



City of Bixby Bixby Public Works Authority Meeting Agenda

Tuesday, May 28, 2024

**Immediately Following the
City Council Meeting**

**City Hall Municipal Building
116 W. Needles Ave., Bixby,
OK 74008**

Public comments are limited to items on the agenda. Those wishing to speak on agenda items will need to appear in the City Council Chamber.

Call to Order

Chairman

Roll Call

Shannon Duran, City Clerk

Consent Agenda

Secretary's Report

Consider and Approve:

- 1) Minutes from Bixby Public Works Meeting 05/13/2024.
- 2) Consider and/or take action to approve a purchase order to the Oklahoma Municipal Assurance Group for the renewal of BPWA's property insurance in the amount of \$88,490.00 (BPWA's portion of the total bill).
- 3) Consider and/or take action to approve a purchase order to the Oklahoma Municipal Assurance Group for renewal of the city's general liability and automobile insurance in the amount of \$46,097.20 (BPWA's portion of total bill).

Regular Agenda

- 1) Discussion, consideration, and possible vote for approval of the Fiscal Year (FY) 2025 budget, including budget resolution.

Charles Barnes, Finance Director

- 2) Discussion, consideration, and possible vote for approval of an amendment to the contract with CH2M HILL Engineers, Inc., a subsidiary of Jacobs Engineers, to perform the Operations and Maintenance (O&M) of the Bixby Water Reclamation Facility for FY25 with a fee of \$853,358 and \$45,000 Repair Allowance.

Bea Aamodt, Public Works Director

3) New Business

In accordance with the Open Meeting act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

4) Adjournment

Notice of Posting

This Notice and Agenda was posted on the bulletin board this day of May 24, 2024, on or before 5:00 p.m., at City Hall, 116 W. Needles Avenue, Bixby, Oklahoma.

Respectfully Submitted

Gladys Gill
Assistant City Clerk

Note: All cell phones and pagers must be turned off or operated silently during all meetings.

21 O.S. Section 280 provides the following: A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business, agency operations or any employee, agent, official or representative of the state. B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials, employees, agents or representatives or used in any manner to conduct state business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel. C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term Oklahoma Statutes - Title 21. Crimes and Punishments Page 94 of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. D. For purposes of this section, "disturb, interfere or disrupt" means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

For Special Accommodations

Persons who require a special accommodation to participate in this meeting should contact City Clerk, Shannon Duran: 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or email [City Clerk, Shannon Duran](mailto:sduran@bixbyok.gov) (sduran@bixbyok.gov), as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using

a Telecommunication Device for the Deaf may contact Oklahoma Relay at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

Bixby Public Works Authority Meeting Minutes

City Hall Municipal Building
116 W. Needles Ave., Bixby, OK 74008
May 13, 2024 at 6:00 PM

The agenda for the regularly scheduled meeting of the Bixby Public Works Authority of the city of Bixby was posted on the bulletin board at City Hall, 116 West Needles Avenue, Bixby, Oklahoma on May 10th, 2024, on or before 5:00 p.m.

Call to Order

Mayor Guthrie called the Bixby Public Works Authority Meeting to order at 7:10 pm.

Roll Call

Shannon Duran, City Clerk, called the roll, and the following were present:

Members Present

Mayor Guthrie
Vice Mayor Founds
Councilor Girard
Councilor Hirshey
Councilor Schultz

Staff Present

Jared Cottle, City Manager
Shannon Duran, City Clerk
Phil Frazier, City Attorney
Charles Barnes, Finance Director
Joey Wiedel, Development Services Director
Todd Blish, Police Chief
Mike Butler, Fire Chief
Justin Dowd, City Engineer
Bryan Toney, Public Information Officer

Consent Agenda

- 1) Minutes from Bixby Public Works Meeting 04/22/2024.
- 2) Consider and/or approve annual renewal website hosting and software package from CivicPlus, Inc. SeeClickFix software for FY25 in the amount of \$13,775.74. (BPWA portion is \$6,887.87)

Mayor Guthrie said items 1 and 2 on the Consent Agenda are up for discussion and consideration.

