000 109 460442	231	101000
	Lowy 10/21/17	Albertson		3.98			1000 109 460449	220	101000
	Lowy 10/27/17	Ace Hardware		40.28*			1000 109 460442	231	101000
	Lowy 10/27/17	Albertson's		104.69			1000 109 460449	220	101000
	Lowy 10/30/17	Albertson's		51.97			1000 109 460449	220	101000
34117		948 BRIDGER ELECTRIC, INC.		4,541.19					
	897 10/27/17	Centennial L.S. Repair		4,541.19			5310 503 430630	940	101000
34118		23 CARQUEST AUTO PARTS		18.39					
	1912394824 11/06/17	Fuel		18.39			5310 503 430625	231	101000
34119		2671 COMDATA		2,274.21					
	20278094 11/01/17	Fuel Building		149.78			1000 143 420403	236	101000
	20278094 11/01/17	Fuel Water		869.23			5210 502 430515	236	101000
	20278094 11/01/17	Fuel Sewer		232.72			5310 503 430625	236	101000
	20278094 11/01/17	Fuel Parks		258.77			1000 155 430950	236	101000
	20278094 11/01/17	Fuel Streets		358.19			2500 151 430240	236	101000
	20278094 11/01/17	Fuel Solid Waste		336.84			5410 504 430830	236	101000
	20278094 11/01/17	Fuel Code Enforcement		68.68			1000 154 440640	236	101000
34120		294 CHAPPELL'S BODY SHOP, INC.		3,151.04					
	15621 09/20/17	Ford Escape Repair		3,151.04*			5210 502 430515	232	101000
34121		424 ENERGY LABORATORIES, INC.		102.00					
	116383 10/28/17	Effluent		102.00			5310 503 430640	355	101000
34122		3298 EXEC U CARE SERVICES, INC.		400.00					
	1386 11/01/17	PW Cleaning October		66.66			5210 502 430510	224	101000
	1386 11/01/17	PW Cleaning October		66.66			5310 503 430610	224	101000
	1386 11/01/17	PW Cleaning October		66.67			5410 504 430820	224	101000
	1386 11/01/17	PW Cleaning October		66.67			2500 151 430220	224	101000
	1386 11/01/17	PW Cleaning October		66.67			1000 155 430100	224	101000
	1386 11/01/17	PW Cleaning October		66.67			1000 106 411030	220	101000
34123		102 INDUSTRIAL TOWEL		66.67					
	35244 11/03/17	Mat cleaning		8.56			5210 502 430510	224	101000
	35244 11/03/17	Mat cleaning		8.55			5310 503 430610	224	101000
	35244 11/03/17	Slate WRF		23.90			5310 503 430610	224	101000
	35244 11/03/17	Mat cleaning		8.55			2500 151 430220	224	101000
	35244 11/03/17	Mat cleaning		8.55			5410 504 430820	220	101000
	35244 11/03/17	Mat cleaning		8.56			1000 106 411030	200	101000

11/15/17
07:50:45

CITY OF LIVINGSTON
Claim Approval List
For the Accounting Period: 11/17

Page: 4 of 12
Report ID: AP100

Operating Cash
* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
34124	776 KENYON NOBLE	25.83							
6269677	11/01/17 Wood	25.83			5310 503 430625	231		101000	
34125	2830 LEHRKIND'S COCA-COLA	68.40							
1461777	10/31/17 Water	17.30			5310 503 430640	225		101000	
1469410	10/31/17 Water	33.80			5310 503 430640	225		101000	
1472810	10/31/17 Water	17.30			5310 503 430640	225		101000	
34126	26 LIVINGSTON ACE HARDWARE -	392.89							
B31172	11/06/17 Snow pusher	85.97			5410 504 430830	231		101000	
B29148	11/02/17 Lock lub and combo kit	232.98			5410 504 430830	231		101000	
B27656	10/30/17 Pipe and batteries	23.96			2820 210 430240	241		101000	
B29327	11/02/17 Ice melt	49.98			5210 502 430520	220		101000	
34128	3040 MIDWAY RENTAL, INC.	136.95							
5-828280	11/06/17 Wiper	136.95			5410 504 430830	232		101000	
34129	112 MONTANA RAIL LINK	25.00							
442249	10/02/17 221029 water line	25.00			5210 502 430510	535		101000	
34130	3016 MT WATERWORKS	737.13							
24578	10/24/17 Mueller hydrant parts	737.13			5210 502 430515	231		101000	
34131	3688 MURDOCH'S RANCH & HOME SUPPLY	542.71							
00534	10/27/17 Adapter	43.98			2820 210 430240	471		101000	
00544	10/30/17 Tarp	78.74			2500 151 430240	231		101000	
00579	11/06/17 Fuel pump	209.99			2500 151 430240	232		101000	
00579	11/06/17 Fuel pump	210.00			5410 504 430830	232		101000	
34132	2437 O'REILLY AUTOMOTIVE, INC	74.16							
1558111057	11/03/17 12ozGasAntfz	37.08*			5210 502 430515	232		101000	
1558111057	11/03/17 12ozGasAntfz	37.08			5310 503 430625	232		101000	
34134	2109 ROCKY MOUNTAIN TRUCK CENTER,	87.71							
001107094	10/31/17 Fastner and tire repair kit	87.71			5410 504 430830	232		101000	
34135	3562 Snap-On	61.95							
1020175258	10/20/17 Penta skt	61.95			5210 502 430515	231		101000	

