

City of Cody City Council

AGENDA

Tuesday, March 1, 2022 – 7:00 p.m. (Pre-Meeting to begin at 6:45 p.m.)

Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

Meeting Called to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Mayor's Recognitions and Announcements

1. Consent Calendar

All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

- a. Approval of Minutes: Regular Minutes from February 15, 2022. And minutes from Leadership Summit dated February 11, 2022
- b. Approve Vouchers and payroll in the amount of \$702,569.89.
- c. Nominate Michele Richlin, Clerk/Treasurer, Town of Deaver, Penny Robbins, Clerk/Treasurer, Town of Mountain View and Cindy Baker, Administrative Services Officer, City of Cody to the WAM-JPIC Board of Directors for a three-year term (May 1, 2022 – April 30, 2025).

2. Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

3. Public Hearing

4. Conduct of Business

- a. Consider a request from Frank Forshee to reduce the amount owed to the City of Cody for the repair of damaged electrical equipment during an excavation.
Staff Reference: Leslie Brumage, Finance Officer
- b. Ordinance 2022-03 - First Reading
An Ordinance Amending Title 3, Chapter 3, Section 3-3-9(b) of the City of Cody Code. Taxi License: Driver's
Staff Reference: Cindy Baker, Administrative Services Officer

- c. Ordinance 2022-01 –3rd and Final Reading
An Ordinance Amending Title 9, Chapter 2, Section 1 of the City of
Cody Code.
Staff Reference: Todd Stowell, City Planner
- d. Consider Granting Easements across City Property and Authorize use
of Public Right of Way for Installation of an Irrigation Pipeline as
Requested by Kip Thiel.
Staff Reference: Todd Stowell, City Planner
- e. Consider approval of Change Orders No. 9 and No. 10 for the
Wastewater Treatment Facility – Phase 2 Treatment Process Upgrade
Project, and authorize the mayor to sign and execute all associated
documents.
Staff reference: Phillip Bowman, Public Works Director

5. Tabled Items

- a. Ordinance 2022-02 –First Reading
An Ordinance to Amend Cody City Code 10-16-2.

6. Matters from Staff Members

7. Matters from Council Members

8. Adjournment

Upcoming Meetings:

March 8, 2022 – Tuesday – Work Session – 5:30 p.m.

March 15, 2022 – Tuesday – Regular Council Meeting 7:00 p.m.

March 22, 2022 – Tuesday – Work Session – 5:30 p.m.

City of Cody
Council Proceedings
Tuesday, February 15, 2022

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, February 15, 2022 at 7:00 p.m.

Present: Council Members Andrew Quick, Emily Swett, Heidi Rasmussen, Diane Ballard Justin Baily and Jerry Fritz, City Administrator Barry Cook, City Attorney Scott Kolpitcke, and Administrative Services Officer, Cindy Baker

Absent: Mayor Matt Hall and City Administrator Barry Cook

Council President Ballard called the meeting to order at 7:00 p.m.

Council Member Quick made a motion seconded by Council Member Fritz to approve the agenda removing item “b” from the conduct of business to a future meeting. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Swett to approve Consent Calendar including Regular Minutes from Regular Minutes from February 1, 2022, approve Vouchers and payroll in the amount of \$1,306,790.47; authorize the Mayor to sign the Release for Property Damage with Employees Mutual Casualty Company Insurance in exchange for payment to the City of Cody for damaged electrical equipment, award Bid 2021-13 to Fremont Motor Company for one 2023 Ford F650 with a Duraclass SL Body in the amount of \$97,965.40 and award Bid 2021-14 to Floyd’s Truck Center for one 2023 Freightliner M2-106 with a Duracalss body, in the amount of \$119,543.00. Vote was unanimous.

At 7: 05 p.m. Council President entered into a Public Hearing determine if it is in the public interest of the City of Cody to consider an application from Cody Craft Brewery to expand the downtown parking district as defined in City Code 10-16-2, from 16th Street to 19th Street and determine if it is the public interest to modify the standards of the downtown parking district as applicable to the requested expansion area. Asking for comments three times and there being none Council President Ballard closed the Public Hearing at 7:13 p.m.

Council Member Swett made a motion seconded by Council Member Fritz to approve a request from the Class of 2022 for the City Council to approve sponsoring the 2022 Cody High School Graduation Party for an amount no to exceed \$830.00 with the find coming out of the Council contingency line. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Quick to approve the final plat of the Musser-Beacon Hill Commercial Subdivision, subject to the condition of approval. Vote was unanimous.

Resolution 2022-05

A Resolution Adopting the 2022 Electrical Distribution Standard Policy. Council Member Swett made a motion seconded by Council Member Rasmussen to approve Resolution 2022-05. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Swett to approve Amendment No 5 to the Professional Services Agreement with T-O Engineers, and authorize the Mayor to sign all associated documents. Vote was unanimous.

Ordinance 2022-02 – First Reading

An Ordinance to Amend Cody City Code 10-16-2. Council Member Fritz made a motion seconded by Council Member Quick to table Ordinance 2022-02 on First Reading. Vote was unanimous.

Ordinance 2022-01 – Second Reading

An Ordinance Amending Title 9, Chapter 2, Section 1 of the City of Cody Code. Council Member Rasmussen made a motion seconded by Council Member Swett to approve Ordinance 2022-01 on Second Reading. Vote was unanimous.

Council President Ballard adjourned the meeting at 7:50 p.m.

Council President Ballard

Cindy Baker, Administrative Services Officer

City of Cody
Council Proceedings
Friday, February 11, 2022

A Leadership Summit meeting of the Cody City Council was held in the Council Chambers at City Hall on Friday, January 31, 2020 at 7:30 a.m.

Present: Mayor Matt Hall, Council Members Diane Ballard, Jerry Fritz, Emily Swett, and Any Quick, and Cindy Baker, Administrative Services Officer.

Absent: Council Members Justin Baily and Heidi Rasmussen.

Other Staff: Chuck Baker, Chief of Police, Lt Jason Stafford, Leslie Brumage, Finance Officer, Rick Manchester, Public Facilities, Parks & Recreation Director, Phillip Bowman, Public Works Director and Todd Stowell, City Planner.

Mayor Hall called the meeting to order at 9:00 a.m.

The Governing Body discussed the following topics:

- Condrey & Associates
- ARPA Funding Update
- Department Head Presentations – future work session topics and update on current projects

No action was taken.

There being no further discussion, the meeting adjourned at 11:35 a.m.

Cindy Baker
Administrative Services Officer

Matt Hall
Mayor

Report Criteria:

Invoice.Detail.Input date = 02/22/2022

Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
BLUE CROSS BLUE SHIELD OF WYOMING (1360)				
	220121130439	INSURANCE Feb 2022	02/01/2022	157,446.59
	220121130439	credit	02/01/2022	2,938.54-
	220121130439	INSURANCE March 2022	02/01/2022	157,446.59
	220121130439	march adjustment	02/01/2022	2,666.74-
Total :				309,287.90
Total BLUE CROSS BLUE SHIELD OF WYOMING (1360):				309,287.90
CBE GROUP INC (132894)				
	21722	GARNISHMENT - WG2108102	02/17/2022	181.43
Total :				181.43
Total CBE GROUP INC (132894):				181.43
CENTURY LINK (10091)				
	21922	UTILITIES - CENTURY LINK	02/19/2022	43.86
Total :				43.86
Total CENTURY LINK (10091):				43.86
CITY OF POWELL (2280)				
	578	LIFE GUARD INSTRUCTOR TRAINING	01/31/2022	70.00
Total :				70.00
Total CITY OF POWELL (2280):				70.00
CUSTOM DELIVERY SERVICE INC (3343)				
	308008	SAMPLE SHIPPING	01/24/2022	36.00
	308034	SAMPLE SHIPPING	02/08/2022	36.00
Total :				72.00
Total CUSTOM DELIVERY SERVICE INC (3343):				72.00
D & G ELECTRIC LLC (132885)				
	3472	ELECTRICAL WORK FOR HVAC IN LONG TERM EVID ROOM	01/14/2022	344.95
Total :				344.95
Total D & G ELECTRIC LLC (132885):				344.95
DEARBORN LIFE INSURANCE COMPANY (131563)				
	03012022	March 2022 premium	02/11/2022	364.00
Total :				364.00
Total DEARBORN LIFE INSURANCE COMPANY (131563):				364.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
DIVISION OF VICTIM'S SERVICES (124470)				
	13122	CRIME VICTIM'S COMP	01/31/2022	129.20
Total :				129.20
Total DIVISION OF VICTIM'S SERVICES (124470):				129.20
ENERGY LABORATORIES, INC (4120)				
DEPARTMENT 6250	453540	COLIFORM TESTING	02/16/2022	160.00
Total :				160.00
Total ENERGY LABORATORIES, INC (4120):				160.00
ENGINEERING ASSOCIATES (4140)				
	4201038	PROJECT 14111-04 WWTF PHASE 2	01/21/2022	912.63
	4201038	PROJECT 14111-04 WWTF PHASE 2	01/21/2022	278.86
	4201038	PROJECT 14111-04 WWTF PHASE 2	01/21/2022	76.05
	4201038	PROJECT 14111-04 WWTF PHASE 2	01/21/2022	1,267.54
	4201099	MISC WATER SYSTEM MODEL	01/24/2022	401.74
Total :				2,936.82
Total ENGINEERING ASSOCIATES (4140):				2,936.82
ENNIST III, ROBERT F (131798)				
BIG HORN FOOD SERVICES	47708	TRASH BAGS	01/28/2022	112.70
BIG HORN FOOD SERVICES	47708	TRASH BAGS	01/28/2022	112.70
BIG HORN FOOD SERVICES	47708	TRASH BAGS	01/28/2022	112.70
BIG HORN FOOD SERVICES	47708	TRASH BAGS	01/28/2022	112.70
Total :				450.80
Total ENNIST III, ROBERT F (131798):				450.80
GOODYEAR, ROBERT W (125939)				
GOODYEAR PRINTING	15335	WARNING NOTICE FORMS PRINTED	01/05/2022	180.00
Total :				180.00
Total GOODYEAR, ROBERT W (125939):				180.00
HANSEN, JOEL (132900)				
	21722	REFUND ENCROACHMENT DEPOSIT	02/17/2022	150.00
Total :				150.00
Total HANSEN, JOEL (132900):				150.00
HINES, MARK TRAVIS (132375)				
BIO-LOGIC DESIGN	01-20-2022-01	VERTICAL FARM WALL	01/20/2022	1,500.00
Total :				1,500.00
Total HINES, MARK TRAVIS (132375):				1,500.00
HUBER, WESLEY L (123442)				
EAGLE OF CODY PRINTING	21422	WINDOW ENVELOPES	02/14/2022	271.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
EAGLE OF CODY PRINTING	21422	WINDOW ENVELOPES	02/14/2022	271.00
EAGLE OF CODY PRINTING	21422	WINDOW ENVELOPES	02/14/2022	150.00
Total :				692.00
Total HUBER, WESLEY L (123442):				692.00
HUME, ADAM (132825)				
	1312022	MILEAGE REIMBURSEMENT	02/08/2022	18.65
Total :				18.65
Total HUME, ADAM (132825):				18.65
J & S CORPORATION (1160)				
BIG HORN GLASS	40621	REPAIRS TO RACQUETBALL COURT DOOR	01/31/2022	1,132.50
Total :				1,132.50
Total J & S CORPORATION (1160):				1,132.50
JW LANDSCAPES (131987)				
	21722	REFUND ENCROACHMENT DEPOSIT	02/17/2022	150.00
Total :				150.00
Total JW LANDSCAPES (131987):				150.00
LEISURE IN MONTANA INC (131545)				
	SAL20313-1	POOL CHEMICALS	01/21/2022	88.67
	SAL20313-1	POOL CHEMICALS	01/21/2022	88.67
Total :				177.34
Total LEISURE IN MONTANA INC (131545):				177.34
LOCAL GOVERNMENT LIABILITY POOL (6176)				
	13624	CLAIM AGAINST CITY	02/14/2022	325.00
Total :				325.00
Total LOCAL GOVERNMENT LIABILITY POOL (6176):				325.00
MORRISON-MAIERLE INC (130985)				
	224196	2020 SIDEWALKS & RAMPS GRANT	02/04/2022	5,664.99
	224196	2020 SIDEWALKS & RAMPS GRANT	02/04/2022	1,888.33
Total :				7,553.32
Total MORRISON-MAIERLE INC (130985):				7,553.32
NATIONAL MEDICAL SERVICES INC (129797)				
NMS LABS	1167309	SPECIMEN TESTING FOR CASE #21-1055	01/31/2022	408.00
Total :				408.00
Total NATIONAL MEDICAL SERVICES INC (129797):				408.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
NORTHWEST PIPE (7400)				
	7661318-F	SHIPPING COST FOR REPAIR CLAMP	02/02/2022	25.00
	7679920	REPAIR CLAMPS	02/16/2022	863.80
Total :				888.80
Total NORTHWEST PIPE (7400):				888.80
ODOM, AMANDA (132901)				
	35810889	REC CENTER REFUND	02/16/2022	60.00
Total :				60.00
Total ODOM, AMANDA (132901):				60.00
PARK COUNTY LANDFILL (129053)				
	013122	LANDFILL CHARGES - JAN 2022	01/31/2022	49,654.83
	013122	BULK ITEM REMOVAL FEES - JAN 2022	01/31/2022	144.86
Total :				49,799.69
Total PARK COUNTY LANDFILL (129053):				49,799.69
PARK DISTRICT COURT (132610)				
	21722	GARNISHMENT Civil #29877	02/17/2022	196.97
Total :				196.97
Total PARK DISTRICT COURT (132610):				196.97
RIMROCK TIRE INC (8530)				
	2-223586	SKID STEER FLAT	12/02/2021	28.24
	2-224316	SKID STEER TIRE REPAIR	01/17/2022	28.84
	2-224500	BACKHOE TIRE MOUNT	01/21/2022	82.45
	2-224752	LOADER TIRE REPAIR	02/07/2022	234.75
	2-224800	SKID STEER FLAT	02/10/2022	28.84
	2-224802	TIRE REPAIR - H03	02/11/2022	135.95
Total :				539.07
Total RIMROCK TIRE INC (8530):				539.07
ROCKY MOUNTAIN POWER (7570)				
	021822	UTILITIES - ROCKY MOUNTAIN POWER	02/18/2022	28.52
	021822	UTILITIES - ROCKY MOUNTAIN POWER	02/18/2022	266.35
Total :				294.87
Total ROCKY MOUNTAIN POWER (7570):				294.87
SABER PEST CONTROLL LLC (131183)				
	R157	PEST CONTROL - RECYCLING/SANITATION	01/31/2022	60.00
	R158	PEST CONTROL - RECYCLING/SANITATION	02/09/2022	60.00
	W157	PEST CONTROL - WASTEWATER DEPT	01/31/2022	85.00
	W158	PEST CONTROL - WASTEWATER DEPT	02/09/2022	85.00
Total :				290.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total SABER PEST CONTROLL LLC (131183):				290.00
SWAGIT PRODUCTIONS LLC (132619)				
	19692	VIDEO STREAMING SERVICES	01/31/2022	4,807.00
	19692	VIDEO STREAMING SERVICES	01/31/2022	4,807.00
	19692	VIDEO STREAMING SERVICES	01/31/2022	4,807.00
	19692	VIDEO STREAMING SERVICES	01/31/2022	4,807.00
	19692	VIDEO STREAMING SERVICES	01/31/2022	4,807.00
Total :				24,035.00
Total SWAGIT PRODUCTIONS LLC (132619):				24,035.00
SYSTEMS GRAPHICS INC (129162)				
ADVANCED INFO SYSTEMS	15732	OUTSOURCE BILLS	02/04/2022	8.37
ADVANCED INFO SYSTEMS	15732	OUTSOURCE BILLS	02/04/2022	51.73
ADVANCED INFO SYSTEMS	15732	OUTSOURCE BILLS	02/04/2022	47.36
ADVANCED INFO SYSTEMS	15732	OUTSOURCE BILLS	02/04/2022	47.04
ADVANCED INFO SYSTEMS	15732	OUTSOURCE BILLS	02/04/2022	58.46
ADVANCED INFO SYSTEMS	15744	OUTSOURCE BILLS	02/11/2022	15.35
ADVANCED INFO SYSTEMS	15744	OUTSOURCE BILLS	02/11/2022	94.89
ADVANCED INFO SYSTEMS	15744	OUTSOURCE BILLS	02/11/2022	86.88
ADVANCED INFO SYSTEMS	15744	OUTSOURCE BILLS	02/11/2022	86.30
ADVANCED INFO SYSTEMS	15744	OUTSOURCE BILLS	02/11/2022	107.24
Total :				603.62
Total SYSTEMS GRAPHICS INC (129162):				603.62
THOMSON REUTERS - WEST (128108)				
	845799365	CLEAR INVESTIGATIONS	02/01/2022	163.77
Total :				163.77
Total THOMSON REUTERS - WEST (128108):				163.77
T-O ENGINEERS INC (131708)				
	171133-14066	BEACON HILL WATER TANK	02/16/2022	30,213.86
	171133-14066	BEACON HILL WATER TANK	02/16/2022	14,881.46
Total :				45,095.32
Total T-O ENGINEERS INC (131708):				45,095.32
TWO SISTERS CONTRACTING LLC (132780)				
	1046	CONCRETE REPAIR	02/04/2022	240.00
	1047	SIDEWALK E AVE & PLEASANT VIEW	02/04/2022	246.00
Total :				486.00
Total TWO SISTERS CONTRACTING LLC (132780):				486.00
US POSTMASTER (129112)				
	021522	2 MONTHS POSTAGE FOR UTILITY BILLING	02/15/2022	3,700.00
Total :				3,700.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total US POSTMASTER (129112):				3,700.00
WESTERN UNITED ELECTRIC SUPPLY (10605)				
	6051071	COVERED COPPER TAP WIRE	01/10/2022	971.40
	6051433	SINGLE PH;200AMP CABINET	01/14/2022	976.26
	6051433	SINGLE PH;200AMP CABINET	01/14/2022	976.26
	6051433	SINGLE PH;200AMP CABINET	01/14/2022	1,952.52
	6052699	BETA LED ROADWAY LIGHT HEADS	02/07/2022	3,438.30
Total :				8,314.74
Total WESTERN UNITED ELECTRIC SUPPLY (10605):				8,314.74
WYOMING LAW ENFORCEMENT ACADEMY (10900)				
FISCAL DIVISION	C-11534	PO BASIC X2 - WICHERN, BOYDSTON	01/26/2022	1,275.50
Total :				1,275.50
Total WYOMING LAW ENFORCEMENT ACADEMY (10900):				1,275.50
Grand Totals:				462,071.12

Report GL Period Summary

GL Period	Amount
02/22	462,071.12
Grand Totals:	462,071.12

Vendor number hash: 3946550
Vendor number hash - split: 6721171
Total number of invoices: 52
Total number of transactions: 82

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	462,071.12	.00	462,071.12
Grand Totals:	462,071.12	.00	462,071.12
		Payroll 02/16/22	240,498.77
			702,569.89

Report Criteria:

Invoice Detail.Input date = 02/22/2022
Invoice.Batch = {NOT LIKE} "1"



tel: 307.632.0398
fax: 307.632.1942

MEMORANDUM

TO: WAM-JPIC Participating Member Entities
FROM: Earla Checchi, Finance Manager
DATE: February 11, 2022
SUBJECT: WAM-JPIC Health Insurance Board Elections

Enclosed are a Notice of Vacancies and a Nomination Form for your WAM-JPIC Joint Powers Board elections. We ask that you respond with your nomination to WAM-JPIC by 5:00pm Friday, March 11, 2022, by email, mail, or fax.

When we receive your nominations as of March 14th, we will send out the election ballot. There is a deadline of Friday, April 15, 2022, for election ballots to be received in the WAM-JPIC office. These can be returned by email, mail, or fax.

This is your health insurance and you do have a say in how it is governed. You are encouraged to get involved; to look around your city, town, or joint powers board for an elected or appointed official who is interested in or has knowledge of health insurance and would have the time to devote to your WAM-JPIC Joint Powers Board. This Board makes decisions regarding your health insurance program, such as benefits and rates.

The WAM-JPIC Board of Directors meet four times a year. The Board tries to hold meetings in central locations around the State.

Please contact me if I can answer any questions or be of assistance to you.





tel: 307.632.0398
fax: 307.632.1942

NOTICE OF VACANCIES

WAM-JPIC BOARD OF DIRECTORS (Wyoming Association of Municipalities-Joint Powers Insurance Coverage)

NOTICE IS HEREBY GIVEN that the terms of three (3) members of the Board of Directors of WAM-JPIC will expire on April 30, 2022. Nominations must be in the WAM-JPIC office, on or before Friday, March 11, 2022, by 5:00pm.

Following is a list of the terms that will expire on April 30, 2022.

1. The Three (3) year term of Michele Richlin, Clerk/Treasurer, Town of Deaver will expire on April 30, 2022. Nominees are needed for a three (3) year term from May 1, 2022, to April 30, 2025. Nominees must be from a participating town.
2. The three (3) year term of Penny Robbins, Clerk/Treasurer, Town of Mountain View will expire on April 30, 2022. Nominees are needed for a three (3) year term from May 1, 2022, to April 30, 2025. Nominees must be from a participating town, city or joint powers board.
3. The Three (3) year term of Cindy Baker, Administrative Service Officer, City of Cody will expire on April 30, 2022. Nominees are needed for a three (3) year term from May 1, 2022, to April 30, 2025. Nominees must be from a participating city.

The governing body of each participating member entity and the WAM Board of Directors may email, mail or fax written nominations for these three positions on the attached form to:

WAM-JPIC Board of Directors
315 W. 27th Street
Cheyenne, WY 82001
Fax: 307-632-1942 or
Email: checchi@wyomuni.org





tel: 307.632.0398
fax: 307.632.1942

The present WAM-JPIC Joint Powers Board of Directors consists of the following members:

Administrative Service Officer Cindy Baker, Cody – Chairperson*
Clerk Treasurer Lori Hughes, Ten Sleep
Clerk/Treasurer Penny Robbins, Mountain View*
Clerk/Treasurer Kelley Millar, Upton*
Executive Director for LGLP, Mike Todd (At-Large Seat)
Human Resources Manager, Tony Cross, Jackson Hole Airport (At-Large Seat)
Clerk/Treasurer Tracy Glanz, Worland – Vice Chairperson
Clerk/Treasurer Angie Johnson, Meeteetse
Clerk/Treasurer Michele Richlin, Deaver*

***Terms expire April 30, 2022.**

The WAM-JPIC Board at present is comprised of (2) participating first class cities and (5) participating towns and the remaining (2) seats are an at-large seat that can be held by a city, town or joint powers board member. The WAM-JPIC Board tries to also divide the board as evenly as possible between elected and appointed municipal officials. Presently, there are three elected and five appointed municipal officials, and one joint powers board represented. If possible, the Board of Directors would like to retain balance for future boards.

A list of participating cities, towns and joint powers boards is attached.

Date: February 8, 2022



Earla Checchi, Secretary
WAM-JPIC Board



Please nominate person(s) for any or all the positions available. Please sign the nomination form and return to the WAM office by March 11, 2022 at 5:00pm.