Mayor Guthrie asks for a motion to approve items 1 and 2. Councilor Girard made a motion to approve, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried: 5-0

Ayes: Girard, Founds, Hirshey, Schultz, Guthrie

Nays: 0

Regular Agenda

- 1) Consider and take action to authorize the Chairman of the Bixby Public Works Authority (BPWA) to sign Oklahoma Department of Environmental Quality (ODEQ) Consent Order 19-265 Add A, requiring corrections to its wastewater treatment system, establishing a date for lagoon closure, and agreeing to pay deferred penalties if tasks are not completed as specified.

Mayor Guthrie said item 1 on the BPWA Regular Agenda is up for discussion and consideration.

Item presented by: Jared Cottle, City Manager

Others who spoke: None

On behalf of the Public Works Director, City Manager Jared Cottle provided an overview of Consent Order 19-265 Addendum A. The order outlines necessary corrections to the wastewater treatment system and north lagoon closure and includes an agreement to pay deferred penalties should the stipulated tasks not be completed within the specified timeframe. Mr. Cottle confirmed that the city is currently in compliance with the ODEQ's existing requirements.

The closure of the north lagoons was discussed, Mr. Cottle mentioned that discussions with ODEQ will be necessary to explore the option of filling the lagoons or finding an alternative solution. This is to ensure that ODEQ standards are met and to consider a closeout for continued compliance.

It was noted that Jacobs would be paying \$18,750.00, which is a portion of the \$30,000.00 penalty assessed by ODEQ. The terms for deferred penalties were reviewed, and it was agreed that some penalties would be deferred provided that all tasks are completed as specified in the Consent Order.

Mayor Guthrie asks for a motion to approve item 1. Councilor Hirshey made a motion to approve, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried: 5-0

Ayes: Hirshey, Founds, Girard, Schultz, Guthrie

Nays: 0

- 2) Discuss and/or approve Guaranteed Maximum Price of \$12,306,107.92 for the Public Works Facility Project

Mayor Guthrie said item 2 on the BPWA Regular Agenda is up for discussion and consideration.

Item presented by: Jared Cottle, City Manager

Others who spoke: Samuel Guajardo, Senior Project Manager with Miller Tippens Construction

Jared Cottle presented Miller Tippens Construction's Guaranteed Maximum Price (GMP) estimate of \$12,306,107.92 for the Public Works Facility Project. Additionally, the bid tabulation for the project was provided for review.

Councilor Hirshey asked about the contingencies included in the GMP. Jared Cottle and Miller Tippens confirmed that all contingencies are under the city's authority.

Mayor Guthrie inquired about the bid tabulations and the reasoning behind the recommendation to award contracts to all low bidders, including those without a competitive bid. Samuel Guajardo of Miller Tippens Construction clarified that this approach is based on the company's extensive experience and the desire to ensure fair competition. Discussion ensued.

Mayor Guthrie asks for a motion to approve item 2. Councilor Hirshey made a motion to approve, seconded by Vice Mayor Founds. The vote was taken with the following results:

Carried: 5-0

Ayes: Hirshey, Founds, Girard, Schultz, Guthrie

Nays: 0

3) New Business

In accordance with the Open Meeting act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

No new business to discuss.

4) Adjournment

An adjournment was called at 7:24 pm.

Mayor

City Clerk

Consent Agenda Item Commentary

Item Title

Consider and/or take action to approve a purchase order to the Oklahoma Municipal Assurance Group for the renewal of BPWA's property insurance in the amount of \$88,490.00 (BPWA's portion of the total bill).

Initiator

Charles Barnes

Staff Information Source

Charles Barnes

Background

The City's total property insurance for FY25 is \$207,276.00. We had new acquisitions. (Fire Station Number One, Washington Irving River Park, Municipal Bldg.) Plus higher replacement / repair costs factor in this.

Exhibits

1. FY25 Property Invoice

Key Issue

Property insurance coverage for FY-25.

Council Action

Approve or Deny

Recommendation

Approve

Item No: 2.

