



Tahlequah City Council  
**AGENDA ITEM REPORT**

Item No. 3 & 4 (p.1)

Meeting Date 07/17/2023

Initiator M'Lynn Pape

Office/Department: Human Resources

**Item Title**

**Consent Agenda:**

- To accept the resignation from Michael Cates, Patrolman in the Police Department effective July 24, 2023.
- To accept the resignation from Margaret Wallace, Deputy Municipal Court Clerk in the Municipal Court effective July 21, 2023.
- To accept the resignation from Keith Manus, Supervisor in the Cemetery Department effective July 31, 2023.
- To hire Colter Whitmore, Laborer in the Parks and Recreation Department at \$14.00 per hour, effective July 18, 2023.
- To transfer Michael James, PT Laborer in the Cemetery to a FT Laborer in the Cemetery at \$34,000 annually, effective July 24, 2023.
- To hire Coty Bunch as a PT Laborer in the Cemetery Department at \$11.13 per hour, effective July 18, 2023.
- Hiring of Richard Berry at a Patrolman III and extend a \$10,000.00 sign on bonus.

**Background**

**Exhibits**



Tahlequah City Council  
**AGENDA ITEM REPORT**

Item No. 5 (p.2-7)

Meeting Date 7-17-2023

Initiator John Tyler Hammons

Office/Department: City Attorney

**Item Title**

Approve, approve with modification, or deny Ordinance No. 1362-2023, an ordinance updating the City of Tahlequah sales and use tax code.

**Background**

The City of Tahlequah levies and collects both a sales tax and a use tax. Both taxes have a cumulative tax rate of 3.25 percent. This ordinance updates the Tahlequah tax code to reflect the current rates and purposes of the taxes. The ordinance is informational only as it seeks to make the Tahlequah tax code more user friendly by centralizing the relevant tax information into a single location. It does not establish a new tax, change the purpose of an existing tax, or extend the duration of an existing tax.

**Exhibits**

Exhibit 1 – Ordinance No. 1362-2023

**Founding Source**

N/A

**Request**

First reading of Ordinance No. 1362-2023

ORDINANCE NO. 1362-2023

AN ORDINANCE OF THE CITY OF TAHLEQUAH, OKLAHOMA, AMENDING THE TAHLEQUAH CITY CODE, PART 7, FINANCE AND TAXATION; CHAPTER 7-2, SALES TAX; SECTION 7-207, PURPOSE OF REVENUES; CHAPTER 7-4, USE TAX; SECTION 7-403, EXCISE TAX ON STORAGE, USE OR OTHER CONSUMPTION OF INTANGIBLE, PERSONAL PROPERTY LEVIED; SECTION 7-404, PURPOSE OF REVENUES; CHAPTER 7-7, EXCISE (SALES AND USE) TAX; SECTION 7-701, CITATIONS AND CODIFICATIONS; PROVIDING CODIFICATION, REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY the City Council of the City of Tahlequah, Oklahoma:

**SECTION 1. AMENDATORY.** Section 7-207 to the Tahlequah City Code is hereby added to read as follows, to-wit:

**Section 7-207. Purpose of Revenues.**

- ~~A. It is hereby declared to be the purpose of the first \$0.01 tax levied pursuant to this chapter to provide revenues for the support of the functions of the municipal government of the City.~~
- ~~B. The revenues derived from the second cent sales tax levied pursuant to this chapter are hereby irrevocably pledged each month as received to prevent any default or deficit occurring in the debt service requirement of the Tahlequah hospital authority in its obligation to the farmers home administration of the United States department of agriculture in that month, in an amount up to \$3,000,000 for the purpose of constructing a new hospital for the City. This chapter hereby authorizes the Mayor and council of the City to execute all necessary documents to carry out this pledge and to lease the existing hospital of the City, including the land on which it is presently located, to the Tahlequah hospital authority and authorizes the authority to issue up to \$3,000,000 in revenue bonds to construct a new hospital and give a first mortgage as security for the \$3,000,000 in bonds on all the real property and other assets owned or to be acquired by the authority and the first pledge of the revenues of the authority.~~
- ~~C. The proceeds of 1/2% of the tax shall be used solely for the purposes of the acquisition, construction, furnishing, equipping, and financing of education facilities attended by students residing within the corporate limits of the City of Tahlequah, Oklahoma.~~
- ~~D. The proceeds of 1/2% of the tax shall be used to provide revenues for the Tahlequah public schools, including Grand View School and Briggs School, to make improvements and additions to their facilities and to provide revenues to the City of Tahlequah to make capital improvements to the streets and other facilities of the City, either by providing for payment directly or by pledging said additional tax and paying debt service and costs of issuance of obligations issued by a public trust with the City as beneficiary to finance the costs of such facilities. Proceeds of the tax shall be administered by a public trust with the City as beneficiary.~~
- ~~E. The proceeds of 3/4% of the tax shall be used to make capital improvements to the streets and other facilities of the City, either by providing for payment directly or by pledging said~~

~~additional tax and paying debt service and costs of issuance on obligations issued by a public trust with the City as beneficiary to finance the costs of such facilities. Proceeds of the City excise (sales and use) tax shall be administered by a public trust with the City as beneficiary.~~

- A. The following ordinances were approved by a vote of the citizens of the City of Tahlequah on the dates, for the purposes, rates, and durations indicated. These ordinances were adopted prior to January 1, 2020. If specific questions arise about the provisions of an ordinance adopted prior to January 1, 2020, the actual ordinance should be reviewed and shall control over the provisions hereof. The summary set out in subsection B below is for information purposes only. For all sales tax ordinances adopted after January 1, 2020, the summary set out in subsection B below will be updated.

- B. Ordinances adopted prior to January 1, 2020, are as follows:

1. **Ordinance Number 561**

Effective: August 1, 1974  
Purpose: Support the functions of the municipal government  
Effective Rate: Two Percent (2.00%)  
Duration: Permanent

2. **Ordinance Number 917-2000**

Effective: October 1, 2000  
Purpose: Maintenance and operations of Tahlequah City Hospital  
Effective Rate: One Percent (1.00%)  
Duration: September 30, 2005

3. **Ordinance Number 965-2001**

Effective: January 1, 2002  
Purpose: Capital improvements to Gable Field  
Effective Rate: One-Half of One Percent (0.50%)  
Duration: December 31, 2003

4. **Ordinance Number 1023-2003**

Effective: June 1, 2004  
Purpose: Capital improvements for public schools  
Effective Rate: One-Half of One Percent (0.50%)  
Duration: May 31, 2009

5. **Ordinance Number 1143-2009**

Effective: October 1, 2009  
Purpose: Capital improvements  
Effective Rate: One-Half of One Percent (0.50%)  
Duration: September 30, 2019

6. **Ordinance Number 1198-2012**

Effective: April 1, 2013  
Purpose: Capital improvements  
Effective Rate: Three-Fourths of One Percent (0.75%)  
Duration: March 31, 2028

**7. Ordinance Number 1287-2019**

|                 |                                  |
|-----------------|----------------------------------|
| Effective:      | January 1, 2020                  |
| Purpose:        | Street and sidewalk improvements |
| Effective Rate: | One-Half of One Percent (0.50%)  |
| Duration:       | December 31, 2025                |

The cumulative sales tax levy imposed within this municipality is Three and One-Quarter Percent (3.25%) as of January 1, 2020.

**SECTION 2. AMENDATORY.** Section 7-403 to the Tahlequah City Code is hereby added to read as follows, to-wit:

**Section 7-403. Excise Tax on Storage, Use or Other Consumption of Intangible, Personal Property Levied.**

There is hereby levied and there shall be paid by every person storing, using or otherwise consuming within the City tangible, personal property purchased or brought into this City, an excise tax on the storage, use or other consuming within the City of such property at the ~~rate of 2% of~~ equivalent to the prevailing city sales tax rate on the purchase price of such property. Such tax shall be paid by every person storing, using or otherwise consuming, within the City, tangible, personal property purchased or brought into the City. The additional tax levied hereunder shall be paid at the time of importation or storage of the property within the City and shall be assessed to only property purchased outside Oklahoma; provided, that the tax levied herein shall not be levied against tangible, personal property intended solely for use outside the City, but which is stored in the City pending shipment outside the City or which is temporarily retained in the City for the purpose of fabrication, repair, testing, alteration, maintenance or other service. Any person liable for payment of the tax authorized herein, may deduct from such tax any local or Municipal sales tax previously paid on such goods or services; provided, that the amount deducted shall not exceed the amount that would have been due if the taxes imposed by the City had been levied on the sale of such goods or services.