11/15/17
07:50:45

CITY OF LIVINGSTON
Claim Approval List
For the Accounting Period: 11/17

Page: 5 of 5
Report ID: AP100

Operating Cash
* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
34136		3472 UTILITIES UNDERGROUND LOCATION		147.58					
	7105085	10/31/17 Utility locate notifications		73.79			5210 502 430515	317	101000
	7105085	10/31/17 Utility locate notifications		73.79			5310 503 430625	317	101000
34137		22 ALL SERVICE TIRE & ALIGNMENT,		40.00					
	53467	11/06/17 Flat repair		40.00			5410 504 430830	362	101000
34138		2087 WISPWEST.NET		56.30					
	364275	11/01/17 Civic Center		46.30			1000 155 430950	346	101000
	366676	11/01/17 Pool		10.00			1000 155 430950	346	101000
34139		3735 BRANDAL, DESTRY		219.18					
	17-18	10/28/17 Travel, meals - Billings		219.18			5210 502 430515	370	101000
34140		1390 KEN'S EQUIPMENT REPAIR, INC		2,768.25					
	49758	10/09/17 410 E		605.10			5410 504 430830	362	101000
	49648	09/25/17 410 E		90.00			5410 504 430830	362	101000
	49757	10/09/17 015-G2		1,719.90			5410 504 430830	362	101000
	49769	10/09/17 Yard dog		250.50			5410 504 430830	362	101000
	49845	10/24/17 Yard dog		102.75			5410 504 430830	362	101000
34141		468 LIVINGSTON FIRE SERVICE, INC		36.25					
	15617	11/06/17 Fire extinguisher recharge		36.25			1000 141 420400	220	101000
34142		1390 KEN'S EQUIPMENT REPAIR, INC		165.35					
	49765	10/10/17 Medic 2 repairs		165.35*			5510 142 420730	232	101000
34143		2671 COMDATA		1,691.02					
	20278074	11/01/17 Fuel - Oct		1,691.02			1000 131 420100	236	101000
34144		55 LIVINGSTON HEALTH CARE-MEMORIAL		28.00					
	1743277	10/17/17 Lab tests		28.00			1000 131 420100	350	101000
34148		147 LIVINGSTON UTILITY BILLING		1,621.96					
		11/06/17 City/County complex		442.96			1000 121 411230	342	101000
		11/06/17 Parks Garb		369.41			1000 155 430950	342	101000
		11/06/17 Cemetery		56.61			1000 121 411230	342	101000
		11/06/17 Soccer Fieldhouse		41.00			1000 155 430950	342	101000
		11/06/17 Sewer Plant		474.33			5310 503 430640	342	101000
		11/06/17 Street Shop		47.88			2500 151 430220	342	101000
		11/06/17 Street Shop		47.89*			5410 504 430830	342	101000
		11/06/17 Scale House		38.14			5410 504 430820	342	101000
		11/06/17 Utility shop		0.00*			5210 502 430520	342	101000
		11/06/17 Utility shop		0.00			5310 503 430620	342	101000

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Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	11/06/17	Utility shop		0.00			5410 504 430820	342	101000
	11/06/17	City of Livingston Star Rd		46.76			1000 121 411230	342	101000
	11/06/17	City of Livingston B Street		56.98			1000 121 411230	342	101000
	11/06/17	110 S. B Street-Irrigation		0.00			1000 121 411230	342	101000
34151		3110 PLATT		98.77					
	0137858	10/06/17 37% light bulbs		98.77			1000 121 411230	365	101000
34152		1783 J & H OFFICE EQUIPMENT		302.82					
	21580940	11/02/17 Canon copier lease		302.82			1000 123 411700	368	101000
34154		1783 J & H OFFICE EQUIPMENT		239.00					
	21569034	10/31/17 Canon Copier		239.00			1000 123 411700	368	101000
34155		3633 BILLING DOCUMENT SPECIALISTS		70.00					
	44069	10/31/17 Online Monthly Maintenance		23.33*			5210 502 430570	213	101000
	44069	10/31/17 Online Monthly Maintenance		23.33			5310 503 430670	213	101000
	44069	10/31/17 Online Monthly Maintenance		23.34*			5410 504 430870	213	101000
34160		781 2M COMPANY, INC.		42.34					
	8079337001	10/31/17 Lagoon irrigation		42.34			1000 155 460430	231	101000
34161		23 CARQUEST AUTO PARTS		4.74					
	1912393912	10/27/17 Light bulb		4.74			1000 155 430950	362	101000
34162		3380 EMERALD SERVICES INC.		747.50					
	75151733	10/26/17 Recycled oil		747.50			5410 504 430840	388	101000
34163		424 ENERGY LABORATORIES, INC.		252.00					
	117986	11/06/17 Effluent		252.00			5310 503 430640	355	101000
34164		3736 KOCH'S TENNIS COURT SERVICE		120.00					
	20171025	10/27/17 Tennis Court		120.00			1000 155 460430	231	101000
34165		1390 KEN'S EQUIPMENT REPAIR, INC		243.75					
	49807	10/17/17 Starlow station		243.75			5210 502 430515	361	101000
34166		26 LIVINGSTON ACE HARDWARE -		82.69					
	B27654	10/30/17 Snow plow		3.20			1000 155 460430	231	101000
	B28861	11/01/17 Supplies		28.97			5310 503 430625	231	101000
	B29394	11/02/17 Propane and saw		20.97			5310 503 430625	231	101000
	B29094	11/02/17 Fastners		5.80			5310 503 430625	231	101000
	B28817	11/01/17 Bulb and oil		23.75			5210 502 430515	231	101000

