

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Amended Agenda

WEDNESDAY, SEPTEMBER 15, 2010

4:00 p.m.

-Convene

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders; and
- (b) Consider approval of Home Rule Resolution granting World Company d/b/a Sunflower Broadband to construct, operate, and maintain a cable system in the unincorporated areas of Douglas County. (Craig Weinaug);
- (c) Consider approval of transfer of franchise from Sunflower Broadband to Knology upon closing of sale (Craig Weinaug); and
- (d) Consider acquisition of right-of-way for construction of structure no. 8.00N-21.22E (Public Works)

REGULAR AGENDA

- (2) Consider recommendation of bid awards for food contract (Jackie Waggoner)

- (3) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment

- (4) Adjourn

WEDNESDAY, SEPTEMBER 22, 2010

6:35 p.m.

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
- (b) Consider approval of the State of Consent accepting the transfer of property for Lots 4 and 5 in Block 2 in the Final Plat of Lots 4, 5 and 6, Block 2, in the East Hills Business Park to the KU Endowment Association (Craig Weinaug);
- (c) Consider approval of a Water Connection Agreement and Temporary Set-Aside Agreement associated with the Pines International Final Plat, PF-1-1-10. (Mary Miller);
- (d) Consider approval of a Temporary Set-Aside Agreement and Cross Access Easement and Maintenance Agreement for Certificate of Survey, CSU-3-2-10, for 25 acres located at the southeast corner of the intersection of N. 1000 and E. 1450 Road, S31-T13S-R20E. (Mary Miller);
- (e) Cross Access Easement and Maintenance Agreement for Certificate of Survey, CSU-3-1-10, for 20 acres located at the southeast corner of the intersection of N. 1000 and E. 1450 Road, S31-T13S-R20E. (Mary Miller is the Planner); and
- (f) Acknowledge fee reports for July and August 2010, and addition reports for June 2010.

REGULAR AGENDA

- (2) Consider recommendation to purchase two replacement vehicles for the Sheriff's office (Ken McGovern)

- (3) Receive presentation on the Preliminary Alignment Study for the extension of 31st Street from O'Connell Road (E 1600 Rd) to Route 1057 (Keith Browning)

- (4) Discussion of Lone Star concession building (Weinaug/Browning)

- (5) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)

- (b) Appointments
- (c) Miscellaneous
- (d) Public Comment

(6) Adjourn

WEDNESDAY, SEPTEMBER 29, 2010

-Recycling project update (Eileen Horn)

WEDNESDAY, OCTOBER 6, 2010

4:00 p.m.

-Consider approval of a proclamation declaring October 2010 as "Disability Employment Awareness Month" (Peggy Wallert/Sharon Spratt)

-Consider approval of solar photovoltaic system for Douglas County Extension Office at 2110 Harper (Eileen Horn)

WEDNESDAY, OCTOBER 13, 2010

-Discussion on SmartStar program from Westar Energy (Eileen Horn)

WEDNESDAY, OCTOBER 20, 2010

FRIDAY, OCTOBER 22, 2010

-Dedication ceremony for KU School of Pharmacy (one or more Commissioners may attend)

8:30-10:30 a.m. continental breakfast; 9:30-10:30 a.m. tour; 11:00 a.m. dedication ceremony

WEDNESDAY, OCTOBER 27, 2010

MONDAY, NOVEMBER 8, 2010

-9:00 a.m. Canvass for Election

Note: *The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and 6:35 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*

CONSENT TO TRANSFER

WHEREAS, by Home Rule Resolution No. HR-10-9-4 (the "Resolution"), Douglas County, Kansas (the "County") granted THE WORLD COMPANY dba SUNFLOWER BROADBAND (hereinafter "Sunflower") a cable television franchise (the "Franchise"), permitting Sunflower to, among other things, use public streets, roads, and highways in the unincorporated areas of Douglas County, Kansas to operate a cable service and system, all in accordance with the terms and conditions of the Resolution (the "Franchise").

WHEREAS, Section 12 of the Resolution provides that Sunflower may not transfer its rights under the Resolution without obtaining the prior consent of the County.

WHEREAS, Sunflower and KNOLOGY OF KANSAS, INC. ("Knology") have entered into an Asset Purchase Agreement (the "Agreement") by which Sunflower has agreed to sell and Knology has agreed to purchase certain cable television assets, including the Franchise.

