

## LA VISTA CITY COUNCIL MEETING AGENDA

June 6, 2023

6:00 p.m.

Harold "Andy" Anderson Council Chamber  
La Vista City Hall  
8116 Park View Blvd

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**
- **Swear In Police Officers – Caeden Woodington, Andrew Mavencamp and Cole Rahe**
- **Service Award: Brian Ayala – 15 Years**

*All matters listed under item A, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

### A. CONSENT AGENDA

1. Approval of the Agenda as Presented
2. Approval of the Minutes of the May 16, 2023 City Council Meeting
3. Request for Payment – Design Workshop, Inc – Professional Services – 84<sup>th</sup> Street Bridge – \$3,707.50
4. Request for Payment – HDR Engineering – Professional Services – Project Management for Public Improvements – \$2,782.29
5. Request for Payment – RDG Planning & Design – Professional Services – Placemaking Phase 1 – \$8,264.88
6. Request for Payment – Felsburg, Holt & Ullevig – Professional Services – Giles Road Widening – \$1,523.00
7. Request for Payment – HGM Associates Inc – Professional Services – East La Vista Sewer and Pavement Rehabilitation – Phase 2 Final Design – \$45,926.69
8. Request for Payment – Olsson, Inc – Professional Services – City Park Pavilion Testing – \$4,319.75
9. Request for Payment – NL & L Concrete, Inc – Construction Services – East La Vista Sewer and Pavement Rehabilitation - \$177,088.69
10. Request for Payment – Sampson Construction – Construction Services – Offstreet Parking District No. 2, Structure No. 2 – \$433,401.00
11. Request for Payment – DLR Group – Professional Services – La Vista City Centre Parking Structure 2 – \$7,208.89
12. Request for Payment – DLR Group – Professional Services – La Vista City Centre Parking Structure 2 – \$21,986.25
13. Request for Payment – DLR Group – Professional Services – La Vista City Centre Parking Structure 2 – \$8,775.36
14. Request for Payment – DLR Group – Professional Services – La Vista City Centre Parking Structure 2 – \$19,640.24
15. Request for Payment – Mackie Construction – Construction Services – Central Park Access Road – Park View Blvd – \$77,194.42
16. Approval of Claims

- **Reports from City Administrator and Department Heads**

### B. Resolution – Approve Professional Services Agreement – 73<sup>rd</sup> Avenue Culvert Rehabilitation

### C. Resolution – Approve Professional Services Agreement – Classification, Compensation and Benefit Study

### D. Resolution – Change Order No. 1 – Central Park Pavilion & Site Improvements (The Link)

### E. Discussion – Reflection Plaza

- **Comments from the Floor**

- **Comments from Mayor and Council**

### F. Executive Session – Contract Negotiations

- **Adjournment**

The public is welcome and encouraged to attend all meetings. If special accommodations are required, please contact the City Clerk prior to the meeting at 402-331-4343. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Council packet. Citizens may address the Mayor and Council under "Comments from the Floor." Comments should be limited to three minutes. We ask for your cooperation in order to provide for an organized meeting.



**CITY OF LA VISTA**  
**CERTIFICATE OF APPRECIATION**

A CERTIFICATE OF APPRECIATION PRESENTED TO **BRIAN AYALA** OF THE LA VISTA PUBLIC WORKS DEPARTMENT, FOR 15 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Brian Ayala** has served the City of La Vista since May 27, 2008; and

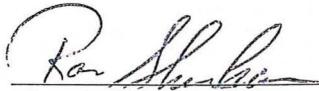
WHEREAS, **Brian Ayala's** input and contributions to the City of La Vista have contributed to the success of the City;

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Brian Ayala** on behalf of the City of La Vista for 15 years of service to the City.

DATED THIS 6TH DAY OF JUNE 2023.



Terrilyn Quick  
Councilmember, Ward I



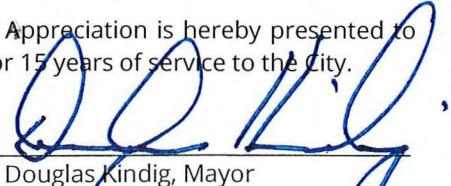
Ronald Sheehan  
Councilmember, Ward II



Deb Hale  
Councilmember, Ward III



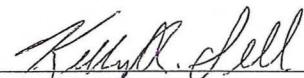
Kevin Wetuski  
Councilmember, Ward IV



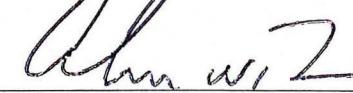
Douglas Kindig, Mayor



Kim J. Thomas  
Councilmember, Ward I



Kelly R. Sell  
Councilmember, Ward II



Alan W. Ronan  
Councilmember, Ward III



Jim Frederick  
Councilmember, Ward IV

ATTEST:



Pamela A. Buethe, MMC  
City Clerk



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**B. Resolution – Approve Professional Services Agreement – 73<sup>rd</sup> Avenue Culvert Rehabilitation****C. Resolution – Approve Professional Services Agreement – Classification, Compensation and Benefit Study****D. Resolution – Change Order No. 1 – Central Park Pavilion & Site Improvements (The Link)****E. Discussion – Reflection Plaza**

- **Comments from the Floor**

- **Comments from Mayor and Council**

**F. Executive Session – Contract Negotiations**

- **Adjournment**

## MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

**LA VISTA CITY COUNCIL  
MEETING  
May 16, 2023**

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on May 16, 2023. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Sell and Hale. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Director of Administrative Services Pokorny, City Engineer Dowse, Human Resources Director Lowery, Finance Director Harris, Community Development Director Fountain, Library Director Barcal, Police Captain Barcal, Deputy Director of Public Works Calentine and Assistant Recreation Director Karlson.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on May 3, 2023. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order, led the audience in the Pledge of Allegiance, and made the announcements.

**SERVICE AWARD: JODI NORTON – 15 YEARS**

Mayor Kindig recognized Jodi Norton for 15 years of service to the City.

**PROCLAMATION – NATIONAL PUBLIC WORKS WEEK**

Mayor Kindig proclaimed May 21 – 27, 2023 as National Public Works Week and presented the proclamation to Deputy Director of Public Works Calentine and City Engineer Dowse.

**APPOINTMENT – PARK & RECREATION ADVISORY COMMITTEE – DEBORAH DOGBA – FILL VACANCY**

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Deborah Dogba to the Park & Recreation Advisory Committee to fill a vacancy. Councilmember Thomas motioned the approval, seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

**A. CONSENT AGENDA**

1. **APPROVAL OF THE AGENDA AS PRESENTED**
2. **APPROVAL OF THE MINUTES OF THE MAY 2, 2023 CITY COUNCIL MEETING**
3. **APPROVAL OF THE MINUTES OF THE MARCH 16, 2023 PLANNING COMMISSION MEETING**
4. **APPROVAL OF THE MINUTES OF THE MAY 8, 2023 LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. MEETING**
5. **MONTHLY FINANCIAL REPORT – MARCH 2023**
6. **REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$1,539.50**
7. **REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – CITY PARK PAVILION TESTING – \$4,231.50**
8. **REQUEST FOR PAYMENT – SAMPSON CONSTRUCTION – CONSTRUCTION SERVICES – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 2 – \$830,089.00**
9. **REQUEST FOR PAYMENT – MACKIE CONSTRUCTION – CONSTRUCTION SERVICES – CENTRAL PARK ACCESS ROAD – PARK VIEW BLVD – \$39,972.51**
10. **REQUEST FOR PAYMENT – JE DUNN CONSTRUCTION CO – CONSTRUCTION SERVICES – CENTRAL PARK PAVILION AND SITE IMPROVEMENTS – \$994,686.00**

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**11. REQUEST FOR PAYMENT – NL & L CONCRETE, INC – CONSTRUCTION SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION -**

**\$77,684.99**

**12. APPROVE MANAGER APPLICATION – CLASS D LIQUOR LICENSE – KWIK SHOP – ROSALIND SELLS**

**13. APPROVAL OF CLAIMS**

4 SEASONS AWARDS, supplies	41.00
ABM INDUSTRIES INC, services	6,403.54
ACTIVE NETWORK LLC, services	14.88
ALFRED BENESCH & CO, services	1,575.00
ALLDATA LLC, services	1,500.00
AMAZON, supplies	4,265.50
AMERICAN HERITAGE LIFE INS CO, services	1,288.40
ARNOLD MOTOR SUPPLY, maint.	44.90
AWARDS & MORE CO, supplies	86.62
BACON LETTUCE CREATIVE, services	2,680.00
BADGER BODY & TRUCK EQUIP, maint.	1,045.00
BALLOON BRIGADE, services	2,000.00
BERGANKDV LLC, services	2,000.00
BIBLIOTHECA LLC, books	60.19
BIG RED LOCKSMITHS, bld&grnds	782.00
BIZCO INC, services	4,022.50
BLACK HILLS ENERGY, utilities	5,030.27
BOB'S RADIATOR REPAIR, maint.	499.00
BODY BASICS INC, services	596.00
BOK FINANCIAL, bonds	846,026.83
BOOT BARN, apparel	203.94
BOWERS, SYDNEY	60.00
BRODERSEN, CALE	248.63
BUETHE, PAM	168.50
CARROT-TOP INDUSTRIES INC, supplies	729.58
CENTER POINT INC, books	212.13
CENTURY LINK/LUMEN, phones	256.47
CINTAS CORP, services	517.70
CITY OF OMAHA, services	241,487.00
COMP CHOICE INC, services	325.00
CONNER PSYCHOLOGICAL, services	1,275.00
COSGRAVE CO, supplies	165.90
COX COMMUNICATIONS INC, services	300.38
CPS HUMAN RESOURCE, services	515.00
CREATIVE SITES LLC, services	46,405.00
CULLIGAN OF OMAHA, services	12.50
CUMMINS CENTRAL POWER LLC, services	698.93
D & K PRODUCTS, supplies	12,272.00
DAIGLE LAW GROUP LLC, services	2,460.00
DANIELSON TECH SUPPLY INC, maint.	769.24
DATABASEUSA.COM, services	933.00
DEARBORN NATL LIFE INS CO, services	8,254.37
ECHO GROUP INC, supplies	41.28
ESRI INC, services	3,410.00
ESTHER VILLARREAL, refund	22.99
EVENT STRUCTURE SOLUTIONS LLC, services	3,465.69
EVERLIGHT SOLAR, refund	22.50
FERGUSON ENTERPRISES INC, maint.	115.36
FIKES COMMERCIAL HYGIENE LLC, supplies	62.00
FIRST NAT'L BANK OF OMAHA, services	204.80
FITZGERALD SCHORR BARMETTLER, services	36,630.60
FNIC, services	252.50
FUN SERVICES, services	7,770.00

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GALE, books	110.96
GALLS LLC, apparel	149.20
GRAINGER, bld&grnds	247.22
GREAT PLAINS COMMUNICATION, services	777.60
GREAT PLAINS UNIFORMS, apparel	1,595.50
GT DISTRIBUTORS INC, supplies	1,890.94
GUARDIAN ALLIANCE TECH INC, services	100.00
GUNN, B., travel	66.29
HARM'S CONCRETE INC, services	163.60
HARRIS, M., travel	72.86
HGM ASSOCIATES INC, services	41,899.62
HITOUCHE BUSINESS SERVICES, supplies	225.95
HOME LIFE INC, services	27.50
HOTSY EQUIPMENT CO, supplies	1,002.25
HY-VEE INC, services	105.00
IDEAL IMAGES INC, apparel	1,922.00
INDUSTRIAL SALES CO, supplies	233.22
INGRAM LIBRARY SERVICES, books	1,770.15
J & J SMALL ENGINE SERVICE, maint.	814.49
J&M DISPLAYS INC, services	12,000.00
JENSEN TIRE & AUTO, maint.	97.00
JOHNSON, ALLEN L, services	129.50
KANOPIY INC, services	128.00
LINCOLN NAT'L LIFE INS CO, services	6,506.33
LOU'S SPORTING GOODS, supplies	192.00
LOWE'S CREDIT, supplies	89.61
MAINTAINX INC, services	1,950.00
MCNEIL, J., travel	70.23
MEDICA INSURANCE CO, services	121,745.38
MENARDS-120TH, supplies	125.76
MENARDS-RALSTON, supplies	179.48
METLIFE, services	1,058.04
METRO LANDSCAPE MATERIALS, bld&grnds	504.00
METRO COMM COLLEGE, services	17,082.53
MID-AMERICAN BENEFITS INC, services	9,579.60
MIDWEST TAPE, supplies	197.94
MILLARD METAL SERVICES INC, maint.	689.00
MOBOTREX INC, services	1,332.90
NAPA-GENUINE AUTO PARTS, maint.	466.34
NE IOWA DOOR SERVICES INC, bld&grnds	330.00
NE STATE FIRE MARSHAL, bld&grnds	252.00
NEBRASKALAND TIRE INC, maint.	246.10
NMC GROUP INC, maint.	18.81
NORTH AMERICAN RESCUE, supplies	59.92
OFFICE DEPOT INC, supplies	815.78
OMNI ENGINEERING, services	481.66
ONE CALL CONCEPTS INC, services	339.16
O'REILLY AUTO PARTS, maint.	5,377.48
PAPILLION SANITATION, services	514.95
PARIO VALLEY NURSERY INC, services	4,602.84
PAYROLL MAXX, payroll & taxes	489,202.66
PER MAR SECURITY, services	1,213.89
PETTY CASH, services	300.00
PITNEY BOWES, postage	429.99
PORT-A-JOHNS, services	90.00
RDG PLANNING & DESIGN, services	2,786.09
READY MIX CONCRETE CO, services	1,884.50
REGAL AWARDS INC, services	119.80

# MINUTE RECORD

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RESOURCE RENTAL CENTER INC, services	842.00
ROBERT HALF, services	4,387.12
ROBERT T. HENNREICH, services	1,270.00
RTG BUILDING SERVICES INC, bld&grnds	6,765.00
SARAH LOVELAND, refund	9.95
SARPY COUNTY COURTHOUSE, services	4,496.00
SARPY COUNTY FISCAL ADMIN, services	32,209.85
SARPY COUNTY SHERIFF'S OFFICE, services	400.00
SCHOLASTIC LIBRARY PUBLISHING, books	78.28
SHERWIN-WILLIAMS, bld&grnds	360.00
SHI INTERNATIONAL CORP, services	4,542.97
SIGN IT, services	3,510.00
SITE ONE LANDSCAPE, supplies	533.05
SOUTHERN UNIFORM, apparel	522.18
STANARD & ASSOCIATES, services	2,448.50
SUBURBAN NEWSPAPERS INC, services	642.49
SUCCESS FACTORS INC, services	925.58
TECH MASTERS INC, services	240.50
THE COLONIAL PRESS INC, services	8,213.39
THE SCHEMMER ASSOCIATES INC, services	3,111.25
THOMAS & THOMAS COURT REPORTERS, services	1,085.00
THOMPSON DREESSEN & DORNER INC, services	8,588.25
TORNADO WASH LLC, maint.	462.00
TRANS UNION RISK, services	75.00
TRUCK CENTER COMPANIES, maint.	13,000.00
U.S. CELLULAR, phones	1,874.06
UNITE PRIVATE NETWORKS LLC, services	4,400.00
UNITED PARCEL, services	11.59
US BANK NATIONAL ASSOC, supplies/services	21,166.91
UTILITY EQUIPMENT CO, supplies	185.00
VAL VERDE ANIMAL HOSPITAL INC, services	136.20
VAN-WALL EQUIPMENT INC, supplies	482.72
VOIANCE LANGUAGE, services	25.00
WESTLAKE HARDWARE INC, supplies	1,529.47

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Ronan reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Library Director Barcal reported on Library programs.

Assistant Recreation Director Karlson reported on upcoming events.

Police Captain Kinsey reported on speeding issues on Brentwood Drive.

Deputy Director of Public Works Calentine provided an update on projects.

## B. PLANNED UNIT DEVELOPMENT AMENDMENT – LB SOUTHWEST, LLC – LOT 2, WOODHOUSE PLACE & LOTS 1-2 WOODHOUSE PLACE REPLAT 1

### 1. PUBLIC HEARING

At 6:17 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for comment on the Planned Unit Development Amendment – LB Southwest, LLC – Lot 2, Woodhouse Place and Lots 1-2 Woodhouse Place Replat 1.