Meeting Date

May 28, 2024

Meeting

20240528 Bixby Public Works Authority Agenda



3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

Date of Invoice: 5/16/2024

INVOICE

Mail To: City of Bixby P.O. Box 70 Bixby, Oklahoma 74008-0070	Insured: City of Bixby Policy No.: PRO140040408 Policy Type: Property Effective Date: 7/1/2024 Expiration Date: 7/1/2025
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Inst. No.	Date	Transaction Type	Amount	Running Total
1	7/1/2024	Renewal	\$51,819.00	\$51,819.00
			Current Amount Due	\$51,819.00
Total Policy Balance Before Payment: \$207,276.00			Payment Due By	7/1/2024

**Thank you for your business. If you have questions about your account,
please call 1-800-234-9461 or 405-657-1400.**

If not paid within 45 days of due date, policy will be cancelled.

If you are interested in being able to make this payment via ACH, please contact Matt Jacobson at (405) 657-1429.

Detach along the perforation above. Keep top portion for your records. Return bottom portion with your remittance.

Policy No.: PRO140040408 Insured: City of Bixby	Amount Due: \$51,819.00 Payment Due By: 7/1/2024
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PLEASE REMIT PAYMENT TO:

OMAG
P.O. Box 3091
Edmond, OK 73083



3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

Municipal Property Protection Plan
Declarations Page

1. PLAN MEMBER: **City of Bixby** AGREEMENT NUMBER: **PRO140040408**
Mailing Address: P.O. Box 70
Bixby, Oklahoma 74008-0070
2. Plan Period **From 7/1/2024 to 7/1/2025 12:01 A.M. Central Standard Time**
3. The Coverage afforded by this agreement is only with respect to the following coverages as are indicated by specific limits of coverage, for which a premium is charged.

COVERAGE	PREMIUM
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COMMERCIAL PROPERTY COVERAGE

Buildings and Business Personal Property, per schedule	Limit: \$80,059,844	\$207,276
Mobile Equipment, per schedule	Limit: \$	\$
Leased/Rented Equipment	Limit: \$	\$
Miscellaneous Equipment, per schedule	Limit: \$	\$
Fine Arts, per schedule	Limit: \$	\$

EXCESS COVERAGE

Business Income	\$ per occurrence	\$ per location	\$
Accounts Receivable	\$ on premises	\$ off premises	\$
Valuable Papers	\$ on premises	\$ off premises	\$
Theft/Disapp/ Destr	\$ inside	\$ outside	\$
Earth Movement (Subject to \$100,000 Deductible)	Excess Limit:		\$

EQUIPMENT BREAKDOWN COVERAGE

Excluding Electrical Power Generating Equipment, per schedule	Included
Including Electrical Power Generating Equipment, per schedule	Excluded

Total Premium
\$207,276

4. LIMITS, per Supplemental Coverage Declarations, Equipment Breakdown Declarations and other schedules.
5. DEDUCTIBLES, per Supplemental Coverage Declarations, Equipment Breakdown Declarations and other schedules.
6. This agreement is composed of this Declaration Page, Equipment Breakdown Declarations, Schedules, Forms and Endorsements, if any.

Issue Date: **May 16, 2024**

Consent Agenda Item Commentary

Item Title

Consider and/or take action to approve a purchase order to the Oklahoma Municipal Assurance Group for renewal of the city's general liability and automobile insurance in the amount of \$46,097.20 (BPWA's portion of total bill).

Initiator

Charles Barnes

Staff Information Source

Charles Barnes

Background

The City's total general liability and automobile insurance for FY-25 is \$175,283.00. (We have added a number of new vehicles including a large dump truck, new police, fire and streets vehicles and two new ambulances.)

Exhibits

1. FY25 Liability-Auto Invoice

Key Issue

General liability and automobile insurance coverage for FY-25.

Council Action

Approve or Deny

Recommendation

Approve

Item No: 3.

Meeting Date

May 28, 2024

Meeting

20240528 Bixby Public Works Authority Agenda



3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

Date of Invoice: 5/13/2024

INVOICE

Mail To: City of Bixby P.O. Box 70 Bixby, Oklahoma 74008-0070	Insured: City of Bixby Policy No.: GLA140043608 Policy Type: General Liability/Auto Effective Date: 7/1/2024 Expiration Date: 7/1/2025
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Inst. No.	Date	Transaction Type	Amount	Running Total
1	7/1/2024	Renewal	\$43,820.75	\$43,820.75
			Current Amount Due	\$43,820.75
Total Policy Balance Before Payment: \$175,283.00			Payment Due By	7/1/2024

**Thank you for your business. If you have questions about your account,
please call 1-800-234-9461 or 405-657-1400.**

If not paid within 45 days of due date, policy will be cancelled.