NOW THEREFORE, the Board of County Commissioners of Douglas County, Kansas, the governing body of the County, agrees as follows:

1. The County consents to the transfer of the Franchise from Sunflower to Knology, together with all of Sunflower's rights, title, powers, and privileges in and under the Franchise.
2. The County understands that transfer of the Franchise from Sunflower to Knology is contingent upon, and shall occur at the time of, the consummation of the Agreement (the "Closing"). Upon the Closing, Sunflower and Knology shall enter into, and provide the County with, an assignment and assumption agreement by which Sunflower assigns all of its rights under the Franchise to Knology and Knology assumes all of Sunflower's obligations under the Franchise. Upon providing the County with evidence of Closing and of such an assignment and assumption agreement, Sunflower shall be released from all obligations and duties under the Franchise that arise on and after the Closing and Knology shall become bound by the Franchise and shall perform and discharge all obligations and duties under the Franchise and shall have all rights and benefits that arise on and after the Closing.
3. The County hereby confirms that the Franchise is valid and binding and in full force and effect, that Sunflower is the present franchisee thereunder, and, to the best knowledge of the County, Seller is in compliance in all material respects with the terms of the Franchise and there are no impediments to future renewals.

IN WITNESS WHEREOF, this Consent is given this ____ day of September, 2010.

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS:

By: _____
Nancy Thellman, Chair

ATTEST:

Jameson D. Shew, County Clerk



DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

TO : Board of County Commissioners

FROM : Keith A. Browning, P.E., Director of Public Works *[Signature]*
Michael D. Kelly, L.S., County Surveyor *[Signature]*

DATE : September 10, 2010

RE : Drainage Structure Replacement; Bridge No. 8.00N – 21.22E
Acquisition of Easement; Consent agenda

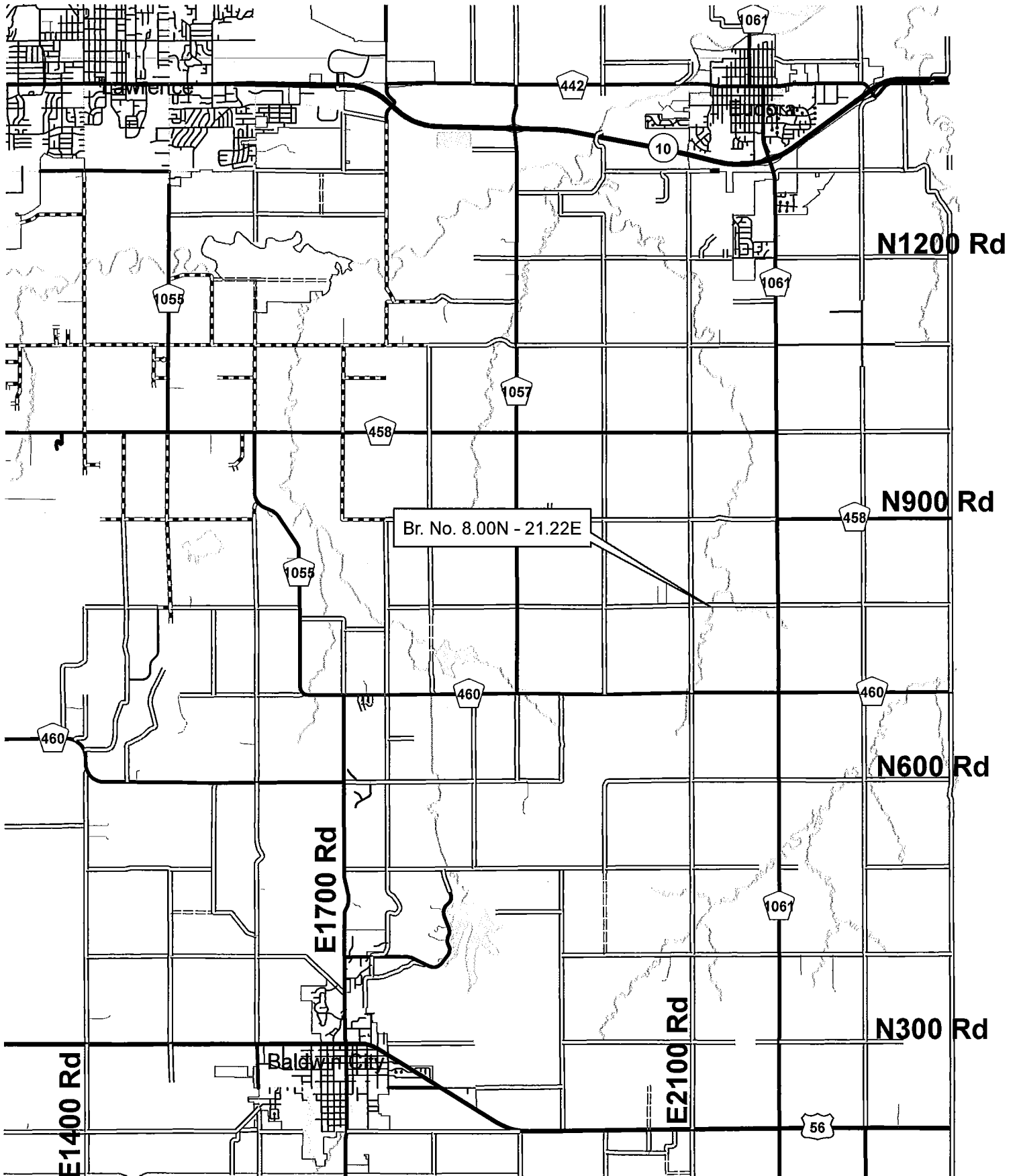
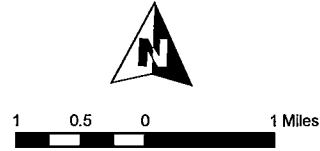
A project has been designed to replace a deficient drainage structure located on N800 Road, approximately 0.75 miles west of County Route 1061. Plans were developed in-house and negotiations with the pertinent landowners for permanent easement are now complete.