# MINUTE RECORD

May 16, 2023

No. 729 — REDFIELD DIRECT E2106195KV

At 6:18 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **2. RESOLUTION – APPROVE PUD SITE PLAN**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-057 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN FOR LOT 2, WOODHOUSE PLACE, AND LOTS 1 AND 2 WOODHOUSE PLACE REPLAT 1, A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 23, T14N, R11E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, LB Southwest, LLC, has made application for approval of an amendment to the planned unit development site plan for Lot 2, Woodhouse Place and Lots 1 and 2 Woodhouse Place Replat 1; and

WHEREAS, the Community Development Director and the City Engineer have reviewed the planned unit development site plan; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval.

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the amended Planned Unit Development (PUD) site plan for Lot 2, Woodhouse Place and Lots 1 and 2 Woodhouse Place Replat 1, located in the NE 1/4 of Section 23, T14N, R11E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located southwest of 144<sup>th</sup> Street and Giles Road be, and hereby is, approved.

Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **3. ORDINANCE – APPROVE PUD DESIGN PLAN**

Councilmember Frederick introduced Ordinance No. 1480 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING STANDARDS AND CONDITIONS FOR DEVELOPMENT UNDER THE FINAL PLANNED UNIT DEVELOPMENT PLAN; TO PROVIDE FOR SEVERABILITY; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1480. Councilmember Frederick seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

# MINUTE RECORD

## C. ZONING MAP AMENDMENT – LOTS 1-3 MAYFAIR 2<sup>ND</sup> ADDITION REPLAT SEVEN & LOT 2 MAYFAIR 2<sup>ND</sup> ADDITION REPLAT THREE

### 1. PUBLIC HEARING

At 6:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for comment on the Zoning Map Amendment – Lots 1-3 Mayfair 2<sup>nd</sup> Addition Replat Seven & Lot 2 Mayfair 2<sup>nd</sup> Addition Replat Three. Doug Kellner of 10836 Old Mill Road representing the applicant addressed council and requested action on this item.

At 6:25 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

### 2. ORDINANCE

Councilmember Thomas introduced Ordinance No. 1481 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sheehan seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1481. Councilmember Wetuski seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## D. AMEND SECTIONS 33.19 AND 35.50 OF THE LA VISTA MUNICIPAL CODE

### 1. ORDINANCE – AMEND SECTION 33.19 - MINUTES

Councilmember Frederick introduced Ordinance No. 1482 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 33.19; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1482. Councilmember Wetuski seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

### 2. ORDINANCE – AMEND SECTION 35.50 – PROPERTY TAX REQUEST; PROCEDURE

Councilmember Thomas introduced Ordinance No. 1483 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO AMEND MUNICIPAL CODE SECTION

# MINUTE RECORD

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May 16, 2023

35.50; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1483. Councilmember Wetuski seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **E. RESOLUTION – APPROVE FIRST AMENDMENT TO IMPROVEMENT AGREEMENT WITH NEBRASKA MULTISPORT COMPLEX**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-058 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIRST AMENDMENT TO IMPROVEMENT AGREEMENT IN CONNECTION WITH MULTISPORT RECREATIONAL FACILITY GENERALLY NORTH AND EAST OF GILES ROAD AND EASTPORT PARKWAY.

WHEREAS, the City Council did on October 18, 2022 approved an Improvement Agreement, filed with the Sarpy County Register of Deeds as Instrument No. 2022-28876, for a private recreational facility to be constructed, owned, and operated by Omaha Multi-Sport Complex, a Nebraska nonprofit corporation d/b/a Nebraska Multisport Complex, ("Nebraska Multisport") upon the following described tract of land within the City of La Vista: Tax Lots 11 and 15, together with all of Tax Lot 2A and parts of Tax Lots 2B1 and 3 lying North and West of railroad right-of-way, together with Northwesterly part of Tax Lot 1A1B and the Northwesterly part of Tax Lots 2B1 and 3 lying South and East of railroad right-of-way, all located in Section 17, Township 14 North, Range 12 East, of the 6th P. M., and other development on adjacent lots, subject to certain conditions; and

WHEREAS, in the Improvement Agreement, the parties among other things agreed to designation of a 120 Giles Enhanced Employment Area that included without limitation the NMSC Project and potential site of the Hotel(s) Project, and imposition and levy of the 120 Giles GBOT within such 120 Giles Enhanced Employment Area pursuant to Neb. Rev. Stat. Section 18-2142.04 for the purpose of paying all or any part of the costs and expenses of 120 Giles Authorized Work, as initially described or depicted in Exhibit 19 of the Improvement Agreement.

WHEREAS, the City and Nebraska Multisport desire to execute and enter a First Amendment to Improvement Agreement including without limitation Exhibit 19, to incorporate changes to the 120 Giles Enhanced Employment Area including location(s) of proposed Hotel Project(s), restaurant(s) or other improvements.

NOW THEREFORE, BE IT RESOLVED, a proposed First Amendment to Improvement Agreement ("Amendment") is presented with this Resolution for consideration of the City Council, which Amendment is approved in form and content presented, subject to any additions, subtractions, or modifications as the Mayor or City Administrator or his or her designee determines necessary or appropriate before the Amendment is executed, the final form and content of which Amendment the Mayor is authorized to execute and deliver on behalf of the City.

BE IT FURTHER RESOLVED, that the Mayor or City Administrator or his or her designee

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shall be authorized to take any actions on behalf of the City as he or she determines necessary or appropriate to carry out the Amendment or actions approved in this Resolution.

Seconded by Councilmember Wetuski. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell and Wetuski. Nays: None. Abstain: Hale. Absent: Quick. Motion carried.

## **F. GENERAL BUSINESS OCCUPATION TAXES ("GBOT"); PROPERTY OWNER CONSENT TO ENHANCEMENT EMPLOYMENT AREA; GBOT REVENUE NOTE – VICINITY OF 120<sup>TH</sup> AND GILES ROAD**

### **1. ORDINANCE – AMEND, REPLACE & SUPERSEDE ORDINANCE NO. 1462 REGARDING GENERAL BUSINESS OCCUPATION TAXES WITHIN DESIGNATED ENHANCED EMPLOYMENT AREA**

Councilmember Frederick introduced Ordinance No. 1484 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND, REPLACE AND SUPERSEDE ORDINANCE NO. 1462 IN ITS ENTIRETY REGARDING AN ENHANCED EMPLOYMENT AREA AND GENERAL BUSINESS OCCUPATION TAXES WITHIN SUCH AREA IN THE VICINITY OF 120<sup>TH</sup> AND GILES ROAD; TO REVOKE ORDINANCE NO. 1462 AS ORIGINALLY ENACTED, AND TO PROVIDE FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Thomas seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell and Wetuski. Nays: None. Abstain: Hale. Absent: Quick. Motion carried.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1484. Councilmember Wetuski seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Sell and Wetuski. Nays: None. Abstain: Hale. Absent: Quick. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

### **2. RESOLUTION – CONSENT OF PROPERTY OWNERS TO INCLUSION OF PROPERTY IN ENHANCED EMPLOYMENT AREA**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-059 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE CONSENT TO INCLUSION OF PROPERTY IN ENHANCED EMPLOYMENT AREA GENERALLY NORTH AND EAST OF GILES ROAD AND EASTPORT PARKWAY.

WHEREAS, the City Council on October 18, 2022 approved an Improvement Agreement, filed with the Sarpy County Register of Deeds as Instrument No. 2022-28876, in connection with a private recreational facility ("NMSC Project") to be constructed, owned, and operated by Omaha Multi-Sport Complex, a Nebraska nonprofit corporation d/b/a Nebraska Multisport Complex, ("Nebraska Multisport") and other development on adjacent lots ("Hotel(s) Project"); and

WHEREAS, in the Improvement Agreement, the parties among other things agreed to designation of a 120 Giles Enhanced Employment Area that included without limitation the NMSC Project and potential site of the Hotel(s) Project, and imposition and levy of the 120 Giles GBOT within such 120 Giles Enhanced Employment Area pursuant to Neb. Rev. Stat. Section 18-2142.04 for the purpose of paying all or any part of the costs and expenses of 120 Giles Authorized Work, as initially described or depicted in Exhibit 19 of the Improvement Agreement

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WHEREAS, the City at this Council meeting is considering a First Amendment to Improvement Agreement including without limitation revised Exhibit 19 for changes to the 120 Giles Enhanced Employment Area to include new location(s) of proposed Hotel Project(s), restaurant(s) or other improvements, subject to consent of owners of properties included in the revised 120 Giles Enhanced Employment Area.

NOW THEREFORE, BE IT RESOLVED, a proposed Consent of Property Owners to Inclusion in Enhanced Employment Area ("Consent") is presented with this Resolution for consideration of the City Council, which Consent is approved in form and content presented, subject to any additions, subtractions, or modifications as the Mayor or City Administrator or his or her designee determines necessary or appropriate before the Consent is executed, the final form and content of which Consent the Mayor is authorized to execute and deliver on behalf of the City..

BE IT FURTHER RESOLVED, that the Mayor or City Administrator or his or her designee shall be authorized to take any actions on behalf of the City as he or she determines necessary or appropriate to carry out the Consent or actions approved in this Resolution.

Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell and Wetuski. Nays: None. Abstain: Hale. Absent: Quick. Motion carried.

### **3. RESOLUTION – AUTHORIZING CITY OF LA VISTA OCCUPATION TAX REVENUE NOTE**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-060 entitled: A RESOLUTION AUTHORIZING THE ISSUANCE OF AN OCCUPATION TAX REVENUE NOTE (120 AND GILES PROJECT), OF THE CITY OF LA VISTA, NEBRASKA, FOR THE PURPOSE OF PAYING CERTAIN PROJECT COSTS IN CONNECTION WITH THE 120 AND GILES ENHANCED EMPLOYMENT AREA; PRESCRIBING THE FORM AND DETAILS OF SUCH NOTE AND THE COVENANTS AND AGREEMENTS TO FACILITATE AND PROTECT THE PAYMENT THEREOF; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of La Vista, in the State of Nebraska, (the "City") is a municipal corporation and first class city organized and existing under the constitution and laws of the State of Nebraska;

WHEREAS, pursuant to Section 18-2142.04, R.R.S. Neb., as amended, (the "Act") the City may establish an enhanced employment area for a portion of the City under certain terms and conditions as provided in the Act;

WHEREAS, the City established the 120 and Giles Enhanced Employment Area of the City of La Vista, Nebraska, under the Act (the "Enhanced Employment Area") and pursuant to an Improvement Agreement, filed with the Sarpy County Register of Deeds as Instrument No. 2022-28876 as amended by a First Amendment to Improvement Agreement to incorporate changes to the Enhanced Employment Area, (together, the "Improvement Agreement") between the City and Omaha Multi-Sport Complex, a Nebraska nonprofit corporation d/b/a Nebraska Multisport Complex ("NMSC") approved by the Mayor and Council of the City prior to the adoption of this resolution;

WHEREAS, the Act permits the City to levy general business occupation taxes within the Enhanced Employment Area, and the City has established the 120 Giles GBOT pursuant to the Occupation Tax Ordinance (defined herein) and as described and defined in the Improvement Agreement which shall be imposed and levied within the Enhanced Employment Area (the "GBOT") for the purpose of paying all or any part of the costs or expenses to design, construct, and provide the 120 Giles Authorized Work, as defined in the Improvement Agreement;

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WHEREAS, a prior resolution adopted by the City Council of the City on October 18, 2022, (the "Prior Resolution") approved issuance of an Occupation Tax Revenue Note (120 and Giles Project), which has not been issued as of the date of this resolution and, given the amendment to the Improvement Agreement and related matters, it is necessary and appropriate to repeal and replace the Prior Resolution with this resolution; and

WHEREAS, in order to pay a portion of the 120 Giles Authorized Work, it is necessary, desirable, advisable, and in the best interest of the City to issue the Occupation Tax Revenue Note (120 and Giles Project) (the "Note"), in a principal amount determined by an Authorized City Representative, but not to exceed \$3,500,000, and deliver such Note to NMSC in exchange for NMSC paying the costs of the GBOT Public Improvements, as described and defined in the Improvement Agreement, to pay the costs of issuing the Note, and such Note to be issued and secured in the form and manner as hereinafter provided.

Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell and Wetuski. Nays: None. Abstain: Hale. Absent: Quick. Motion carried.

## **G. ORDINANCE – AMEND COMPENSATION ORDINANCE**

Councilmember Frederick introduced Ordinance No. 1485 entitled: AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1485. Councilmember Frederick seconded the motion. Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **H. RESOLUTION – APPROVE FIRST AMENDMENT TO INTERLOCAL AGREEMENT – SARPY COUNTY AND CITIES WASTEWATER AGENCY**

Councilmember Hale introduced and moved for the adoption of Resolution No. 23-061 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AND AUTHORIZING THE EXECUTION OF THE FIRST AMENDEMENT TO THE INTERLOCAL AGREEMENT FOR THE CONTRIBUTION AND ALLOCATION OF OMAHA PUBLIC POWER DISTRICT PAYMENTS IN LIEU OF TAXES (PILOT).

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq. (the "Act"), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into that certain Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency dated September 19, 2017 (as amended, the "Formation Interlocal") and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency") (all capitalized terms not otherwise expressly defined herein shall have the same meanings as provided in the Formation Interlocal). The Formation Interlocal is incorporated herein by this reference; and

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WHEREAS, pursuant to the Formation Interlocal, the powers of the Agency as a body are exercised by the Agency Board; and

WHEREAS, the City of La Vista is a Member of the Agency; and

WHEREAS, the Agency and the Members are parties to that certain Revised Interlocal Agreement from the Contribution and Allocation of Omaha Public Power District Payments in Lieu of Taxes with an effective date of November 6, 2019 (the "PILOT Agreement"); The PILOT Agreement is authorized under Agency and Resolution No. 2019-016, and pursuant to separate approvals by the governing bodies of each of the Members;

WHEREAS, the Agency and the Members desire to amend the PILOT Agreement to clarify how and from what sources the Members are obligated to pay to the Agency their respective Member PILOT Contributions (as defined in the PILOT Agreement);

WHEREAS, the Agency Board has discussed the proposed First Amendment to Interlocal Agreement for the Contribution and Allocation of Omaha Public Power District Payments in Lieu of Taxes in the form of the instrument attached hereto as **Exhibit "A"** (the "First Amendment"), and after discussion, the Agency Board has deemed it appropriate, necessary, convenient and advisable to approve the First Amendment, and authorize its execution on behalf of the Agency;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska that, pending approval of Sarpy County and the Cities of Bellevue, Springfield, Papillion, and Gretna, the First Amendment, a copy of which is attached hereto as Exhibit A, is hereby approved; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is hereby authorized to execute on behalf of the City of La Vista the First Amendment, as approved by the Sarpy County and Cities Wastewater Agency at its November 6, 2019, Agency Board Meeting; and further that the Recitals above are incorporated into the Resolutions by reference.

Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **I. RESOLUTION – APPROVAL OF SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2023-2024 BUDGET**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-062 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2023-2024 BUDGET.

WHEREAS, the City of La Vista is a party to an agreement (the "Agreement") entered into pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq. (the "Act"), by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the "Members"), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board approved the proposed FY2023-2024 Budget, which was approved by the Agency Board at the Agency's Board Meeting on April 26, 2023; and

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WHEREAS, the City Council deems it appropriate and advisable to approve the proposed FY2023-2024 Budget which has been approved by the Agency Board.

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2023-2024 Budget is hereby approved.

Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **J. RESOLUTION – AUTHORIZE CITY ADMINISTRATOR TO APPROVE STANDARD OPERATION POLICIES COVERING SECURE PROCEDURES**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 23-063 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE STANDARD OPERATION POLICIES OF THE CITY OF LA VISTA PERTAINING TO PROTECTION OF SECURITY.

WHEREAS, the City Council has determined that it is necessary and desirable to create Standard Operation Policies as a means of establishing guidelines and direction governing officials, employees and facilities, equipment and other property of the City of La Vista; and

WHEREAS, it has been determined that some Standard Operation Policies pertaining to security are sensitive in nature ("Sensitive Security Policies") and publicly disclosing them could jeopardize public safety, property or other public interests.

WHEREAS, the City Council desires to authorize the City Administrator or her/his designee to oversee, determine, develop and approve, and from time to time amend or replace, such Sensitive Security Policies.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the City Administrator or his or her designee, to determine, develop and approve, and from time amend or replace, any Sensitive Security Policies as Standard Operation Policies of the City of La Vista, subject to such direction and approval of the Mayor as the Mayor determines necessary or appropriate.