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Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
34167	3040 MIDWAY RENTAL, INC. 5-780972 07/18/17 Drill and parts	28.56 28.56			5310 503 430625	231	101000
34168	2437 O'REILLY AUTOMOTIVE, INC 1558110552 10/30/17 Clu MSTR CYL 1558110548 10/30/17 Clu MSTR CYL and pump 1558110549 10/30/17 BRK bleeder 1558110304 10/27/17 120zclutch 1558110560 10/30/17 Fuel hose 1558110621 10/30/17 Red dump truck	167.49 4.78 78.63 -8.49 3.39 1.86 87.32			1000 155 430950 1000 155 430950 1000 155 430950 1000 155 430950 1000 155 430950 1000 155 430950	362 362 362 362 362 362	101000 101000 101000 101000 101000 101000
34169	258 QUALITY CONTROL SERVICES, INC. 50301 10/20/17 Onsite service	855.00 855.00			5310 503 430640	225	101000
34170	3659 RIVERSIDE HARDWARE LLC 25783 07/17/17 Caulk gen 25429 07/21/17 Hose clamp	35.13 26.97 8.16			5210 502 430515 5210 502 430515	231 231	101000 101000
34171	1814 SPECIAL LUBE 53306 11/01/17 Oil change 49746	41.00 41.00*			5210 502 430515	232	101000
34172	2501 D.W. BURNS PLUMBING & HEATING 13133 03/02/16 37% Flush Valve Repair Kit	38.38 38.38			1000 121 411230	365	101000
34173	22 ALL SERVICE TIRE & ALIGNMENT, 53203 09/26/17 Tires, Brake Pads 53203 09/26/17 Tires, Brake Pads	715.08 609.08 106.00			1000 131 420100 1000 131 420100	231 360	101000 101000
34174	2671 COMDATA 20278071 11/01/17 Fuel Fire Dept 20278071 11/01/17 Fuel Fire Dept	1,808.79 474.47 1,334.32			1000 141 420400 5510 142 420730	236 236	101000 101000
34175	22 ALL SERVICE TIRE & ALIGNMENT, 53433 10/31/17 Winter Tires	460.00 460.00*			5510 142 420730	220	101000
34176	22 ALL SERVICE TIRE & ALIGNMENT, 53446 11/01/17 Winter Tires	450.00 450.00*			5510 142 420730	220	101000
34177	22 ALL SERVICE TIRE & ALIGNMENT, 53425 10/30/17 Winter Tires	326.00 326.00*			5510 142 420730	220	101000

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Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
34178		61 TERRELL'S OFFICE MACHINES, INC. 345482 11/01/17 Kyocera Copier Contract		485.76 485.76			2300 132 420160	220	101000
34179		3620 NUNN, JESSIE 02 11/01/17 Phase II Comm. Dist. Survey		2,000.00 2,000.00			1000 106 411030	349	101000
34181		666 TRAF-O-TERIA SYSTEM 16372 10/18/17 Parking tickets		400.28 400.28			1000 106 411030	200	101000
34182		153 POWERS, DIANE 17-18 10/31/17 Banks & Errands x13		26.00 26.00			1000 104 410550	130	101000
34183		3732 RY Timber 103117COL 10/31/17 Wood Chips		160.00 160.00			1000 155 460430	231	101000
34184		3298 EXEC U CARE SERVICES, INC. 1385 11/01/17 October Janitorial Services		1,119.42 1,119.42			1000 121 411230	364	101000
34185		738 SIRCHIE 322786-IN 10/25/17 Evidence collection supplie		115.24 115.24			1000 131 420100	220	101000
34186		3376 TRANSUNION RISK & ALTERNATIVE 380349 11/01/17 investigative research		25.00 25.00			1000 131 420100	350	101000
34187		23 CARQUEST AUTO PARTS 1912394438 11/01/17 Antifreeze		24.98 24.98			1000 131 420100	231	101000
34188		63 HOUSE OF CLEAN 196773 10/13/17 37% Janitorial supplies		25.31 25.31			1000 121 411230	231	101000
34189		501 MONTANA TAX FOUNDATION, INC. 17-18 07/14/17 Montana Tax Foundation Members		60.00 60.00			1000 104 410540	333	101000
34190		84 A & I DISTRIBUTORS 3035440 10/13/17 55gal Blue		181.40 181.40			2500 151 430240	232	101000
34191		23 CARQUEST AUTO PARTS 1912394447 11/02/17 Conventional greenFS 1912394384 11/01/17 Econo 4 STT red 1912394381 11/01/17 CWP 28-220		107.90 68.94 6.30 32.66			2500 151 430240 2500 151 430240 2500 151 430240	232 232 232	101000 101000 101000

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Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
34192		2904 FISHER SAND AND GRAVEL		2,237.40					
	50937	10/21/17 1/4 Buckshot		2,237.40			2820 210 430240	450	101000
34193		2863 KIMBALL MIDWEST		879.44					
	5934395	10/24/17 Saw and cabinet		255.00			5210 502 430515	231	101000
	5934395	10/24/17 Saw and cabinet		255.52			2500 151 430240	231	101000
	5933979	10/24/17 Blk cable, tap, 48 LED, cryo-		368.92			2500 151 430240	232	101000
34194		2830 LEHRKIND'S COCA-COLA		448.80					
	1477011	11/09/17 5gal big spring		33.00			2500 151 430240	231	101000
	1477012	11/09/17 5gal big spring		25.55			5310 503 430640	225	101000
	1390001	01/18/17 5gal big spring		15.50			2500 151 430240	231	101000
	1327568	07/11/16 5gal big spring		38.75			2500 151 430240	231	101000
	1423724	05/24/17 5gal big spring		41.25			2500 151 430240	231	101000
	1444377	08/02/17 5gal big spring		33.00			2500 151 430240	231	101000
	1367396	11/09/16 5gal big spring		31.00			2500 151 430240	231	101000
	1396844	02/15/17 5gal big spring		23.25			2500 151 430240	231	101000
	1408475	03/29/17 5gal big spring		24.75			2500 151 430240	231	101000
	1416094	04/26/17 5gal big spring		16.50			2500 151 430240	231	101000
	1452383	08/30/17 5gal big spring		16.50			2500 151 430240	231	101000
	1427531	06/07/17 5gal big spring		10.50			5410 504 430830	231	101000
	1411895	04/12/17 5gal big spring		24.75			5410 504 430830	231	101000
	1400863	03/01/17 5gal big spring		33.00			5410 504 430830	231	101000
	1381829	12/21/16 5gal big spring		15.50			5410 504 430830	231	101000
	1449794	08/16/17 5gal big spring		16.50			5410 504 430830	231	101000
	1435737	07/04/17 5gal big spring		16.50			5410 504 430830	231	101000
	1432144	06/21/17 5gal big spring		33.00			5410 504 430830	231	101000
34195		26 LIVINGSTON ACE HARDWARE -		88.60					
	B28181	10/31/17 Battery		35.96			2500 151 430240	231	101000
	B27942	10/30/17 Strap		52.64			2500 151 430240	232	101000
34196		33 NORTH CENTRAL LABORATORIES		2,091.20					
	397475	10/26/17 Parts		2,091.20			5310 503 430640	225	101000
34197		12 NORMONT EQUIPMENT		2,456.55					
	16119	10/26/17 Emulsion		2,456.55			2820 210 430240	471	101000
34198		3353 STORY DISTRIBUTING		4,172.86					
	78527	11/07/17 Diesel 702g		1,618.11*			1000 123 411700	236	101000
	78527	11/07/17 Additive 43oz		38.40*			1000 123 411700	236	101000
	78527	11/07/17 Innospec		35.10*			1000 123 411700	236	101000
	78527	11/07/17 Filter		15.95*			1000 123 411700	236	101000
	78449	10/31/17 Diesel 1020g		2,351.10*			1000 123 411700	236	101000