Construction is planned for October and will be accomplished primarily using county personnel.

To ensure the proper completion of a necessary construction project approval is recommended for the attached CONTRACT's FOR HIGHWAY PURPOSES.

ACTION REQUIRED: Consent agenda approval to authorize Nancy Thellman to affix her signature to the CONTRACT's FOR HIGHWAY PURPOSES for Drainage Structure No. 8.00N – 21.22E.

Br. No. 8.00N - 21.22E General Location Map



Br. No. 8.00N - 21.22E

1 inch = 100 feet
100 50 0 100 Feet



ROMAN CATHOLIC ARCHDIOCESE OF KC
ATTN HOLY FAMILY CHURCH

REYNOLDS GORDON L
REYNOLDS JEAN E

ROMAN CATHOLIC ARCHDIOCESE OF KC
ATTN HOLY FAMILY CHURCH

Br. No. 8.00N - 21.22E

MELVILLE MAX E

HAUSMAN CALVIN C TRUSTEE



@ P.O.T. Sta. 21+00.00
 N: 203,262,325, E: 2,136,187.214
 1. Not Set
 2. 6.00' Lt. @ Sta. 21+00.00 @ Rt. X's

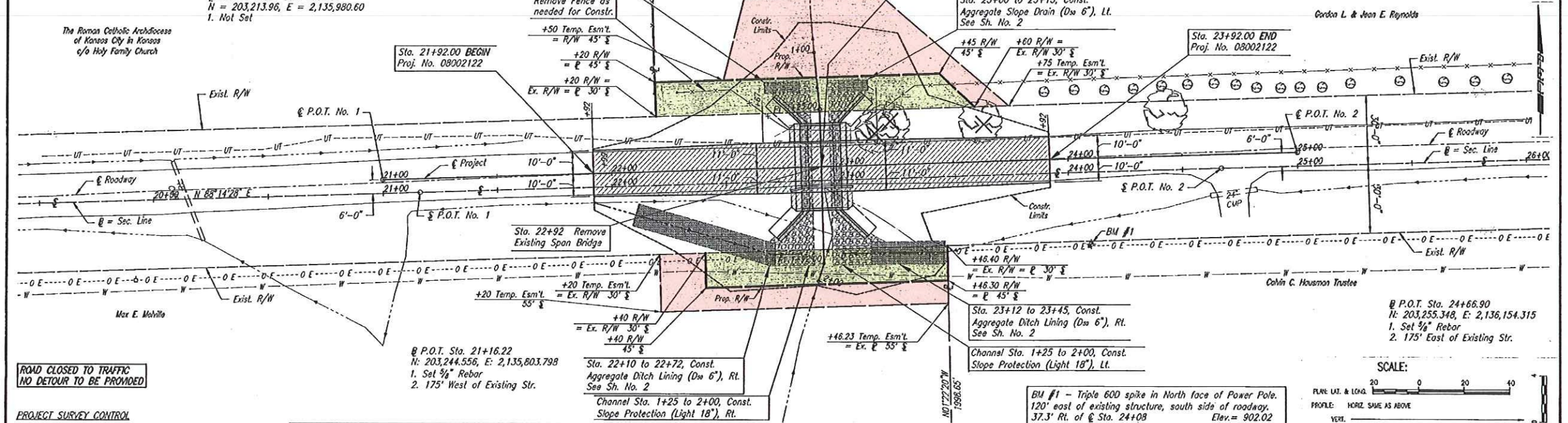
@ Channel P.O.T. Sta. 1+25.00
 N = 203,280.93, E = 2,135,978.54
 1. Not Set