FURTHER RESOLVED, that Sensitive Security Policies shall be (i) maintained by the City Clerk in a reasonably secure manner to reduce the likelihood of unintended disclosure and (ii) made available for review of any Councilmember at his or her request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2023-2024 Budget is hereby approved.

Seconded by Councilmember Wetuski. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **K. RESOLUTION – AUTHORIZATION TO INVEST CITY FUNDS WITH NEBRASKA INVESTMENT TRUST (NIFT)**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-064 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH UNION BANK & TRUST (UBT) FOR INVESTMENT OF FUNDS WITH NEBRASKA FEDERAL INVESTMENT TRUST THAT UTILIZES UBT'S SHORT TERM FEDERAL INVESTMENT TRUST.

WHEREAS, Nebraska Law expressly allows public agencies to invest surplus or excess funds; and

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WHEREAS, an Information Statement and Business Agreement and Application relating to the Nebraska Federal Investment Trust has been presented to the La Vista City Council; and

WHEREAS, the La Vista City Council deems it advisable for the City of La Vista to enter into the Agreement with Union Bank & Trust to allow investment of funds with Nebraska Federal Investment Trust that utilizes UBT's Short Term Federal Investment Trust for the investment of the City of La Vista's money.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska:

1. That the City of La Vista shall and hereby does authorize the Mayor to execute an agreement with Union Bank & Trust to allow investment of funds with Nebraska Federal Investment Trust that utilizes UBT's Short Term Federal Investment Trust.
2. That the City of La Vista is hereby authorized to invest its available funds from time to time and to withdraw such funds from time to time in accordance with the provisions of the agreement.
3. The City of La Vista hereby delegates all authority and duties which the law otherwise authorizes it to delegate in accordance with the agreement. The following officers and officials of the City of La Vista and their respective successors in office each are hereby designated as "Agents" and are authorized to take such actions and execute any and all such documents as they may deem necessary and appropriate to effectuate the entry by the City of La Vista into the Agreement and to effectuate the investment and withdrawal of monies of the City of La Vista from time to time in accordance with the Agreement

Douglas Kindig, Mayor  
Kim Thomas, City Council President  
Brenda S. Gunn, City Administrator  
Kevin Pokorny, Director of Administrative Services  
Meg Harris, Finance Director  
Pamela A. Buethe, City Clerk

An Authorized Official of the City of La Vista shall advise the Nebraska Public Agency Investment Trust of any changes in the Authorized Officials in accordance with procedures established by the Agreement.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution being the same are hereby rescinded.

BE IT FURTHER RESOLVED that the Mayor and City Council of the City of La Vista Nebraska to hereby authorize the City to enter into an agreement with Union Bank & Trust (UBT for investment of funds with Nebraska Federal Investment Trust that utilizes UBT's short Term Federal Investment Trust in a form satisfactory to the City Administrator and City Attorney.

Seconded by Councilmember Wetuski. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## L. RESOLUTION – SOFTWARE AGREEMENT & PURCHASE – PARKING GARAGES

### **1. RESOLUTION – APPROVAL OF PARKING SOFTWARE AGREEMENT**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-065 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A SOFTWARE

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AGREEMENT WITH FISHER PARKING & SECURITY, INC TO PROVIDE PARKING MANAGEMENT SOFTWARE FOR PARKING GARAGE NO. 1 AND PARKING GARAGE NO. 2.

WHEREAS, the Mayor and City Council have determined that parking management software for Parking Garage No. 1 and Parking Garage No. 2; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for the proposed service,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby authorize the execution of a Software Agreement with Fisher Parking & Security, Inc for Parking Garage No.1 and Parking Garage No. 2.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **2. RESOLUTION – PURCHASE OF TIBA SPARK SUITE PLATFORM**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 23-066 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TIBA SPARK SUITE PLATFORM FROM FISHER PARKING & SECURITY, INC IN AN AMOUNT NOT TO EXCEED \$9,936.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of TIBA SPARK Suite Platform is necessary; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for the proposed purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the city administrator secure Council approval prior to authorizing any purchase over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of TIBA SPARK Suite Platform from Fisher Parking & Security, Inc in an amount not to exceed \$9,936.00.

Seconded by Councilmember Wetuski. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **M. APPROVE – TITLE VI CIVIL RIGHTS NON-DISCRIMINATION PLAN – LA VISTA/RALSTON SPECIAL SERVICES BUS**

There was not action taken on this item.

### **COMMENTS FROM THE FLOOR**

Victor Robb of 7720 Lillian Avenue addressed the Council regarding property he sold to the City.

Levi Schreck of 9819 Idora Street addressed the Council regarding the Zoning Map Amendment – Lots 1-3 Mayfair 2<sup>nd</sup> Addition Replat Seven & Lot 2 Mayfair 2<sup>nd</sup> Addition Replat Three.

### **COMMENTS FROM MAYOR AND COUNCIL**

Mayor Kindig reported on legislative updates.

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## **N. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS**

At 7:03 p.m. Councilmember Wetuski made a motion to go into executive session for protection of the public interest for contract negotiations. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:55 p.m. the Council came out of executive session. Councilmember Wetuski made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye Frederick, Ronan, Sheehan, Thomas, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

At 7:55 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF JUNE 2023.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Patti Anderson  
Deputy City Clerk

Approved for payment  
BF 5/8/23  
16.71.0917-STR17005

**Design Workshop, Inc.**  
Landscape Architecture  
Planning  
Urban Design  
Strategic Services

May 8, 2023  
Invoice No: 0074365

Cindy Miserez  
City of La Vista  
8116 Parkview Blvd.  
La Vista, NE 68128

**Current Invoice Total** **\$3,707.50**

Project 006605.00 La Vista - 84th Street Bridge

**Professional Services from April 1, 2023 to April 30, 2023**

Task 001 1.1 Preliminary Design  
**Fee**

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Design Workshop	18,400.00	100.00	18,400.00	18,400.00	0.00
Consultant	1,500.00	0.00	0.00	0.00	0.00
Reimbursable Expenses	2,000.00	5.45	109.00	109.00	0.00

**Total Fee** **0.00**

**Total this Task** **0.00**

Task 002 1.2 Final Design  
**Fee**

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Design Workshop	27,600.00	46.8841	12,940.00	12,940.00	0.00
Consultant	3,000.00	52.9583	1,588.75	1,588.75	0.00
Reimbursable Expenses	2,000.00	0.437	8.74	8.74	0.00

**Total Fee** **0.00**

**Total this Task** **0.00**

Task 003 2.0 Civil and Structural  
**Fee**

	Fee	Percent Complete	Earned to Date	Previous Fee Billing	Current Fee Billing
Schemmer	152,270.00	36.5732	55,690.00	51,982.50	3,707.50
Reimbursable Expenses	2,000.00	0.00	0.00	0.00	0.00

**Total Fee** **3,707.50**

**DESIGNWORKSHOP**

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Raleigh  
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303-823-5186

Project	006605.00	La Vista - 84th Street Bridge	Invoice	0074365
			<b>Total this Task</b>	<b>\$3,707.50</b>
			<b>Total this Invoice</b>	<b><u>\$3,707.50</u></b>

Please include invoice number on remittance to:

1390 Lawrence Street, Suite 100, Denver, CO 80204

**DESIGNWORKSHOP**

Aspen • Austin • Chicago • Denver • Houston • Lake Tahoe • Los Angeles • Raleigh  
1390 Lawrence Street, Suite 100, Denver, Colorado 80204 • 303-623-5186



# Invoice

**HDR Engineering Inc.**  
**Omaha, NE 68106-2973**  
**Phone: (402) 399-1000**

Reference Invoice Number with Payment

HDR Invoice No. 1200521552  
 Invoice Date 15-MAY-2023  
 Invoice Amount Due \$2,782.29  
 Payment Terms 30 NET

**City of La Vista**  
**Rita Ramirez**  
**8116 Park View Blvd**  
**La Vista, NE 68128**

Remit To PO Box 74008202  
 ACH/EFT Payments Chicago, IL 60674-8202  
 Bank of America ML US  
 ABA# 081000032  
 Account# 355004076604

RRamirez@cityoflavista.org

Project Management for Services for Public Improvements and Other Works.

Purchase Order : 20-008348

Professional Services  
 From: 02-APR-2023 To: 06-MAY-2023

Professional Services Summarization	Hours	Billing Rate	Amount
Project Controller	0.50		65.37
Project Manager	10.00		2,701.20
	<b>10.50</b>		<b>\$2,766.57</b>
		<b>Total Professional Services</b>	<b>\$2,766.57</b>

Expense Summarization	Quantity	Billing Rate	Amount
Mileage Personal	24		15.72
		<b>Total Expenses</b>	<b>\$15.72</b>

<b>Amount Due This Invoice (USD)</b>	<b>\$2,782.29</b>
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Fee Amount	\$670,695.00
Fee Invoiced to Date	\$544,033.16
Fee Remaining	\$126,661.84

HDR Internal Reference Only	
Client Number	41331
Cost Center	10134
Project Number	10053040

*R. Ramirez*  
*5-22-23*  
*16.53.0303.000*

# Invoice

HDR Invoice No. 1200521552  
Invoice Date 15-MAY-2023

<b>Professional Services and Expense Detail</b>			
Project Number:	10053040	Project Description:	LaVista-Project Mgmt Svcs
Task Number:	1.0	Task Description:	Project Management
<b>Professional Services</b>			
Project Controller	Sayler, Jonathan James	0.50	130.74
Project Manager	Koenig, Christopher J	10.00	270.12
		<b>10.50</b>	<b>\$2,766.57</b>
		<b>Total Professional Services</b>	<b>\$2,766.57</b>
<b>Expense</b>			
Mileage Personal	Koenig, Christopher J	24.00	0.655
			<b>15.72</b>
		<b>Total Expense</b>	<b>\$15.72</b>
		<b>Total Task</b>	<b>\$2,782.29</b>



**Remit To:**  
**RDG Planning & Design**  
**301 Grand Avenue**  
**Des Moines, Iowa 50309**  
**Questions: [invoicing@rdgusa.com](mailto:invoicing@rdgusa.com)**

Rita Ramirez  
 City of La Vista  
 City Hall  
 8116 Park View Blvd.  
 La Vista, NE 68128

April 30, 2023  
 Project No: R3003.066.01  
 Invoice No: 54028

Project R3003.066.01 City of La Vista - Placemaking Ph1 SD-CA

**Professional Services through April 30, 2023**

**Fee**

Billing Phase	Fee	Billed %	Earned	Prior Fee	Current Fee	
Schematic Design	149,000.00	100.00	149,000.00	149,000.00	0.00	
Design Development	180,000.00	100.00	180,000.00	180,000.00	0.00	
Construction Documents	275,330.00	100.00	275,330.00	275,330.00	0.00	
Bidding/Negotiation	44,000.00	100.00	44,000.00	44,000.00	0.00	
Contract Administration	244,000.00	71.0086	173,260.97	165,008.09	8,252.88	
Total Fee	892,330.00		821,590.97	813,338.09	8,252.88	
			<b>Total Fee</b>			<b>8,252.88</b>

**Reimbursable Expenses**

Printing		12.00	
	<b>Total Reimbursables</b>	<b>12.00</b>	<b>12.00</b>
<b>Billing Limits</b>			
Expenses	Current	Prior	To-Date
Limit	12.00	1,528.09	1,540.09
Remaining			8,600.00
			7,059.91
		<b>Total this Invoice</b>	<b>\$8,264.88</b>

**Outstanding Invoices**

Number	Date	Balance
53747	3/31/2023	2,786.09
<b>Total</b>		<b>2,786.09</b>

*R. Ramirez  
5-22-23*

*16.71.0917.000 PARK 18001*





**Please Remit to:**  
 Dept 1539, PO Box 30106  
 Salt Lake City, UT 84130-0106  
 phone: 303.721.1440  
 email: accounting@fhueng.com

## INVOICE

Mr. Patrick Dowse, PE  
 City Engineer  
 City of La Vista  
 8116 Park View Blvd  
 La Vista, NE 68128

November 28, 2022  
 Project No: 120040-01  
 Invoice No: 35534

Project 120040-01 Giles Road Widening  
**Professional Services for the Period: October 1, 2022 to October 31, 2022**

Phase 01 Traffic Analysis

### Professional Personnel

		Hours	Rate	Amount
Principal I				
Meisinger, Mark		.25	235.00	58.75
Labor		.25		58.75
<b>Total Labor</b>				<b>58.75</b>
				<b>Phase Sub-Total</b>
				<b>\$58.75</b>

Phase 06 Project Management & QA/QC

### Professional Personnel

		Hours	Rate	Amount
Principal I				
Meisinger, Mark		1.75	235.00	411.25
Labor		1.75		411.25
<b>Total Labor</b>				<b>411.25</b>
				<b>Phase Sub-Total</b>
				<b>\$411.25</b>

Phase SUBS Subconsultants

### Subconsultants

Iteris, Inc			1,053.00
<b>Total Subconsultants</b>			<b>1,053.00</b>
			<b>Phase Sub-Total</b>
			<b>\$1,053.00</b>

### Contract Limits

Total Billings	1,523.00	Prior	To-Date
Contract Maximum		178,658.29	180,181.29
Remaining Contract			200,000.00
			19,818.71
		<b>TOTAL AMOUNT DUE</b>	<b>\$1,523.00</b>

### Billed-To-Date Summary

	Current	Prior	Total	
Labor	470.00	155,162.50	155,632.50	<i>OK to Pay</i>
Subconsultant	1,053.00	21,568.50	22,621.50	<i>PMO 5/30/23</i>
				<i>05/10/23 - 5/31/23</i>



5022 S 114th Street  
Suite 200  
Omaha, NE 68137  
(712) 323-0530

**City of LaVista**  
Attn: Mr. Patrick Dowse, P.E.  
9900 Portal Road  
LaVista, NE 68128

## INVOICE

Invoice Number: 702619-19  
Date: May 24, 2023  
Client Code: 7220  
P.O. Number: 20-008340

Progress billing for engineering services for the East LaVista Sewer and Pavement Rehabilitation - Phase 2 Final Design, per agreement dated June 4, 2019 & Amendments..