**SECTION 3. AMENDATORY.** Section 7-404 to the Tahlequah City Code is hereby added to read as follows, to-wit:

**Section 7-404. Purpose of Revenues.**

~~It is hereby declared to be the purpose of this chapter to provide revenues for the support of the functions of the Municipal government of the City, and any and all revenues derived hereunder may be expended by the governing body of the City for any purpose for which funds may be lawfully expended as authorized.~~

- A. The following ordinances were approved by the Tahlequah City Council on the dates, for the purposes, rates, and durations indicated. These ordinances were adopted prior to January 1, 2020. If specific questions arise about the provisions of an ordinance adopted prior to January 1, 2020, the actual ordinance should be reviewed and shall control over the provisions hereof. The summary set out in subsection B below is for information purposes only. For all use tax ordinances adopted after January 1, 2020, the summary set out in subsection B below will be updated.

B. Ordinances adopted prior to January 1, 2020, are as follows:

**1. Ordinance Number 694**

Effective: November 1, 1987  
Purpose: Support the functions of the municipal government  
Effective Rate: Two Percent (2.00%)  
Duration: Permanent

**2. Ordinance Number 1198-2012**

Effective: April 1, 2013  
Purpose: Capital improvements  
Effective Rate: Three-Fourths of One Percent (0.75%)  
Duration: March 31, 2028

**3. Ordinance Number 1287-2019**

Effective: January 1, 2020  
Purpose: Street and sidewalk improvements  
Effective Rate: One-Half of One Percent (0.50%)  
Duration: December 31, 2025

The cumulative use tax levy imposed within this municipality is Three and One-Quarter Percent (3.25%) as of January 1, 2020.

**SECTION 4. AMENDATORY.** Section 7-701 to the Tahlequah City Code is hereby added to read as follows, to-wit:

**Chapter 7-7**                      ~~Excise (Sales and Use) Tax~~ **2019 Streets and Sidewalks Improvements Sales Tax**

**Section 7-701.**                **Citations and Codification.**

This chapter shall be known and may be cited as the "~~City of Tahlequah Excise (Sales and Use) Tax Ordinance No. 1287-2019 of July 9, 2019,~~" and the same shall be codified and incorporated into the Code of Ordinances of the City of Tahlequah, Oklahoma (the "City"). **2019 Streets and Sidewalks Improvements Sales Tax Ordinance.**"

**SECTION 5. CODIFICATION.** The City Clerk is hereby directed to enter the appropriate changes to the appropriate place in the City Code of Tahlequah, Oklahoma, as authorized and approved by this Ordinance.

**SECTION 6. SEVERABILITY.** If any provision, paragraph, word, section of article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

**SECTION 7. REPEALER.** All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

**SECTION 8. EFFECTIVE DATE.** This ordinance shall take effect thirty (30) days after its publication as provided by law.

(SIGNATURE PAGE FOLLOWS)

**PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF TAHLEQUAH, OKLAHOMA**  
on THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

**CITY OF TAHLEQUAH, OKLAHOMA**  
**A Municipal Corporation**

\_\_\_\_\_  
**Suzanne Myers, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Whitney Shaw, City Clerk**

**APPROVED AS TO FORM AND LEGALITY** this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

\_\_\_\_\_  
**John Tyler Hammons, City Attorney**



Tahlequah City Council  
**AGENDA ITEM REPORT**

Item No. 6 (p.8-10)

Meeting Date 7-17-2023

Initiator Josh Allen

Office/Department: City Council

**Item Title**

2<sup>nd</sup> Reading. Approve, approve with modification, or deny Ordinance No. 1360-2023, an ordinance prohibiting shopping carts in public parks, public streets, and public sidewalks.

**Background**

The proposed ordinance bans the use of shopping carts in public parks or on public streets and sidewalks. Violations of the ban are punishable by fine through the municipal court.

**Exhibits**

Exhibit 1 – Ordinance No. 1360-2023

**Funding Source**

N/A

**Request**

Approve Ordinance No. 1360-2023.

## ORDINANCE NO. 1360-2023

AN ORDINANCE OF THE CITY OF TAHLEQUAH, OKLAHOMA, AMENDING THE TAHLEQUAH CITY CODE, PART 11, PARKS, RECREATION AND CULTURAL AFFAIRS; CHAPTER 1, GENERAL PROVISIONS; BY ADDING SECTION 11-106, SHOPPING CARTS PROHIBITED; PROVIDING FOR CODIFICATION, SEVERABILITY, REPEALER, AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY the City Council of the City of Tahlequah, Oklahoma:

**SECTION 1. NEW LAW.** Section 1-106 of Chapter 1 of Part 11 of the Tahlequah City Code is hereby added to read as follows:

- A. **Purpose.** The use of shopping carts on public facilities in the City creates a potential hazard to the health and safety of the public, interferes with pedestrian and vehicle traffic, and creates a public nuisance. The accumulation of shopping carts on public facilities tends to create conditions which reduce property values and promote blight and deterioration. The use of shopping carts on public facilities results in the obstruction of free access to public and private sidewalks, streets, parking lots, and interferes with pedestrian and vehicular traffic upon the same and impede the timely provision of emergency services. In recognition of the same, it is the policy of the City of Tahlequah to prohibit the use of shopping carts on the public facilities of the City.
- B. **Definition.** As used in this Section, the term “*shopping cart*” means a basket which is mounted on wheels, or a similar device, generally used in a retail, laundry, dry cleaning, or other establishment by a customer or an attendant for the purpose of transporting goods of any kind. The term does not refer to wheeled ice chests which are being used to store food and drinks in a temporary fashion.
- C. **Prohibition.** It shall be unlawful for any person to use or possess any shopping cart in or upon the public parks, the public roadways, the public parking areas, or the public sidewalks within the limits of the City. Any person violating the provisions of this section shall be guilty of an offense and, upon conviction thereof, shall be fined as provided by Section 1-108 of this Code.

**SECTION 2. CODIFICATION.** The City Clerk is hereby directed to enter the added section into the appropriate place in the Tahlequah City Code of Tahlequah, Oklahoma, as authorized and approved by this Ordinance.

**SECTION 3. SEVERABILITY.** If any provision, paragraph, word, section of article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

**SECTION 4. REPEALER.** All other Ordinances and parts of other Ordinances Inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after its publication as provided by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF TAHLEQUAH, OKLAHOMA,  
THIS 17<sup>th</sup> DAY OF JULY, 2023.**

\_\_\_\_\_  
Suzanne Myers, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form and legality this 17<sup>th</sup> day of July, 2023.

\_\_\_\_\_  
John Tyler Hammons, City Attorney



Tahlequah City Council  
**AGENDA ITEM REPORT**

Item No. 7 (p.11-31)

Meeting Date 07-17-23

Initiator KEITH BAKER,

Office/Department: CITY COUNCIL WARD 2

**Item Title**

Discussion and possible action to direct city staff and administration to commence final planning and begin bid process for the white avenue roadway and drainage improvement project and identify funding source.

**Background**

The need to rectify a project that commenced in 2011, and was to be bid out in 2014.

**Exhibits**

Please see attachments

**Funding Source**

To be decided.

**Request**

To begin bid process and begin construction by spring of 2024



BEFORE YOU DIG,  
CALL OKIE FOR  
LOCATION OF  
UNDERGROUND UTILITIES.  
1-800-522-6543

**CONSTRUCTION SITE**

**EROSION CONTROL IS REQUIRED**

An approved method of erosion control is required by EPA under the Clean Water Act. Control methods shall be submitted to the governing authority for approval.

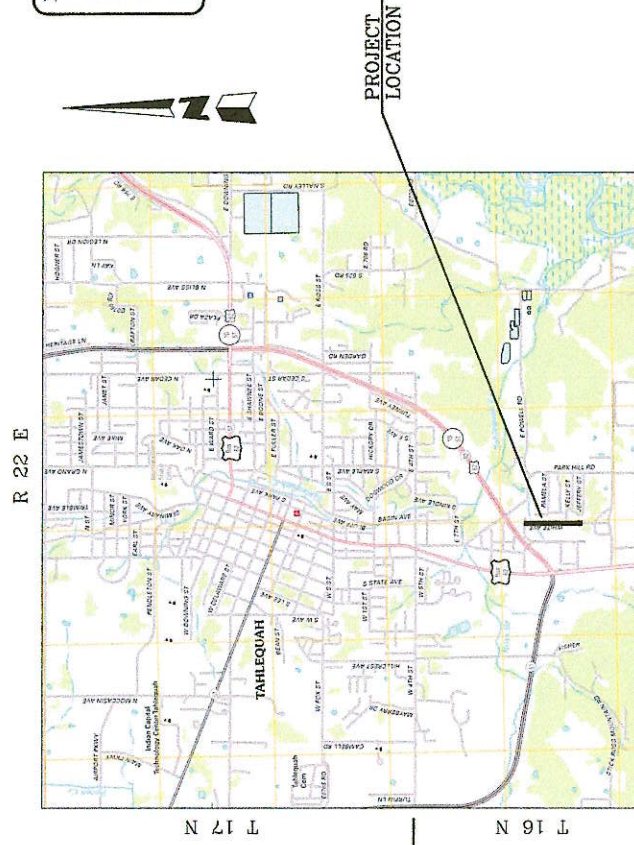
# CITY OF TAHLEQUAH, OKLAHOMA

## PROPOSED ROADWAY AND DRAINAGE IMPROVEMENTS FOR WHITE AVENUE

|                                      |
|--------------------------------------|
| KELLY ENGINEERING & ASSOCIATES, INC. |
| DESIGNER                             |
| DATE                                 |

| INDEX OF SHEETS |                              |
|-----------------|------------------------------|
| 1               | TITLE SHEET                  |
| 2               | DRAINAGE EASEMENT            |
| 3               | TYPICAL SECTIONS             |
| 4               | CONSTRUCTION DETAILS         |
| 5               | PLAN VIEW                    |
| 6,7             | AT QUANTITIES                |
| 8,9             | STORM SEWER PLAN AND PROFILE |
| 10,11           | CROSS SECTIONS               |

**NOTE:**  
ELEVATIONS USED FOR THE DESIGN OF THIS PROJECT ARE ASSUMED. CONTRACTOR SHALL FIELD VERIFY ALL INLET DEPTHS AND PIPE FLOWLINES WITH EXISTING CONDITIONS. THE CONTRACTOR SHALL GET APPROVAL FROM THE ENGINEER PRIOR TO ORDERING INLETS AND MANHOLES FOR THE STORM SEWER SYSTEM.