If you are interested in being able to make this payment via ACH, please contact Matt Jacobson at (405) 657-1429.

Detach along the perforation above. Keep top portion for your records. Return bottom portion with your remittance.

Policy No.: GLA140043608 Insured: City of Bixby	Amount Due: \$43,820.75 Payment Due By: 7/1/2024
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PLEASE REMIT PAYMENT TO:

OMAG
P.O. Box 3091
Edmond, OK 73083



3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

Municipal Liability Protection Plan
Declarations Page

1. PLAN MEMBER: **City of Bixby** AGREEMENT NUMBER : **GLA140043608**
Mailing Address: P.O. Box 70
Bixby, Oklahoma 74008-0070
2. Plan Period From **7/1/2024 to 7/1/2025 12:01 A.M. Central Standard Time**
3. The Coverage afforded by this agreement is only with respect to the following coverages as are indicated by specific limits of coverage, for which a premium is charged.

COVERAGE

GENERAL LIABILITY (PARTS I, IV, V and VII)

PREMIUM

A. Bodily Injury	B. Property Damage	<u>\$103,929</u>
C. Personal Injury	D. Errors and Omissions	
[] Prior Acts Coverage		

AUTOMOBILE LIABILITY (PART II)

E. Bodily and Personal Injury	F. Property Damage	<u>\$19,627</u>
[X] Hired and Non-owned Automobile Coverage		<u>\$49</u>

AUTOMOBILE & EQUIPMENT PHYSICAL DAMAGE (PART III)

G. Automobile Physical Damage	<u>\$45,148</u>
1. Comprehensive	
2. Specified Perils	
3. Collision	
H. Equipment Physical Damage – Per equipment schedule	
[X] Mobile Equipment	<u>\$1,595</u>
[X] Auto/Misc. Equipment Blanket Limit: \$2,273,197	<u>\$3,410</u>
[X] Mobile Equipment Leased/Rented Limit: \$100,000	<u>\$175</u>
[X] Hired Auto Physical Damage Limit: \$150,000	

CYBER BREACH RESPONSE (VI)

K. First Party & Liability	<u>\$1,350</u>
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Total Premium

\$175,283

4. **Limits of Liability for claims which are subject to the GOVERNMENTAL TORT CLAIMS ACT:**
 \$25,000 Each Property Damage Loss Per Occurrence Coverages B, F
 \$25,000 Sanitary Sewer Overflows Loss Per Occurrence regardless of number of claims or claimants Coverage C
 \$125,000 Each Other Loss Per Occurrence Coverages A, C, D, E
Limits of liability for claims which are not subject to the OKLAHOMA GOVERNMENTAL TORT CLAIMS ACT:
 \$1,000,000 Each Other Loss Per Occurrence Coverages C, D
Aggregate limits of liability, regardless of theory of liability
 \$1,000,000 Aggregate Per Occurrence Coverages A, B, C, D, E, and/or F
 \$75,000 Sanitary Sewer Overflows Annual Aggregate Coverage C
 \$2,000,000 Annual Aggregate Coverages C, D
 \$50,000 Annual Aggregate Combined Single Limit Coverage K
 \$2,500,000 Pool Annual Aggregate Limit Coverage K
5. **DEDUCTIBLES**
 Coverages A, B, E, F: No Deductible, except Sanitary Sewer Overflows and Electrical Disruptions, which are subject to the Deductible of C & D.
 Coverages C, D: **\$1,000** Per Occurrence
 Coverages G, H: Per Schedule
 Coverage K: **\$2,000** Per Occurrence

6. This agreement is composed of this Declaration Page, the MLPP Document, Schedules, Forms and Endorsements, if any.

Issue Date: May 13, 2024

Regular Agenda Item Commentary

Item Title

Discussion, consideration, and possible vote for approval of the Fiscal Year (FY) 2025 budget, including budget resolution.