1. I hereby nominate the following for the three (3) year town seat. *This person must be from a participating town.*

<u>Penny Robbins</u>	<u>Clerk/Treasurer -Mt View</u>
Name of Nominee	Title of Nominee

2. I hereby nominate the following for the three (3) year town seat. *This person must be from a participating town.*

<u>Michele Richlin</u>	<u>Clerk/Treasurer - Deaver</u>
Name of Nominee	Title of Nominee

3. I hereby nominate the following for the three (3) year City seat. *This person must be from a participating city.*

<u>Cindy Baker</u>	<u>Administrative Services Officer</u>
Name of Nominee	Title of Nominee

Municipality/Joint Powers Board: _____

Signed By: _____
Mayor/Council President/Chairman

Attest: _____

Please attach a brief resume on the nominees.

**THIS NOMINATION FORM MUST BE RECEIVED AT THE WAM-JPIC OFFICE
ON OR BEFORE MARCH 11, 2022 AT 5:00PM.**

Please fax, email or mail the Nomination Form to:

**WAM-JPIC
315 W. 27th St.
Cheyenne, WY 82001
Fax: 307-632-1942 or Email: cecchi@wvomuni.org**





tel: 307.632.0398
fax: 307.632.1942

Cities

Cody
Worland

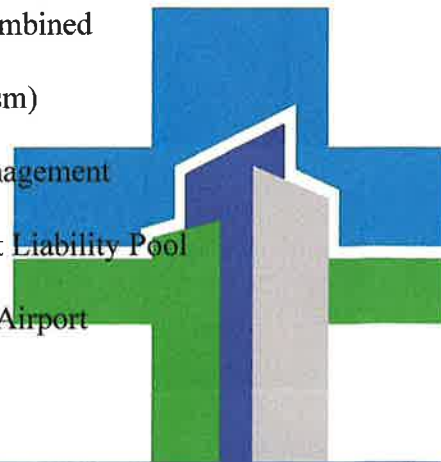
Towns

Alpine
Baggs
Bairoil
Bar Nunn
Bear River
Big Piney
Burns
Cowley
Dayton
Deaver
Diamondville
Dixon
Dubois
East Thermopolis
Edgerton
Elk Mountain
Encampment
Fort Laramie
Glenrock
Glendo
Guernsey
Kaycee
LaGrange
Lingle
Lyman
Manderson
Marbleton
Medicine Bow
Meeteetse
Midwest
Mountain View
Pavillion

Pinedale
Pine Haven
Ranchester
Rock River
Rolling Hills
Saratoga
Shoshoni
Sinclair
Superior
Ten Sleep
Thayne
Upton
Wamsutter

Joint Powers Boards

Amoco Reuse JPB
Big Horn Regional JPB
Bridger Valley JPB
Campbell County Lodging Tax JPB
Cheyenne Airport Board
Green River/Rock Springs/Sweetwater
County Water JPB
Jackson Hole Airport
Kaycee Buffalo Johnson County JPB
Kemmerer-Diamondville Water &
Wastewater JPB (Kemmerer)
Natrona County Travel & Tourism
Board
Rock Springs Sweetwater County
Airport
Shoshone Municipal Water JPB
(Cody)
Shoshoni Recreation Dist 24
(Shoshoni)
Sweetwater County Travel & Tourism
Board
Sweetwater RS/GR Combined
Communications JPB
Visit Cheyenne (Tourism)
WAM-JPIC (WAM)
WY Assn. of Risk Management
(WARM)
WY Local Government Liability Pool
(LGLP)
Yellowstone Regional Airport



AGENDA ITEM SUMMARY REPORT

Reduce Repair Charges Billed to Contractor for Damage to City Property

ACTION TO BE TAKEN:

Consider a request from Frank Forshee to reduce the amount owed to the City of Cody for the repair of damaged electrical equipment during an excavation.

SUMMARY OF INFORMATION:

On October 14, 2021, the electrical superintendent, Dane Austin, was contacted about electrical lines that were hit during excavation work done at 47 Southfork Road. The electric crew reported that the primary underground cable had been pulled out of the ground by a backhoe, causing damage to a 25Kva transformer and a 600amp sectionalizing cabinet.

The locate for this excavation was obtained from One-Call on July 28, 2021 by Frank Forshee, with Forshee Construction. By the time the excavation took place, the locate ticket had expired and the contractor had not called One-Call for an updated locate as required by State Statutes.

An invoice for the damages in the amount of \$4,638.87 was sent to Forshee Construction on October 15, 2021. The City sent two statements to Frank showing the outstanding balance due plus accrued finance charges on November 30, 2021 and December 31, 2021.

On January 13, 2022, Frank contacted Luana Govin in Finance regarding the unpaid invoice and requested a meeting the next day. On January 14, 2022, Frank met with Dane Austin, Luana Govin, and Leslie Brumage at City Hall, where Frank provided information regarding the delay in the excavation.

Frank has since stated he would be agreeable to either splitting the cost of the repairs with the City or paying for the materials used for the repair. Since staff is not authorized to reduce or negotiate the amount of an invoice for damages, Frank was provided an agenda summary request to complete so he could make his request to the City Council for consideration.

In most cases when damage to City property occurs, the City pursues payment in full from either the individual/entity's insurance company, through court restitution, or from the individual/entity directly. In this case, charges were not filed and insurance information was not available to the City so the contractor was invoiced directly.

FISCAL IMPACT

Finance charges have been assessed on the unpaid balance in accordance with City Code Section 1-8-1 at a rate of 1.5% per month. The repair cost was \$4,638.87 including materials and labor. The current balance due including accrued finance charges of \$139.16 is \$4,778.03.

AGENDA ITEM NO. _____

Staff recommendation is:

- Waive the finance charges in the amount of \$139.16
- Remove the labor cost from the bill in the amount of \$1,222.83
- The remaining balance of \$3,416.04 to be paid to the City by Frank Forshee by February 28, 2022

ATTACHMENTS

1. Agenda Request Form
2. Invoice to Forshee Construction
3. One-Call Ticket
4. Statement from Dane Austin, Electrical Superintendent

AGENDA ITEM NO. _____

City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns, and/or provide additional information. Note: Some request may not require appearing before the Council for approval.

Please provide the following detailed information relating to your concern or request. **This form (and any relevant attachments) should be submitted in a timely manner, preferred lead time 14 days minimum to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval.** Council packets are prepared the in advance prior to the Tuesday meetings. Note Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532),

Name of person to appear before the Council

Frank Forshee

Organization Represented

Self

Date you wish to appear before the Council

Feb 14

E-Mail Address

hfebile@yahoo.com

Telephone

307-899-4280

Names of all individuals who will speak on this topic

Frank Forshee

Event Title (if applicable)

Date(s) of Event (if applicable)

10-15-'21

Location of Event (if applicable)

47 S. Fork Rd

Full description of topic to be discussed (include all relevant information including any street closures, times of event, any special requirements or request etc., attach additional sheet if necessary and map showing location of event where applicable)

events + actions involved with damage to power line during excavation for a water tap at 47 S F Road

Which City employee(s) have you spoken to about this issue?

Laang

Leslie

Dave Austin

Signature

Frank Forshee

Date

1-14-'22

CITY OF CODY
1338 RUMSEY AVE
PO BOX 2200
CODY WY 82414
Phone: 307-527-7511 Fax:

INVOICE

Date	Number	Page
10/15/2021	16730	1

Bill To: FORSHEE CONSTRUCTION
PO BOX 70
HYATTVILLE WY 82428

Customer No. 4078
Contact: FRANK FORSHEE
Due Date: 10/15/2021
Terms: ON RECEIPT

Quantity	Description	Unit Price	Net Amount
1	DAMAGE TO ELECTRIC LINE AND TRANSFORMER	4,638.87	4,638.87

DAMAGE OCCURRED WHILE EXCAVATING WITHOUT A CURRENT
LOCATE AT 47 SOUTHFORK ROAD

Balance Due 4,638.87

When you provide a check as payment you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. For inquiries please call an Administrative Services representative at 307-527-7511

Any charges which are not paid by the due date shown shall be subject to a charge of 1.5% per month

To ensure proper credit to your account, detach this section and return it with your payment

City of Cody
PO Box 2200
Cody, WY 82414

Customer No. 4078

Invoice No. 16730

Amount Due 4,638.87

Amount Paid _____
Please make your check payable to the City of Cody

City of Cody Electrical Division

Bill for damages:

Bill To: Frank Forshee

Equipment Damage 10-14-21, 47 Southfork Hwy

Job Description: Damages to electrical equipment while excavating without current locates.

Bill: X Estimate:

[illegible]

Ticket No: 20212602591

Utility Details

Utility ID: 20129
 Utility Name: CITY OF CODY (CDY)
 Utility Contact: KYLIE HANSON

Station Code: CDY
 Sequence No: 6
 Previous Ticket No:

Excavator Details

Excavator ID: 13801
 Contact: Frank Forshee
 Company: Forshee Construction
 User Type: Contractor

Phone: 307 899 4280
 Mobile: Not Supplied
 Email: htebile@yahoo.com

Dig Site and Ticket Details



Customer Remarks [Open Map](#)

call for driving if need, locate entire prop for new construction
 N44.511629/W-109.103029

Stations Affected List:

BLK, TI2, CDY, QL2, PP9, TCT

Attachment: [No Attachment](#)

Land Grids: TRSQ

T52N102W03NE, T52N102W03SE

Ticket Medium	Phone
Ticket Status	Original
Ticket Type	Regular
User Reference	Homeowner
Request Date (MST)	2021-07-02 02:19 PM
Work Start Date (MST)	2021-07-08
Work Expire Date (MST)	2021-07-28
Address	47 Southfork Hwy Cody
Nearest Cross Street	Monte Vista Ave
Type of work	Construction
Activity	Foundation Work
Excavation Method	Mechanical Excavation
Excavation Depth	>48in
Public Property	None
Private Property	Private Property
Onsite Contact	Frank
Onsite Phone	307 899 4280
Urban/Rural	Urban
Municipal District	Not Supplied
Nearest Community	Cody
Rural Subdivision	Not Supplied
Latitude	44.511260
Longitude	-109.102975

Damage report

Date: 10-14-21 at 9:33

Location: 47 Southfork HWY

On October 14th at 9:33am, I received a phone call from Sean Collier that one of our lines were hit during some excavation work and that there was a power outage at 47 Southfork HWY. I'd contacted a crew to respond.

The crew leader reported back that the primary underground cable had been pulled out of the ground by a backhoe, causing damage to a 25Kva transformer and a broken bushing in a 600amp sectionalizing cabinet. I called another crew to assist. When I arrived to the location, I'd noticed that the locate marks were faded. After investigating the lack of "up to date locates marks" I could only find one Wyoming One Call Ticket dated back to July 2, 2021.

This was ticket #-20212602591. This locate ticket had expired on July 28, 2021.

The crew made the repairs and I prepared a bill for the damages. I also contacted Frank Forshee, the contractor that caused the damage and asked him if he had an up to date locate ticket. He said the one from July was the only one he had called in. I'd explain to him that he would be responsible for the cost of the repairs. Mr. Forshee did not think that was fair.

One Call of Wyoming's Law:

Before beginning any excavation, the excavator is required by state law to give advance notice to the One-Call of Wyoming Notification Center (W.S. 37-12-302). Any person or entity planning an excavation is required to notify the Notification Center (One-Call of Wyoming) even if they own the underground facility being exposed during the excavation. Only a person with the appropriate understanding of location description and work details should be assigned to call in Locate Requests. Any person or entity planning an excavation is required to notify the Notification Center (One-Call of Wyoming). This includes professional contractors, homeowners and personal property owners. Before you dig you must contact 811, One-Call of Wyoming. It is the LAW.

Notice is to be given at least two (2) full business days, but not more than fourteen (14) business days, prior to beginning the excavation project (W.S. 37-12-302 (c)).

Respect the Marks Paint markings, flags and other markings are very important to excavators. Excavators should plan their work so as to minimize damage to markings. If markings are disturbed or no longer visible the excavator should call the Notification Center and request the area be remarked. If an excavation on a single project lasts more than fourteen (14) business days, the excavator shall give notice at least once each succeeding fourteen (14) business day period (W.S. 37-12-302 (c)). When there is concern the locate marks may be destroyed during excavation work, excavators are advised to ask for an update/remark.