LOCATION MAP

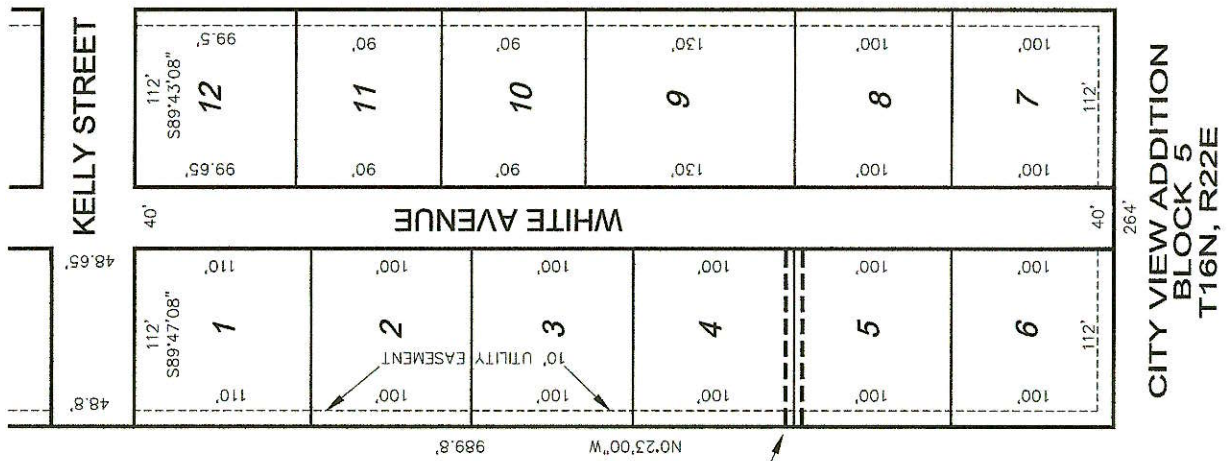
|                                        |          |
|----------------------------------------|----------|
| <b>SCALES</b>                          | 1" = 50' |
| <b>CONVENTIONAL SYMBOLS</b>            |          |
| PROPOSED ROAD                          | ---      |
| RAILROADS                              | ----     |
| RANGE & TRUSS                          | ----     |
| SECTION LINES                          | ----     |
| ADJACENT SECTION LINES                 | ----     |
| FRANKS                                 | ----     |
| GROUND USE                             | ----     |
| EXISTING ROAD                          | ----     |
| BACK LINE                              | ----     |
| UTILITY & TELEPHONE                    | ----     |
| POWER LINES                            | ----     |
| DRAINAGE STRUCTURES - IN PLACE         | ----     |
| NEW DRAINAGE STRUCTURES - NOT IN PLACE | ----     |
| RIGHT-OF-WAY LINES - EXISTING          | ----     |
| RIGHT-OF-WAY LINES - NEW               | ----     |
| RIGHT-OF-WAY BARRIERS - IN PLACE       | ----     |
| RIGHT-OF-WAY BARRIERS - NOT IN PLACE   | ----     |
| RIGHT-OF-WAY BARRIERS - NEW            | ----     |
| RIGHT-OF-WAY FENCE                     | ----     |
| LIGHT POLE                             | ----     |

"2009 OKLAHOMA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION-ENGLISH" GOVERN, APPROVED BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, SEPTEMBER 21, 1999." SPECIAL PROVISIONS SHALL GOVERN OVER STANDARD SPECIFICATIONS.

PLANS PREPARED BY  
**KELLY ENGINEERING & ASSOCIATES, INC.**  
221 SOUTH COLLEGE  
TAHLEQUAH, OKLA. 74464  
PHONE (918) 456-0025

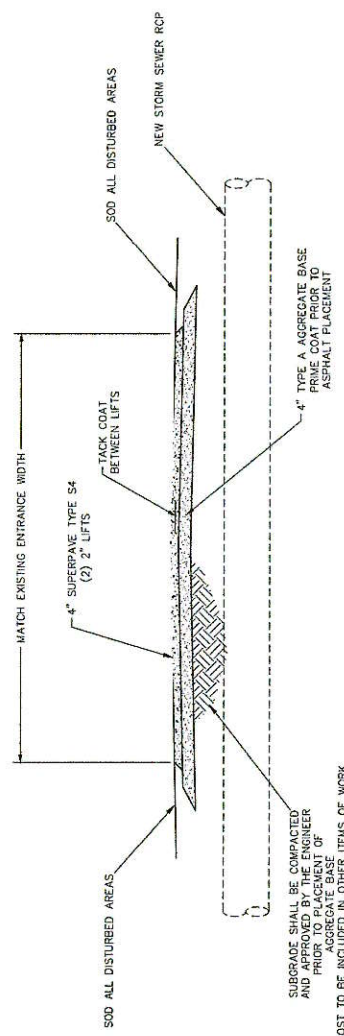


MICHAEL K. KELLY, P.E. NO. 17710

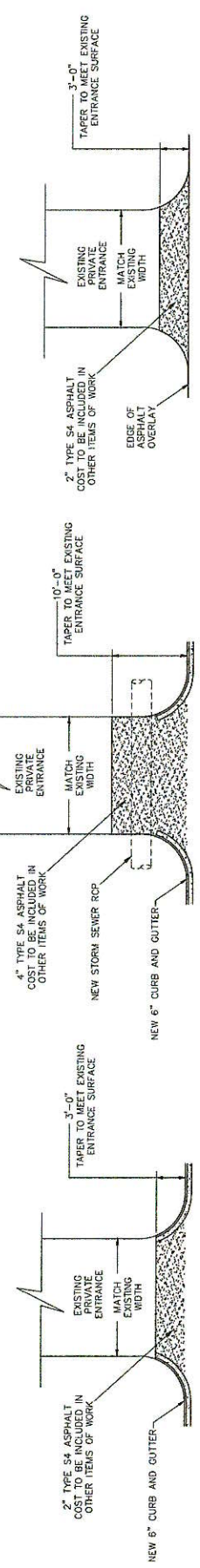


ACQUIRE 10' DRAINAGE EASEMENT,  
CENTERED ON LOT LINE  
FOR CONSTRUCTION OF NEW  
CONCRETE PAVED DITCH

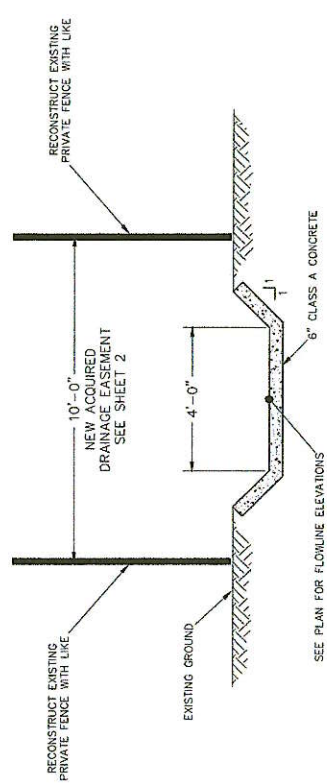




PRIVATE ENTRANCE SECTION  
 CURB AND GUTTER - WITH STORM SEWER



PRIVATE ENTRANCE PLAN  
 CURB AND GUTTER - WITHOUT STORM SEWER  
 PRIVATE ENTRANCE PLAN  
 CURB AND GUTTER - WITH STORM SEWER  
 PRIVATE ENTRANCE PLAN  
 ASPHALT OVERLAY