Public Meeting (TREKK & Emspace); Construction Period Services April 16, 2023 Through: May 15, 2023

	Hours	Rate	Current Period	Billed To Date
<b>001: Phase I Investigation (LS \$53,340)</b>				
	90% Complete			\$48,006.00
<b>002: Trekk (\$90,420) (Hrly)</b>				\$89,172.71
<b>003: Thiele Geotech (\$18,675) (Hrly)</b>				
Thiele Geotech, Inc.		\$525.00		
		\$525.00		\$19,200.00
<b>004: Emspace &amp; Lovgren (\$9,775) (Hrly)</b>				\$11,809.67
<b>005: Amendment 1 HGM (LS \$923)</b>		100% Complete		\$923.00
<b>006: Amendment 1 TREKK (\$4,000) (Hrly)</b>				\$4,000.00
<b>007: Phase 2 Final Design (Hrly)</b>				\$201,345.71
<b>008: Phase 2 Final Design TREKK (Hrly)</b>				
TREKK Design Group, LLC		\$714.33		
		\$714.33		\$64,665.61
<b>009: Phase 2 Final Design Emspace (Hrly)</b>				
Emspace + Lovgren		\$5,951.40		
		\$5,951.40		\$10,763.73
<b>010: Midwest Right of Way (\$58,725) (Hrly)</b>				\$20,205.00

	Hours	Rate	Current Period	Billed To Date
<b>011: Construction Admin (Hrly)</b>				
Design Engineer	47.00	104.00	\$4,888.00	
Design Engineer	115.50	136.32	\$15,744.96	
Design Engineer	115.75	140.00	\$16,205.00	
Engineer Technician	16.25	116.80	\$1,898.00	
			<u>\$38,735.96</u>	<u>\$76,488.36</u>
Total Amount Billed				
Less Previous Invoices				
<b>Invoice Total</b>				
<u><u>\$546,579.79</u></u>				
<u><u>\$500,653.10</u></u>				
<u><u>\$45,926.69</u></u>				

### Outstanding Invoices

Invoice	0 - 30	31 - 60	61-90	Over 90	Balance
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OK TO PAY  
 PMD 5/30/23  
 02,71,0917.00 - SEWER 13001  
 (48%) SEWER = \$22,044.81  
 (52%) STREETS = \$23,881.98

## Invoice

601 P St Suite 200  
PO Box 84608  
Lincoln, NE 68501-4608  
Tel 402.474.6311, Fax 402.474.5063

olsson

May 22, 2023  
Invoice No: 457603

Pat Dowse  
City Engineer  
City of La Vista NE  
8116 Park View Blvd  
La Vista, NE 68128-2198

**Invoice Total** \$4,319.75

Phase 300 Concrete  
**Labor**

Hours	Rate	Amount
12.50	60.00	750.00
12.50		750.00
		<b>750.00</b>

## Unit Billing

Field Vehicle 1207	33.0 Miles @ 0.75	24.75
Field Vehicle 1435	30.0 Miles @ 0.75	22.50

## Compressive Strength - Concrete

4/11/2023	6 Tests @ \$17/Test	102.00
4/25/2023	5 Tests @ \$17/Test	85.00
4/25/2023	5 Tests @ \$17/Test	85.00
	<b>Total Units</b>	<b>319.25</b>
	<b>Total this Phase</b>	<b>\$1,069.25</b>

Phase 400 Project Management  
**Labor**

Hours	Rate	Amount
4.50	115.00	517.50
4.50		517.50
		<b>517.50</b>
<b>Total this Phase</b>		<b>\$517.50</b>

Phase 500 SWPP

**Fee**      Number of internal units      1.00  
Fee Each      900.00

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

Project	022-03277	La Vista City Park Pavilion Testing	Invoice	457603
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Subtotal 900.00

**Subtotal** 900.00

**Total this Phase** \$900.00

Phase 540 Segmental Retaining Wall

**Labor**

	Hours	Rate	Amount
Technician	28.75	60.00	1,725.00
<b>Totals</b>	<b>28.75</b>		<b>1,725.00</b>
<b>Total Labor</b>			<b>1,725.00</b>

**Unit Billing**

Field Vehicle 1434	18.0 Miles @ 0.75	13.50
Field Vehicle 1196	84.0 Miles @ 0.75	63.00
Field Vehicle 1314	42.0 Miles @ 0.75	31.50
<b>Total Units</b>		<b>108.00</b>
		<b>Total this Phase</b> \$1,833.00

**AMOUNT DUE THIS INVOICE** \$4,319.75

**Outstanding Invoices**

Number	Date	Balance
455102	4/25/2023	4,231.50
<b>Total</b>		<b>4,231.50</b>

Email invoices to: pdowse@cityoflavista.org.

OKTOA4  
PMO 5/30/23

16.71.0917.000 - PARH18001

Authorized By: Douglas Carey

INVOICE PAYMENT IS REQUESTED WITHIN 30 DAYS

City of Omaha  
Public Works Department  
Construction Division

## WEEKLY PROGRESS REPORT

Page 1 of 4

CONTRACTOR NL & L - PAI TC

PROJECT East La Vista Sewer and Pavement Rehab.

PROJECT NO. M376(228)

PROJECT STATUS: IN PROGRESS

WEEK ENDING DATE 05/27/23

REPORT NO. 8

DAY/DATE	ACTIVITY	Hours	CHARGE	SUMMARY	
SUNDAY 05/21/23	No work on Sunday's	0	Y	Paving - Total Value of Work This Period \$21,135.92	
				Sewer - Total Value of Work This Period \$9,325.66	
				Paving - Total Value of Work To Date \$159,269.03	
				Sewer - Total Value of Work To Date \$123,812.83	
MONDAY 05/22/23	Temp 80/56, NLL 0700-1730, HGM 0745 to 1730, Project meeting, Paving crew set up and poured north 1/2 intersection at S 70th/S 69th, poured one sewer opening on La Vista Dr. General project clean up, with backfill seeding and matting. Sewer crew vac trucked utility locations going toward Florence on La Vista Dr. Pay items:	8	Y	Pro-rated Adjustment to Value of Stored Materials This Period \$0.00	
				Total Value of Stored Materials Remaining To Date \$0.00	
TUESDAY 05/23/23	Temp 82/61, NLL 0700-1730, HGM 0800-1630, No paving crew on site, Sewer crew continued with the serv line repair work on La Vista Dr between S 69th and Florence. 7412 La Vista Pay items: #2 S Rem pavmt 18.71 SY, #33 rem serv line 13', #34 install serv line 13', #52 temp agg surf 5.24 tons	10	Y	Estimated Contract Value \$ 4,746,349.05	
				Percent Complete By Value 6%	
WEDNESDAY 05/24/23	Temp 85/53, NLL 0700-1730, HGM 0800-1700, Cont. with serv lateral repair work on 7408 SB La Vista Dr. Paving crew set in let laps S 70th and S 69th, formed and poured sidewalk NE corner and part of NW corner, Pay items: #2 S rem pavmt 20.05 SY, #33 rem serv lat 15', #34 inst. serv lat 15', #52 temp agg surf, 6.88 ton, #20 REm and Replicurb inlet top 1.0, F#24 P Cons 4" sdwlk 286 SF, #26P Curb ramp 50 sf, #27 Warning panel 16SF, #28 P 17 ft	10	Y	Contract Calendar / Work Days 211	
				Calendar / Work Days This Period 7	
THURSDAY 05/25/23	Temp 85/53, NLL 0700-1730, HGM 0800-1700, cont serv lateral repair 7415 La Vista Dr, No other work on site. Pay items: #2S Rem pavmt 30.48 SY, #33 rem serv lat 14', #34 inst serv lat 14', #52 temp agg surf course 10.4	10	Y	Calendar / Work Days Used To Date 55	
				Percent Time Used 26%	
FRIDAY 05/26/23	Temp 82/68, NLL 0700 to 1630, HGM 1430 - 1630, Cont. lateral repair at 7411 La Vista Dr. backfilled previously poured pavement, opened intersection to traffic. Pay items: #2S Rem Pavement 26.07 SY, #33 Rem serv lateral 13', #34 install serv lateral 13', #52 temp agg surface 6.30 ton	10	Y	% Retained Paving/Sewer 10.0000%	
				Amount Retained to Date Paving \$15,926.90	
				Amount Retained To Date Sewer \$12,381.28	
SATURDAY 05/27/23	Temp 82/53 light winds. No work on site, No pay items	0	Y	Net Amount Due To Date \$254,773.68	
				Total Incentive Earned / Disincentive Assessed To Date \$0.00	
Other Comments				Net Amount Due To Date Including Incentive Earned / Disincentive Assessed \$254,773.68	
				Total Previous Payments To Date \$77,684.99	
				Amount Due To Date \$177,088.69	

Paula Pogge

CONTRACTOR / DATE

Digital signature by Paula Pogge  
DN: cn=Paula Pogge, ou=IGM Associates,  
ou=Construction Manager  
email=pogge@hgmonline.com, c=US  
Date: 2023.05.29 19:19:50.05'00"

PROJECT REPRESENTATIVE / DATE

Paula Pogge

PROJECT MANAGER / DATE

Digital signature by Paula Pogge  
DN: cn=Paula Pogge, ou=IGM Associates, ou=Construction Manager, email=pogge@hgmonline.com, c=US  
Date: 2023.05.30 12:37:35.05'00"

5/30/23

CITY CONSTRUCTION ENGINEER / DATE

OK TO PAY  
PMO 5/30/23  
05.31.0917.000 - SEUR13001  
STAFETS = \$139,504.22  
SEUFR = \$37,579.47

**WEEKLY PROGRESS REPORT**

**PAYMENT FOR WORK PERFORMED**

Line	Item Number	Item	Bld Quantity	Bld Price	Unit	Quantity This Period	Amount This Period	% Complete	Quantity To Date	Amount To Date
1	Paving 1	Mobilization/Demobilization	1.00	\$168,000.00	LS	-	\$0.00	50.0%	0.50	\$78,000.00
2	Paving 2	Remove Pavement	7,830.00	\$11.00	SY	17.78	\$195.58	5.0%	407.92	\$4,467.12
3	Paving 3	Remove Concrete Driveway	701.00	\$11.00	SY	-	\$0.00	0.0%	-	\$0.00
4	Paving 4	Remove Sidewalk - Paving	7,396.00	\$2.00	SF	190.00	\$380.00	8.0%	808.00	\$1,216.00
5	5	Remove Concrete Curb and Gutter	1,850.00	\$12.00	LF	-	\$0.00	1.0%	13.70	\$164.40
6	6	Perform Cold Planning-Asphalt	28,390.00	\$6.50	SY	-	\$0.00	0.0%	-	\$0.00
7	7	Perform 2" Cold Planning - Concrete	50.00	\$7.00	SY	-	\$0.00	0.0%	-	\$0.00
8	8	Construct Asphalt Surface Course SPR (PG 64-34)	3,130.00	\$187.11	Ton	-	\$0.00	0.0%	-	\$0.00
9	9	Construct Asphalt Surface Wedge SPR 3/8" Fine (PG 64-34)	72.00	\$106.00	Ton	-	\$0.00	0.0%	-	\$0.00
10	10	Concrete Base Repair	5,400.00	\$72.00	SY	-	\$0.00	0.0%	-	\$0.00
11	Paving 11	Construct 7" Concrete Pavement - Type L65 - Paving	7,658.00	\$76.00	SY	164.41	\$12,330.75	6.0%	346.33	\$25,974.75
12	12	Construct 7" Concrete Pavement - Type L 65 - Paving	100.00	\$78.00	SY	-	\$0.00	0.0%	-	\$0.00
13	13	Construct 10" Concrete Pavement - Type L65	96.00	\$92.00	SY	-	\$0.00	0.0%	-	\$0.00
14	14	Construct Concrete Curb and Gutter	1,850.00	\$42.00	LF	-	\$0.00	1.0%	13.70	\$575.40
15	Paving 15	Construct 6" Driveway - Type L65 - Paving	841.00	\$58.00	SY	-	\$0.00	0.0%	-	\$0.00
16	16	Construct 6" Driveway - Type L86	50.00	\$62.00	SY	-	\$0.00	0.0%	-	\$0.00
17	Paving 17	Subgrade Preparation - Paving	8,537.00	\$3.50	SY	-	\$0.00	1.0%	86.94	\$304.29
18	18	Adjust Utility Valve to Grade	12.00	\$800.00	EA	-	\$0.00	0.0%	-	\$0.00
19	19	Adjust Manhole to Grade	32.00	\$800.00	EA	-	\$0.00	0.0%	-	\$0.00
20	20	Remove & Replace Curb Infl Top	5.00	\$3,200.00	EA	1.00	\$3,200.00	40.0%	2.00	\$6,400.00
21	21	Install Manhole Ring and Cover	8.00	\$700.00	EA	-	\$0.00	25.0%	2.00	\$1,400.00
22	22	Install External Frame Seal	8.00	\$750.00	EA	-	\$0.00	0.0%	-	\$0.00
23	23	Traffic Control - Sewer and Pavement Construction	1.00	\$50,000.00	LS	0.0000	\$0.00	2.0%	0.0238	\$1,190.00
24	Paving 24	Construct 4" PCC Sidewalk - Paving	5,021.00	\$8.75	SF	286.00	\$1,936.50	10.0%	492.40	\$3,323.70
25	25	Construct 6" PCC Sidewalk	524.00	\$7.50	SF	-	\$0.00	0.0%	-	\$0.00
26	26	Construct PCC Curb Ramp	1,370.00	\$14.00	SF	50.00	\$700.00	5.0%	60.95	\$979.30
27	27	Construct Detectable Warning Panel	441.00	\$45.00	SF	16.00	\$720.00	5.0%	24.00	\$1,080.00
28	28	Construct Sidewalk Curb Wall	241.00	\$40.00	LF	17.00	\$680.00	17.0%	42.00	\$1,680.00
29	29	Install Seeding - Type A	1,922.00	\$3.75	SY	0.03	\$0.11	0.0%	0.03	\$0.11
30	30	Install Rolled Erosion Control - Type 1	1,922.00	\$3.00	SY	140.86	\$422.68	7.0%	140.86	\$422.68

**WEEKLY PROGRESS REPORT**

**PAYMENT FOR WORK PERFORMED**

Line	Item Number	Item	Bld Quantity	Bid Price	Unit	Quantity This Period	Amount This Period	% Complete	Quantity To Date	Amount To Date
31	31	Install Curb Inlet Protection	2.00	\$125.00	EA	-	\$0.00	250.0%	5.00	\$625.00
32	32	Install Concrete Washout	1.00	\$3,500.00	EA	-	\$0.00	0.0%	-	\$0.00
52	P 52	Construct Temporary Aggregate Surface Course	200.00	\$20.00	Ton	28.82	\$576.40	70.0%	140.07	\$2,801.40
81	Sewer 1	Sewer Mobilization/Demobilization	1.00	\$144,000.00	LS	-	\$0.00	50.0%	0.50	\$72,000.00
82	Sewer 2	Remove Pavement - Sewer	5,008.00	\$11.00	SY	95.31	\$1,048.41	9.0%	528.36	\$5,811.98
S3	Sewer 3	Remove Concrete Driveway - Sewer	1,915.00	\$11.00	SY	-	\$0.00	1.0%	19.68	\$216.48
S4	Sewer 4	Remove Sidewalk - Sewer	7,152.00	\$2.00	SF	-	\$0.00	1.0%	48.00	\$96.00
S11	Sewer 11	Construct 7" Concrete Pavement - Type L65 - Sewer	5,988.00	\$75.00	SY	48.03	\$3,602.25	5.0%	310.68	\$23,301.00
S15	Sewer 15	Construct 6" Driveway - Sewer	1,015.00	\$59.00	SY	-	\$0.00	1.0%	14.61	\$861.99
S17	Sewer 17	Subgrade Preparation - Sewer	7,121.00	\$3.50	SY	-	\$0.00	0.0%	-	\$0.00
S24	Sewer 24	Construct 4" PCC Sidewalk - Sewer	7,152.00	\$6.75	SY	-	\$0.00	1.0%	41.60	\$280.80
33	33	Remove & Dispose 12" or Smaller Sewer Pipe	5,390.00	\$20.00	LF	65.00	\$1,300.00	5.0%	243.76	\$4,875.20
34	34	Construct 8" PVC Sanitary Sewer Pipe (Service Line)	4,885.00	\$65.00	LF	65.00	\$3,575.00	5.0%	243.78	\$15,844.40
35	35	Construct 8" Sanitary Sewer Service Riser (Over 12' Depth)	467.03	\$70.00	VF	-	\$0.00	0.0%	-	\$0.00
33	36	Construct 8" PVC Sanitary Sewer Pipe SDR 28 (Point Repairs)	26.00	\$175.00	LF	-	\$0.00	12.0%	3.00	\$525.00
37	37	Construct 8" PVC Sanitary Sewer Pipe SDR 28 (Point Repairs, Over 15' Depth)	12.00	\$175.00	LF	-	\$0.00	0.0%	-	\$0.00
38	38	Construct 8" Sanitary Sewer Concrete Cradle	1.00	\$1,200.00	EA	-	\$0.00	0.0%	-	\$0.00
39	39	Install 8" CIPP Liner	10,887.00	\$45.00	LF	-	\$0.00	0.0%	-	\$0.00
40	40	Install 15" CIPP Liner	927.00	\$85.00	LF	-	\$0.00	0.0%	-	\$0.00
41	41	Re-Install Service lines	332.00	\$100.00	EA	-	\$0.00	0.0%	-	\$0.00
42	42	CIPP End Seal, 8-in	83.00	\$195.00	EA	-	\$0.00	0.0%	-	\$0.00
43	43	CIPP End Seal, 15-in	9.00	\$260.00	EA	-	\$0.00	0.0%	-	\$0.00
44	44	Perform Pre-CIPP CCTV Pipeline Inspection	11,794.00	\$4.50	LF	-	\$0.00	0.0%	-	\$0.00
45	45	Perform Post-CIPP CCTV Pipeline Inspection	11,794.00	\$3.00	LF	-	\$0.00	0.0%	-	\$0.00
46	46	Jst Existing Sanitary Sewer	11,794.00	\$2.75	LF	-	\$0.00	0.0%	-	\$0.00
47	47	Perform Cementitious Manhole Rehabilitation 48" Dia Type A	337.00	\$250.00	VF	-	\$0.00	0.0%	-	\$0.00
48	48	Perform Cementitious Manhole Rehabilitation 48" Dia Type B	124.00	\$300.00	VF	-	\$0.00	0.0%	-	\$0.00
49	49	By-pass pumping	1.03	\$30,000.00	LS	-	\$0.00	0.0%	-	\$0.00
50	50	Traffic Control - Sewer CIPP Liner Install	1.00	\$20,000.00	LS	-	\$0.00	0.0%	-	\$0.00
51	51	Mobilization/Demobilization Sewer CIPP Liner Install	1.00	\$40,000.00	LS	-	\$0.00	0.0%	-	\$0.00