Dane Austin- City of Cody Electrical Superintendent

MEETING DATE: 3/1/2022

DEPARTMENT: ADMINISTRATIVE SERVICES

PREPARED BY: CINDY BAKER,
ADMINISTRATIVE SERVICES OFFICER

AGENDA ITEM SUMMARY REPORT

Ordinance 2022-03

An Ordinance Amending Title 3, Chapter 3, Section 3-3-9(b) of the City of Cody Code – Taxi License: Driver's

ACTION TO BE TAKEN:

Consider approving Ordinance 2022-03

SUMMARY OF INFORMATION:

Currently the City Code Title Three Chapter Three outlines the requirements for a Taxi License holder within the municipality. Section 3-3-9(b) reflect the need to possess a valid State of Wyoming Driver's License. The city has received an application for a Taxi License to operate a horse drawn carriage service potentially seasonally. The applicant does have a valid driver's license in another US State. The applicant would like the ability not to have to obtain a Wyoming license for a short period and then have to reinstate their license in the state s/he reside in. Thus, with this ordinance change it would allow any valid state license be accepted in the case of a horse drawn carriage service.

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Approve Ordinance 2022-03 (three readings required)

ATTACHMENTS:

Ordinance 2022-03

AGENDA ITEM NO. _____

ORDINANCE NO. 2022-03

AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, SECTION 3-3-9 (B), OF THE CITY OF CODY CODE: LICENSE: DRIVER’S

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CODY, PARK COUNTY, WYOMING:

Title 3, Chapter 3, Section 3-3-9(B), of the City of Cody Code, shall be amended to provide as follows:

Possess a valid State of Wyoming driver’s license; or any valid state license when operation is an animal drawn carriage.

This Ordinance shall become effective at the final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

PASSED ON THIRD READING: _____

MATT HALL, Mayor

ATTEST:

Cynthia D. Baker Administrative Services Director

ORDINANCE NO. 2022-01

**AN ORDINANCE TO AMEND TITLE 9, CHAPTER 2, SECTION 1 OF
THE CITY OF CODY CODE**

WHEREAS, the governing body has determined that it is in the public interest to amend Section 9-2-1 of the City of Cody Code to reflect recent action by the State pursuant to W.S. 35-9-106 to adopt certain provisions of the International Codes promulgated by the International Code Council.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF CODY, PARK COUNTY, WYOMING:**

SECTION 1: Title 9, Chapter 2, Section 1 of the City of Cody Code is hereby amended to read as follows:

9-2-1: ADOPTION BY REFERENCE; COPIES TO BE KEPT ON FILE:

A. The 2021 editions of:

1. The International Building Code;
2. The International Existing Building Code;
3. The International Fire Code including appendices C, D, E, F and G, and appendix B with Section B103.1 thereof amended as follows: "B103.1 Decreases. The fire code official is authorized to reduce the fire-flow requirement for isolated buildings or a group of buildings where the development of full fire-flow requirements is impractical.";

4. The International Mechanical Code; and,

5. The International Fuel Gas Code;

as adopted and published by the International Code Council (ICC), are made a part hereof by this reference, the same as though incorporated herein at length.

B. Subsequent editions, changes, amendments, replacements and supplements of the codes referenced in subsection A of this section shall become effective on the last day of the sixth month after adoption by the State of Wyoming.

C. The City of Cody hereby adopts the 2020 Edition of the NFPA 70 National Electrical Code, as published by the National Fire Protection Association and adopted by the State of Wyoming, which code is made a part hereof by this reference, the same as though incorporated herein at length.

D. The City of Cody will adopt by resolution, the provisions of the International Plumbing Code, the International Residential Code, and International Property Maintenance Code that are in the best interest of the City.

All fees for the issuance of permits shall be from the fee schedules approved and adopted by the Governing Body by resolution.

One copy of all adopted codes shall be kept on file by the City, and shall be marked with the words "Property of the City of Cody, Official Copy".

SECTION 2: EFFECTIVE DATE. This Ordinance shall become effective March 15, 2022, after final passage and publication in the Cody Enterprise as required by law.

PASSED ON FIRST READING: 2/1/2022 _____

PASSED ON SECOND READING: 2/15/2022 _____

PASSED, ADOPTED AND APPROVED
ON THIRD AND FINAL READING: _____

Matt Hall, Mayor

ATTEST: _____
Cynthia Baker, Administrative Services Officer

MEETING DATE:	MARCH 1, 2022
DEPARTMENT:	COMMUNITY DEVELOPMENT/P.W.
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

AGENDA ITEM SUMMARY REPORT

Consider Granting Easements Across City Property and Authorize use of Public Right of Way for Installation of an Irrigation Pipeline as Requested by Kip Thiel

ACTIONS TO BE TAKEN

Consider whether to grant easements across City property and authorize use of public right-of-way for installation of an irrigation water pipeline, as requested by Kip Thiel.

SUMMARY

A private irrigation ditch in the County Estates Subdivision flows into the public use area of the Landing Subdivision. Before the Landing Subdivision was developed, that ditch trickled onto the property and created a limited marshy area. When the Landing subdivision began to be developed, it included construction of a greatly oversized retention area in the public use area for stormwater purposes and to accept the limited amount of irrigation water that then flowed. The current situation is that a combination of increased irrigation water due to the headgate of the ditch being left open all summer, and a slower infiltration rate than calculated, has resulted in a significant amount of ponding, which was not anticipated. The resulting standing water is creating potential concerns regarding groundwater level and mosquitos. The developer, Kip Thiel, proposes to address the issue by capturing the irrigation water at the south boundary of the Landing Subdivision and piping it to an existing irrigation ditch that has a return flow to the Watkins Lateral—a canal in the Cody Canal Irrigation District system, from which system the irrigation water originates. Cody Canal has given verbal confirmation that the concept is acceptable and Kip Thiel's engineer is designing a system to accomplish the intent. A draft set of plans for the pipeline system is attached.

The private pipeline would cross City-owned property and public right-of-way. Kip Thiel is requesting Council authorization for the City to grant easements and right-of-way permits to allow installation of those portions of the pipeline. The alignment of the pipeline and associated legal descriptions for the easements have been provided, but the easement documents themselves have not been drafted. Due to the desire to complete the pipeline before irrigation water is turned on in the middle of April, the applicant desires that the City Council grant the general permission, subject to review and approval of the easements and associated documents by the City Attorney. The documents to create the legal entity that will be the beneficiary of the easements (The Landing Homeowners Association, or similar name) also remain to be created. No compensation for granting the easement is proposed, as it benefits the public use area owned by the City by eliminating the stagmant water situation.. (The maintenance of the public use area is by the Landing Subdivision Homeowners.)

The following drawing provides the concept and more detailed legal descriptions and maps for the easements are attached. The magenta color represents the proposed pipeline across the Landing

AGENDA ITEM NO. _____

property and City property. The gap between the two magenta lines is an open irrigation ditch. The light blue represents a portion of the pipeline that would cross the Groathouse Construction property.



RECOMMENDATION

Authorize the City to grant easements and right-of-way permits to allow installation of the proposed private irrigation water pipeline across City land, subject to the following:

- 1) The City attorney shall review all easements and related documents and approve them to be signed by the mayor only when they meet his satisfaction as to form;
- 2) All areas disturbed by the installation of the pipeline that are not otherwise part of the Landing subdivision improvements (e.g. pathway, street) shall be restored to a native condition, including seeding with dryland grasses.
- 3) The final construction plans are to be reviewed and approved by the Public Works Director prior to construction.



City of Cody Agenda Request Form



In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns or provide additional information. Some requests may not require appearing before the Council for approval.

Please provide the following detailed information relating to your concern or request. **This form (and any relevant attachments) should be submitted in a timely manner, preferably at least 14 days prior to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval.** Council packets are prepared in advance prior to Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532),

Name of person to appear before the Council Kip Thiel - Owner, Carson Rowley - Engineer

Organization Represented The Landing Subdivision

Date you wish to appear before the Council 3/1/2022

Email Address crowley@to-engineers.com Telephone 307-258-2212

Names of all individuals who will speak on this topic Kip Thiel - Owner, Carson Rowley - Engineer

Event Title (if applicable) _____

Date(s) of Event (if applicable) _____

Location of Event (if applicable) _____

Full description of topic to be discussed (include all relevant information including any street closures, times of event, any special requirements or request etc., attach additional sheet if necessary and map showing location of event where applicable) _____

We are requesting that council consider two utility easements that will allow for the installation, operation, and maintenance of piped irrigation water. This is water that historically was released into the ground on land now associated with the Landing Subdivision. This irrigation piping would divert irrigation water (no storm water from the Landing Subdivision) to a City of Cody ditch that collects irrigation water, then collect it again in a pipe and diversion structure to ensure continued historic flow onto downstream current users, while diverting new additional flows back into the Watkins Lateral Ditch to the south of the property at 3630 Big Horn Ave. Attached are the two legal descriptions for the City of Cody easements and a draft set of project plans.

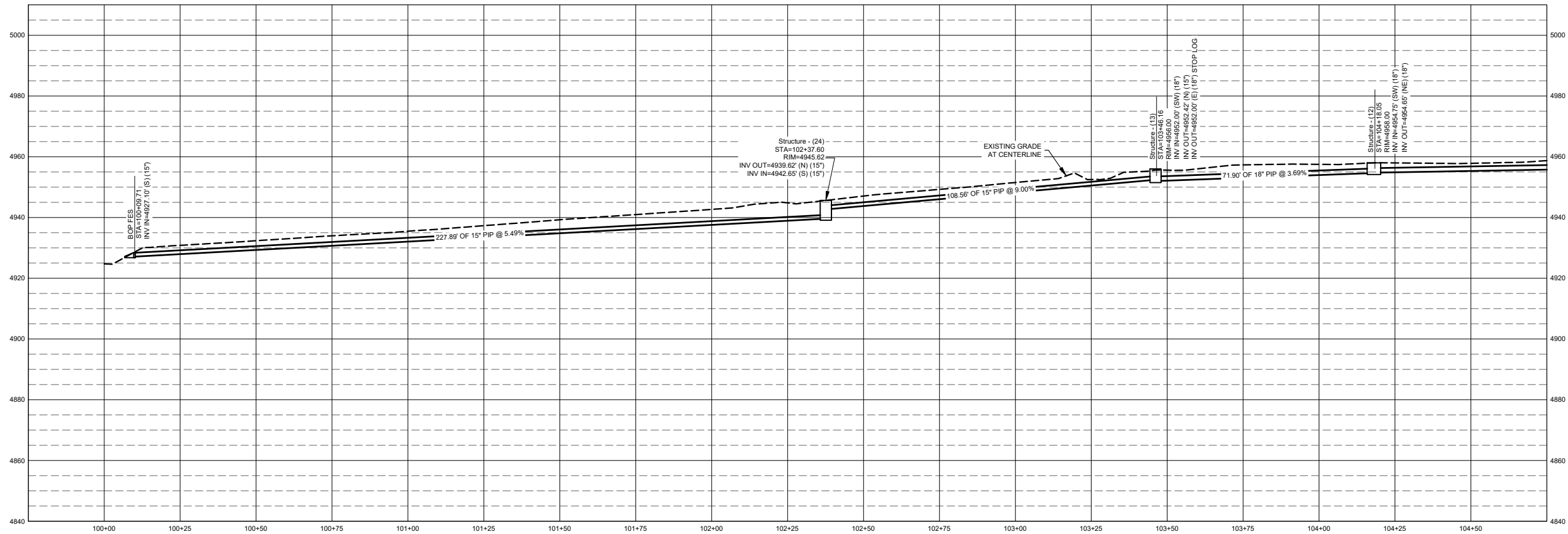
Which City employee(s) have you spoken to about this issue? Todd Stowell and Phillip Bowman

