

Special Meeting  
November 26, 2012 5:30 p.m.  
City of Oswego

Present: Councilmembers Terry Edwards, Jane Rea, Dee Brown and Ty Lewis with Mayor Glenn Fischer presiding. Clerk Cheri Peine.

Absent: Councilmembers Darren Tynan and Bill Owens.

**Contract with LaForge & Budd, City Hall/FD/PD Project**

Peine submitted comments from City Attorney Rick Tucker after his review of the contract from LaForge & Budd for the City Hall, Fire Department and Police Department Renovation project.

His suggestions included

- 1) Somewhere in paragraph one the following words are added:  
“Remodel the City Hall and Police Station building at 703 Fifth Street, Oswego, Kansas, pursuant to the scope of work dated November 12, 2012.”
- 2) The payment date is changed to meet the city’s payment schedule –  
Change states “By the first of the month, the Contractor shall submit to the Owner an itemized payment estimate for work incorporated into the project. Owner will pay the contractor’s invoice if received by the 1<sup>st</sup> of the month within twenty (20) days. Invoices received after the 1<sup>st</sup> of the month shall be paid within forty-five (45) days.
- 3) With regard to paragraph (6), there needs to be a requirement that the contractor provide a Public Works Bond pursuant to K.S.A. 60-1111. In that regards, some language to the following effect should be added as a second paragraph to paragraph (6):  
“In order to secure its obligations hereunder and pursuant to Kansas statute, K.S.A. 60-1111, prior to commencing work on the project, the contractor shall provide a Public Works Bond in the amount of at least \$243,232.00, to the State of Kansas, with good and sufficient sureties conditioned that the contractor and all subcontractors of such contractor shall pay all indebtedness incurred for labor furnished, materials, equipment or supplies used or consumed in connection with or in or about the construction and remodeling of such public building or in making such public improvements.”  
The bond shall be filed as provided in K.S.A. 60-1111. The cost of the bond is \$1,049.

Brown made a motion and Lewis seconded to approve the contract with changes as proposed by City Attorney Rick Tucker and to pay the payment bond fee of \$1,049, and adding the cost to the contract amount. Motion carried.

There being no further business the meeting adjourned at 6:36 p.m.

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Glenn Fischer, Mayor

Attest:

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Cheri R. Peine, City Clerk