Sta. 22+68 to 22+83, Const.
 Aggregate Slope Drain (Dw 6"), Lt.
 See Sh. No. 2

Sta. 22+92.00 Const. Str. No. 08.00N-21.22E
 16'-0"x10'-0" Precast R.C. Slab Span
 See Sh. Nos. 4-6

@ P.O.T. Sta. 25+00.00
 N: 203,262,325, E: 2,136,187.214
 1. Not set
 2. 6.00' Lt. @ Sta. 25+00.00 @ Rt. X's

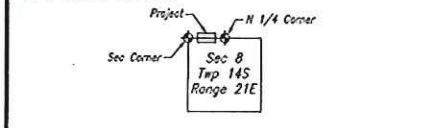
STATE	PROJECT NO.	YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	DG Co. Proj. 08002122	2010	3	21



PROJECT SURVEY CONTROL
 Horizontal Project Datum
 State Plane Coordinates, NAD 83
 Combined Adjustment Factor = 0.99994185

Project Coordinates at NW Cor. Sec. 8, T14S, R21E
 N: 203,210,285, E: 2,134,698.105
 1. Found 1/2" Iron Bar
 2. Spike in Northwest Face Power Pole 38.2' SW
 3. Cross in North End Concrete Pipe 18.7' NW
 4. Cross in South End Concrete Pipe 29.9' SW
 5. @ Sta. 10+00.00

Project Coordinates at N 1/4 Cor. Sec. 8, T14S, R21E
 N: 203,292,953, E: 2,137,380.045
 1. Found 5/8" Iron Bar
 2. 60d Nail in 90° Ash Tree 26.4' N
 3. Chisled Cross on East End of South Handrail 14.0' W
 4. @ Sta. 36+93.21



UTILITY OWNERS
 Kansas One-Call
 (For exact location of all underground utilities)
 1-800-344-7233

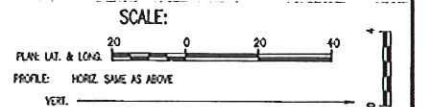
WATER
 Rural Water District No. 4
 1789 N700 Rd
 Baldwin, KS 66006
 (785) 594-3847
 Contact: Scott Schulte

ELECTRIC POWER
 Westar Energy
 746 E. 27th Street
 Lawrence, KS 66046
 (785) 845-4857
 Contact: Chris Feldhausen

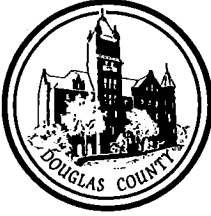
TELEPHONE
 AT&T
 203 SE 6th Street
 Topeka, KS 66603
 (785) 276-5377
 Contact: Keith Gatzemeyer

EARTHWORK SUMMARY			
Stationing	Description	Quantity	Notes
Balance from Sta. 21+92.00 to Sta. 22+78.50	+278 Cu. Yds. Common Excavation (VME 0.80)	278	Includes 245 Cu. Yds. to be wasted on sites provided by Contractor.
Sta. 22+78.50 to Sta. 23+03.50	83 Cu. Yds. Common Excavation (VME 0.80)	83	Includes 191 Cu. Yds. to be wasted on sites provided by Contractor.
Balance from Sta. 23+03.50 to Sta. 23+92.00	+241 Cu. Yds. Common Excavation (VME 0.80)	241	Includes 191 Cu. Yds. to be wasted on sites provided by Contractor.
	80 Cu. Yds. Embankment	80	
	47 Cu. Yds. Embankment	47	