## WEEKLY PROGRESS REPORT

### PAYMENT FOR WORK PERFORMED

Line	Item Number	Item	Bid Quantity	Bid Price	Unit	Quantity This Period	Amount This Period	% Complete	Quantity To Date	Amount To Date
61	CO1 53	Install 15' RCP Storm Sewer - CO 1	98.00	\$73.00	LF	-	\$0.00	90.0%	88.00	\$0,424.00
62	CO1 54	Excavation for Pipe,	22.00	\$200.00	HR	-	\$0.00	73.0%	16.00	\$3,200.00
63	CO1 55	3/4" Limestone Pipe Bedding	48.00	\$20.50	Ton	-	\$0.00	51.0%	24.44	\$720.98
64	CO1A 56	Rebuild curb inlets/junction box	4.00	\$4,200.00	ea	-	\$0.00	100.0%	4.00	\$16,800.00
65	CO1A 57	Remove existing inlets	3.00	\$500.00	ea	-	\$0.00	100.0%	3.00	\$1,500.00

## APPLICATION AND CERTIFICATION FOR PAYMENT

## AIA DOCUMENT G702

PAGE ONE OF \_\_\_\_\_ PAGES \_\_\_\_\_

TO OWNER: City of LaVista  
8116 Park View Blvd.  
LaVista, NE 68128

FROM CONTRACTOR:  
Sampson Construction Co., Inc.  
5825 South 14th Street  
Lincoln, NE 68512

CONTRACT FOR: General

PROJECT: LaVista Parking Garage 2  
LaVista, Nebraska

VIA ARCHITECT: Matthew Gulsvig @ DLR Group  
[mgulsvig@dlrgroup.com](mailto:mgulsvig@dlrgroup.com)  
[jtegels@dlrgroup.com](mailto:jtegels@dlrgroup.com)  
[dpenka@dlrgroup.com](mailto:dpenka@dlrgroup.com)  
[ichase@dlrgroup.com](mailto:ichase@dlrgroup.com)

APPLICATION NO: 18

PERIOD TO: 5/31/2023

PROJECT NOS: 21108

CONTRACT DATE: September 22, 2021

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$ 12,514,000.00
2. Net change by Change Orders	\$ 19,686.87
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$ 12,533,686.87
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 10,842,942.00
5. RETAINAGE:	
a. % of (Column D + E on G703)	\$ 616,586.00
b. % of Stored Material (Column F on G703)	\$
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$ 616,586.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$ 10,226,356.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 9,792,955.00
8. CURRENT PAYMENT DUE	\$ 433,401.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 2,307,330.87

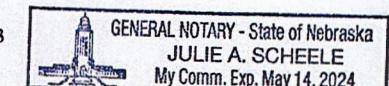
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$63,411.44	\$43,724.57
Total approved this Month		
<b>TOTALS</b>	<b>\$63,411.44</b>	<b>\$43,724.57</b>
NET CHANGES by Change Order	\$19,686.87	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Sampson Construction Co., Inc.

By: Justin Shupler Date: 5/30/23

State of: Nebraska County of: Lancaster  
Subscribed and sworn to before me this 30th day of May 2023  
Notary Public: Julie A. Scheele  
My Commission expires: 5-14-2024



## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 433,401.00 *= PAY THIS AMOUNT*

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)  
ARCHITECT: DLR Group

By: Matthew Gulsvig, AIA Date: 5/30/2023

Digitally signed by Matthew Gulsvig, AIA  
DN: C=US, E=mgulsvig@dlrgroup.com, O=DLR  
Group, CN=Matthew Gulsvig, AIA  
Date: 2023-05-30 15:11:13-05'00'

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

OH TO PAY  
PMO 5/30/23  
15-21-097acc-CMOU 18002

# CONTINUATION SHEET

## AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing  
Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 18  
APPLICATION DATE: 5/30/2023  
PERIOD TO: 5/31/2023  
ARCHITECT'S PROJECT NO: 21108

### LAVISTA PARKING GARAGE 2

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
1	REINFORCING STEEL	701,000	701,000			701,000	100%	35,050
2	POST TENSION CABLE	197,000	197,000			197,000	100%	9,850
3	FOOTINGS & POURED WALLS	1,239,000	1,239,000			1,239,000	100%	61,950
4	CAST IN PLACE COLUMNS	233,000	233,000			233,000	100%	11,650
5	SLAB AND BEAM FORMWORK	1,426,000	1,426,000			1,426,000	100%	71,300
6	CONCRETE SLABS	1,761,000	1,699,501	51,000		1,750,501	99%	88,050
7	STRUCTURAL PRECAST	1,522,000	1,430,199	91,801		1,522,000	100%	76,100
8	MASONRY	39,000	33,000			33,000	85%	6,000
9	STEEL MATERIAL	349,000	320,673	14,000		334,673	96%	14,327
10	STEEL & PRECAST ERECTION	199,000	132,971	20,000		152,971	77%	46,029
11	ROUGH CARPENTRY	6,000	4,000			4,000	67%	2,000
12	SPRAY FOAM INSULATION	6,000	6,000			6,000	100%	300
13	TRAFFIC COATING	8,000						8,000
14	WATERPROOFING	94,455	84,827			84,827	90%	9,628
15	WATER REPELLANTS	2,000						2,000
16	ROOFING & FLASHING	62,000	48,000			48,000	77%	14,000
17	METAL WALL PANELS	941,000	816,626			816,626	87%	124,374
18	JOINT SEALANTS	153,232	15,000	25,000		40,000	26%	113,232
19	PREFORMED JOINT SEALS	7,545						7,545
20	FIRESTOPPING	6,000	4,000			4,000	67%	2,000
21	HOLLOW METAL FRAMES/DOORS/HARDWARE	44,000	41,240			41,240	94%	2,760
22	ALUMINUM & GLAZING	305,000	76,790	10,000		86,790	28%	218,210
23	METAL STUDS & DRYWALL	108,000	72,167	15,000		87,167	81%	20,833
24	TILE & RESILIENT FLOORING	4,000						4,000
25	PAINT	230,000	13,880	20,000		33,880	15%	196,120
26	SEALED CONCRETE	3,768						3,768
27	MISC. SPECIALTIES	5,000	5,000			5,000	100%	250
28	SIGNAGE	108,000						108,000
29	PARKING ACCESS/REVENUE CONTROL SYSTEM	102,000	55,000			55,000	54%	47,000
30	ELEVATOR	265,000	93,889			93,889	35%	171,111

# CONTINUATION SHEET

## AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 18

APPLICATION DATE: 5/30/2023

PERIOD TO: 5/31/2023

ARCHITECT'S PROJECT NO: 21108

### LAVISTA PARKING GARAGE 2

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)	
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
31	FIRE SPRINKLER	47,000	37,000			37,000	79%	10,000	3,700
32	PLUMBING & HVAC	352,000	276,058	22,000		298,058	85%	53,942	17,600
33	ELECTRICAL	861,000	425,000	154,000		579,000	67%	282,000	57,900
34	EXCAVATION & SITE DEMO	276,000	262,780			262,780	95%	13,220	13,800
35	AUGER CAST PILING	323,000	323,000			323,000	100%		16,150
36	PAVING & SIDEWALKS	100,000						100,000	0
37	PAVEMENT MARKING	14,000						14,000	0
38	LANDSCAPING & IRRIGATION	19,000						19,000	0
39	SEGMENTAL RETAINING WALL	45,000						45,000	0
40	UTILITIES	280,000	242,040	20,000		262,040	94%	17,960	14,000
41	PERFORMANCE & PAYMENT BOND	63,000	63,000			63,000	100%		3,150
42	BUILDERS RISK INSURANCE	7,000	7,000			7,000	100%		350
43	OWNER CHANGE ORDER #2	(43,725)						(43,725)	0
44	OWNER CHANGE ORDER #3	63,411	500	15,000		15,500	24%	47,911	1,550
	<b>GRAND TOTALS</b>	<b>12,533,686</b>	<b>10,385,141</b>	<b>457,801</b>		<b>10,842,942</b>	<b>87%</b>	<b>1,690,744</b>	<b>616,586</b>

**Invoice****DLRGROUP**

6457 Frances Street, Suite 200  
 Omaha, NE 68106  
 402-393-4100 Fax 402-393-8747

Pat Dowse  
 Director Public Works  
 City of La Vista  
 Email Inv: pdowse@cityoflavista.org  
 City of La Vista  
 8116 Park View Boulevard  
 La Vista, NE 68128-2198

April 07, 2023  
 Project No: 10-17105-41  
 Invoice No: 0217277

Project 10-17105-41 La Vista City Cntr Parking Structure2 CS

**Billing Period: March 01, 2023 to March 31, 2023**

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Services	198,750.00	84.00	166,950.00	160,987.50	5,962.50
Add Service for PT Opening	4,500.00	100.00	4,500.00	4,500.00	0.00
Total Fee	203,250.00		171,450.00	165,487.50	5,962.50
<b>Total Fee</b>					<b>5,962.50</b>

**Consultants**

Kimley-Horn and Associates, Inc.	1,228.70
<b>Total Consultants</b>	<b>1,228.70</b>

**Reimbursable Expenses**

Travel Expenses-Mileage	17.69
<b>Total Reimbursables</b>	<b>17.69</b>

Billing Limits	Current	Prior	To-Date
Consultants	1,228.70	91,267.26	92,495.96
Limit			136,350.50
Remaining			43,854.54
Expenses	17.69	401.72	419.41
Limit			2,000.00
Remaining			1,580.59

**Total this Invoice**

**\$7,208.89**

OK TO PAY  
 PMD 5/31/23  
 15-21-CA17000-CMD/18002

**Invoice**

6457 Frances Street, Suite 200  
Omaha, NE 68106  
402-393-4100 Fax 402-393-8747

Pat Dowse  
Director Public Works  
City of La Vista  
Email Inv: pdowse@cityoflavista.org  
City of La Vista  
8116 Park View Boulevard  
La Vista, NE 68128-2198

April 07, 2023

Project No: 10-17105-41  
Invoice No: 217277A

Project 10-17105-41 La Vista City Cntr Parking Structure2 CS

**Billing Period: March 01, 2023 to March 31, 2023**

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Services	198,750.00	84.00	166,950.00	166,950.00	0.00
Add Service for PT Opening	4,500.00	100.00	4,500.00	4,500.00	0.00
Total Fee	203,250.00		171,450.00	171,450.00	0.00
<b>Total Fee</b>					<b>0.00</b>

**Consultants**

Olsson, Inc		21,986.25
<b>Total Consultants</b>		<b>21,986.25</b>

**Billing Limits**

	Current	Prior	To-Date
Consultants	21,986.25	92,495.96	114,482.21
Limit			136,350.50
Remaining			21,868.29
Expenses	0.00	419.41	419.41
Limit			2,000.00
Remaining			1,580.59
<b>Total this Invoice</b>			<b>\$21,986.25</b>

OKP PA  
PMO 5/31/23  
15.710917.cel - CM01/Excel

**Invoice**

6457 Frances Street, Suite 200  
Omaha, NE 68106  
402-393-4100 Fax 402-393-8747

Pat Dowse  
Director Public Works  
City of La Vista  
Email Inv: pdowse@cityoflavista.org  
City of La Vista  
8116 Park View Boulevard  
La Vista, NE 68128-2198

May 10, 2023  
Project No: 10-17105-41  
Invoice No: 0218179

Project 10-17105-41 La Vista City Cntr Parking Structure2 CS

**Billing Period: April 1, 2023 to April 30, 2023**

**Fee**

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Services	198,750.00	87.00	172,912.50	166,950.00	5,962.50
Add Service for PT Opening	4,500.00	100.00	4,500.00	4,500.00	0.00
Amendment 009	4,500.00	0.00	0.00	0.00	0.00
Amendment 10-1	15,725.00	0.00	0.00	0.00	0.00
Amendment 10-2	10,500.00	0.00	0.00	0.00	0.00
Total Fee	233,975.00		177,412.50	171,450.00	5,962.50
			<b>Total Fee</b>		<b>5,962.50</b>

**Consultants**

Olsson, Inc	2,796.48
<b>Total Consultants</b>	<b>2,796.48</b>

**Reimbursable Expenses**

Travel Expenses-Mileage	16.38
<b>Total Reimbursables</b>	<b>16.38</b>

**Billing Limits**

	Current	Prior	To-Date
Consultants	2,796.48	114,482.21	117,278.69
Limit			136,350.50
Remaining			19,071.81
Expenses	16.38	419.41	435.79
Limit			2,000.00
Remaining			1,564.21

**Total this Invoice** **\$8,775.36**

04/10/2023  
PMD 5/31/23

19.71,0917.00 - CMU18002

## Invoice



6457 Frances Street, Suite 200  
Omaha, NE 68106  
402-393-4100 Fax 402-393-8747

Pat Dowse  
Director Public Works  
City of La Vista  
Email Inv: pdowse@cityoflavista.org  
City of La Vista  
8116 Park View Boulevard  
La Vista, NE 68128-2198

May 31, 2023

Project No: 10-17105-41  
Invoice No: 0219241

Project 10-17105-41 La Vista City Cntr Parking Structure2 CS

Billing Period: May 01, 2023 to May 31, 2023

## Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction Services	198,750.00	90.00	178,875.00	172,912.50	5,962.50
Add Service for PT Opening	4,500.00	100.00	4,500.00	4,500.00	0.00
Amendment 009	4,500.00	100.00	4,500.00	0.00	4,500.00
Amendment 10-1	15,725.00	0.00	0.00	0.00	0.00
Amendment 10-2	10,500.00	0.00	0.00	0.00	0.00
Total Fee	233,975.00		187,875.00	177,412.50	10,462.50
			Total Fee		10,462.50

## Consultants

Olsson, Inc	7,462.68
Kimley-Horn and Associates	1,710.15
<b>Total Consultants</b>	<b>9,172.83</b>

## Reimbursable Expenses

Travel Expenses-Mileage	4.91
<b>Total Reimbursables</b>	<b>4.91</b>

## Billing Limits

	Current	Prior	To-Date
Consultants	7,462.68	117,278.69	124,741.37
Limit			136,350.50
Remaining			11,609.13
Expenses	4.91	435.79	440.70
Limit			2,000.00
Remaining			1,559.30

Total this Invoice \$19,640.24

OK to Pay  
DMD 5/31/23  
15710417.cen-CMDV1862

PAYMENT RECOMMENDATION NO. 6 ON CONTRACT FOR  
CENTRAL PARK ACCESS ROAD – PARK VIEWOwner: City of La Vista  
8116 Park View Blvd  
La Vista, NE 68128Contractor: Mackie Construction  
14565 Portal Circle, Suite 117  
La Vista, NE 68138CONTRACT AMOUNT \$1,090,474.43  
REVISED CONTRACT AMOUNT \$1,038,166.03

AMOUNT OF PREVIOUS PAYMENT RECOMMENDATION(S) \$ 855,920.52

Item	Description	Approx. Quantity	Unit Price	Amount
1	Mobilization	1.00 L.S.	\$ 78,769.30 / L.S.	\$ 78,769.30
2	Install, Maintain and Remove Orange Safety Fence	200.00 L.F.	\$ 4.12 / L.F.	\$ 824.00
3	Remove Wooden Picnic Structure, Floor Slab and Footings	1.00 L.S.	\$ 5,729.06 / L.S.	\$ 5,729.06
4	Clearing and Grubbing	1.0 L.S.	\$ 9,208.05 / L.S.	\$ 9,208.05
5	Stockpile and Redistribute Topsoil (760 CY Moved Twice), Established Quantity	1520.00 C.Y.	\$ 9.39 / C.Y.	\$ 14,272.80
6	Common Earthwork, In Place, Established Quantity	2785.00 C.Y.	\$ 37.54 / C.Y.	\$ 104,548.90
7	Remove and Dispose Existing Bridge Headwalls	1.00 L.S.	\$ 22,380.84 / L.S.	\$ 22,380.84
8	Remove and Dispose of Existing Wooden Bridge	1.00 L.S.	\$ 6,057.38 / L.S.	\$ 6,057.38
9	Remove and Salvage Existing Monument, Flag Pole, Pavers and Blocks	1.00 L.S.	\$ 5,865.00 / L.S.	\$ 5,865.00
10	Remove and Dispose ACC Pavement	395.00 S.Y.	\$ 14.08 / S.Y.	\$ 5,561.60
11	Remove and Dispose PCC Pavement	500.00 S.Y.	\$ 16.43 / S.Y.	\$ 8,215.00
12	Remove and Dispose PCC Sidewalk	325.00 S.Y.	\$ 10.56 / S.Y.	\$ 3,432.00
13	Remove and Dispose of 4 Ft Tall Chain Link Fence	225.00 L.F.	\$ 7.04 / L.F.	\$ 1,584.00
14	Remove and Dispose Crushed Rock Surfacing	270.00 S.Y.	\$ 8.22 / S.Y.	\$ 2,219.40
15	Remove and Replace 8" PCC Pavement (Panel Repair)	145.00 S.Y.	\$ 88.81 / S.Y.	\$ 12,877.45
16	Remove and Recompact Sewer Trench Backfill	200.00 C.Y.	\$ 99.71 / C.Y.	\$ 19,942.00