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Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	78449	10/31/17	Additive 64oz	51.20*			1000 123 411700	236	101000
	78449	10/31/17	Innospec	63.00*			1000 123 411700	236	101000
34199			1 TECH ELECTRIC, INC	2,221.85					
	38325	11/02/17	Repair work at WWTP	2,221.85			5310 503 430640	361	101000
34200			3564 ULINE	371.72					
	91686380	10/25/17	traffic sign and saftey bato	371.72			2820 210 430240	241	101000
34201			2904 FISHER SAND AND GRAVEL	1,087.60					
	51488	10/28/17	Road gravel	1,087.60			2820 210 430240	451	101000
34202			1390 KEN'S EQUIPMENT REPAIR, INC	780.00					
	49736	10/05/17	Sweeper	780.00			2500 151 430240	362	101000
34203			533 T & E THE CAT RENTAL STORE	998.90					
	0430367	10/27/17	Glass	336.52			2500 151 430240	362	101000
	0430299	10/24/17	Glass and lamp	662.38			2500 151 430240	362	101000
34204			3275 MSU EXTENSION SERVICE	4,079.50					
	53950	07/19/17	October MSU Economic Dev Agent	4,079.50			1000 103 410400	824	101000
34205			3275 MSU EXTENSION SERVICE	4,079.50					
	53950	07/19/17	November MSU Economic Dev	4,079.50			1000 103 410400	824	101000
34206			3407 LIVINGSTON DAYCARE, LLC	900.00					
	122017	12/01/17	Parking Lot Lease - Dec.	900.00			1000 121 411230	532	101000
34207			3519 OPPORTUNITY BANK OF MONTANA	1,775.00					
	2017-12	11/13/17	Business Office Rent - Dec	1,775.00			1000 121 411230	530	101000
34208			2862 PRAHL, TORSTEN	1,260.00					
	17-18	11/07/17	Reimburse tuition (1/2)	1,260.00			1000 141 420400	380	101000
34209			1416 US BANK	350.00					
	4793088	10/25/17	Paying Agent Fee - GOB	350.00			3002 170 490100	630	101000
34210			162 CENTURYLINK	1,283.14					
	3850	11/04/17	Sewer Plant	177.18			5310 503 430640	343	101000
	5606	11/04/17	Utility Billiings	81.84			5210 502 430520	343	101000
	5570	11/04/17	Utility Billiings	81.84			5310 503 430620	343	101000
	5570	11/04/17	Utility Billiings	81.84			5410 504 430820	343	101000
	5240	11/04/17	Scale house	298.92			5410 504 430820	343	101000
	6003	10/22/17	Finance Office	374.18			1000 122 411300	343	101000
	4903	11/04/17	Planning dept	82.57			1000 106 411030	343	101000

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Operating Cash
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Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	6436	11/04/17	Park Dept.		104.77		1000 109 460449	343	101000
34211		102	INDUSTRIAL TOWEL		37.70				
	35721	11/09/17	Rug maint, towels		37.70		1000 121 411230	360	101000
34212		55	LIVINGSTON HEALTH CARE-MEMORIAL		180.79				
	18059	11/08/17	Patient supplies		180.79		1000 141 420400	220	101000
34213		14	SHOPKO STORES, LLC		34.48				
	031770010	11/08/17	Station supplies		34.48*		5510 142 420730	220	101000
34214		2595	TOWN & COUNTRY FOODS -		9.22				
	8236002	10/29/17	Cleaning supplies		9.22		1000 141 420400	220	101000
34215		2662	BOUND TREE MEDICAL, LLC		223.99				
	82679013	11/07/17	Patient supplies		223.99		5510 142 420730	235	101000
34216		26	LIVINGSTON ACE HARDWARE -		57.95				
	B31588	11/07/17	Station supplies		57.95		1000 141 420400	220	101000
34217		2501	D.W. BURNS PLUMBING & HEATING		485.50				
	14392	04/18/17	Replace electric urinal flush		485.50		1000 141 420400	365	101000
34218		3058	MUNICIPAL CODE CORPORATION		1,000.00				
	298938	11/07/17	Annula Web 11/01 - 10/31/18		1,000.00		1000 101 410130	337	101000
34219		151	NORTHWESTERN ENERGY		30.06				
	3286284	11/06/17	101 Star Road		30.06		1000 121 411230	341	101000
34220		294	CHAPPELL'S BODY SHOP, INC.		30.00				
	296	11/03/17	Prepaid car wash		30.00		1000 131 420100	231	101000
34221		3371	BALCO UNIFORM COMPANY, INC.		267.65				
	47945	11/07/17	Uniform - A. Walker		267.65*		1000 131 420100	153	101000
34222		3440	CHARTER COMMUNICATIONS		885.51				
	0179860	11/04/17	110 S. B internet		885.51		1000 122 411300	346	101000
34223		3440	CHARTER COMMUNICATIONS		3,118.01				
	0179852	11/04/17	414 E. Callender Internet		3,118.01		1000 122 411300	346	101000
		# of Claims	95	Total:	84,757.52				