Stationing	Profile	Ground	Proposed
21+00	904	904	904
	902	902	902
	900	900	900
	898	898	898
	896	896	896
	894	894	894
	892	892	892
	890	890	890
	888	888	888
	886	886	886
	884	884	884
	882	882	882
	880	880	880



PLAN AND PROFILE
 N 800 ROAD OVER LITTLE WAKARUSA CREEK
 Professional Engineering Consultants, P.A.
 1203 E. WYOMING AVE. • TOPEKA, KANSAS 66602
 785-233-8300 • FAX 785-233-8855
 Designed by SET
 Drawn by JF/WAM/SET
 Date: MAR 2010
 Sheet 3 of 21




DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Division of Purchasing

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5286 Fax (785) 838-2480
www.douglas-county.com

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Purchasing Director
Division of Purchasing 

SUBJECT: Consider Recommendation of Bid Awards for Food Contract

DATE: September 3, 2010

The attached table tabulates the bids received for food products for the Jail and Youth Services. Our bid included the following categories: produce, dairy, meat, bread, dry goods, frozen goods, and kosher items. Approximately 178,000 meals were prepared this past year, and our average cost per meal was \$1.11.

Due to the volatile food market, our contract(s) are established as a cost plus contact. Vendors were asked to provide their supplier's cost (based on a particular week), a fixed percentage mark-up, and their final cost (supplier's cost plus mark-up) on 117 items. The items for each category were selected based on higher volume and higher cost items. Bids were evaluated as follows:

- 1) Identifying the lowest and best bid for each category.
- 2) Identifying the lowest and best bid for all 117 items (entire bid).

The percentage provided in the table represents the mark-up from their suppliers cost. This percentage would not change during the term of the contract. The estimated monthly cost provided is calculated on the final cost multiplied by our estimated monthly usage. Vendors were given the opportunity to exclude products from their bid, but were asked to provide an alternate product. The number of deviations from our bid specifications is provided in the summary.

As you can see, US Foodservice was the only vendor which submitted all categories. The following were considered in comparing the two apparent low bidders (Anderson Erickson and Roberts Dairy) for the dairy category:

- Both excluded items with no alternates
- Both had calculation errors that either changed their percentage or cost (changes are reflected in the attached table). The Board has the authority to accept or reject their changed bids.

Although U.S. Foodservices submitted their bid for all categories, they are willing to allow the bread and dairy categories be awarded separately. I will be available at the meeting to discuss our recommendation.

RECOMMENDATION: The Board of County Commissioners approves contracts with the following vendors for the categories identified below, and acknowledges and accepts the corrected errors by Anderson Erickson and Roberts Dairy.

US Foodservice	produce, meats, dry goods, frozen goods, kosher
M&M Baking Co.	bread
Anderson Erickson Dairy	dairy

AWARDED ENTIRE CONTRACT							
Vendor	Produce	Meats	Breads	Dairy	Dry Goods	Frozen Goods	Kosher Items
US Foodservice Est. Monthly Cost	10% \$1,218.30	10% \$379.12	10% \$1,181.55	10% \$4,055.42	10% \$3,946.85	10% \$3,091.94	10% \$53.15
Excluded Alternates	0 0	0 0	0 0	0 0	0 0	0 0	4 0
AWARDED PER CATEGORY							
Anderson Erickson Dairy Est. Monthly Cost	No Bid	No Bid	No Bid	*19% & fixed \$3,346.20 (was 15% & fixed)	No Bid	No Bid	No Bid
Excluded Alternates				6 0			
M&M Baking Co.	No Bid	No Bid	Fixed \$1,099.02	No Bid	No Bid	No Bid	No Bid
Excluded Alternates			0 0				
Roberts Dairy Est. Monthly Cost	No Bid	No Bid	No Bid	6-25% *\$3,520.28 (was \$3,216.74)	No Bid	No Bid	No Bid
Excluded Alternates				3 0			

*commissioners approve changes to bid submitted