Initiator

Charles Barnes

Staff Information Source

Charles Barnes

Background

Oklahoma Statutes require that the budget be approved at least 7 days prior to the start of the fiscal year.

Exhibits

1. Resolution Number 2024-10 Approving BPWA 2024-2025 Biennial Budget
2. FY-25- Budget Publication Updated

Key Issue

Approval of FY25 Budget prior to beginning of fiscal year.

Council Action

Approve or Deny

Recommendation

Approve

Item No: 1.**Meeting Date**

May 28, 2024

Meeting

20240528 Bixby Public Works Authority Agenda

BIXBY PUBLIC WORKS AUTHORITY

RESOLUTION 2024-10

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BIXBY PUBLIC WORKS AUTHORITY, ADOPTING A FISCAL YEAR 2024-2025 BIENNIAL BUDGET FOR THE BIXBY PUBLIC WORKS AUTHORITY.

WHEREAS, a biennial budget enhances strategic long-range planning, decreases budget development time, provides better resource allocation, provides better discipline in the expenditure of funds, tends to improve fund balances, and is viewed by credit rating agencies as enhancing the Bixby Public Works Authority's overall financial conditions; and

WHEREAS, each annual budget making up the two-year Biennial budget will be considered and acted upon separately each year of the biennium after review by the Board of Trustees of the Bixby Public Works Authority.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BIXBY PUBLIC WORKS AUTHORITY THAT:

The Board of Trustees of the Bixby Public Works Authority approves the 2024-2025 Biennial Budget, providing for the balancing of revenues and expenditures related to same as provided in the 2024-2025 biennial budget documents accompanying this resolution.

ADOPTED and APPROVED by the Board of Trustees of the Bixby Public Works Authority on May 28, 2024.

Brian Guthrie, Chairman
Board of Trustees
Bixby Public Works Authority

ATTEST:

BPWA Secretary

APPROVED:

BPWA Attorney

**PUBLIC HEARING
CITY OF BIXBY**

The City Council of the City of Bixby will hold a public hearing in conjunction with the regularly scheduled Council meeting, beginning at 6:00 p.m. on Monday, May 13, 2024 in the Bixby Municipal Building. The purpose of the hearing is to receive written or oral comments and for holding open discussions including answering questions on the City's budget for Fiscal Year 2024/2025. The following is a summary of the proposed budget. The proposed budget will be available for public inspection in City Hall during normal working hours.

**CITY OF BIXBY FUND SUMMARY
2024-2025 PROPOSED BUDGET**

ESTIMATED REVENUES

Fund	Taxes	Charges for Services	Fines and Forfeitures	Licenses and Permits	Miscellaneous	Interfund Transfers In	Total Estimated Revenues
General Fund	\$ 11,364,456	2,000,000	334,530	910,412	538,220	1,858,462	\$ 17,006,080
Sales Tax Personnel Fund	1,216,182	-	-	-	15,000	-	1,231,182
Street and Alley Fund	235,000	-	-	-	30,000	885,000	1,150,000
Capital Improvement Fund	6,387,655	-	-	-	150,000	4,483,462	11,021,117
Fishing License Fund	-	-	-	5,000	350	-	5,350
Downtown River Corridor Fund	1,684,418	-	-	-	8,500	-	1,692,918
Sewer System Improvement Fund	3,648,546	-	-	-	10,000	1,042,186	4,700,732
Disaster Recovery Reserve Fund	-	-	-	-	15,000	1,000,000	1,015,000
Park Fund	1,945,891	62,000	-	-	20,000	-	2,027,891
Stormwater Management Fund	-	-	-	761,275	226,000	625,000	1,612,275
Water and Sewer Development Fund	-	-	-	300,000	200,000	-	500,000
E-911 Fund	-	-	-	194,500	500	-	195,000
WWTP Fund	-	-	-	-	392,887	4,312,214	4,705,101
Fry Creek Maintenance	-	-	-	-	10,000	200,000	210,000
Economic Development Fund	175,000	-	-	-	18,000	500,000	693,000
Debt Service	7,332,000	-	-	-	10,000	-	7,342,000
Rural Fire	-	-	-	22,500	-	7,000	29,500
Cemetery Care Fund	-	30,000	-	-	3,000	-	33,000
Cemetery Beautification Fund	-	-	-	-	650	-	650
Cemetery Maintenance Fund	-	20,000	-	-	200	50,000	70,200
Police Asset Forfeiture - Federal	-	-	-	-	50,000	-	50,000
Police Asset Forfeiture - State	-	-	-	-	45,000	-	45,000
Alive at 25 Fund	-	5,580	-	-	-	-	5,580
SWAT Mutual Fund	-	-	-	-	40,000	-	40,000
TIF Projet Fund	10,000	-	-	-	-	-	10,000
General Obligation Bond Funds	-	-	-	-	2,820,500	3,000,000	5,820,500
Bixby Public Works Authority	-	13,319,250	-	-	74,000	5,422,591	18,815,841
Use of Fund Balance	-	-	-	-	106,778,989	-	106,778,989
	\$ 33,999,148	\$ 15,436,830	\$ 334,530	\$ 2,193,687	\$ 111,456,796	\$ 23,385,915	\$ 186,806,906