CONCRETE PAVED DITCH  
 STA 5+54 LEFT

# SUMMARY OF MAINLINE PAVING

| STATION RANGE                                                             | WIDTH  | CURB AND GUTTER (LF) | SUPERPAVE TYPE S4 (TON) | SUPERPAVE TYPE S4 (CY) | PRIME COAT (BT) | SAVING PAYMENT (LF) |
|---------------------------------------------------------------------------|--------|----------------------|-------------------------|------------------------|-----------------|---------------------|
| <b>TYPICAL SECTION 1 - 2" OVERLAY WITH CURB AND GUTTER</b>                |        |                      |                         |                        |                 |                     |
| 2+60 TO 2+67                                                              | 23'-4" | 485                  | 64                      | 43                     | -               | 287                 |
| 5+62 TO 5+62                                                              | 23'-4" | 900                  | 112                     | 74                     | -               | 600                 |
| 10+77 TO 10+82                                                            | 23'-4" | 60                   | 62                      | 41                     | -               | 275                 |
| 10+84 TO 10+87                                                            | 23'-4" | 400                  | 68                      | 43                     | -               | 283                 |
| 10+92 TO 10+90                                                            | 23'-4" | 32                   | 6                       | 4                      | -               | 28                  |
| <b>TYPICAL SECTION 2 - FULL DEPTH REPAIR SECTION WITH CURB AND GUTTER</b> |        |                      |                         |                        |                 |                     |
| 5+47 TO 5+62                                                              | 23'-4" | 28                   | 5                       | 3                      | 7               | 10                  |
| 10+62 TO 10+77                                                            | 23'-4" | 24                   | 5                       | 3                      | 7               | 10                  |
| 10+82 TO 10+84                                                            | 23'-4" | 20                   | 4                       | 3                      | 5               | 8                   |
| 10+87 TO 10+92                                                            | 23'-4" | 30                   | 5                       | 3                      | 7               | 10                  |
| <b>TYPICAL SECTION 3 - 2" OVERLAY</b>                                     |        |                      |                         |                        |                 |                     |
| 11+00 TO 22+17                                                            | 20'-0" | -                    | -                       | 13                     | -               | 16                  |
| <b>TOTAL</b>                                                              |        | <b>2,482</b>         | <b>19</b>               | <b>335</b>             | <b>230</b>      | <b>54</b>           |

## PAY QUANTITY NOTES

(R-28) PRIME COAT SHALL BE APPLIED AT AN ESTIMATED RATE OF 0.35 GAL. PER SQ. YD. WHEN APPLIED TO SUBGRADE, AND 0.25 GAL. PER SQ. YD. WHEN APPLIED TO AGGREGATE BASE. THE ACTUAL OUTBACK PRIME COAT REQUIRED FOR PLACEMENT OPERATIONS WILL BE DETERMINED BY THE CONTRACTOR, AND SHALL CONSIDER THE RESIDUE FROM DISTILLATION PERCENTAGE SHOWN IN SECTION 708.03 OF THE STANDARD SPECIFICATIONS.

(R-30) PRICE BID TO INCLUDE COST OF TACK COAT, MEETING THE REQUIREMENTS OF SECTION 407 OF THE STANDARD SPECIFICATIONS.

(R-32) ESTIMATED AT 112 LBS. PER SQ. YD. PER 1" THICK.

## GENERAL CONSTRUCTION NOTES

### TRAFFIC CONTROL

(G-1) THIS PROJECT SHALL BE CONSTRUCTED WITHOUT CLOSING THE EXISTING ROAD TO LOCAL AND THROUGH TRAFFIC. SEE STANDARD SPECIFICATIONS FOR MAINTENANCE OF LOCAL AND THROUGH TRAFFIC.

### GRADING AND SITE WORK

(G-4) FOR PROJECTS THAT INCLUDE WIDENING AND/OR RESURFACING, THE CONTRACTOR SHALL SCHEDULE OPERATIONS TO MINIMIZE POTENTIAL DROP-OFF HAZARDS AND SHALL SUBMIT A SEQUENCE OF CONSTRUCTION OPERATIONS TO THE RESIDENT ENGINEER FOR APPROVAL BEFORE OPERATIONS BEGIN. ANY PORTION OF THE CONSTRUCTION OPERATIONS, SUCH AS SUPERPAVE LAYING OPERATIONS, EXCAVATION FOR PAVEMENT WIDENING, OR EXTENSION OF ROADWAY STRUCTURES, SHALL BE LIMITED TO ONE SIDE AT A TIME, AND THE PROCEDURES OUTLINED IN THE PAVEMENT DROP-OFF TREATMENT STANDARD PD1-1 (LATEST REVISION) SHALL BE IMPLEMENTED. ONLY THAT AMOUNT OF OPEN TRENCH WILL BE ALLOWED THAT CAN BE SURFACED IN 1 (ONE) DAY'S TIME WITHOUT APPROVAL BY THE ENGINEER. LIGHTS, SIGNS AND BARRICADES SHALL BE MOVED AS WORK PROGRESSES.

### FINAL CLEAN UP

(G-46) PRIOR TO FINAL ACCEPTANCE, ALL EXPOSED CURB SURFACES SHALL BE CLEANED OF ALL DISCOLORATION SUCH AS ASPHALT STAIN, TIRE MARKS, OR OTHER DISFIGUREMENT.

(G-47) EXCESS ASPHALT AT JOINTS AND CRACKS IN EXISTING PAVEMENT SHALL BE REMOVED FLUSH TO TOP OF PAVING IN A MANNER APPROVED BY THE ENGINEER.

(G-48) IN ACCORDANCE WITH THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION ACT THE CONTRACTOR SHALL NOTIFY THE OKLAHOMA ONE-CALL SYSTEM, INC. 48 HOURS PRIOR TO BEGINNING EXCAVATION. OKLAHOMA ONE-CALL SYSTEM, INC. "CALL OKIE" 1-800-522-6543 OR 811.

### MISCELLANEOUS

- (1) CONSTRUCT NEW CONCRETE PAVED DITCH PER DETAIL ON SHEET 4. MEET NEW PRECAST CONCRETE END SECTION AT STA 5+54 LEFT AND EXTEND 125' WEST TO WEST LOT LINE. AT STA 16+95 RIGHT, RECONSTRUCT EXISTING CONCRETE DITCH TO MEET NEW PRECAST CONCRETE END SECTION.
- (2) REMOVAL OF EXISTING DRIVEWAY DRAINAGE CULVERTS AT STA 5+54, 15+18 AND 16+81.
- (3) ENTIRE PROJECT CENTERLINE TO BE DOUBLE 4" YELLOW STRIPED FOR 'NO PASSING' FROM STA 2+60 TO STA 10+10 AND FROM STA 10+60 TO STA 22+17.
- (4) INCLUDES THE COST OF ANY NECESSARY COLD MILLING FOR SMOOTH TRANSITIONS AT THE BEGINNING AND END OF THE PROJECT.

# PAY QUANTITIES

| ITEM   | DESCRIPTION                                     | NOTES           | UNIT | QUANTITY |
|--------|-------------------------------------------------|-----------------|------|----------|
| 230(A) | SOLID SLAB SODDING                              |                 | SY   | 1,200    |
| 303(A) | AGGREGATE BASE                                  |                 | CY   | 230      |
| 408    | PRIME COAT                                      | R-28            | GAL  | 54       |
| 411(B) | SUPERPAVE TYPE S3 (PG 64-22 OK)                 | R-30, R-32, (4) | TON  | 19       |
| 411(C) | SUPERPAVE TYPE S4 (PG 64-22 OK)                 | R-30, R-32, (4) | TON  | 335      |
| 509(B) | CLASS A CONCRETE                                | (1)             | CY   | 15       |
| 609(B) | COMBINED CURB AND GUTTER                        |                 | LF   | 2,482    |
| 611(A) | MANHOLE 4' DIA                                  |                 | EA   | 3        |
| 611(G) | INLET CI DESIGN 1-STD                           |                 | EA   | 4        |
| 611(G) | INLET CI DESIGN 2-STD                           |                 | EA   | 1        |
| 611(G) | INLET CI DESIGN 3-STD                           |                 | EA   | 3        |
| 613(A) | 18" REINFORCED CONCRETE PIPE, ROUND             |                 | LF   | 348      |
| 613(A) | 24" REINFORCED CONCRETE PIPE, ROUND             |                 | LF   | 344      |
| 613(L) | 24" PREFAB CULVERT END SECTION, ROUND, CONCRETE |                 | EA   | 2        |
| 613(S) | STANDARD BEDDING MATERIAL, CLASS B              |                 | CY   | 225      |
| 613(V) | TRENCH EXCAVATION                               |                 | CY   | 465      |
| 619(A) | REMOVAL OF STRUCTURES AND OBSTRUCTIONS          | (2)             | LSUM | 1        |
| 619(C) | SAVING PAVEMENT                                 |                 | LF   | 1,543    |
| 855(A) | TRAFFIC STRIPE (PLASTIC YELLOW) (4" WIDE)       | (3)             | LF   | 3,864    |