Signature  Date 2/23/2022



NO.	REVISIONS		DATE	BORDER SIZE 22"X34"
	DESCRIPTION			
				DESIGNED
				CWR
				DRAWN
				TJL
				CHECKED
				CWR
				APPROVED
				CWR

THE LANDING SUBDIVISION
DRAINAGE PIPE EXHIBIT - STA. 100+00 TO 104+50

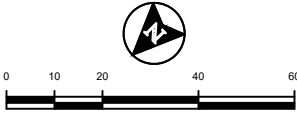
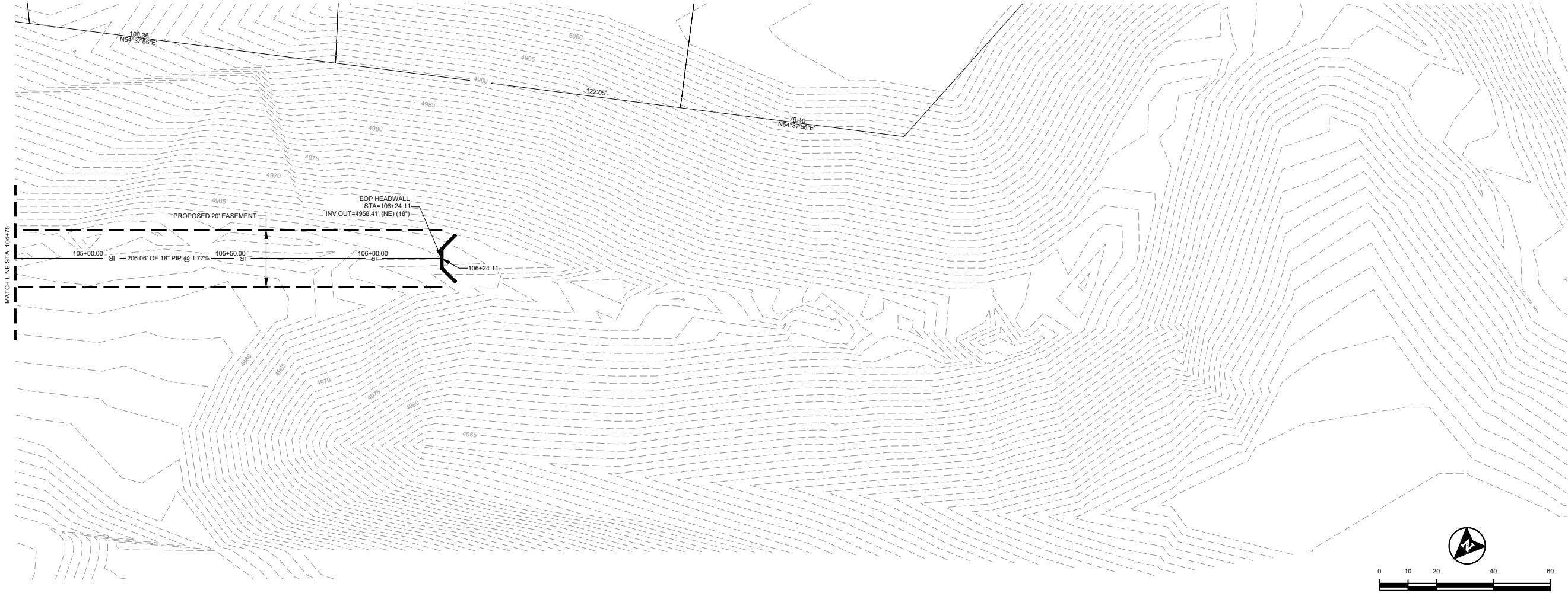
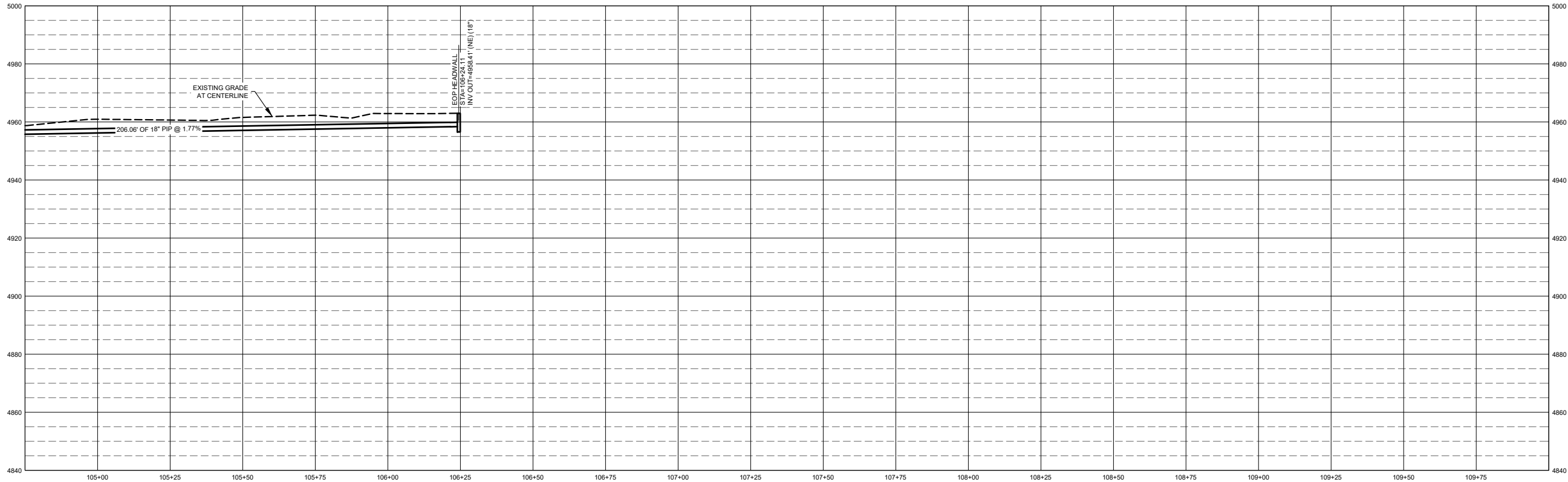


ATTENTION:
0 1/2 1
IF THIS BAR DOES NOT MEASURE
1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE

DATE:	February 22, 2022
PROJECT:	190598
SHEET:	

K:\190598\1_A\DRAWINGS\EXHIBITS\IRRIGATION PLAN AND PROFILE DWG. 2/22/2022

© 2022 T-O ENGINEERS. THIS INSTRUMENT IS THE PROPERTY OF T-O ENGINEERS. ANY REPRODUCTION, REUSE OR MODIFICATION OF THIS INSTRUMENT OR ITS CONTENTS WITHOUT SPECIFIC WRITTEN PERMISSION OF T-O ENGINEERS IS STRICTLY PROHIBITED



IRRIGATION BYPASS
THE LANDING SUBDIVISION
DRAINAGE PIPE EXHIBIT - STA. 104+50 TO 106+16

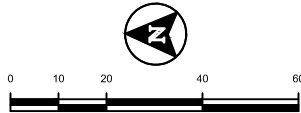
ATTENTION:
1/2"
IF THIS BAR DOES NOT MEASURE
1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE.

DATE: February 22, 2022
PROJECT: 190598
SHEET:



T-O ENGINEERS
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
502 33rd STREET
CODY, WY 82414
307-587-3411 | WWW.TO-ENGINEERS.COM
BOISE • CODY • CHEYENNE • COEUR D'ALENE
HEER CITY • MERIDIAN • NAMPYA • SPOKANE

REVISIONS		BORDER SIZE	
NO.	DESCRIPTION	DATE	22"x34"
			DESIGNED
			DRAWN
			CHECKED
			APPROVED
			CWR
			TJI
			CWR
			CWR



NO.		REVISIONS DESCRIPTION	DATE	BORDER SIZE 27"x34"
				DESIGNED
				CWR
				DRAWN
				TJI
				CHECKED
				CWR
				APPROVED
				CWR

BORDER SIZE	22"x34"
DESIGNED	CWR
DRAWN	
TJI	
CHECKED	
CWR	
APPROVED	
CWR	

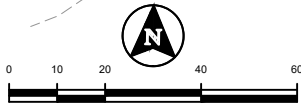
IRRIGATION BYPASS
THE LANDING SUBDIVISION
DRAINAGE PIPE EXHIBIT - STA.200+00 TO 204+50

ATTENTION:

0 1/2 1

IF THIS BAR DOES NOT MEASURE
1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE

DATE:	February 23, 2022
PROJECT:	190598
SHEET:	

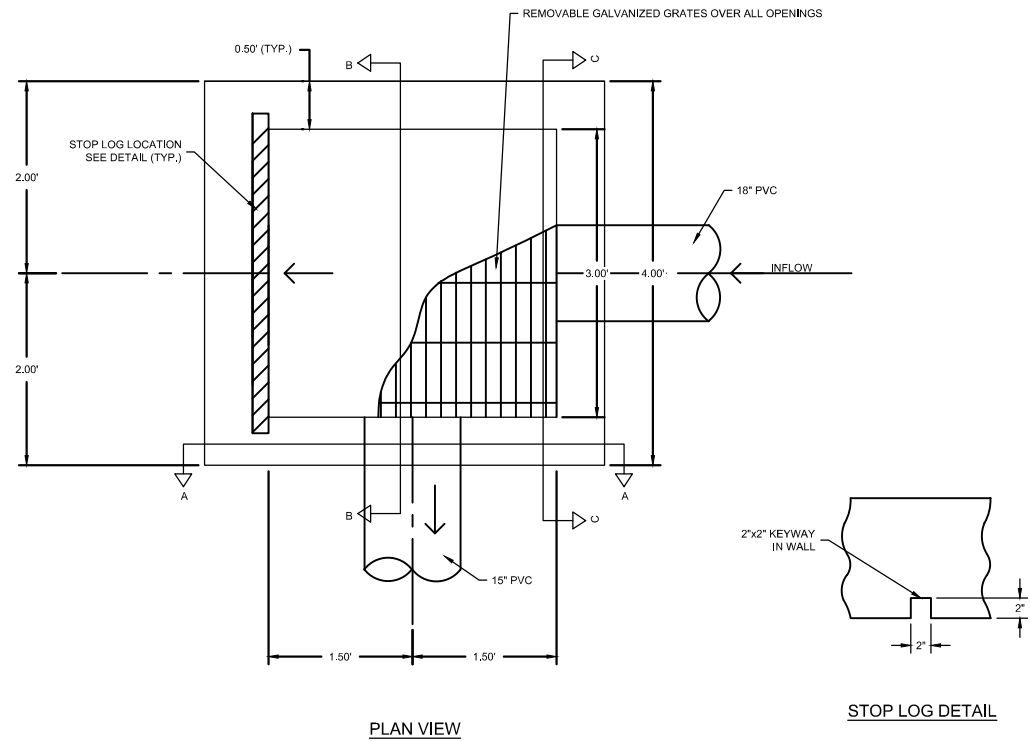


NO.	REVISIONS		DATE	BORDER SIZE
	DESCRIPTION			
				22"x34"
				DESIGNED
				CWR
				DRAWN
				T-11
				CHECKED
				CWR
				APPROVED
				CWR

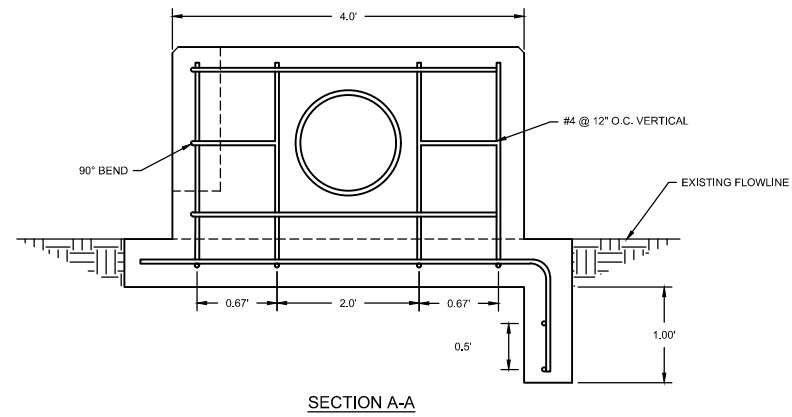
ATTENTION:
0 1/2 1
IF THIS BAR DOES NOT MEASURE
1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE

DATE:	February 22, 2022
PROJECT:	190598
SHEET:	4 OF 6

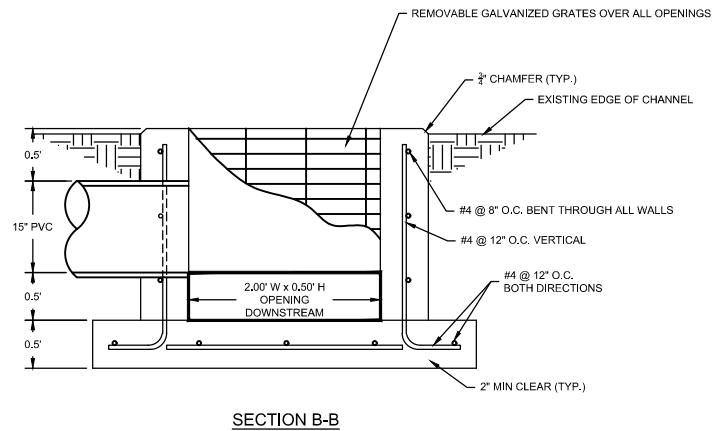
K:\190598\3_According\Sheets\IRRIGATION DIVERSION DETAIL.dwg, 2/23/2022 3:33:35 PM, Carsten Rowley, DWG To PDF.pc3
©2022 T-O ENGINEERS. THIS INSTRUMENT IS THE PROPERTY OF T-O ENGINEERS. ANY REPRODUCTION, REUSE OR MODIFICATION OF THIS INSTRUMENT OR ITS CONTENTS WITHOUT SPECIFIC WRITTEN PERMISSION OF T-O ENGINEERS IS STRICTLY PROHIBITED.



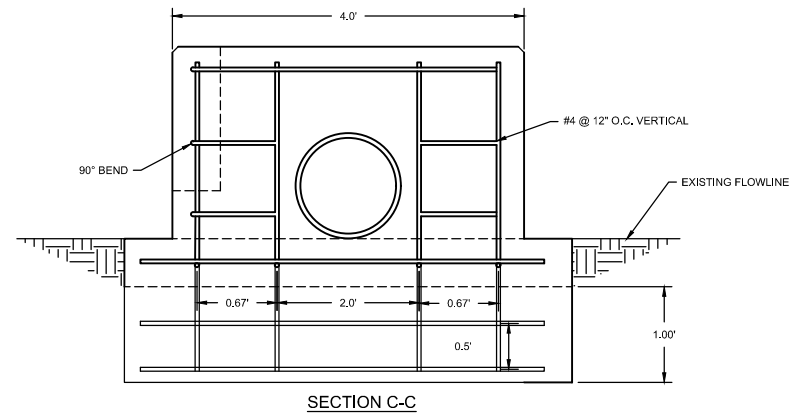
NTS 1



NTS 2



NTS 3



NTS 4

T-O ENGINEERS
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
502 33RD STREET
CODY, WY 82414
PHONE: (307) 597-3411 WWW.T-O-ENGINEERS.COM
BOISE • CODY • COEUR D'ALENE • HEBER CITY
MERIDIAN • Nampa • SPOKANE

PARK COUNTY, CODY, WYOMING
THE LANDING MAJOR SUBDIVISION
DIVERSION STRUCTURE #13 DETAIL

ATTENTION:
1/2" = 1'
IF THIS BAR DOES NOT MEASURE
1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE

DATE: February 22, 2022
PROJECT: 190598
SHEET:

5 OF 6

EXHIBIT "A"
DESCRIPTION OF IRRIGATION EASEMENT PARCEL

A twenty (20) foot wide easement over a portion of land within Document No. 0096-00654, official records of and in the Office of the Clerk of Park County, Wyoming, located within Tract 70, Resurvey, Township 53 North, Range 101 West, of the 6th Principal Meridian, Park County, Wyoming, more particularly described as follows:

COMMENCING FOR REFERENCE at the Southeast Corner of the N1/2 of the NE1/4 of said Track 70, being a railroad spike per the Certified Land Corner Recordation Certificate Document No. 2000-2199, official records of and in the Office of the Clerk of Park County, Wyoming; thence, westerly along the north line of said N1/2 of the NE1/4 (The Basis of Bearings for this description):

- A) N.89°58'52"W., 450.36 feet to a brass cap monument marking the intersection of said north line with the easterly right-of-way of 38th Street, being the southwest corner of Lot 2 of Beacon Hill Minor Subdivision, filed in Book P of Plats, page 28, official records of and in the Office of the Clerk of Park County, Wyoming; thence, along the west line of said Lot 2,
- B) N.00°09'13"E., 690.71 feet to a brass cap monument marking the northwest corner of said Lot 2; thence, along the south line of Parcel 1 as shown on Amended Record of Survey filed in Plat Cabinet "M", page 49, as Document No. 2014-3333, official records of and in the Office of the Clerk of Park County, Wyoming,
- C) N.89°51'27"W., 899.42 feet to a brass cap monument, being the northwest corner of Lot 41 of The Landing; thence,
- D) S.43°09'10"W., 436.50 feet to the **POINT OF BEGINNING**, for the following described centerline 20 foot wide easement;
thence the following one (1) courses,
 - 1) S.48°30'33"E., 48.83 feet along the centerline of said 20 foot wide easement to the east line of said Document No. 0096-00654 and the **POINT OF TERMINUS** of said easement.

The sidelines of said twenty-foot-wide easement are to be extended or shortened to meet at angle points and to create a continuous twenty-foot-wide easement.

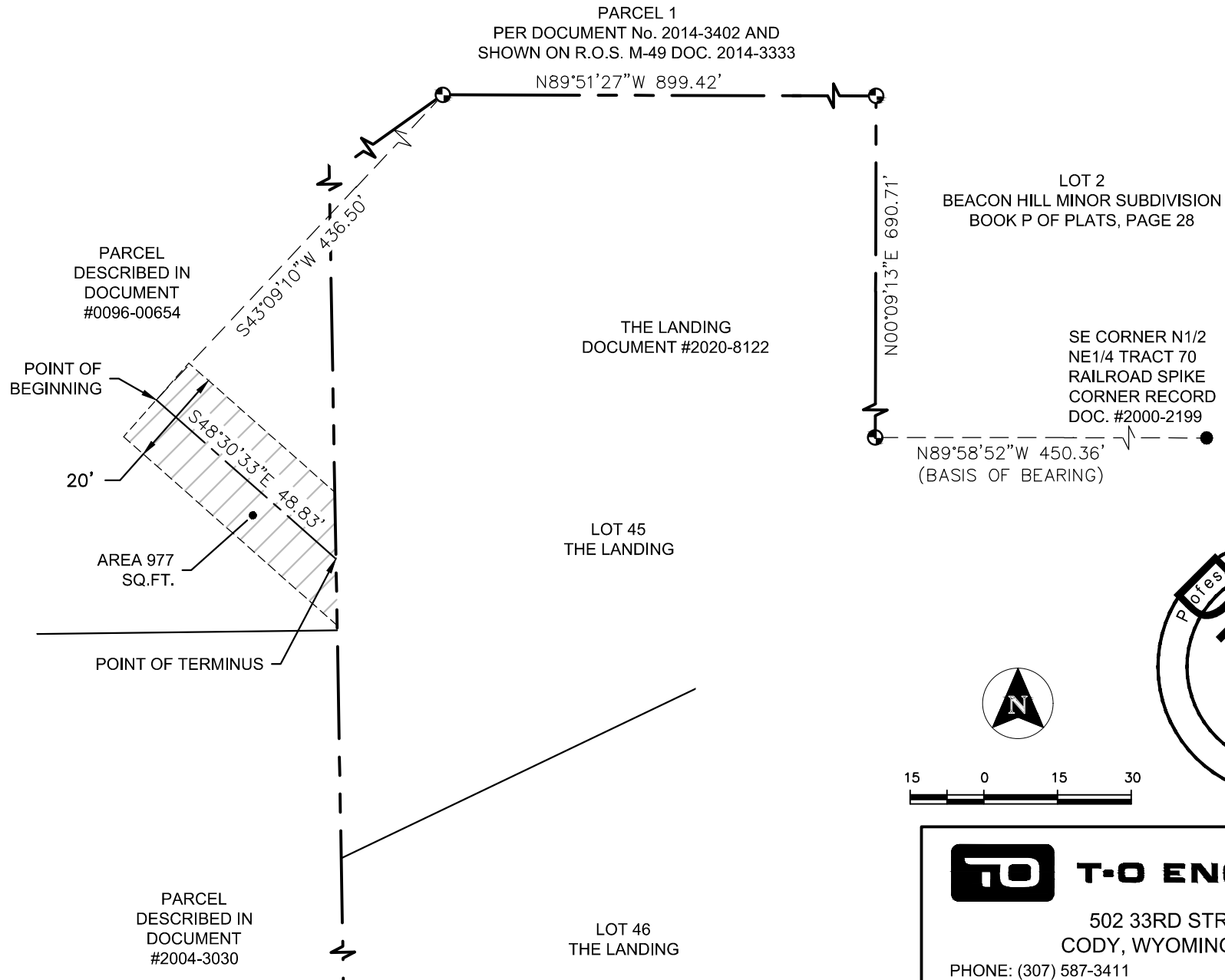
The above described parcel **CONTAINS** 977 Square Feet, more or less.

SUBJECT TO: to all Record Documents including any other easements, rights, rights-of-way, covenants, conditions, restrictions, reservations, agreements, and all other encumbrances of sight and/or record.

EXHIBIT B attached, and by this reference, made a part hereof.

EXHIBIT "B" SKETCH FOR IRRIGATION EASEMENT

LOCATED IN TRACT 70, RESURVEY,
TOWNSHIP 53 NORTH, RANGE 101 WEST, 6TH P.M., PARK COUNTY, WYOMING



T-O ENGINEERS

502 33RD STREET
CODY, WYOMING 82414

PHONE: (307) 587-3411

FAX: (307) 527-5182

E-FILE: 190598 Ease Sketch_Irrigation_South.dwg DATE: 2/17/2022

JOB: 190598

EXHIBIT "A"
DESCRIPTION OF IRRIGATION EASEMENT PARCEL

A twenty (20) foot wide easement over a portion of land within Parcel No.1 and Tract E of Cody Country Estates Book 96, Page 654, official records of and in the Office of the Clerk of Park County, Wyoming, located within Tract 70, Resurvey, Township 53 North, Range 101 West, of the 6th Principal Meridian, Park County, Wyoming, more particularly described as follows:

COMMENCING FOR REFERENCE at the Southeast Corner of the N1/2 of the NE1/4 of said Tract 70, being a railroad spike per the Certified Land Corner Recordation Certificate Document No. 2000-2199, official records of and in the Office of the Clerk of Park County, Wyoming; thence, westerly along the north line of said N1/2 of the NE1/4 (The Basis of Bearings for this description):

- A) N.89°58'52"W., 450.36 feet to a brass cap monument marking the intersection of said north line with the easterly right-of-way of 38th Street, being the southwest corner of Lot 2 of Beacon Hill Minor Subdivision, filed in Book P of Plats, page 28, official records of and in the Office of the Clerk of Park County, Wyoming; thence, along the west line of said Lot 2,
- B) N.00°09'13"E., 690.71 feet to a brass cap monument marking the northwest corner of said Lot 2; thence, along the south line of Parcel 1 as shown on Amended Record of Survey filed in Plat Cabinet "M", page 49, as Document No. 2014-3333, official records of and in the Office of the Clerk of Park County, Wyoming,
- C) N.89°51'27"W., 899.42 feet to a brass cap monument, being the northwest corner of Lot 41 of The Landing; thence,
- D) S.73°42'01"W., 189.74 feet to the **POINT OF BEGINNING**, for the following described centerline 20 foot wide easement;
thence the following one (2) courses,
 - 1) N.47°15'01"E., 216.06 feet along the centerline of said 20 foot wide easement; thence,
 - 2) N.61°38'30"E., 18.49 feet to the north line of said Tract E and the **POINT OF TERMINUS** of said easement.