ESTIMATED EXPENDITURES

Fund or Department	Personal Services	Materials and Supplies	Services and Charges	Capital Outlay	Debt Service	Interfund Transfers Out	Total Estimated Expenditures
General Fund						4,858,462	\$ 4,858,462
Administration	\$ 620,898	180	12,990	-	-	-	634,068
Legal Department	132,875	9,000	10,297	-	-	-	152,172
Municipal Court	101,937	1,000	19,950	-	-	-	122,887
Community Service	4,000	2,750	2,815	-	-	-	9,565
General Government	209,234	34,550	653,560	-	-	-	897,344
Development Services	755,880	39,540	53,200	-	-	-	848,620
Police Department	4,700,611	521,839	481,817	-	-	-	5,704,267
Fire Department	4,793,235	578,647	409,781	-	-	-	5,781,663
Street Department	638,977	160,500	160,752	-	-	-	960,229
Cemetery Department	105,256	-	-	-	-	-	105,256
Emergency Services	4,100	27,500	60,905	-	-	-	92,505
Sales Tax Personnel Fund - Police Dept.	684,960	-	-	-	-	-	684,960
Sales Tax Personnel Fund - Fire Dept.	790,246	-	-	-	-	-	790,246
Sales Tax Personnel Fund - Street Dept.	179,230	-	-	-	-	-	179,230
Street and Alley Fund	-	17,500	3,720,000	-	-	-	3,737,500
Capital Improvement Fund	-	-	-	13,723,709	-	4,405,462	18,129,171
Fishing License Fund	-	-	55,000	7,170	-	-	62,170
Downtown River Corridor Fund	-	-	1,600,000	-	895,988	-	2,495,988
Sewer System Improvement Fund	-	-	-	-	-	3,648,546	3,648,546
Park Fund	947,161	291,153	242,445	-	-	385,000	1,865,759
Stormwater Management Fund	-	6,488,896	10,000	-	-	200,000	6,698,896
Water and Sewer Development Fund	-	15,235,000	-	-	-	-	15,235,000
E-911	-	-	145,736	40,000	-	60,000	245,736
WWTP Fund	-	422,500	1,535,000	2,700,000	2,362,214	-	7,019,714
Fry Creek Maintenance	-	1,000,000	100,000	-	-	-	1,100,000
Economic Development Fund	128,271	157,905	334,454	-	-	-	620,630
Debt Service	-	-	-	-	8,206,194	-	8,206,194
Rural Fire	-	10,000	-	-	-	-	10,000
Cemetery Care Fund	-	163,500	-	-	-	-	163,500
Cemetery Beautification Fund	-	650	-	-	-	-	650
Cemetery Maintenance Fund	-	30,100	69,150	-	-	-	99,250
Police Asset Forfeiture - Federal	-	50,000	-	-	-	-	50,000
Police Asset Forfeiture - State	-	45,000	-	-	-	-	45,000
Alive at 25 Fund	-	15,000	-	-	-	-	15,000
SWAT Mutual Fund	-	40,000	-	-	-	-	40,000
General Obligation Bond Funds	-	-	-	61,379,770	-	-	61,379,770
Bixby Public Works Authority	3,177,999	412,500	5,782,169	14,675,000	240,845	9,828,445	34,116,958
	\$ 17,974,870	\$ 25,755,210	\$ 15,460,021	\$ 92,525,649	\$ 11,705,241	\$ 23,385,915	\$ 186,806,906