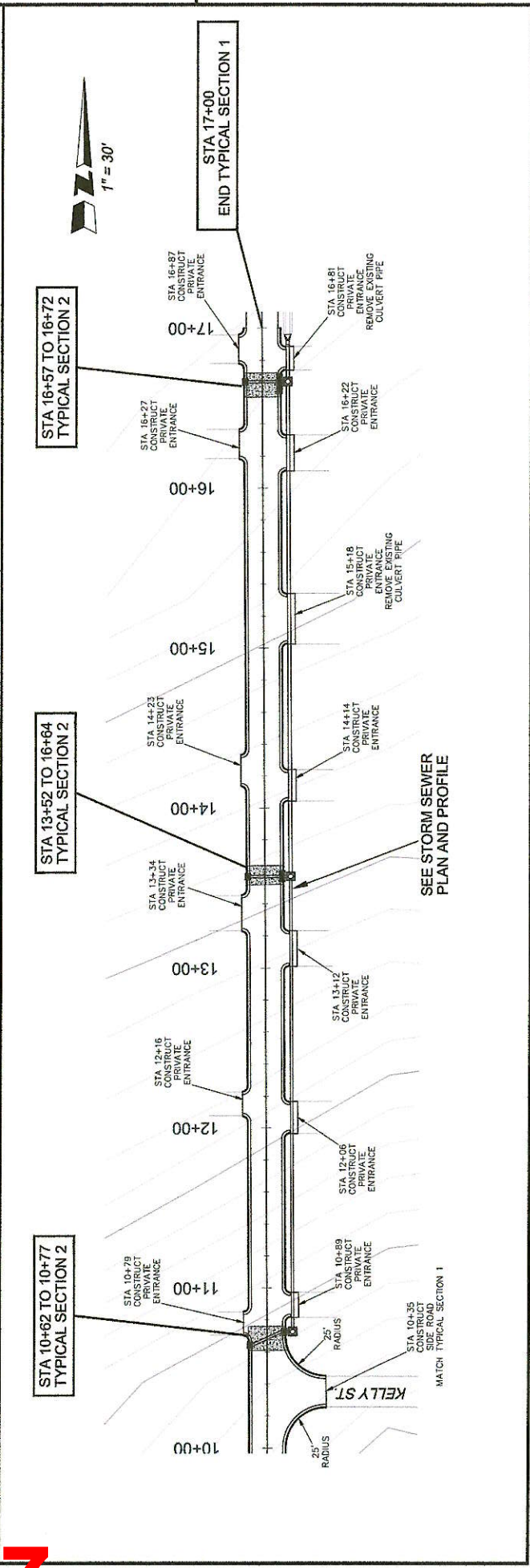
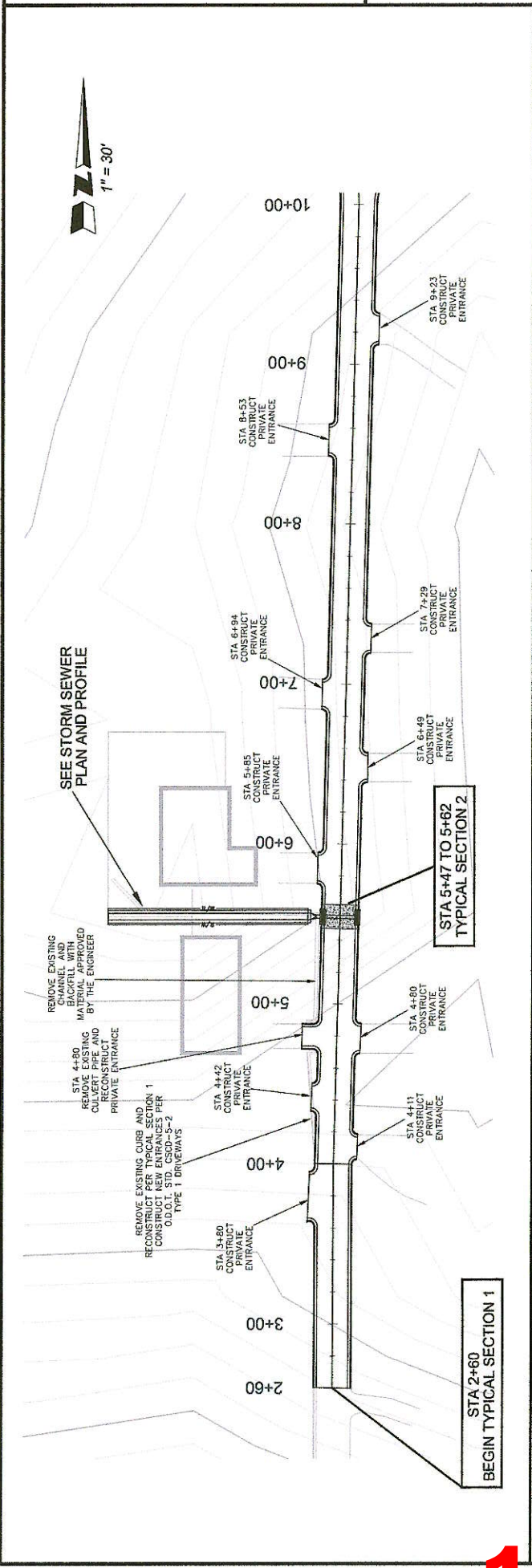
THE EXISTING ROAD SHALL REMAIN OPEN TO LOCAL AND THROUGH TRAFFIC DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER BARRICADES, LIGHTS AND SIGNING WITHIN THE LIMITS OF CONSTRUCTION. ALL CONSTRUCTION SIGNING WILL BE DONE ACCORDING TO STANDARDS SET FORTH IN THE 'MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION' AND AS SHOWN ON THE T.C.D. STANDARD DRAWINGS.

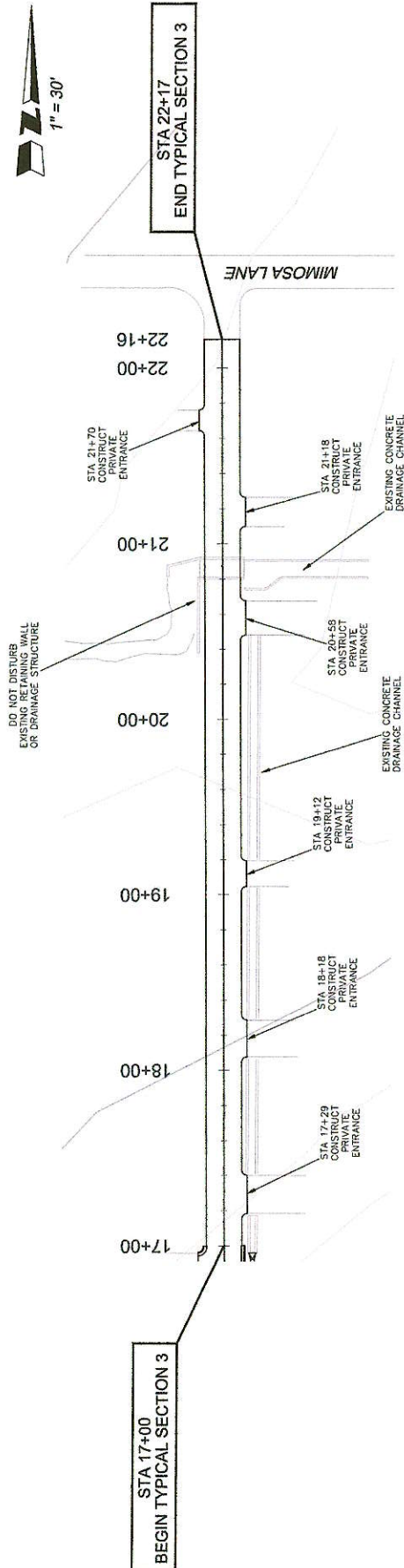
MAINTENANCE OF THROUGH TRAFFIC INCLUDES EXISTING ROADS, SIDE ROADS AND PRIVATE ENTRANCES.

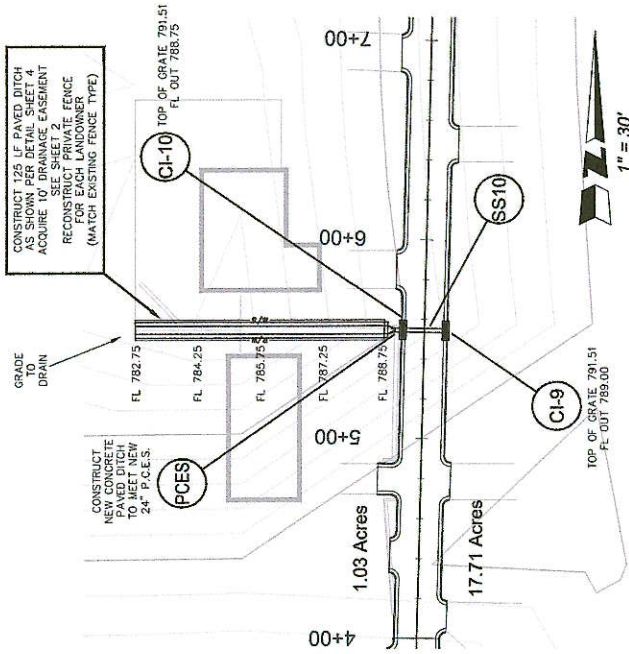
THE CONTRACTOR SHALL GIVE NOTICE TO THE CITY OF TAHLEQUAH, IN WRITING, FOURTEEN DAYS PRIOR TO CONSTRUCTION.