Backup material for agenda item:

C. CONSENT - Ratify Claims

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CITY OF LIVINGSTON
Claim Details by Fund, Account
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For Doc # = 34180, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	410400 CITY MANAGER	184 LIVINGSTON DEPOT CENTER	Facility Use Contrac	800.00
			Total for Fund:	800.00
			Total:	800.00

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CITY OF LIVINGSTON
Claim Details by Fund, Account
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For Doc # = 34224, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	151 NORTHWESTERN ENERGY	New Service WWTP	5,919.00
			Total for Fund:	5,919.00
			Total :	5,919.00

Backup material for agenda item:

- A. RESOLUTION NO. 4763 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACCEPTING THE WATER EXTENSIONS FOR ACREVILLE DEVELOPMENT.

RESOLUTION NO. 4763

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACCEPTING THE WATER EXTENSIONS FOR ACREVILLE DEVELOPMENT.

WHEREAS, in connection with development and construction of businesses in the Acreville Development in Livingston, Montana, located in the SUBDIVISION 599, S26, T02 S, R09 E, Lot 41A, ACREVILLE SD, located to the south of Billman Lane and east of Willow Drive;

WHEREAS, the new water utility lines are connected to the City of Livingston's existing water systems and are waiting for the City's acceptance;

WHEREAS, the Code of Ordinances, City of Livingston, Montana, provides that the City of Livingston's water systems can be extended;

WHEREAS, the City of Livingston and property owners identified as Acreville Development, entered into an agreement whereby the property owner paid for the engineering and construction of the water extensions from the end of the city mains to the individual property located in the Acreville Development; and

WHEREAS, the property owners and their engineer, and Public Works Director Shannon Holmes, on behalf of the City of Livingston, have both requested that the City of Livingston accept the aforementioned water lines into the City's existing system, per Livingston Code of Ordinances Section 13-95;

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

That the water extension in the Acreville Development, is hereby accepted into the City of Livingston's water utility system.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this _____ day of November, 2017.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

JAY PORTEEN
City Attorney

Shannon W. Holmes
Public Works Director

Matt Whitman
Project Manager

Almira Johansson
Administrative Assistant

330 Bennett Street
Livingston, MT 59047
Phone: (406) 222-5667



www.livingstonmontana.org

Tom Schweiger 26
Water / Sewer

Craig Hahn
Streets

Rich Stordalen
Transfer Station

Eric Schneider
Parks


Dan Emter
Waste Reclamation Facility

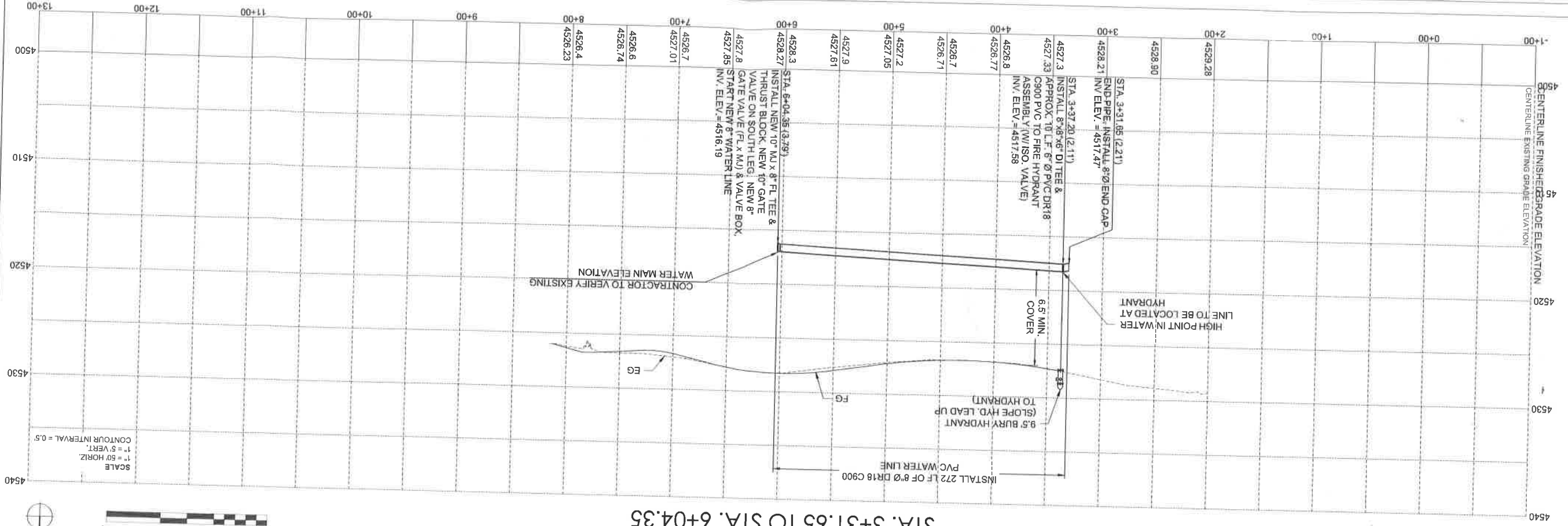
Memo

DATE: November 13, 2017
TO: Michael Kardoes
FROM: Shannon Holmes
RE: Acceptance of Water Main Extension for Acreville Development per Section 13-95 of the Livingston Municipal Code