REGULAR AGENDA ITEM COMMENTARY

ITEM TITLE: Discussion, consideration, and possible vote for approval of an amendment to the contract with CH2M HILL Engineers, Inc., a subsidiary of Jacobs Engineers to perform the Operations and Maintenance (O&M) of the Bixby Water Reclamation Facility for FY25 with a fee of \$853,358 and \$45,000 Repair Allowance.

INITIATOR: Bea Aamodt, Director

STAFF INFORMATION SOURCE: Bea Aamodt, Director

BACKGROUND: On April 14th, 2021, a selection committee consisting of City Staff and Council members unanimously selected CH2M HILL Engineers, Inc. to negotiate a contract for the Operations and Maintenance of the Bixby Water Reclamation Facility. The 10-yr renewable O&M contract was awarded on June 14, 2021, which included the FY22 and FY23 fee schedules. Beginning on FY24, the annual O&M fees is negotiated before budget each year and it will be based on previous year's actual expenditures.

Staff has reviewed expenditures and negotiated a fee with Jacobs for FY25. No changes to contract language or staffing. The fee has been increased per Consumer Price Index calculations as stipulated by contract.

Jacobs provides the following services:

- Staff the Project with enough qualified employees who possess the managerial, administrative, and technical skills to perform the services specified in this Agreement.
- Operate, maintain and/or monitor and staff the Project seven (7) days per week, eight (8) hours per day. Contractor shall be responsive to alarms and emergency calls 24 hours per day, 7 days per week.
- Furnish and pay all cost incurred in normal Project operations except as otherwise included as Owner's Responsibilities.
- Within the design capacity and capability of the Wastewater Treatment Plant (the "WW Plant"), manage, operate, and maintain the WW Plant so that effluent discharged from the WW Plant meets Applicable Law.
- Within the design capacity and capability of the Project, manage, operate, and maintain the sanitary sewer collection system lift stations to maintain free flowing conditions and minimize overflows. Inspect and clean lift stations.
- Initiate outreach program to increase public awareness of the grease trap program requirements, the need for the program and the importance of maintaining the system. The program will include designing and printing flyers, providing online Q&A site and ongoing telephone support.
- Routine inspections of permitted users as needed to review manifest and trap conditions.

- Inspections conducted in response to grease interference in the collection system.

The repair allowance is to cover parts and materials needed for maintenance with approval from City Staff.

EXHIBITS: Amendment 2 to O&M Contract WWTP

KEY ISSUE: Contract Agreement

COUNCIL ACTION: Approve

RECOMMENDATION: Approve

ITEM NO: 2

MEETING DATE: 05-28-2024

MEETING: BPWA

AMENDMENT NO. 2
to the
AGREEMENT FOR OPERATIONS, MAINTENANCE and
MANAGEMENT SERVICES
for the
BIXBY PUBLIC WORKS AUTHORITY

This **Amendment No. 2** (the “Amendment”) to the Agreement for Operations, Maintenance and Management Services for the Bixby Public Works Authority (the “Agreement”) is made effective as of this ____ day of _____ 2024 by and between the **Bixby Public Works Authority** (hereinafter “Owner”) and **CH2M Hill Engineers, Inc.** (hereinafter “Contractor”), collectively referred to herein as the “Parties”.