THE CONTRACTOR SHALL BE AWARE OF EXISTING UTILITIES LOCATED THROUGHOUT THE PROJECT. ANY UTILITY DAMAGE RESULTING FROM THE NEGLIGENCE OF THE CONTRACTOR SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE.

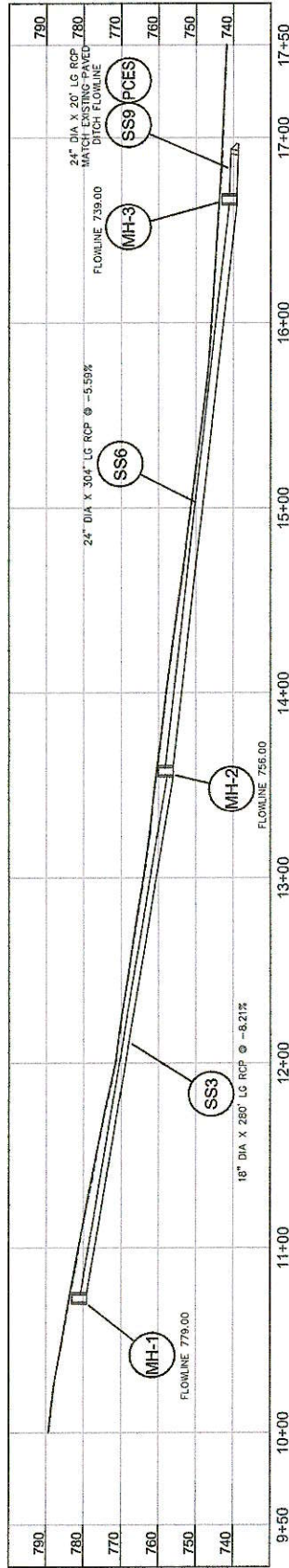




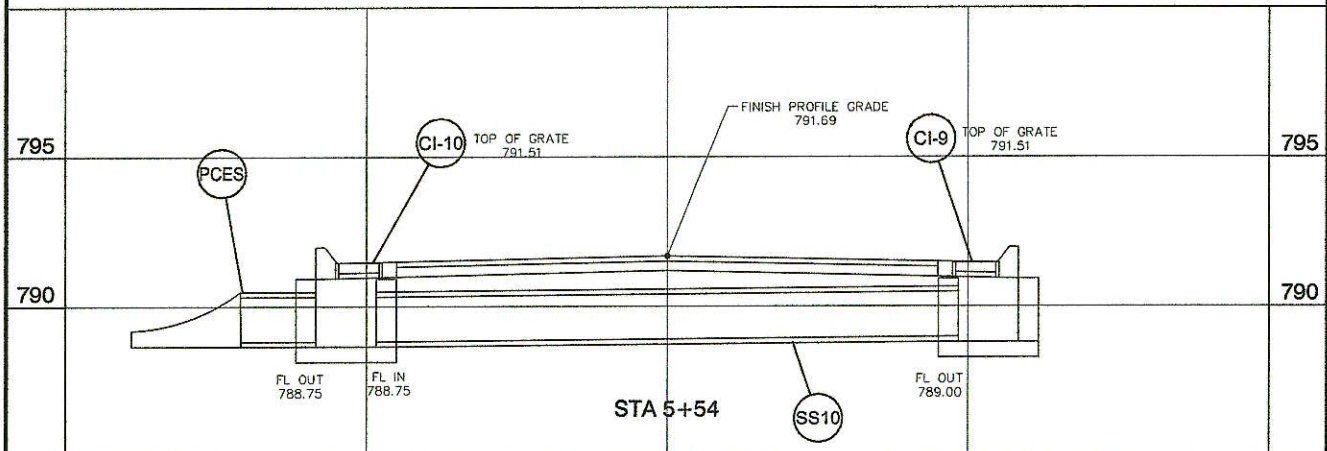


# DRAINAGE STRUCTURE DESIGN RECORD

| STRUCTURE NUMBER | CRL STATION | OFFSET | STRUCTURE DESCRIPTION     | DRAINAGE AREA (ACRES) | ANTICIPATED LAND USE | RUNOFF COEFFICIENT C | OVERLAND FLOW |       |           |        | CHANNEL FLOW |          | TOTAL TIME OF CONCENTRATION | Ic | INTENSITY DESIGN YEAR RAINFALL |      | DESIGN YEAR PEAK DISCHARGE CFS | INLET DESIGN |              |
|------------------|-------------|--------|---------------------------|-----------------------|----------------------|----------------------|---------------|-------|-----------|--------|--------------|----------|-----------------------------|----|--------------------------------|------|--------------------------------|--------------|--------------|
|                  |             |        |                           |                       |                      |                      | LENGTH        | SLOPE | TIME      | LENGTH | SLOPE        | TIME     |                             |    | 15                             | 25   |                                | 25 YEAR FLOW | 50 YEAR FLOW |
| CI-9             | 5+54        | 10' RT | C.I.C.I. DESIGN 3-STD     | 17.71                 | ASP/RESID/FEED       | 0.60                 | 11' 30"       | 3.53% | 14.18 MIN | —      | —            | —        | 14.18 MIN                   | —  | 6.39                           | 7.27 | 62.26                          | OVERSIGHT    | OVERSIGHT    |
| SS10             | 6+9 TO 6+10 | —      | 18" DIA X 20' LG. RCP     | 17.71                 | ASP/RESID/FEED       | 0.60                 | —             | —     | —         | —      | —            | —        | —                           | —  | 6.39                           | 7.27 | 62.26                          | OVERSIGHT    | OVERSIGHT    |
| CI-10            | 5+54        | 10' LT | C.I.C.I. DESIGN 3-STD     | 1.03                  | ASP/RESID/FEED       | 0.60                 | 550'          | 6.18% | 9.21 MIN  | 240'   | 7.50%        | 1.09 MIN | 10.30 MIN                   | —  | 7.17                           | 8.15 | 4.06                           | 4.06         | 4.61         |
| PCES             | —           | —      | STUB OUT OF CI-10 TO WEST | 18.74                 | ASP/RESID/FEED       | 0.60                 | —             | —     | —         | —      | —            | —        | —                           | —  | —                              | —    | 66.32                          | 0.00         | 75.39        |