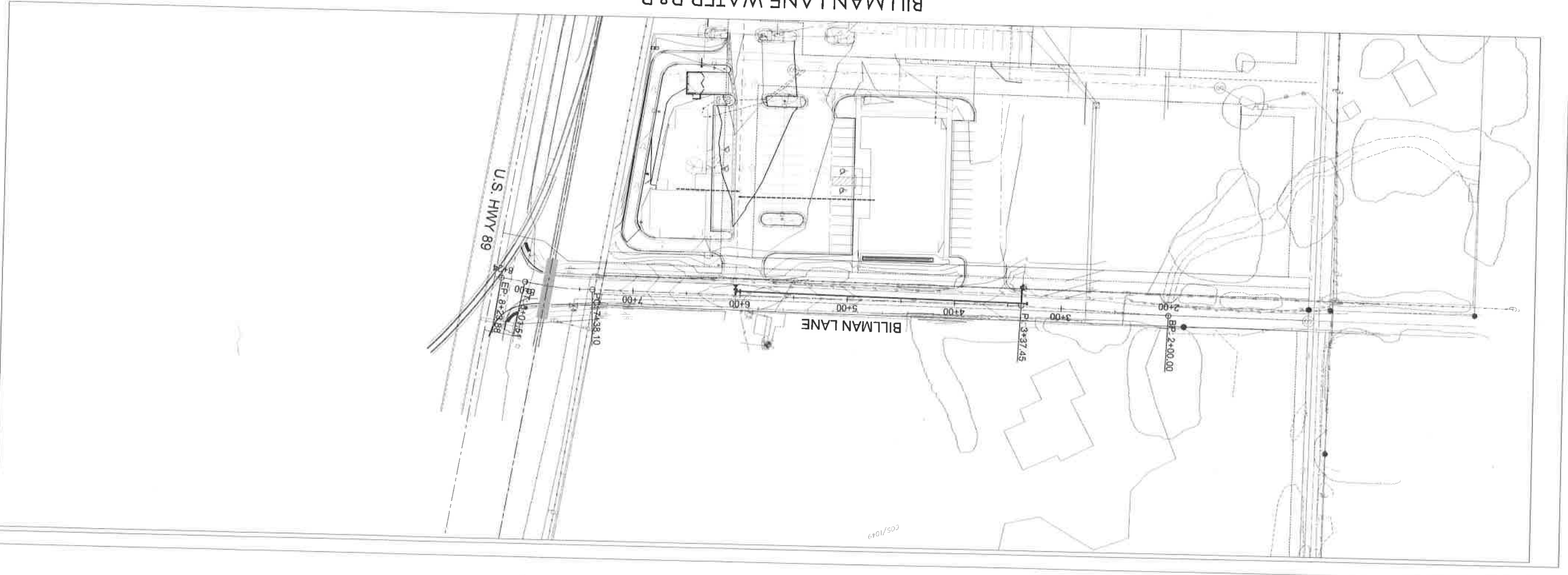
I recommend the City of Livingston accept the water main extension in Billman Lane as part of the City system per Section 13-95 of the Livingston Municipal Code. The water main was constructed and tested per the City of Livingston standards. I have included the design plan sheet to provide details on the plan and profile of the water main extension. I would be happy to provide any additional information necessary for acceptance of the water main extension.

Thank you for your consideration,


Shannon Holmes
Public Works Director



BILLMAN LANE WATER P&P
STA. 3+31.65 TO STA. 6+04.35



AS NOTED
 SCALE
 BCM
 DESIGN BY
 BILLMAN WATER P&P
 SHEET TITLE

PROJECT NUMBER
152354

DATE
 SEPTEMBER 20, 2017

REVISIONS
 SCALE
 1" = 50' HORIZ
 1" = 5' VERT.
 CONTOUR INTERVAL = 0.5'

CD SET - 22X34 originals

3.1

ACREVILLE
BUILDING 2
SITE & INFRASTRUCTURE
IMPROVEMENTS
 PARK COUNTY, MT
 VISTA LLC
 1226 N. 15TH AVE.
 BOZEMAN, MT 59715



HYALITE
 2304 N 7th Ave, Ste. 1
 Bozeman, MT 59715
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 w w . h y a l i t e . c o m

Backup material for agenda item:

- A. DISCUSS/APPROVE/DENY - Approve City Manager's Recommendation for Amendment #2 to Agreement Between Owner and Engineer for Professional Services date February 16, 2016 for the Livingston Water Reclamation (WRF) Upgrade Project.



Livingston City Commission
LEGISLATIVE ACTION SUMMARY
 Action Item A, 21 Nov 2017

Requested by: Michael J. Kardoes, City Manager

Date of First Consideration/Status: 21 Nov 2017, Discuss/Approve/Deny

Purpose of Legislation: Approve City Manager's Recommendation for Amendment #2 to Agreement Between Owner and Engineer for Professional Services dated February 16, 2016 for the Livingston Water Reclamation (WRF) Upgrade Project.

Statutory Authority/Reference: Budget Authority

Background: AE2S has submitted a request for increased compensation for changes to funding pursuit and procurement requirements, the procurement of a MPDES permit, design contingencies, or out of scope design tasks, and changes to bidding requirements.

Staff Recommendation: The City Manager recommends approval of portions of the amendment as outlined below in the fiscal impact section.