NOW THEREFORE, Owner and Contractor agree to amend the Agreement as follows:

1. Article D.1.1 under APPENDIX D – COMPENSATION, PAYMENT AND BASE FEE ADJUSTMENT FORMULA, D.1 – COMPENSATION, is hereby deleted in its entirety and replaced with the following:

D.1.1. Owner shall pay Contractor as compensation for service performed under this Agreement a total Annual Fee of Eight Hundred Fifty-Three Thousand Three Hundred Fifty-Eight Dollars and Zero Cents (\$853,358.00) paid in twelve (12) monthly installments of Seventy-One Thousand One Hundred Thirteen Dollars and Seventeen Cents (\$71,113.17) for the contract year of July 1, 2024 through June 30, 2025 of this Agreement. The total annual Fee includes the Base Fee of Eight Hundred Thirty-Seven Thousand Five Hundred Ninety-Six Dollars (\$837,596), Ten Thousand Six Hundred Thirty-Eight Dollars (\$10,638) for the management and completion of the ongoing annual IPP scope as dictated by the approved IPP program, Five Thousand One Hundred Twenty-Four Dollars (\$5,124) for the management and completion of the ongoing annual FOG scope as dictated by the approved IPP program. This price does not include laboratory analysis of FOG samples from commercial discharges, and the Annual Repairs Limit as stated in Article D.1.2. Subsequent years’ base fees shall be determined as specified in Appendix D.4.

D.1.1.01 The Base Fee includes the following cost incurred for the direct or indirect benefit of the Project: personnel services, equipment, materials/supplies, defined outside services, other insurance and amortized costs, and administration overhead and profit.

D.1.1.02 The services provided under this Agreement assume expected overtime for normal breakdowns or services required after hours in accordance with the facility’s design as listed in B.1.1. Any additional expenses including straight, or overtime wages caused by Unforeseen Circumstances will be billed to the Owner for reimbursement, unless these services are due to an operational failure by the Contractor.

D.1.1.03 If, at any time, prior to Owner's Final Acceptance of the plant's condition, (i) Contractor discovers new information about the condition of the Project or facilities that materially differs from the information reasonably available to Contractor prior to execution of this Agreement; and (ii) such information substantially impacts the ability of Contractor to meet the performance objectives described herein or causes a material increase in the operating and maintenance costs incurred by Contractor to meet such performance objective, Contractor will be entitled to an equitable adjustment mutually agreed upon by both Parties.

2. Article D.1.2 Limitations under APPENDIX D – COMPENSATION, PAYMENT AND BASE FEE ADJUSTMENT FORMULA, D.1 – COMPENSATION, is hereby deleted in its entirety and replaced with the following:

D.1.2.01 The total amount Contractor will be required to pay for Repairs will not exceed the annual Repairs Limit of Forty-Five Thousand Dollars (\$45,000) for the contract year as specified in Appendix D1.1. Contractor shall provide Owner with a detailed invoice of Repairs over the annual Repairs Limit, and Owner shall pay Contractor for all Repairs in excess of such limit. Contractor shall rebate to Owner the entire amount that the cost of Repairs is less than the annual Repairs Limit. At the end of each Contract Year, Contractor shall rebate to Owner any unspent balance of the annual Repairs Limit.

3. Article D.4 Base Fee Adjustment Formula under APPENDIX D – COMPENSATION, PAYMENT AND BASE FEE ADJUSTMENT FORMULA, is hereby amended to replace the following:

CPI = The twelve-month percent change (from December of the prior year to December of the current year) in the Consumer Price Index U.S. City average; Water and Sewer Maintenance, Not Seasonally Adjusted as published by the U.S. Department of Labor, Bureau of Labor Statistics in the CPI Detailed Report Series Id: CUUR0000SEHG01.

This Amendment No. 2 together with the Agreement and all prior amendments constitute the entire agreement between the Parties and supersedes all prior oral and written understandings with respect to the subject matter set forth herein. Unless specifically stated all other terms and conditions of the Agreement shall remain in full force and effect. Neither this Amendment No. 2 nor the Agreement may be modified except in writing signed by an authorized representative of the Parties.

Both parties indicate their approval of this Amendment by their signatures below.

CH2M HILL ENGINEERS, INC.

BIXBY PUBLIC WORKS AUTHORITY

Authorized Signature:

Authorized Signature:

Name: Greg Weeks

Name: _____

Title: Director of Operations

Date: 4/18/2024

Title: _____

Date: _____

Regular Agenda Item Commentary

Item Title

New Business

In accordance with the Open Meeting act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

Initiator**Staff Information Source****Background****Exhibits****Key Issue****Council Action****Recommendation****Item No:** 3.**Meeting Date**

May 28, 2024

Meeting

20240528 Bixby Public Works Authority Agenda