The sidelines of said twenty-foot-wide easement are to be extended or shortened to meet at angle points and to create a continuous twenty-foot-wide easement.

The above described parcel **CONTAINS** 4,694 Square Feet, more or less.

SUBJECT TO: to all Record Documents including any other easements, rights, rights-of-way, covenants, conditions, restrictions, reservations, agreements, and all other encumbrances of sight and/or record.

EXHIBIT B attached, and by this reference, made a part hereof.

EXHIBIT "B" SKETCH FOR IRRIGATION EASEMENT
 LOCATED IN TRACT 70, RESURVEY,
 TOWNSHIP 53 NORTH, RANGE 101 WEST, 6TH P.M., PARK COUNTY, WYOMING

TRACT E
CODY COUNTRY
ESTATES
SUBDIVISION NO. 2

CITY OF CODY
PARCEL No. 1
BOOK 96, PAGE 654
DEPICTED ON
CODY COUNTRY
ESTATES
SUBDIVISION NO. 2

POINT OF BEGINNING

N61°38'30"E 18.49'

POINT OF TERMINUS

20'

AREA 4694 SQ.FT.

N47°15'01"E 216.06'

S73°42'01"W 189.74'

LOT 41
THE LANDING

PARCEL 1
PER DOCUMENT No. 2014-3402 AND
SHOWN ON R.O.S. M-49 DOC. 2014-3333

N89°51'27"W 899.42'

THE LANDING
DOCUMENT #2020-8122

LOT 2
BEACON HILL MINOR SUBDIVISION
BOOK P OF PLATS, PAGE 28

N00°09'13"E 690.71'

N89°58'52"W 450.36'
(BASIS OF BEARING)

SE CORNER N1/2
NE1/4 TRACT 70
RAILROAD SPIKE
CORNER RECORD
DOC. #2000-2199

Professional Land Surveyor
FRED E. SMITH
8788
Date
WYOMING

DRAFT

25 0 25 50



T-O ENGINEERS

502 33RD STREET
CODY, WYOMING 82414

PHONE: (307) 587-3411

FAX: (307) 527-5182

E-FILE: 190598 Ease Sketch_Irrigation_South.dwg DATE: 2/17/2022

JOB: 190598



AGENDA ITEM SUMMARY REPORT

Consider Approval of Change Orders No. 9 and No. 10 for the Wastewater Treatment Facility – Phase 2 Treatment Process Upgrade Project

ACTION TO BE TAKEN

Consider Approval of Change Orders No. 9 and No. 10 for the Wastewater Treatment Facility – Phase 2 Treatment Process Upgrade Project, and authorize the Mayor to sign and execute all associated documents.

SUMMARY OF INFORMATION

The Wastewater Treatment Facility – Phase 2 Treatment Process Upgrade Project (Project) was awarded to Harris Trucking and Construction Company (HTC) on July 16, 2019, and a Notice to Proceed was issued to HTC on August 16, 2019, to start construction on the Project. Change Orders Nos. 1 through 8 have previously been approved for the project increasing the contract price with HTC by \$184,468.72 to a total amount of \$5,405,630.72.

Two (2) Change Orders are proposed for approval with this item, and are summarized as follows:

- Change Order No. 9 will add pipe supports and bracing around the aeration blower units. The original design did not include this bracing, and upon assembly of the multiple pipes on the system it was identified that additional bracing and support could easily be added. The cost of this modification is \$2,850.88, and is considered very reasonable for the value added to the project.
- Change Order No. 10 will provide additional contract time to the project, and allow for a winter shutdown (with no work performed) in late 2021 and early 2022. During the late summer months of 2021, it was identified by the general contractor and their subcontractors that the project would not be completed by the contractual final completion date of August 31, 2021 due to labor and material shortages. Critical work items by a key subcontractor could not be completed because of extended staff absence due to COVID, and the delivery of unique project specific components being delayed. City Staff met with the Engineer and Contractor to identify work arounds to address these delays, and no acceptable alternatives could be identified. The best alternative was to allow a winter shutdown and have the project completed in 2022. Change Order No. 10 will define a new substantial completion date of May 27, 2022, and a new final completion date of July 29, 2022, with no additional cost.

In total, Change Order No. 9 and No. 10 will increase the project cost by \$2,850.88 to a total contract amount of \$5,408,481.60, and will modify the project schedule with a new final completion date of July 29, 2022. The total change order costs on the project (CO Nos. 1 through 10) are now \$187,319.60, which is an increase of approximately 3.59% above the original contract amount.

City Council approval of Change Order No. 9 and No. 10 will be subject to final approval of all associated documents by the City Attorney prior to execution by the Mayor.

AGENDA ITEM NO. _____

FISCAL IMPACT

Change Order No. 9 and No. 10 will add \$2,850.88 to the current contract price of \$5,405,630.72 with HTC. The increased contract price will be \$5,408,481.60. The contract price is currently budgeted in the approved FY 2022 Budget within the Wastewater Enterprise Fund through a combination of SLIB/SRF loan and grant monies, Specific Purpose Tax Fund monies, and Wastewater Fund reserves. If additional funding is needed for these change orders, a budget amendment will be proposed utilizing Wastewater Enterprise Fund unrestricted reserves.

ATTACHMENTS

1. Change Order No. 9 with support documentation
2. Change Order No. 10 and Winter Shutdown Order

AGENDA & SUMMARY REPORT TO

None

Date of Issuance: 12/13/2021
 Owner: CITY OF CODY, WYOMING
 Engineer: ENGINEERING ASSOCIATES
 Contractor: HARRIS TRUCKING & CONSTRUCTION CO. (HTC)
 Project: CODY WWTF – PHASE 2 TREATMENT PROCESS UPGRD

Effective Date: 02/15/2022
 Owner's Contract No.: 2019-2
 Engineer's Project No.: 14111.04

The Contract is modified as follows upon execution of this Change Order:

Description: Add eight (8) pipe supports below inlet and outlet pipes to four (4) blowers in Blower Building
 (See revised plan sheets BB-1 and BB-2).

Attachments: Change Order Memo PCO #09, dated 07/27/2021.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: \$ <u>5,221,162.00</u>	Original Contract Times: Substantial Completion: <u>Sep 15, 2020</u> Ready for Final Payment: <u>Sep 30, 2020</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>8</u> : \$ <u>184,468.72</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>8</u> : Substantial Completion: <u>Aug 1, 2021</u> Ready for Final Payment: <u>Aug 31, 2021</u> days or dates
Contract Price prior to this Change Order: \$ <u>5,405,630.72</u>	Contract Times prior to this Change Order: Substantial Completion: <u>Aug 1, 2021</u> Ready for Final Payment: <u>Aug 31, 2021</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>2,850.88</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>N.A.</u> Ready for Final Payment: <u>N.A.</u> days or dates
Contract Price incorporating this Change Order: \$ <u>5,408,481.60</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>Aug 1, 2021</u> Ready for Final Payment: <u>Aug 31, 2021</u> days or dates

RECOMMENDED:
 By: [Signature]
 Title: Project Engineer
 Date: 02/15/2022

ACCEPTED:
 By: _____
 Title: Mayor
 Date: _____

ACCEPTED:
 By: [Signature]
 Title: Project Superintendent
 Date: 2-17-22

Concurrence by Funding Agency (if applicable)

By: _____ Date: _____ Date: _____
 Title: _____

Change Order Proposal

PCO #09

Project Title: WWTF Phase 2

Contract No.: _____ Project No.: _____

Reference: Basin Mechanical- Add 8ea of 10" Saddles with Stainless Steel Pipes to Backside of Blowers

In Blower Building

1 Material (Include tax. Provide separate breakdown with quantity and unit prices.)		\$0.00
2 Labor		\$0.00
_____ Man Hours	\$42.00 per Hour XXXXX Craft	\$0.00
_____ Man Hours	\$65.00 per Hour _____ Craft	\$0.00
_____ Man Hours	_____ per Hour _____ Craft	\$0.00
3 Other Costs (Identify)		\$0.00
4 Total of Items 1,2		\$0.00
5 Overhead (% of Item 4)	10.00%	\$0.00
6 Total of Items 4,5		\$0.00
7 Profit (% of Item 6)	5.00%	\$0.00
8 Total of Items 6,7		\$0.00
*9 Labor Burden (% of Item 2)	0.00%	\$0.00
10 Total of Items 8,9		\$0.00
11 Subcontract Cost		\$2,675.00
**12 Prime Contractor Fee (% of item 11)	5.00%	\$133.75
13 Total of Items 11,12		\$2,808.75
14 Subtotal (Total of Items 3,10,13)		\$2,808.75
15 Bond (% of Item 14)	1.50%	\$42.13
16 Total Change Order (Total of Items 14,15)		\$2,850.88

* Cost of Federal Old Age benefits (Social Security) tax and workman's compensation and public liability insurance pertaining to charges are allowable. While no percentage will be allowed thereon for overhead or profit, prime contractor's fee will be allowed on each items in sub-contractor's proposal.

** If work proposed by this change is performed by prime contractor forces fee is not allowed; only overhead and profit.

Allowances for overhead and profit will not exceed 10% each. The contractor must obtain and furnish with the proposal an itemized breakdown signed by each subcontractor participating in the change if it exceeds one thousand dollars.

By Sterling Christler
Contractor Name

Harris Trucking & Construction Co.
Company Name

7/27/2021
Date

7/27/2021

Gmail - FW: WWTF Blower Building Change Order

To: schristler1@gmail.com
Subject: WWTF Blower Building Change Order

Sterling,

Change Order for adding saddles to the back pipes of the blowers.

For adding eight 10" saddles with stainless steel pipes plus labor comes to \$2,675.00