Fiscal Impact:

	AE2S Request	City Manager Recommendation
Funding Pursuit and Procurement	\$56,000	\$56,000
Procurement of MPDES Permit	\$60,000	\$40,000
Design Continencies	\$120,000	\$49,000
Bidding Requirements	\$35,000	\$35,000
Total	\$271,000	\$180,000

Impact on Project Contingency		
Starting Contingency		\$985,608
Change Order G-1		\$70,794
Amendment #2		\$180,000
Remaining Contingency		\$734,814

Regulatory Impact (local): N/A

Attachments: AE2S request letter.

October 27th, 2017

Mr. Michael Kardoes
City Manager
414 E Callendar Street
Livingston, MT 59047

Re: AE2S Design Engineering Amendment Request

Dear Mr. Kardoes:

Please consider this request for Amendment No. 2 to the Agreement Between Owner and Engineer for Professional Services dated February 16, 2016 for the Livingston Water Reclamation (WRF) Upgrade Project.

The engineering effort required for engineering and bidding phases exceeded the scope that was budgeted for the project. This caused AE2S to incur expenses over the contract budget. The City of Livingston benefitted a great deal from additional Engineering services that were not included in the original scope of the project because these tasks were not foreseeable at the time of the original scope negotiations. This letter summarizes those additional Engineering items and costs, and explains the benefits the City of Livingston is or will realize as a result. As we have discussed, we are not requesting that the City compensate AE2S for our entire overage on the project, only a portion. We have already written off a substantial amount of our current total overage of \$357,548.

The amendment amount requested is itemized below. Additional detail on each category is provided in the following pages.

Engineering Amendment No. 2 Item		Amendment Requested
1.	Funding Pursuit and Procurement	\$56,000
2.	Procurement of MPDES Permit	\$60,000
3.	Design Contingencies (Out of Scope Design Tasks)	\$120,000
4.	Bidding Requirements	\$35,000
Total Amendment Requested		\$271,000

Funding Pursuit and Procurement

AE2S was originally scoped for \$12,120 for “DEQ, Regulatory and Funding Agency Communications”, with the understanding that the project team would provide some funding procurement assistance to the City. The funding sources at the time our contract was negotiated with the City were TSEP, RRGL and SRF.

AE2S’ involvement in funding pursuit and procurement subsequently grew into providing full funding procurement services, including pursuit of USDA-RD funding. This brought substantial, additional costs to bear for funding procurement services, impacts to the bidding documents and project management and administration. USDA-RD funding in particular is very onerous, requiring us to re-do our contract with the City as well as adding several layers of oversight and paperwork to pre-selection and construction contracts. USDA-RD has also changed its funding compliance requirements twice in the 20 months that we have been working with them, proving to be a moving target.

We estimate that over 500 hours of out-of-scope time was spent on funding procurement activities, funding and regulatory agency communications, and agency compliance (USDA-RD and DEQ) that was not scoped in our original agreement or included in the design contingency. The final result is an outstanding funding package:

- **\$625,000 TSEP grant**
 - The project ranking was improved from un-ranked in 2015 biennium to 12th out of 45 projects in the 2017 biennium.
- **\$1.715MM USDA-RD grant and \$5MM in low interest (1.375%) loan over 40 years.**
 - \$1.715MM in USDA-RD grant is among the highest the program has ever awarded in Montana for water or wastewater infrastructure.
- **\$400,000 in loan forgiveness (grant) from SRF.**

Procurement of MPDES Permit

When AE2S was retained for the design of the WRF Upgrade, the City's Montana Pollutant Discharge Elimination System permit (discharge permit), issued by Montana DEQ, had been expired for over 18 months. Our understanding during the fee estimate negotiation was that DEQ would release the new permit very soon and that it would have a new ammonia limit, but no total nitrogen or phosphorus limits. The City was motivated to move forward with design because DEQ had already informed them that a new ammonia limit was coming, the existing Rotating Biological Contactor's were failing, and the existing disinfection system was not meeting performance criteria.

Our team began preliminary design work in February of 2016, but by April it became apparent that DEQ was not going to issue a permit any time soon, putting further design work at risk. AE2S was told by DEQ that the way to initiate release of a draft permit would be to propose the discharge permit limits in a memorandum, and state that the design would proceed based on the proposed limits unless DEQ provided a new permit within 30 days. AE2S proposed discharge permit limits our team estimated based on DEQ and EPA standards in May.

DEQ responded with a draft permit that included extremely stringent future total nitrogen and total phosphorus limits that would have required a complete change in the design of the City's WRF Upgrade at an increased cost of several million dollars.

AE2S proceeded to negotiate with DEQ on the City's behalf, including: 1) preparation and submittal of a Water Quality Assessment (WQA) in Support of a Mixing Zone to DEQ on the City's behalf, 2) additional permit negotiation meetings and communication 3) preparation of a comment letter during the Public Comment period for the advertised draft permit, and 3) a three-month delay in our preliminary design process. AE2S had already dedicated staff full-time to the project, and we did our best to work only on design tasks that would be necessary regardless of final effluent limits, but inefficiencies over this three-month period were unavoidable. In addition, we had to extend our pre-procurement bidding period for the SBR equipment twice to accommodate the delay in receipt of the final permit.

AE2S' permitting work eventually resulted in a major improvement in the City's effluent discharge requirements, including relaxation of the ammonia limit, and complete removal of total nitrogen and phosphorus limits. We were able to procure a permit that enabled the City to continue to proceed with the already-selected SBR treatment, rather than having to provide nitrogen and phosphorus removal. We estimate that the permitting effort and project delay cost the budget approximately \$60,000. The additional permit negotiations saved the City from potentially millions of dollars in nutrient removal upgrades.

Design Contingencies

It is extremely difficult to develop an accurate scope for a project of this nature (wastewater treatment plant rehabilitation and expansion within existing plant footprint) before engaging in the work. The following design tasks had to be completed but could not have been foreseen prior to starting design.