Payment Recommendation No.6  
 Thompson Creek – Central Park East  
 May 31, 2023  
 Page 2 of 5

17	Subgrade Recompaction, Established Quantity	1100.00	C.Y.	\$	7.63	/	C.Y.	\$	8,393.00
18	Construct 18" RCP Storm Sewer w/Bedding, In Place	200.00	L.F.	\$	111.44	/	L.F.	\$	22,288.00
19	Construct 24" RCP Storm Sewer w/Bedding, In Place	175.00	L.F.	\$	145.46	/	L.F.	\$	25,455.50
20	Construct 18" Storm Sewer Tap in Box Culvert	1.00	EA.	\$	3,419.30	/	EA.	\$	3,419.30
21	Construct 24" Storm Sewer Tap in Box Culvert	1.00	EA.	\$	4,039.82	/	EA.	\$	4,039.82
22	Construct Type III Curb Inlet, In Place	4.00	EA.	\$	7,218.65	/	EA.	\$	28,874.60
23	Construct 30" Nyloplast Drain Basin, Heavy Duty w/30" Dome Grate and 18" RCP Connector	1.00	EA.	\$	7,564.68	/	EA.	\$	7,564.68
24	Construct 54" I.D. Storm Sewer Manhole, In Place	11.61	V.F.	\$	903.00	/	V.F.	\$	10,487.00
25	Construct 8'W by 6'H Reinforced Concrete Box Culvert, In Place	80.00	L.F.	\$	2,157.41	/	L.F.	\$	172,592.80
26	Construct Reinforced Concrete Wing Walls, Cast In Place	153.00	C.Y.	\$	801.51	/	C.Y.	\$	122,631.03
27	Construct 5" PCC Sidewalk, In Place	70.00	S.Y.	\$	80.15	/	S.Y.	\$	5,610.50
28	Construct 6" PCC Trail Pavement, In Place	410.00	S.Y.	\$	70.95	/	S.Y.	\$	29,089.50
29	Construct 8" PCC Curb Ramp, In Place	10.00	S.Y.	\$	144.68	/	S.Y.	\$	1,446.80
30	Construct 8" PCC Imprinted Surfacing, In Place	34.00	S.Y.	\$	110.90	/	S.Y.	\$	3,770.60
31	Construct 8" PCC Pavement, w and w/o Curb, In Place	2040.00	S.Y.	\$	69.49	/	S.Y.	\$	141,759.60
32	Construct 9" PCC Pavement, (Park View Blvd), In Place	65.00	S.Y.	\$	96.43	/	S.Y.	\$	6,267.95
33	Construct 4 Ft Tall, Black Vinyl Coated, Chain Link Fence, In Place	145.00	L.F.	\$	43.41	/	L.F.	\$	6,294.45
34	Rout & Seal Existing Pavement Joints	250.00	L.F.	\$	4.12	/	L.F.	\$	1,030.00
35	Furnish & Install Baffle Plates in Existing Storm Manhole	1.00	L.S.	\$	5,255.04	/	L.S.	\$	5,255.04
36	Install 4" Wide, White Pavement Marking Paint, In Place	135.00	L.F.	\$	4.70	/	L.F.	\$	634.50
37	Install 12" Wide, White Pavement Marking Paint, Grooved, In Place	11.00	L.F.	\$	15.43	/	L.F.	\$	169.73

Payment Recommendation No.6  
 Thompson Creek – Central Park East  
 May 31, 2023  
 Page 3 of 5

38	Install 24" Wide, White Pavement Marking Paint, Grooved In Place	92	L.F.	\$	21.24	/	L.F.	\$	1,954.08
39	Furnish and Install ADA Detectable Warnings, Cast Iron, Natural Finish	76	S.F.	\$	25.68	/	S.F.	\$	1,951.68
40	Furnish and Install Traffic Control Signage, In Place	6.00	EA.	\$	478.88	/	EA.	\$	2,873.28
41	Install, Maintain and Remove Stabilized Construction Entrance	1.00	EA.	\$	6,862.05	/	EA.	\$	6,862.05
42	Install and Maintain Fabric Silt Fence	840.00	L.F.	\$	4.40	/	L.F.	\$	3,696.00
43	Remove and Dispose Fabric Silt Fence	840.00	L.F.	\$	0.60	/	L.F.	\$	504.00
44	Temporary Seeding w/Straw Mulch	1.00	AC.	\$	1,759.50	/	AC.	\$	1,759.50
45	K-31 Fescue Seed w/Straw Mulch	1.60	AC.	\$	3,636.30	/	AC.	\$	5,802.67
46	Furnish and Install Straw Wattle, 12" Diameter	50.00	L.F.	\$	5.57	/	L.F.	\$	278.50
47	Install, Maintain and Remove Curb Inlet Filter	4.00	EA.	\$	293.25	/	EA.	\$	1,173.00
48	Install, Maintain and Remove Grate Inlet Filter	1.00	EA.	\$	469.20	/	EA.	\$	469.20
49	Water Management, Complete	1.00	L.S.	\$	14,662.50	/	L.S.	\$	14,662.50
50	Furnish and Install Flex-A-Mat, In Place	915.00	S,F,	\$	13.79	/	S,F,	\$	12,617.85
51	Furnish & Install Access Gates	0.50	L.S.	\$	13,183.35	/	L.S.	\$	6,591.68
52	Furnish & Install Access Gate Control System w/Detection Loops	0.50	L.S.	\$	8,797.50	/	L.S.	\$	4,398.75
53	Furnish & Install 4-1/2-Inch PVC Conduit, In Place, Access Gate Controls	0.00	L.F.	\$	24.34	/	L.F.	\$	0.00
54	Furnish & Install Fiberglass Pull-Box, Type PB-6, Access Gate Controls	0.00	EA.	\$	2,129.00	/	EA.	\$	0.00
55	Grounding Rod, Copper Clad, 8-Ft. Long, 1/2-inch Diameter	0.00	EA.	\$	480.93	/	EA.	\$	0.00
56	Roadway Area Luminaire, LED Fixture, 252 LEDs, 120-V-AC or 12-V-DC, Equal to 210 Watt Inc Lamp	0.00	EA.	\$	1,420.51	/	EA.	\$	0.00
57	Light Poles, Glass-V-30-ft Treated Poles, Excluding Concrete Bases, 20-Ft Mounting Height	0.00	EA.	\$	3,453.32	/	EA.	\$	0.00

Payment Recommendation No.6  
 Thompson Creek – Central Park East  
 May 31, 2023  
 Page 4 of 5

58	Circuit Breakers, Bolt-on, 10k A-I.C., 2-pole, 240-volt, 15-50 Amp	0.00	EA.	\$	304.98	/	EA.	\$	0.00
59	Excavating Utility Trench, Common Earth, Chain Trencher 4" Wide, 18" Deep	0.00	L.F.	\$	44.67	/	L.F.	\$	0.00
60	Wire, copper, solid, 600-volt, #12, type THWN-THHN, normal installation conditions in wireway, conduit, cable tray	0.00	C.L.F.	\$	213.10	/	C.L.F.	\$	0.00
61	PVC Conduit, Schedule 40, 3/4" Dia., to 10-Ft High, including terminations, fittings and support	0.00	L.F.	\$	22.44	/	L.F.	\$	0.00
62	Wire, copper, solid, 600-volt, #10, type XLPE-USE (RHW), normal installation conditions in wireway, conduit, cable tray	0.00	C.L.F.	\$	675.65	/	C.L.F.	\$	0.00
63	PVC Conduit, Schedule 40, 1- 1/2" Dia., to 10-Ft High, including terminations, fittings and support	0.00	L.F.	\$	44.87	/	L.F.	\$	0.00
64	Wire, copper, stranded, 600 volt, #6, type THW, normal installation conditions in wireway, conduit, cable tray	0.00	C.L.F.	\$	8,991.05	/	C.L.F.	\$	0.00
65	Load centers-meter-combo-1 phase, 3 wire, main-lugs, rainproof, 120/240-V, 100-amp, 12 circuits	0.00	EA.	\$	13,606.80	/	EA.	\$	0.00
66	HDPE Conduit, DR 13.5, 4- 1/2" Dia., including terminations, fittings and support	0.00	L.F.	\$	44.87	/	L.F.	\$	0.00
CO-1.1.	Milbank 100A Commercial Power Pedestal, In Place	0	LS	\$	7,600.00	/	LS	\$	0.00
CO-1.2	Furnish & Install 1-1.2 Inch HDPE Conduit, In Place	0	L.F.	\$	18.00	/	L.F.	\$	0.00
CO-1.3	#3 AWG THHN Copper Conductor (OPPD Primary)	0	L.F.	\$	5.16	/	L.F.	\$	0.00
CO-1.4	Furnish & Install Fiberglass Pull Box, Type PB-6, Access Gate Controls	0	EA.	\$	1,815.00	/	EA.	\$	0.00
CO-1.5	#12 AWG THHN Copper Conductor (Access Gate Controls)	0	L.F.	\$	1.79	/	L.F.	\$	0.00
CO-1.6	#6 AWG THHN Copper Conductor (Holiday Lighting Circuit)	0	L.F.	\$	4.58	/	L.F.	\$	0.00

Payment Recommendation No.6  
Thompson Creek – Central Park East  
May 31, 2023  
Page 5 of 5

CO-1.7	Receptacle Post, Containing One (1) GFCI Duplex Receptacle with In-Use Cover and Mounted in a Gard-N-Post	0	EA.	\$	950.00	/	EA.	\$	0.00
CO-1.8	Soil Stabilization at Box Culvert	1	LS	\$	8,058.09	/	LS	\$	8,058.09
<b>TOTAL</b>									\$ 982,226.25
<b>LESS 5% RETAINED</b>									\$ 49,111.31
<b>LESS PREVIOUS PAYMENT RECOMMENDATION(S)</b>									\$ 855,920.52
<b>TOTAL DUE TO CONTRACTOR</b>									\$ 77,194.42

We recommend that payment in the amount of \$77,194.42 be made to Mackie Construction.

Respectfully submitted,



Bradley P. Huyck, P.E.  
THOMPSON, DREESSEN & DORNER, INC.

Ok TO PAY  
PMD 5/31/23  
16.71.0917.000-STR21002

cc: Mackie Construction

6/5/2023 11:12:40 AM

User: mgustafson

DB: La Vista

## ACCOUNTS PAYABLE CHECK REGISTER

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## COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
2532(A)	05/17/2023	CITY OF PAPILLION - MFO	240,674.00	N
139622	05/17/2023	GENUINE PARTS COMPANY-OMAHA	466.34	N
139623	05/17/2023	GREGG YOUNG CHEVROLET INC	79,288.00	N
139624	05/17/2023	JE DUNN CONSTRUCTION COMPANY	994,686.00	N
139625	05/17/2023	MACKIE CONSTRUCTION	39,972.51	N
139626	05/17/2023	OLSSON, INC.	4,231.50	N
139627	05/17/2023	SAMPSON CONSTRUCTION CO., INC	830,089.00	N
139628	05/17/2023	THOMPSON DREESSEN & DORNER, INC.	1,539.50	N
139629	05/17/2023	TURFWERKS	32,284.75	N
139630	05/19/2023	PORT-A-JOHNS	1,400.00	N
139631	05/19/2023	ROSARIO CANIGILA	7,385.00	N
139632	05/19/2023	ROSARIO CANIGILA	7,385.00	N
139635	05/30/2023	DEFIANCE HARLEY-DAVIDSON	185.99	N
139636	05/30/2023	NL & L CONCRETE	77,684.99	N
139637	06/06/2023	1000 BULBS	1,213.80	N
139638	06/06/2023	4 SEASONS AWARDS	7.50	N
139639	06/06/2023	ACCO UNLIMITED CORPORATION	1,354.60	N
139640	06/06/2023	AKRS EQUIPMENT SOLUTIONS, INC.	516.62	N
139641	06/06/2023	AMAZON CAPITAL SERVICES, INC.	1,213.83	N
139643	06/06/2023	ANDERSON AUTO GROUP LINCOLN	175,796.00	N
139644	06/06/2023	AT&T MOBILITY LLC	98.24	N
139645	06/06/2023	BARCAL, ROSE	101.45	N
139646	06/06/2023	BUETHE, PAM	180.76	N
139647	06/06/2023	BURNS & MCDONNELL ENGINEERING CO	35,065.99	N
139648	06/06/2023	CENTURY LINK/LUMEN	60.21	N
139649	06/06/2023	CINTAS CORPORATION NO. 2	28.83	N
139650	06/06/2023	CIOX HEALTH, LLC	20.00	N
139651	06/06/2023	CITY OF PAPILLION PARKS/RECREATION	689.20	N
139652	06/06/2023	COMP CHOICE INC	150.00	N
139653	06/06/2023	CONCRETE SUPPLY, INC.	1,992.25	N
139654	06/06/2023	COX COMMUNICATIONS, INC.	320.56	N
139655	06/06/2023	D & K PRODUCTS	15,409.30	N
139656	06/06/2023	DAVID E. ANDERSON	1,168.00	N
139657	06/06/2023	DELL MARKETING L.P.	209.99	N
139658	06/06/2023	DOG WASTE DEPOT	791.92	N
139659	06/06/2023	DXP ENTERPRISES INC	123.00	N
139660	06/06/2023	ECHO GROUP INCORPORATED	39.90	N
139661	06/06/2023	EDGEWEAR SCREEN PRINTING	1,542.75	N
139662	06/06/2023	EYMAN PLUMBING INC	2,675.99	N
139663	06/06/2023	FINDAWAY WORLD, LLC	79.95	N
139664	06/06/2023	FOUNTAIN, BRUCE	265.00	N
139665	06/06/2023	GALLS LLC	126.65	N
139666	06/06/2023	GENERAL FIRE & SAFETY EQUIP CO	1,008.65	N
139667	06/06/2023	GRAINGER	231.45	N
139668	06/06/2023	GREGG YOUNG CHEVROLET INC	987.27	N
139669	06/06/2023	GUITARS FOR VETS	400.00	N
139670	06/06/2023	HARM'S CONCRETE INC	407.75	N