Any questions let me know

THANKS

Will Potindexter

Basin Mechanical

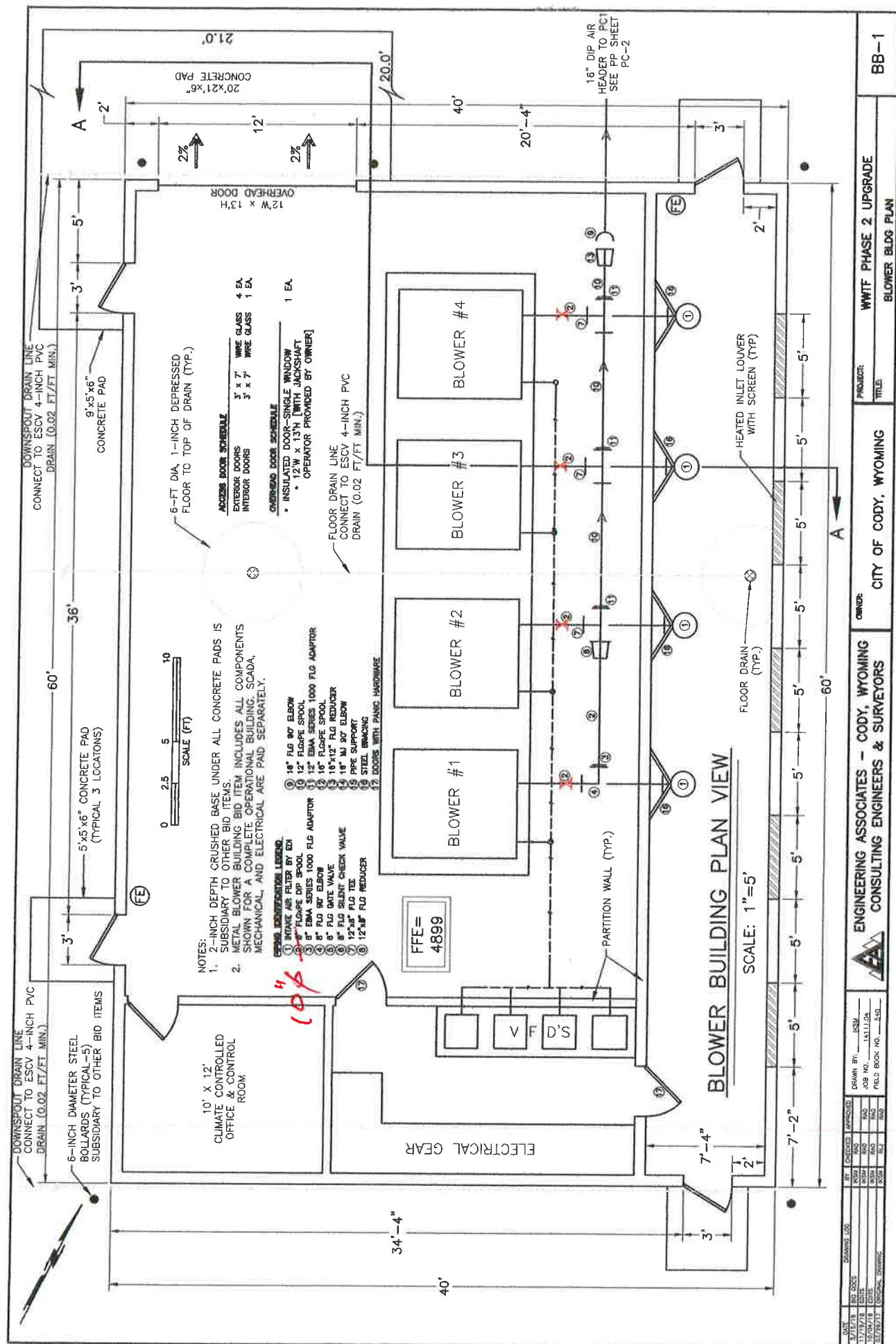
Mail - P.O. BOX 606

Deliveries-3429 Cottonwood Ave Suite 2

Cody, WY 82414

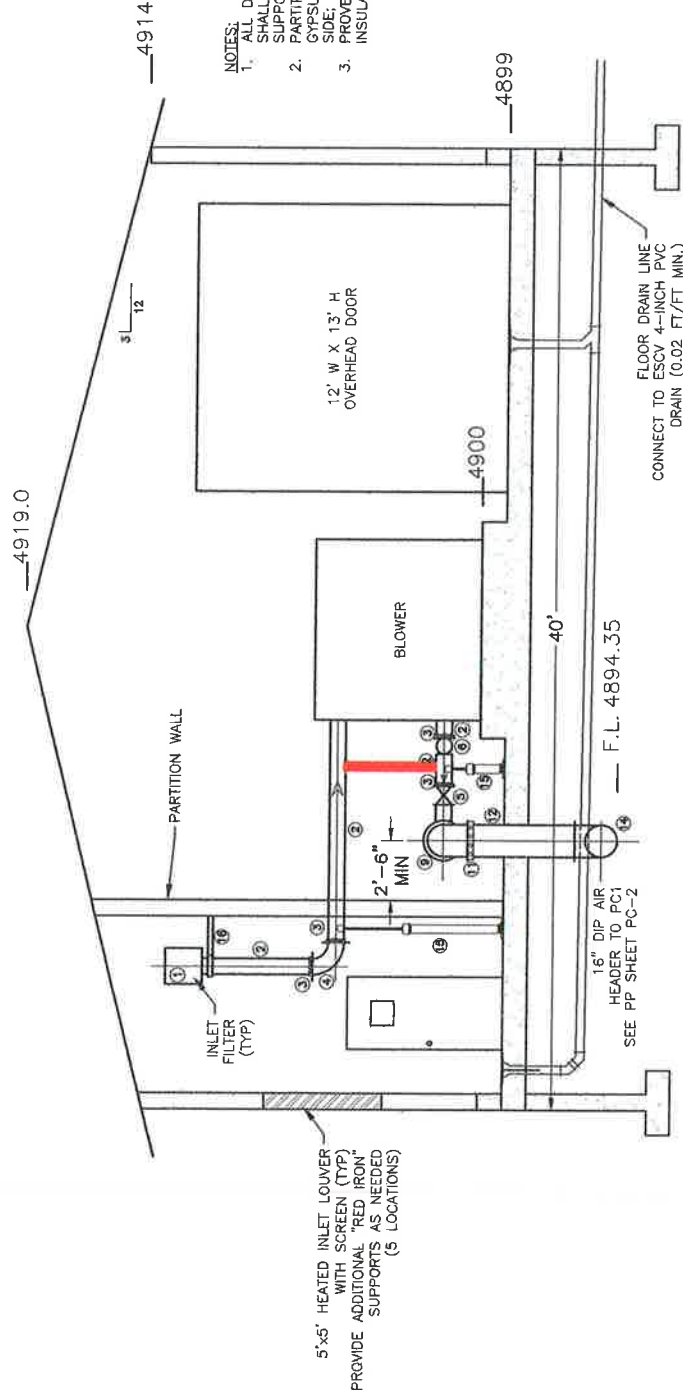
307-527-6413

307-250-4565 Cell



- PIPE IDENTIFICATION LEGEND:**
- ① INTAKE AIR FILTER BY EN
 - ② 8" FLOW-PAF DIP SPOOL
 - ③ 8" ENMA SERIES 1000 FLG ADAPTOR
 - ④ 8" FLG 90° ELBOW
 - ⑤ 8" FLG GATE VALVE
 - ⑥ 8" FLG SILENT CHECK VALVE
 - ⑦ 12"x8" FLG TEE
 - ⑧ 12"x8" FLG REDUCER
 - ⑨ 12" FLG 90° ELBOW
 - ⑩ 12" ENMA SERIES 1000 FLG ADAPTOR
 - ⑪ 12" FLG SPOOL
 - ⑫ 12" FLG 90° ELBOW
 - ⑬ 14"x12" FLG REDUCER
 - ⑭ 14" M 90° ELBOW
 - ⑮ PIPE SUPPORT
 - ⑯ STEEL BRACING

- NOTES:**
1. ALL DIP AIR PIPING INSIDE THE BLOWER BUILDING SHALL BE SUPPORTED USING ADJUSTABLE PIPE SUPPORTS AS SHOWN IN THE STANDARD DETAILS.
 2. PARTITION WALL - 6" COLD FORMED STEEL: 5/8" GYPSUM BOARD WITH LEVEL 4 FINISH - EACH SIDE; EXTEND TO FULL INTERIOR BUILDING HEIGHT. PROVIDE 5-1/2" SOUND ATTENUATION BATTING INSULATION IN ALL PARTITION WALLS.
 - 3.



												ENGINEERING ASSOCIATES - CODY, WYOMING CONSULTING ENGINEERS & SURVEYORS												OWNER: CITY OF CODY, WYOMING												PROJECT: WWTF PHASE 2 UPGRADE												TITLE: BLOWER BLDG SECTION A-A												BB-2																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
DATE												10/17/18												DESIGN												10/17/18												BY												10/17/18												CHECKED												10/17/18												APPROVED												10/17/18												DRAIN BY												JESL												JOB NO.												141152												FIELD BOOK NO.												541																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
10/07/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE												10/17/18												DATE											

Date of Issuance: 12/14/2021
 Owner: CITY OF CODY, WYOMING
 Engineer: ENGINEERING ASSOCIATES
 Contractor: HARRIS TRUCKING & CONSTRUCTION CO. (HTC)
 Project: CODY WWTF – PHASE 2 TREATMENT PROCESS UPGRD


Effective Date: 02/16/2022
 Owner's Contract No.: 2019-2
 Engineer's Project No.: 14111.04

The Contract is modified as follows upon execution of this Change Order:

Description: Due to Covid-19 supply chain issues, as well as labor shortages that impacted installation schedules for PC-1 liner, aeration, and cover, it was determined that there was not sufficient time to commission PC-1 before winter weather commenced at the project site. Therefore, a winter shutdown was executed.

Attachments: (none)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: \$ 5,221,162.00	Original Contract Times: Substantial Completion: Sep 15, 2020 Ready for Final Payment: Sep 30, 2020 days or dates
[Increase] [Decrease] from previously approved Change Orders No. 1 to No. 9: \$ 187,319.60	[Increase] [Decrease] from previously approved Change Orders No. 1 to No. 8: Substantial Completion: Aug 1, 2021 Ready for Final Payment: Aug 31, 2021 days or dates
Contract Price prior to this Change Order: \$ 5,408,481.60	Contract Times prior to this Change Order: Substantial Completion: Aug 1, 2021 Ready for Final Payment: Aug 31, 2021 days or dates
[Increase] [Decrease] of this Change Order: \$ 0	[Increase] [Decrease] of this Change Order: Substantial Completion: May 27, 2022 Ready for Final Payment: Jul 29, 2022 days or dates
Contract Price incorporating this Change Order: \$ 5,408,481.60	Contract Times with all approved Change Orders: Substantial Completion: May 27, 2022 Ready for Final Payment: Jul 29, 2022 days or dates

RECOMMENDED:
 By: 
 Title: Project Engineer
 Date: 02/16/2022

ACCEPTED:
 By: _____
 Title: Mayor
 Date: _____

ACCEPTED:
 By: 
 Title: Project Superintendent
 Date: 2-17-22

Concurrence by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

WINTER SHUTDOWN ORDER

Project: CODY WWTF – PHASE 2 TREATMENT PROCESS UPGRADE

Date of Issuance: _____

Owner: City of Cody, Wyoming

Owner's Contract Number: 2019-2

Contractor: Harris Trucking & Construction Inc. **Engineer:** Engineering Associates

This Winter Shutdown Order applies to all Work under the Contract Documents:

A Certificate of Partial Substantial Completion has been executed for the UV Building and UV System. A punch list has been prepared for that System. If any of the punchlist items are worked on during the winter shutdown, notify the Engineer.

The Contractor can no longer continue to work at the project site due to cold weather. Installation of the aeration system and pond cover were halted due to concerns regarding a possible leak in the PC-1 liner. Currently, the pond water level is being monitored to define the water level at which the leakage diminishes. Without the aeration system and pond cover in-place, commissioning of PC-1 cannot be successfully performed at this time. Therefore, the remaining work, which includes installation of the erosion control, effluent irrigation skid-mounted pump station, PC-1 pond cover, seeding, fertilizer, mulch, effluent irrigation sprinkler pivots, Blower Building, the EDI aeration equipment and appurtenances, pit run, and gravel, plus pond liner repair, is better suited for completion next year. This winter shutdown will allow the remaining work to be completed under more suitable working conditions beginning in the spring of 2022.

The Contractor will commence work when temperatures are reasonable to perform the work, and the Owner agrees (but no later than April 4, 2022), unless an extension of this Order is requested and approved prior to that time. Substantial and Final Completion dates will be revised in a subsequent Change Order.

Contractor's and Subcontractors' Performance and Payment Bonds, and Project Insurance shall remain in effect during this shutdown.

This Winter Shutdown Order does not affect any other terms and conditions of the original Contract Agreement, whose effective date was July 17, 2019.

This Order does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR'S obligation to complete the Work in accordance with the Contract Documents.

Executed by **ENGINEER** on: \$ February 17, 2022

ENGINEERING ASSOCIATES
ENGINEER

By: Itu
(Authorized Signature)

CONTRACTOR accepts this Work Suspension Order on: 2/17, 2022

HARRIS TRUCKING & CONSTRUCTION INC.
CONTRACTOR

By: STH CTH
(Authorized Signature)

OWNER accepts this Work Suspension Order on: _____, 2022

CITY OF CODY, WYOMING
OWNER

By: _____
(Authorized Signature)