| DRAINAGE STRUCTURE DESIGN RECORD |              |                        |                       |                      |                        |               |        |          |              |       |          |                                   |                                | INLET DESIGN |                 |                            |                              |                              |
|----------------------------------|--------------|------------------------|-----------------------|----------------------|------------------------|---------------|--------|----------|--------------|-------|----------|-----------------------------------|--------------------------------|--------------|-----------------|----------------------------|------------------------------|------------------------------|
| STRUCTURE NUMBER                 | CRL STATION  | STRUCTURE DESCRIPTION  | DRAINAGE AREA (ACRES) | ANTICIPATED LAND USE | RUNOFF COEFFICIENT "C" | OVERLAND FLOW |        |          | CHANNEL FLOW |       |          | Tc<br>TOTAL TIME OF CONCENTRATION | INTENSITY DESIGN YEAR RAINFALL |              |                 | DESIGN YEAR PEAK DISCHARGE | 25 YEAR FLOW Q <sub>25</sub> | 50 YEAR FLOW Q <sub>50</sub> |
|                                  |              |                        |                       |                      |                        | LENGTH        | SLOPE  | TIME     | LENGTH       | SLOPE | TIME     |                                   | 125                            | 150          | Q <sub>25</sub> |                            |                              |                              |
| Q-2                              | 10+66        | C.I.C.I. DESIGN 1-STD  | 0.02                  |                      |                        | 20'           | 10.00% | 2.45 MIN | 64'          | 9.38% | 0.36 MIN | 2.82 MIN                          | 9.49                           | 10.78        | 0.10            | 0.10                       | 0.00                         | 0.00                         |
| Q-3                              | 0+220 TO 0+3 | 18" DIA X 18" LG. RCP  | 0.02                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 0.10            | 0.00                       | 0.12                         |                              |
| S51                              | 10+72        | C.I.C.I. DESIGN 1-STD  | 0.02                  |                      |                        | 160'          | 10.00% | 5.30 MIN |              |       |          | 5.30 MIN                          | 8.54                           | 9.71         | 0.85            | 0.86                       | 0.00                         | 0.00                         |
| S52                              | 0+1 TO MH-1  | 18" DIA X 4' LG. RCP   | 0.20                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 0.95            | 0.00                       | 1.07                         | 0.01                         |
| MH-1                             | 10+72        | MANHOLE                | 0.20                  |                      |                        |               |        |          |              |       |          |                                   |                                |              |                 |                            |                              |                              |
| S53                              | MH-1 TO MH-2 | 18" DIA X 260' LG. RCP | 0.20                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 0.95            | 0.00                       | 1.07                         | 0.01                         |
| Q-4                              | 13+57        | C.I.C.I. DESIGN 1-STD  | 0.08                  |                      |                        |               |        |          | 285'         | 8.07% | 1.72 MIN | 1.72 MIN                          | 9.88                           | 11.34        | 0.44            | 0.44                       | 0.50                         | 0.00                         |
| S54                              | 0+4 TO 0+3   | 18" DIA X 18" LG. RCP  | 0.08                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 0.44            | 0.00                       | 0.50                         | 0.00                         |
| S55                              | 0+3 TO MH-2  | 18" DIA X 18" LG. RCP  | 0.83                  | ASP /RESID /PED      | 0.60                   | 162'          | 11.11% | 5.21 MIN | 275'         | 8.00% | 1.18 MIN | 6.39 MIN                          | 8.19                           | 9.32         | 2.48            | 2.82                       | 0.09                         | 0.14                         |
| MH-2                             | 13+57        | MANHOLE                | 0.83                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 2.83            | 0.09                       | 3.18                         | 0.14                         |
| S56                              | MH-2 TO MH-3 | 24" DIA X 304' LG. RCP | 0.83                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 3.78            | 0.09                       | 4.25                         | 0.14                         |
| Q-6                              | 16+66        | C.I.C.I. DESIGN 1-STD  | 0.08                  |                      |                        |               |        |          | 298'         | 5.37% | 1.98 MIN | 1.98 MIN                          | 9.86                           | 11.21        | 0.43            | 0.43                       | 0.49                         | 0.00                         |
| S57                              | 0+8 TO 0+5   | 18" DIA X 18" LG. RCP  | 0.08                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 0.43            | 0.00                       | 0.49                         | 0.00                         |
| Q-5                              | 16+66        | C.I.C.I. DESIGN 3-STD  | 1.19                  |                      |                        | 306'          | 9.15%  | 6.85 MIN | 298'         | 5.37% | 1.47 MIN | 8.32 MIN                          | 7.65                           | 8.69         | 5.01            | 5.69                       | 4.81                         | 0.30                         |
| S58                              | 0+9 TO 0+4+3 | 18" DIA X 4' LG. RCP   | 1.27                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 5.24            | 0.20                       | 5.88                         | 0.30                         |
| MH-3                             | 16+66        | MANHOLE                | 2.10                  |                      |                        |               |        |          |              |       |          |                                   |                                |              |                 |                            |                              |                              |
| S59                              | MH-3 TO PSES | 24" DIA X 20' LG. RCP  | 2.10                  |                      |                        |               |        |          |              |       |          |                                   |                                |              | 9.02            | 0.28                       | 10.13                        | 0.44                         |



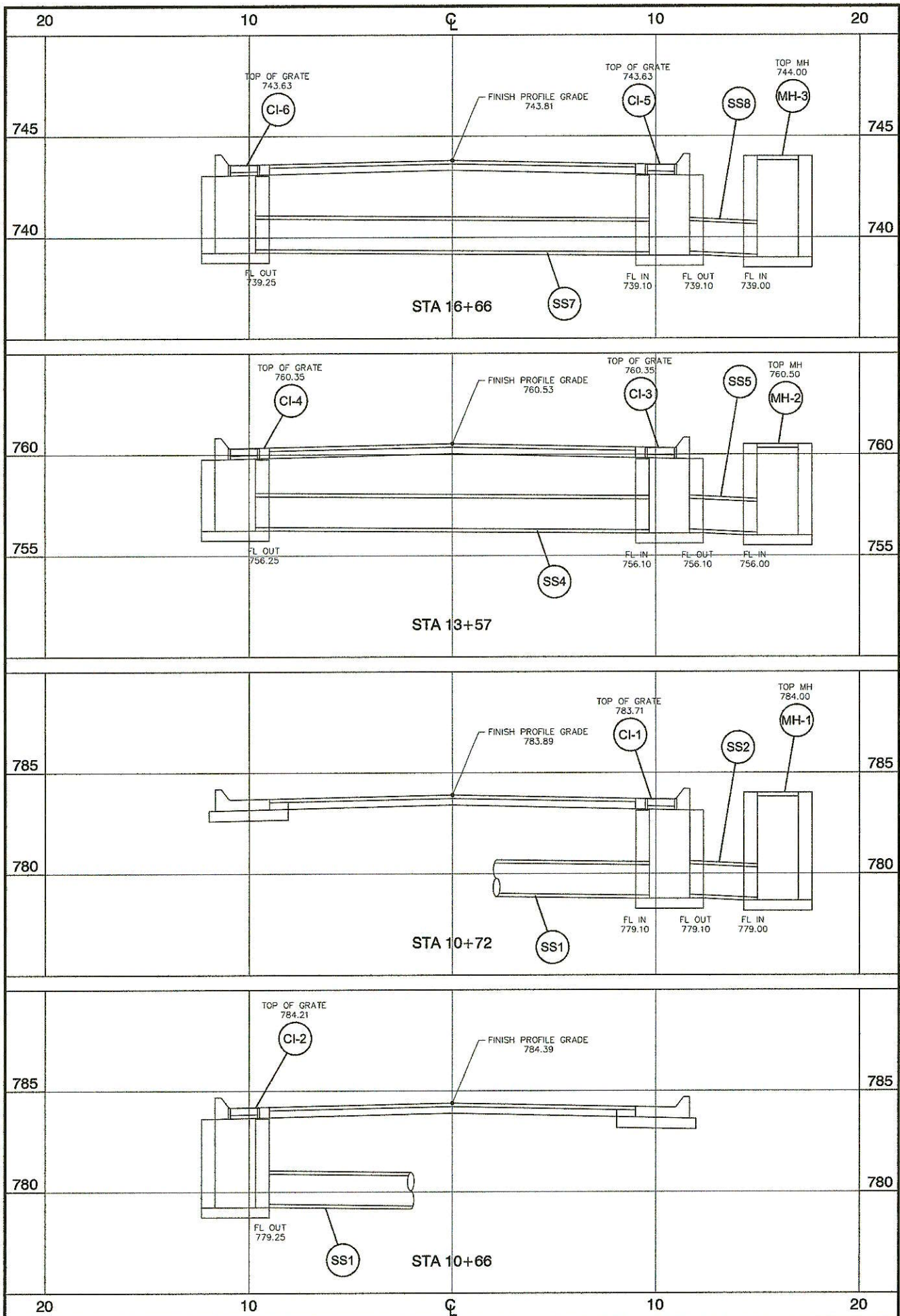
**KELLY**  
ENGINEERING  
& ASSOCIATES, INC.

WHITE AVENUE  
ROADWAY AND DRAINAGE IMPROVEMENTS  
CITY OF TAHLEBUAH, OKLAHOMA

CROSS SECTIONS  
STA 5+54

DESIGN BY: DM CHECK BY: MK DATE: 8/2013 SHEET 10 OF 11

21



**ADVERTISEMENT FOR BIDS**  
**WHITE AVENUE ROADWAY AND DRAINAGE IMPROVEMENTS**  
**TAHLEQUAH, OKLAHOMA**

City of Tahlequah, Oklahoma  
111 South Cherokee  
Tahlequah, OK 74464

BIDS for the construction of *White Avenue* will be received by the City of Tahlequah, at 111 South Cherokee, Tahlequah, OK 74464, until 3:30 pm on **October 30, 2014**, and then at said office publicly opened and read aloud. Any bids received after the scheduled time for closing will be returned unopened. Small businesses and minority owned business sources are encouraged to bid on this project.

The work shall include the following:

*INSTALLATION OF APPROXIMATELY 1,440 L.F. OF CONCRETE CURB AND GUTTER WITH MILLING AND OVERLAY OF EXISTING ASPHALT PAVEMENT, AND APPROXIMATELY 517 L.F. MILLING AND OVERLAY OF EXISTING ASPHALT PAVEMENT. INSTALLATION OF CURB INLETS, MANHOLES AND APPROXIMATELY 692 L.F. OF CONCRETE STORM SEWER PIPE. ALL DISTURBED LAND TO BE DRESSED AND SODDED.*

The CONTRACT DOCUMENTS may be examined and purchased at the City of Tahlequah, 111 South Cherokee, Tahlequah, OK 74464 (phone 918/456-0651). A set of said documents may be purchased for \$25 per set. Payment is for the cost of reproduction and will not be refunded.

Each BIDDER must deposit with his bid, security in the amount of Five Percent (5%) of his bid, by a Bid Bond or Cashiers check in the form and subject to the conditions provided in the INFORMATION FOR BIDDERS and payable to City of Tahlequah.

The following BONDS will be required from the Contractor:

PERFORMANCE BOND to the Full Amount of the Contract Price.