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DB: La Vista

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
139671	06/06/2023	HARRIS, MARGARET	67.01	N
139672	06/06/2023	HOME DEPOT CREDIT SERVICES	1,043.18	N
139673	06/06/2023	INDUSTRIAL SALES COMPANY INC	443.19	N
139674	06/06/2023	INFOGROUP	1,250.00	N
139675	06/06/2023	INGRAM LIBRARY SERVICES	1,096.73	N
139676	06/06/2023	INGRAM LIBRARY SERVICES LLC	233.64	N
139677	06/06/2023	J & J SMALL ENGINE SERVICE	493.43	N
139678	06/06/2023	J RETZ LANDSCAPE, INC	6,767.22	N
139679	06/06/2023	JANITOR DEPOT MIDWEST LLC	218.00	N
139680	06/06/2023	JOHNSTONE SUPPLY CO	154.10	N
139681	06/06/2023	KIESLER POLICE SUPPLY	10,572.00	N
139682	06/06/2023	KIMBALL MIDWEST	201.92	N
139683	06/06/2023	LABRIE, DONALD P	112.50	N
139684	06/06/2023	LARSON, DOUGLAS	120.00	N
139685	06/06/2023	LEXIS NEXIS MATTHEW BENDER	108.43	N
139686	06/06/2023	LIBRA INDUSTRIES INC	193.00	N
139687	06/06/2023	LIBRARY IDEAS LLC	1,104.24	N
139688	06/06/2023	LIVE WELL GO FISH	250.00	N
139689	06/06/2023	LOGAN CONTRACTORS SUPPLY	27.50	N
139690	06/06/2023	MALLOY ELECTRIC	27.94	N
139691	06/06/2023	MENARDS-RALSTON	458.17	N
139693	06/06/2023	MID-IOWA SOLID WASTE EQUIP CO	898.16	N
139694	06/06/2023	MIDWEST TURF & IRRIGATION	1,447.22	N
139695	06/06/2023	MOTOROLA SOLUTIONS INC	17.00	N
139696	06/06/2023	MSC INDUSTRIAL SUPPLY CO	116.76	N
139697	06/06/2023	NEBRASKA IOWA DOOR SERVICES, INC.	4,040.00	N
139698	06/06/2023	NEBRASKALAND TIRE, INC.	342.15	N
139699	06/06/2023	OFFICE DEPOT INC	60.33	N
139700	06/06/2023	OMAHA COMPOUND COMPANY	645.43	N
139701	06/06/2023	OMAHA WINNELSON SUPPLY	74.61	N
139702	06/06/2023	OMNI ENGINEERING	2,029.20	N
139703	06/06/2023	PAPILLION SANITATION	1,773.97	N
139704	06/06/2023	PAPIO VALLEY NURSERY INC	1,264.30	N
139705	06/06/2023	PAPIO-MISSOURI RIVER NRD	10,750.00	N
139706	06/06/2023	PLANIT GEO INC	4,500.00	N
139707	06/06/2023	POLKA DOT ENTERTAINMENT LLC	485.00	N
139708	06/06/2023	RIVER CITY RECYCLING	1,315.27	N
139709	06/06/2023	SADLER ELECTRIC	1,500.00	N
139710	06/06/2023	SARPY CO TIMES-LEE SUBSCRIPTIONS	136.99	N
139711	06/06/2023	SARPY COUNTY CHAMBER OF COMMERCE	1,450.00	N
139712	06/06/2023	SARPY COUNTY FISCAL ADMINSTRTN	24,756.47	N
139713	06/06/2023	SHERWIN-WILLIAMS	140.38	N
139714	06/06/2023	SIGN IT	1,850.50	N
139715	06/06/2023	SITE ONE LANDSCAPE SUPPLY LLC	178.32	N
139716	06/06/2023	SOUTHERN UNIFORM AND TACTICAL, INC.	197.45	N
139717	06/06/2023	SPIRIT FOOTBALL	900.00	N
139718	06/06/2023	SUN COUNTRY DISTRIBUTING LTD	418.76	N

User: mgustafson

DB: La Vista

COUNCIL REVIEWED

Check #	Check Date	Vendor Name	Amount	Voided
139719	06/06/2023	TED'S MOWER SALES & SERVICE INC	236.41	N
139720	06/06/2023	THE COLONIAL PRESS, INC	570.69	N
139721	06/06/2023	THE LIFEGUARD STORE	366.50	N
139722	06/06/2023	THE SCHEMMER ASSOCIATES INC	1,610.00	N
139723	06/06/2023	THOMAS & THOMAS COURT REPORTERS	260.00	N
139724	06/06/2023	TRUCK CENTER COMPANIES	629.24	N
139725	06/06/2023	TURFWERKS	267.98	N
139726	06/06/2023	UTILITY EQUIPMENT COMPANY	185.00	N
139727	06/06/2023	VERIZON WIRELESS	18.02	N
139728	06/06/2023	VIERREGGER ELECTRIC COMPANY	6,642.50	N
139729	06/06/2023	WILDLIFE LEARNING ENCOUNTERS	1,800.00	N
139730	06/06/2023	WOODHOUSE FORD-BLAIR	224.78	N
106	CHECKS PRINTED	TOTAL CLAIM AMOUNT:	\$2,660,591.58	0

Check #	Check Date	Vendor Name	Amount	Voided
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APPROVED BY COUNCIL MEMBERS ON: 06/06/2023

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COUNCIL MEMBER

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JUNE 6, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PROFESSIONAL SERVICES AGREEMENT – 73 <sup>RD</sup> AVENUE CULVERT REHABILITATION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared authorizing a professional services agreement with Houston Engineering, Inc., (HEI) La Vista, NE to provide professional consulting services for the design, permitting, and construction administration for the rehabilitation of a corrugated metal pipe culvert crossing the Thompson Creek at 73<sup>rd</sup> Avenue in an amount not to exceed \$28,274.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget includes funding for this work.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The 73<sup>rd</sup> Avenue culvert crossing has been identified as an asset that requires rehabilitation. Staff reached out to HEI's La Vista office, (formerly FYRA Engineering) to evaluate, design, permit and provide construction phase services for the 7' x 12' arch corrugated metal pipe (CMP) culvert. Due to the size and shape of the pipe, the recommended solution is Centrifugally Cast Concrete Pipe (CCCP) lining of the pipe in which a cementitious mortar is centrifugally cast against wall of the existing pipe. This type of solution is anticipated to significantly increase the service life of the asset while minimizing impacts to the hydraulic characteristics of the culvert.

Construction of the CCCP lining is anticipated to begin and be completed in the Fall of 2023. Due to the specialty nature of the rehabilitation solution and the limited number of local contractors anticipated for this type of project, the contractor's window for starting the project will likely be flexible as to allow prospective contractors to schedule this project around other work in the vicinity as to potentially lower mobilization and other costs associated with using a regionally based contractor.

A copy of the scope is attached.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HOUSTON ENGINEERING, INC., LA VISTA, NE TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR THE DESIGN, PERMITTING, AND CONSTRUCTION ADMINISTRATION FOR THE 73<sup>RD</sup> AVENUE CULVERT REHABILITATION IN AN AMOUNT NOT TO EXCEED \$28,274.00.

WHEREAS, the Mayor and City Council have determined that professional consulting services for the design, permitting and construction administration for the 73<sup>rd</sup> Avenue Culvert Rehabilitation are necessary; and

WHEREAS, the FY23/FY24 Biennial Budget includes funding for this work; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement in a form satisfactory to the City Administrator and City Attorney, be authorized with Houston Engineering, Inc., La Vista, NE to provide professional consulting services in an amount not to exceed \$28,274.00.

PASSED AND APPROVED THIS 6TH DAY OF JUNE 2023.

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Patti Anderson  
Deputy City Clerk

# **SHORT FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES**

This is an Agreement between City of La Vista, Nebraska (Owner) and Houston Engineering, Inc. (Engineer). Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as South 73<sup>rd</sup> Avenue/Thompson Creek Culvert Rehabilitation Project (Project). Engineer's services under this Agreement (Services) are generally identified as hydraulic analysis, design, construction documents, permitting, and bidding/construction phase services for the rehabilitation of a degraded arched CMP culvert under the S 73<sup>rd</sup> Avenue crossing over Thompson Creek in La Vista, Nebraska.

Owner and Engineer further agree as follows:

## **1.01 Services of Engineer**

- A. Engineer shall provide or furnish the Services set forth in this Agreement, and any Additional Services authorized by Owner and consented to by Engineer.**

## **2.01 Owner's Responsibilities**

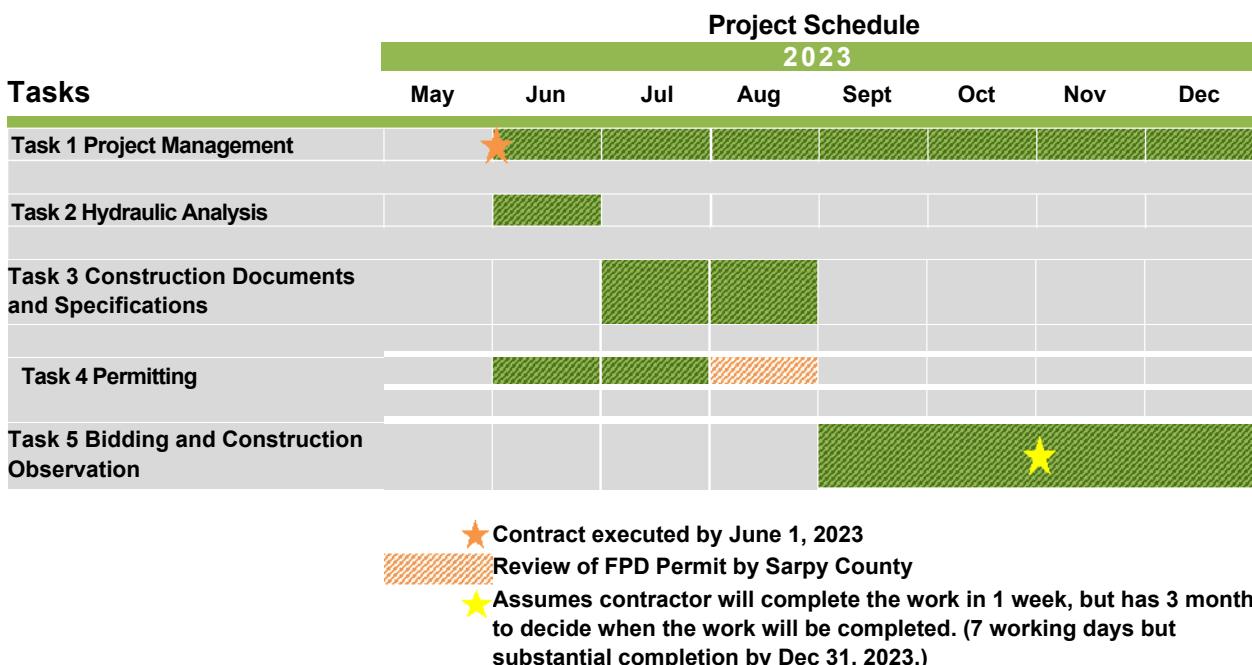
- A. Owner shall provide Engineer with existing Project-related information and data in Owner's possession and needed by Engineer for performance of Engineer's Services. Owner will advise the Engineer of Project-related information and data known to Owner but not in Owner's possession. Engineer may use and rely upon Owner-furnished information and data in performing its Services, subject to any express limitations applicable to the furnished items.**

- 1. Following Engineer's assessment of initially-available Project information and data, and upon Engineer's request, Owner shall obtain, furnish, or otherwise make available (if necessary through retention of specialists or consultants) such additional Project-related information and data as is reasonably required to enable Engineer to complete its Services; or, with consent of Engineer, Owner may authorize the Engineer to obtain or provide all or part of such additional information and data as Additional Services.**

- B. Owner shall provide necessary direction and make decisions, including prompt review of Engineer's submittals, and carry out its other responsibilities in a timely manner so as not to delay Engineer's performance. Owner shall give prompt notice to Engineer whenever Owner observes or otherwise becomes aware of (1) any relevant, material defect or nonconformance in Engineer's Services, or (2) any development that affects the scope or time of performance of Engineer's Services.**

## **3.01 Schedule for Rendering Services**

- A. Engineer shall complete its Services within the following specific time period as shown in the schedule below.**



B. If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer's Services is impaired, or Engineer's Services are delayed or suspended, then the time for completion of Engineer's Services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably as agreed by Owner and Engineer in writing.

## 4.01 Invoices and Payments

- A. Invoices: Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Except as provided in subsection 4.01B below, invoices are due and payable within 45 days after receipt by Owner.
- B. Payment: As compensation for Engineer providing or furnishing Services and Additional Services, Owner shall pay Engineer as set forth in this Paragraph 4.01, Invoices and Payments. If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Engineer in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.
- C. Failure to Pay: If Owner fails to make any payment of any undisputed amounts due Engineer for Services, Additional Services, and expenses within 60 days after receipt of Engineer's invoice, then (1) such undisputed amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said sixtieth day; (2) in addition Engineer may, after giving 7 days' written notice to Owner, suspend Services under this Agreement until Engineer has been paid in full all such undisputed amounts due for Services, Additional Services, expenses, and other related charges; and (3) if any payment of such undisputed amounts due Engineer remains unpaid after 90 days, Engineer may terminate the Agreement for cause pursuant to Paragraph 5.01.A.2.

D. Reimbursable Expenses: Engineer is entitled to reimbursement of expenses only if so indicated in Paragraph 4.01.E or 4.01.F. If so entitled,

the amounts payable to Engineer for reimbursement of expenses will be (1) the Project-related internal expenses actually incurred or allocated by Engineer, plus (2) all invoiced external expenses for work on the Project, including Engineer's subcontractor and subconsultant charges.

**E. Basis of Payment**

1. **Hourly Rates.** Owner shall pay Engineer for Services as follows:
  - a. An amount equal to the cumulative hours charged to the Project by Engineer's employees times standard hourly rates for each applicable billing class, plus reimbursement of expenses incurred in connection with providing the Services.
  - b. Engineer's Standard Hourly Rates are shown in Appendix 1 – Tasks and Fees, incorporated into this Agreement by reference.
  - c. The total compensation for Services and reimbursement of expenses is estimated to be \$28,274.
  - d. Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered but shall not exceed the total estimated compensation amount noted above unless approved in writing by the Owner.

**F. Additional Services:** For Additional Services, Owner shall pay Engineer an amount equal to the cumulative hours charged in providing the Additional Services by Engineer's employees, times standard hourly rates for each applicable billing class; plus reimbursement of expenses incurred in connection with providing the Additional Services. Engineer's standard hourly rates are shown in Appendix 1 – Tasks and Fees.

**5.01 Termination**

**A. Termination for Cause**

1. Either party may terminate the Agreement for cause upon 30 days' written notice in the event of material failure by the other party to perform in accordance with the terms of the Agreement, through no fault of the terminating party.
  - a. Notwithstanding the foregoing, this Agreement will not terminate under Paragraph 5.01.A.1 if the party, upon receipt of such notice, begins and proceeds diligently to cure such failure within no more than 30 days of receipt thereof.
2. In addition to its termination rights in Paragraph 5.01.A.1, (a) Engineer may terminate this Agreement for cause upon 7 days' written notice (i) if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional, or (ii) if payment of undisputed amounts that are due Engineer remains unpaid for 90 days, as set forth in Paragraph 4.01.C, and (b) either party may terminate this Agreement upon 7 days' written notice if Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's or Owner's control.

3. Engineer will have no liability to Owner on account of any termination by Engineer for cause.
- B. Termination for Convenience: Owner may terminate this Agreement for convenience, effective upon Engineer's receipt of notice from Owner.
- C. Payments Upon Termination: In the event of any termination under Paragraph 5.01, Engineer will be entitled to invoice Owner and to receive full payment of undisputed amounts for (i) all services satisfactorily performed or furnished in accordance with this Agreement to the date of termination, and (ii) reimbursement of expenses incurred through the effective date of termination, subject to delivery of all deliverable documents to Owner that are completed or in process of preparation on the effective date of the termination. Upon making such payment, Owner will have the limited right to the use of all deliverable documents, whether completed or under preparation, subject to the provisions of Paragraph 6.01.F, at Owner's sole risk.
  1. If Owner has terminated the Agreement for cause and disputes Engineer's entitlement to compensation for services and reimbursement of expenses, then Engineer's entitlement to payment and Owner's rights to the use of the deliverable documents will be resolved in accordance with the dispute resolution provisions of this Agreement or as otherwise agreed in writing.
  2. If Owner has terminated the Agreement for convenience, or if Engineer has terminated the Agreement for cause, then Engineer will be entitled, in addition to the payments identified above, to invoice Owner and receive payment of actual unavoidable costs of terminating contracts with Engineer's subcontractors or subconsultants.

#### 6.01 General Considerations

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Engineer. Subject to the foregoing standard of care, Engineer may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. Engineer shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor will Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to that Constructor's furnishing and performing of its work. Engineer shall not be responsible for the acts or omissions of any Constructor.
- C. Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform its work.
- D. Engineer's opinions of probable construction cost (if any) are to be made on the basis of Engineer's experience, qualifications, and general familiarity with the construction industry.

However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by Engineer. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.

- E. Engineer shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents, other than those made by Engineer.
- F. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Engineer grants to Owner a nonexclusive license in perpetuity to use the deliverable documents on the Project, extensions of the Project, and for any other uses or purposes that Owner determines necessary or appropriate in its sole discretion, subject to receipt by Engineer of payment of all amounts due and owing under this Agreement, and subject to the following limitations:
  - 1. Owner acknowledges that (a) such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose not specified in this Agreement, and
- (b) any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and subconsultants.
- G. Owner and Engineer agree to transmit, and accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. During the term of this Agreement, Engineer agrees to obtain, maintain in effect and provide certificates of such insurances coverages, including without limitation professional liability coverage, in such amounts and written by an insurer satisfactory to the City Engineer of Owner. Engineer agrees to continuously maintain such coverages in effect during the Project, and for a period of two years following substantial completion.