- **SBR Effluent Equalization** – effluent from SBRs is cyclical, or pulsed. Equalization (storage and pumping) was the original plan, to even out the flows through downstream UV Disinfection. Our work revealed that equalization would substantially increase the cost of the project and make operations more complex. Instead, our team worked to develop a UV design that would accommodate the pulsed flow pattern. This required an estimated \$30,000 of out-of-scope engineering, but resulted in a savings of an estimated \$400,000 of construction for the facilities that would have been required (storage and pumping).
- **Design of WAS Holding Basins** – AE2S proposed thickening of Waste Activated Sludge (WAS) from the SBRs to enable reuse of the existing anaerobic digesters for aerobic digestion. This saved the City from having to have new aerobic digesters constructed. However, the cyclical timing of wasting solids from the SBRs required solids storage upstream of the thickening equipment. We were able to reuse the existing Primary Clarifiers to store solids, which saved approximately \$400,000 for new solids storage tanks. However, this design work cost us an estimated \$25,000 to complete.
- **Reactor and Control Building design modifications** - The original design scope assumed that 1) the new Control Building would be co-located with the sequencing batch reactor basins to enable common wall construction, and 2) that the Control Building would include an Equipment Room, Control Room, Electrical Room and restrooms. These modifications cost the budget approximately \$20,000 to accommodate.
 - 1) As design progressed, it became apparent that siting the reactors and Control Building in the front lawn area would be problematic. Complex, expensive earthwork would be required to coordinate the structures with Bennett Street, and access to the site during construction would have been severely limited. We moved the basins and Control Building at approximately the 50% design stage to the northeast portion of the site, over the existing drying beds. This improved constructability, enabled full site access during construction, and resulted in significantly shorter yard piping lengths between facilities. This move will ultimately save the City construction and long-term O&M costs.
 - 2) After design was begun, the City decided to relocate the WRF laboratory to the new Control Building, put the new standby generator inside, and include a new Shop to replace the existing Shop that is being utilized for WAS Thickening Equipment. An enclosed stair tower also had to be added from the Control Building roof to the SBR deck, due to the height of the SBR basins (which was driven by the high and contaminated groundwater). The laboratory, Standby Generator Room, Shop and Stair Tower were not scoped to be included in the Control Building design, but were added to improve operations and functionality for the City.
- **Reuse and renovation of the existing Anaerobic Digesters for Aerobic Digestion, and retrofit of the Control Building for use as a Solids Processing Building** – Previous engineering work on the project indicated new Aerobic Digesters in the project, due to the existing digesters being undersized. AE2S proposed reuse of the existing Anaerobic Digesters by thickening sludge. This saved the City approximately \$1 million in construction costs, but required detailed engineering to depict the existing structures, piping and equipment accurately for demolition and location of new equipment. We also had

to retrofit a new electrical room in the current Superintendent's office, and add a small building on the side of Aerobic Digester for the new Jet Aeration Mixing Pump. This effort cost approximately \$30,000 more than was foreseeable prior to initiating design.

- **The existing Influent Pump Station ventilation system** – This building was not compliant with current codes, and required a complete replacement to comply with National Fire Protection Agency (NFPA) standards. The building will now be safer and more comfortable for staff to work in, but the need for this work was not known during design contracting. This work cost approximately \$5,000 to complete.
- **State Superfund Site Groundwater Contamination and WRF Upgrade Constructability** –the full impact of the BNSF site contamination on the design scope was underestimated. The original agreement scoped just \$19,846, but this was to provide a Contaminated Soils Work Plan for use during the Geotechnical Investigation. This cost did not include any fees for design impacts or coordination with W&ET and DEQ-Remedial that occurred throughout the winter and spring of 2017, work that required approximately \$10,000 to complete.

Bidding Phase

Due to the additional design contingency items listed above, as well as unforeseen USDA-RD regulations and additional requirements for bidding, the bid phase services was under-scoped. Our contract was for \$45,244. Actual spend for our project team was \$80,357 for an overage of \$35,114.

Summary and Conclusion

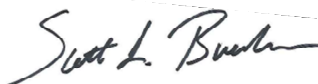
This \$271,000 amendment requested herein for out-of-scope services would increase our total design and bid services fee from \$1.239 million to \$1.51 million. The lowest construction bid received was \$14.785MM. We previously provided the City with “% of construction cost” data on engineering fees (email dated April 4, 2017), despite our mutual acknowledgement of the limitations of using this as a metric. Without this amendment, our fee is just 8.4% of construction, very low for rehabilitation of a wastewater treatment facility. If this amendment is awarded, it would increase the fee to 10.2% of construction, still in the lower range for projects of this nature. We believe this amendment to be justifiable given the project complexity and the outcomes achieved with our additional services.

Viewed another way, the original scope included a \$50,000 design contingency, which represented just 4% of the total design fee estimate (4% contingency). In retrospect this was insufficient given the as-yet to be identified design requirements for a complete, successful project. The \$271,000 increase requested herein would put the design contingency at 21%, a more reasonable amount for a project of this nature and complexity.

Thank you for your time and consideration on this matter. We look forward to continuing to serve you on this landmark project for the City. If you have any questions concerning the information included herein, please contact me at 406-219-2633, on my cell at 406-570-5184, or by e-mail at Scott.Buecker@ae2s.com.

Sincerely,

AE2S



Scott Buecker, PE
Senior Project Manager

Backup material for agenda item:

park high thank you



Thank you so much!
-Aurora Boie

Thank You!
~~Case~~ ~~Thompson~~

Thank You!
~Destiny

Thank You
-Eris
You make Homecoming what it is!
Thank you!

Elizabeth Mickelson
Thanks
-Gina Toca

Thank you
♡♡♡♡♡
-Adeline

Thank you so much
-Madyle Blair
Thank you!
-Devree Swanson

Clayton
THANKS!

Thank you for
supporting
Homecoming 2017!