I. The parties acknowledge that Engineer's Services do not include any services related to unknown or undisclosed Constituents of Concern. If Engineer or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then Engineer may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, and to terminate this Agreement for cause if such Constituents of Concern are not remedied within 90 days such that it is not practical to continue providing Services.

J. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If such negotiations are unsuccessful in resolving the dispute within 30 days, then the parties may exercise their rights at law.

K. This Agreement is to be governed by the laws of the state in which the Project is located.

L. Engineer's Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.

#### 7.01 Definitions

- A. Constructor—Any person or entity (not including the Engineer, its employees, agents, representatives, subcontractors, and subconsultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.
- B. Constituent of Concern—Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), lead based paint (as defined by the HUD/EPA standard), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to laws and regulations regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.

#### 8.01 Successors, Assigns, and Beneficiaries

##### A. Successors and Assigns

1. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 8.01.A.2 the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

2. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, money that is due or may become due) in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

B. Beneficiaries: Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

#### 9.01 Total Agreement

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

Attachments: Appendix 1 - Tasks and Fees

This Agreement's Effective Date is \_\_\_\_\_ .

Owner:

\_\_\_\_\_ (name of organization)

By:

\_\_\_\_\_ (authorized individual's signature)

Date:

\_\_\_\_\_ (date signed)

Name:

\_\_\_\_\_ (typed or printed)

Title:

\_\_\_\_\_ (typed or printed)

Address for giving notices:

\_\_\_\_\_

Designated Representative:

Name:

\_\_\_\_\_ (typed or printed)

Title:

\_\_\_\_\_ (typed or printed)

Address:

\_\_\_\_\_

Phone:

\_\_\_\_\_

Email:

Engineer:

Houston Engineering, Inc.

\_\_\_\_\_ (name of organization)

By:

*Melinda C. Rogers* \_\_\_\_\_

\_\_\_\_\_ (authorized individual's signature)

Date:

10 May 2023

\_\_\_\_\_ (date signed)

Name:

Melinda C. Rogers

\_\_\_\_\_ (typed or printed)

Title:

Principal Engineer/Vice President

\_\_\_\_\_ (typed or printed)

Address for giving notices:

12702 Westport Parkway, Suite 300

LaVista, NE 68046

Designated Representative:

Name: Melinda Rogers

\_\_\_\_\_ (typed or printed)

Title: Principal Engineer/Vice President

\_\_\_\_\_ (typed or printed)

Address:

12702 Westport Parkway, Suite 300

LaVista, NE 68046

Phone: 402.934.8475

Email: [LRogers@houstoneng.com](mailto:LRogers@houstoneng.com)

This is **Appendix 1, Engineer's Standard Hourly Rates**, referred to in and part of the Short Form of Agreement between Owner and Engineer for Professional Services dated \_\_\_\_\_.

## **ENGINEER'S TASKS, FEES, AND HOURLY RATES**

### **A. Standard Hourly Rates:**

1. Standard Hourly Rates are set forth in this Appendix 1 and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.
2. The Standard Hourly Rates apply only as specified in Paragraph 4.01 and are subject to annual review and adjustment.



**Appendix 1 - Tasks and Fees**  
**S 73rd Avenue/Thompson Creek Culvert Rehabilitation Project**  
**La Vista, Nebraska**  
**Houston Project No. 11628-0001**

Tasks	Snr Eng/Prj Mngr	Project Engineer	EI	Admin	HEI Expenses	Total
<b>Task 1 Project Management</b>						
1.1 Contract Coordination	4				\$25	
1.2 Invoicing & Project/Schedule Updates (4)	4			4		
1.3 Meeting with City of LaVista on Final Design	2		2		\$25	
1.4 QA/QC		4				
<b>Project Management Task Total</b>	<b>\$2,350</b>	<b>\$704</b>	<b>\$310</b>	<b>\$440</b>	<b>\$50</b>	<b>\$3,854</b>
<b>Task 2 Hydraulic Analysis</b>						
2.1 Existing and Proposed Conditions Analysis <sup>1</sup>	4	24				
<b>Preliminary Design Task Total</b>	<b>\$940</b>	<b>\$4,224</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,164</b>
<b>Task 3 Construction Documents and Specifications</b>						
3.1 Construction Documents <sup>2</sup>	4		16		\$200	
3.2 Construction Specifications and Front End Documents <sup>3</sup>	1		8		\$400	
<b>Construction Documents and Specifications Task Total</b>	<b>\$1,175</b>	<b>\$0</b>	<b>\$3,720</b>	<b>\$0</b>	<b>\$600</b>	<b>\$5,495</b>
<b>Task 4 Permitting</b>						
4.1 Floodplain Permitting/No Rise <sup>4</sup>	2	8		1		
4.2 404 Nationwide Maintenance Permit - Non Reporting	3		8	2	\$25	
<b>Permitting Task Total</b>	<b>\$1,175</b>	<b>\$1,408</b>	<b>\$1,240</b>	<b>\$330</b>	<b>\$25</b>	<b>\$4,178</b>
<b>Task 5 Bidding and Construction Observation</b>						
5.1 Contractor Coordination During Bidding	4		6	10		
5.2 Project Bidding	1.5		2	2	\$25	
5.3 Construction Contract Coordination	1		4			
5.4 Pre-Construction Meeting	1.5		1.5			
5.5 Construction Observation			20			
5.6 Project Close Out/Record Drawings	1		6			
<b>Bidding and Construction Observation Task Total</b>	<b>\$2,115</b>	<b>\$0</b>	<b>\$6,123</b>	<b>\$1,320</b>	<b>\$25</b>	<b>\$9,583</b>
Subtotal Hours	33	36	73.5	19		
Subtotal Costs	\$7,755	\$6,336	\$11,393	\$2,090	\$700	\$28,274

**Notes**

- Assumes that the effective HEC-RAS model for Thompson Creek will be provided to use for this analysis.
- Construction documents shall include cover sheet, general notes and quantities, project details, traffic control plan, and detailed rehabilitation documents and notes. Expenses are included if hard copies of the construction documents are needed.
- Front end documents will utilize standard EJCDC front end documents or City of LaVista standards. Expenses are included if hard copies of the construction specifications are required.
- Floodplain permitting fees to be paid by the client.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 6, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PROFESSIONAL SERVICES AGREEMENT – COMPENSATION COMPENSATION AND BENEFIT STUDY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	WENDY LOWERY HUMAN RESOURCES DIRECTOR

**SYNOPSIS**

A resolution has been prepared to approve a professional services agreement with McGrath Human Resources Group to conduct a classification, compensation and benefit study in the amount not to exceed \$28,645.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget contains funding for the proposed study through reprioritization and savings.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The purpose of the classification, compensation and benefit study is to establish and maintain an equitable, comparable and non-discriminatory wage, benefit and salary plan structure for the city. All current positions will be included in the study.

The study will enable the City to ensure that its compensation package (wages and fringe benefits) is adequate, fair and comparable to similar public and private employers. The study will involve the following key tasks: job evaluations, total compensation survey preparation and analysis (including benefits), pay range determination, position and pay classification and preparation of required reports.

A total of six proposals were received and interviews were conducted with three firms. It is recommended that a contract be awarded to the McGrath Human Resources Group. The McGrath Human Resources Group specializes in compensation studies for the public sector and has worked for public entities throughout the United States. Proposals were received from:

Gallagher	\$73,340
Flaherty/Hood P.A.	\$20,000
Paypoint HR	\$37,500
JER HR Group	\$41,900
Pontifex	\$36,250

McGrath Human Resources Group was chosen because of experience level and ability to meet the time requirements of the project.

Copies of all proposals are available for review in the office of the City Clerk.

K:\APPS\City Hall\CNCLRPT (Blue Letters)\23file\23 ADM Compensation Study Agreement 06.06.2023.Doc

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MCGRATH HUMAN RESOURCES GROUP TO CONDUCT A CLASSIFICATION, COMPENSATION AND BENEFIT STUDY IN AN AMOUNT NOT TO EXCEED \$28,645.00.

WHEREAS, the Mayor and City Council have determined that a classification, compensation and benefit study is necessary; and

WHEREAS, proposals were solicited, and six proposals were received; and

WHEREAS, it is determined that McGrath Human Resources Group provides the experience level and ability to meet the timeline and requirements of the project as outlined in the request for proposals; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for the proposed study;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with McGrath Human Resources Group to conduct a classification, compensation and benefits study in an amount not to exceed \$28,645.00.

PASSED AND APPROVED THIS 6TH DAY OF JUNE 2023.

CITY OF LA VISTA

ATTEST:

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Douglas Kindig, Mayor

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Patti Anderson  
Deputy City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 6, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CHANGE ORDER NO. 1 – CENTRAL PARK PAVILION AND SITE IMPROVEMENTS (THE LINK)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAT DOWSE CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared to approve Change Order No. 1 to the contract with JE Dunn Construction Co. to provide for changes and additions to the project resulting from design progression and unforeseen conditions in the amount of \$685,971 bringing the total contract price to \$16,641,774.

**FISCAL IMPACT**

The FY23/FY24 Biennial Budget provides funding for this project.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A construction contract with JE Dunn was approved on February 1, 2022, authorizing them to proceed with Pre-Construction Services necessary to complete design of the Central Park Pavilion and Site Improvement Project (The Link), which consisted of constructing a two-story pavilion structure with restroom and service facilities as well as adjacent site improvements to provide pedestrian connectivity between Central Park and the adjacent mixed-use redevelopment project (City Centre).

On March 15, 2022 an amendment to the contract was approved establishing the scope, costs, schedule and a guaranteed maximum price (GMP) of \$15.9 million.

In a typical Construction Manager at Risk (CMR) project the GMP is established at the point of construction documents being completed and approved. Because this project had a very short timeline for completion in order to align with agreements between the City and the developer of City Centre/The Astro, along with the skyrocketing steel prices related to the supply chain issues at the time, JE Dunn provided a GMP at the design document stage with the understanding that there was design work yet to be completed before getting to construction documents.

As the design work and the project progressed, there were unforeseen conditions identified in the geotechnical soil study, design progression updates, and items requested by the City that resulted in the attached request for a change order (see following list). The City and project architect RDG, agree that these additional charges are warranted. There are some remaining items that we are continuing to work through with JE Dunn that may result in an additional change order.

City Direction and Design Progression	\$326,629	<ul style="list-style-type: none"> <li>-Additional guardrail (\$100,000)</li> <li>-Waterproofing additional hot applied membrane (\$89,300)</li> <li>-Joint Sealants upgraded version (\$10,653)</li> <li>-Added thermal barrier paint at roof (-\$37,030)</li> <li>-Removed moving spotlight fixtures (-\$166,971)</li> <li>-Additional work on Outlot C, replace ADA ramps in the development, &amp; add acid washing of XI's walls (\$69,616)</li> <li>-Added cast in place coping at the redi-rock wall which was not shown or included in budget (\$50,000)</li> <li>-Added PVC jacket &amp; duct wrap on kitchen exhaust (\$32,238)</li> <li>-Added 4,300 lbs. of outside air duct (\$35,000)</li> <li>-Modification of mechanical locations (\$17,064)</li> <li>-Other aggregate items (\$126,759)</li> </ul>
Unforeseen Conditions (Geo-Tech Updates)	\$320,727	<ul style="list-style-type: none"> <li>-Increase in foundation and wall sizes</li> <li>-Increased # of masonry load bearing walls &amp; changed assumed rebar spacing</li> <li>-Changed boardwalk structure</li> </ul>
Insurance, Bond, etc.	\$ 38,615	
Total Change Order	\$685,971	

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH JE DUNN CONSTRUCTION CO., OMAHA, NEBRASKA, TO PROVIDE FOR CHANGES AND ADDITIONS TO THE PROJECT, FOR AN INCREASED AMOUNT OF \$685,971 AND A TOTAL PROJECT AMOUNT OF \$16,641,774.

WHEREAS, the City has determined it is necessary to make changes and additions of work to the contract; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for this project.

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for Change Order No. 1 to the contract with JE Dunn Construction Co., Omaha, Nebraska, to provide for additional items of work, for an increased amount of \$685,971 and a total project amount of \$16,641,774.

PASSED AND APPROVED THIS 6TH DAY OF JUNE 2023.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Patti Anderson  
Deputy City Clerk



# J.E. Dunn Construction Company

## CHANGE ORDER

### NO. OWNER001

1001 Locust St  
Kansas City MO 64106

Printed On: 05/31/2023  
Page 1 of 1

**TITLE:** OCO #01 **ISSUE DATE:** 05/31/2023  
**PROJECT:** Central Park Pavilion and Site Improvements **JOB:** 21046300  
**TO:** CITY OF LA VISTA NE **CONTRACT:** 21046300  
8116 PARK VIEW BLVD  
LA VISTA NE 68128

Phone: 402-331-4343 Fax: 402-331-4375

<u>Description</u>	<u>Phase</u>	<u>Category</u>	<u>Bill Amount</u>
Changes based on City direction design progression and unforeseen conditions. This change acts as a partial update to the GMP for drawings and Addendums issued since DD drawings incorporated in original GMP. Future change forthcoming to capture all drawing updates to date.	<i>BR Insurance</i> - 01602 <i>Bond</i> - 01615 <i>Sub Default</i> - 01616 <i>GL Insurance</i> - 01618 <i>Unforeseen Conditions</i> - 35200 <i>City Direction/Design Progression</i> - 35200 <i>Fee</i> - 50000	MA MA MA MA MA MA FE	2,617.00 5,311.00 6,797.00 7,159.00 320,727.00 326,629.00 16,731.00
<b>Total:</b>			<b>\$685,971.00</b>

#### City Direction and Design Progression

- Additional guardrail (\$100,000)
- Additional drain tile and graffiti repellent on masonry (\$89,300)
- Joint Sealants quality upgrades (\$10,653)
- Added thermal barrier paint at roof (-\$37,030)
- Removed moving spotlight fixtures (-\$166,971)
- Additional work on Outlot C, replace ADA ramps in the development, & add acid washing of IX's walls (\$69,616)
- Added cast in place coping at the redi-rock (\$50,000)
- Added PVC jacket & duct wrap on kitchen exhaust (\$32,238)
- Added 4,300 lbs. of outside air duct (\$35,000)
- Modification of mechanical locations (\$17,064)
- Other aggregated items (\$126,759)

#### Unforeseen Conditions (based on Geo-technical Report updates)

- Increase in foundation and wall sizes
- Increased # of masonry load bearing walls and changed assumed rebar spacing
- Changed boardwalk structure

<b>The Original Contract Sum was</b>	.....	<b>\$15,955,803.00</b>
<b>Net Change by Previously Authorized Requests and Changes</b>	.....	<b>\$0.00</b>
<b>The Contract Sum Prior to This Change Order was</b>	.....	<b>\$15,955,803.00</b>
<b>The Contract Sum will be Increased</b>	.....	<b>\$685,971.00</b>
<b>The New Contract Sum Including This Change Order</b>	.....	<b>\$16,641,774.00</b>
<b>The Contract Time Will Not Be Changed</b>	.....	
<b>The Date of Substantial Completion as of This Change Order therefore is</b>	.....	<b>07/07/2023</b>

#### ACCEPTED:

J.E. Dunn Construction Company

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

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

CITY OF LA VISTA NE

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

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

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JUNE 6, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
DISCUSSION – REFLECTION PLAZA	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

**SYNOPSIS**

This item has been placed on the agenda to determine if the City Council has a preference other than the municipal campus for the location of a Reflection Plaza.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Identification of a preferred location.

**BACKGROUND**

An initial concept for a memorial/reflection plaza was shown in the original Civic Center Master Park Plan. As additional planning took place, the location for the water feature concept was found to be a debris collector and the terrain/accessibility was limited for on-site mobility. As a result, when the plans were updated, it was recommended that the memorial plaza be given a prominent civic location on the municipal campus.

During the May 2, 2023, City Council meeting, staff provided a review of sites other than the municipal campus, for the location of a Reflection Plaza because of the timing of the campus plan. The campus plan project is just getting underway, and it is anticipated that a suitable campus site location for reflections plaza would be identified by February/March 2024.