STATUTORY PUBLIC WORKS BOND for payment of all labor and materials used in the construction of such improvements in the Full Amount of the Contract Price.

Each BIDDER must supply the information required by the BID including completion of the Bidders Certifications and affidavits or his bid will be considered incomplete and therefore rejected.

Payments to the Contractor will be assigned by the City of Tahlequah to be paid directly to the Contractor.

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

By: \_\_\_\_\_  
Jason Nichols, Mayor

State of Oklahoma )  
County of Cherokee )  
SS

That said notice, a true comp of which is attached hereto, was published in the regular edition of said newspaper and not any supplement thereof, for ... consecutive weeks;

1<sup>st</sup> insertion....., 2014  
2<sup>nd</sup> insertion....., 2014  
3<sup>rd</sup> insertion....., 2014  
4<sup>th</sup> insertion....., 2014  
5<sup>th</sup> insertion....., 2014

Subscribed and sworn to me before this \_\_\_\_\_  
day of \_\_\_\_\_, 2014.

My commission expires: \_\_\_\_\_

Publication Fee:

AFFIDAVIT

I, \_\_\_\_\_, of lawful age, being first duly sworn, upon oath, disposes and says:

1. I am the \_\_\_\_\_ for the City of Tahlequah on that certain construction project known as White Avenue Roadway and Drainage Improvements.
2. On \_\_\_\_\_, I mailed, by first class mail, notice of the Advertisement for Bids for the above stated project to all known prospective bidders, who have made known, in writing, to the City of Tahlequah their interest in bidding within the twelve (12) months immediately preceding the date of opening bids, said date of mailing being at least twenty-one (21) days prior to the time set for opening bids.
3. That said notice was also sent the area trade and/or construction publications for their use and information.

Further affiant sayeth not.

\_\_\_\_\_  
Affiant

Subscribed and sworn to me before this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_

## AGREEMENT

This Agreement, made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between the City of Tahlequah, Oklahoma, hereinafter called "OWNER" and \_\_\_\_\_ doing business as \_\_\_\_\_ an individual, a partnership or a corporation, hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of **White Avenue Roadway and Drainage Improvements**.
2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor and other services necessary for the construction and completion of **White Avenue Roadway and Drainage Improvements** described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS on or before a date to be specified in the NOTICE TO PROCEED and complete the same within 120 calendar days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$ \_\_\_\_\_ or as shown in the **BID SCHEDULE**.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
  - a. Advertisement for Bids
  - b. Information for Bidders
  - c. Bid Bond
  - d. Bid
  - e. Agreement
  - f. Statutory Bond
  - g. Addenda – None
  - h. Performance Bond
  - i. Notice of Award
  - j. Notice to Proceed
  - k. General Conditions
  - l. Plan & Profile Drawings
  - m. Specifications
  - n. Change Order
6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
7. This Agreement shall be binding upon all parties hereto and their respective heirs, executives, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials, this Agreement in three (3) copies each of which shall be deemed an original on the date first above written.

OWNER:

**City of Tahlequah, Oklahoma**

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

ATTEST

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

CONTRACTOR:

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

ATTEST:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Name: \_\_\_\_\_

Bond No. \_\_\_\_\_

Title: \_\_\_\_\_

## **BID PROPOSAL**

Proposal of \_\_\_\_\_ (hereinafter called "BIDDER")  
organized and existing under the laws of the State of \_\_\_\_\_ doing business as  
\_\_\_\_\_.

Insert "A Corporation", "A Partnership", or "An Individual", as applicable.

**TO: CITY OF TAHLEQUAH  
TAHLEQUAH, OKLAHOMA**

In compliance with your Advertisement for Bids, BIDDER hereby proposes to perform all WORK for the construction of **White Avenue Roadway and Drainage Improvements Project**, in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, BIDDER certifies, and in the case of a joint BID each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER certifies that (s)he has carefully examined the CONTRACT DOCUMENTS including plans and specifications for the proposed WORK, that (s)he has inspected the site of the proposed WORK and has informed himself by his independent research of the extent and character of the work involved, difficulties to be encountered, class and type of material to be encountered or excavated, and all attending circumstances affecting or which may be affected by the specified work and that this BID is made with full knowledge of the provisions of the CONTRACT and WORK gained by BIDDER'S independent research..

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the project within ONE HUNDRED TWENTY (120) calendar days thereafter. BIDDER further agrees to pay to the City of Tahlequah, as fixed and liquidated damages and not as a penalty, the sum of Two Hundred Dollars (\$200) for one engineer and the sum of One Hundred Fifty Dollars (\$150) for one inspector, for a total of Three Hundred Fifty Dollars (\$350) for each consecutive calendar day that WORK is not fully complete within the times stated. Additional time is only allowed for delays as provided for in Section 15 of the General Conditions.

BIDDER acknowledges receipt of the following ADDENDUM:

BIDDER agrees to perform all of the WORK described in the CONTRACT DOCUMENTS for the following unit prices or lump sums:

# WHITE AVENUE ROADWAY AND DRAINAGE IMPROVEMENTS

## SCHEDULE OF ITEMS (BID FORM)

### Instructions:

The Unit Price and Amount of Bid must be filled in with ink for each Item No. listed in the Schedule of Items below

The total bid amount must also be included at the end of the Schedule.

| Item No. | ODOT No. | Description                            | Quantity | Unit | Unit Price | Amount of Bid |
|----------|----------|----------------------------------------|----------|------|------------|---------------|
| 1        | 230(A)   | SOLID SLAB SODDING                     | 1,200    | CY   | \$         | \$            |
| 2        | 303(A)   | AGGREGATE BASE, TYPE A                 | 230      | CY   | \$         | \$            |
| 3        | 408      | PRIME COAT                             | 54       | GAL  | \$         | \$            |
| 4        | 411(B)   | SUPERPAVE, TYPE S3 (PG64-22)           | 19       | TON  | \$         | \$            |
| 5        | 411(C)   | SUPERPAVE, TYPE S4 (PG64-22)           | 335      | TON  | \$         | \$            |
| 6        | 509(B)   | CLASS A CONCRETE                       | 15       | CY   | \$         | \$            |
| 7        | 609(B)   | COMBINED CURB AND GUTTER               | 2,482    | LF   | \$         | \$            |
| 8        | 611(A)   | MANHOLE (4' DIAMETER)                  | 3        | EA   | \$         | \$            |
| 9        | 611(G)   | INLET C.I. DESIGN 1-STD                | 4        | EA   | \$         | \$            |
| 10       | 611(G)   | INLET C.I. DESIGN 2-STD                | 1        | EA   | \$         | \$            |
| 11       | 611(G)   | INLET C.I. DESIGN 3-STD                | 3        | EA   | \$         | \$            |
| 12       | 613(A)   | 18" REINF. CONC. PIPE, ROUND           | 348      | LF   | \$         | \$            |
| 13       | 613(A)   | 24" REINF. CONC. PIPE, ROUND           | 344      | LF   | \$         | \$            |
| 14       | 613(L)   | 24" PREFAB. CULV. END SECT., ROUND     | 2        | EA   | \$         | \$            |
| 15       | 613(S)   | STD. BEDDING MATERIAL, CLASS B         | 225      | CY   | \$         | \$            |
| 16       | 613(V)   | TRENCH EXCAVATION                      | 465      | CY   | \$         | \$            |
| 17       | 619(A)   | REMOVAL OF STRUCTURES AND OBSTRUCTIONS | 1        | LSUM | \$         | \$            |
| 18       | 619(C)   | SAWING PAVEMENT                        | 1,543    | LF   | \$         | \$            |
| 19       | 855(A)   | TRAFFIC STRIPE (PLASTIC) (4" WIDE)     | 3,864    | LF   | \$         | \$            |

TOTAL AMOUNT OF CONTRACT PRICE: \$ \_\_\_\_\_

Dollars

Total bid price in written words

Accompanying this BID PROPOSAL is a

☐ Bidder's Surety Bond ☐ Certified Check ☐ Cashiers Check

in the amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_).

BIDDER: \_\_\_\_\_

BY: \_\_\_\_\_

SIGNATURE & TITLE

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

SEAL

(IF BIDDER IS A CORPORATION)

PHONE NUMBER: \_\_\_\_\_

**CERTIFICATE OF APPROVAL  
OF CONTRACT AND BONDS**

I, the undersigned \_\_\_\_\_ the duly authorized and acting legal  
representative of the **City of Tahlequah**, do hereby certify as follows:

I have examined the construction contract between the CONTRACTOR, \_\_\_\_\_  
and the above named entity, and the surety bonds given by the contractor in connection with the  
performance of said contract, and the manner of execution of the contract and surety bonds, and I  
am of the opinion that each of the aforesaid agreements has been duly executed by the proper  
parties thereto, acting through their duly authorized representatives, that said representatives  
have full power and authority to execute said agreements on behalf of the respective parties  
named therein, and that the foregoing contract and surety bonds constitute valid and legally  
binding obligations upon the parties executing the same in accordance with the terms, conditions,  
and provisions thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

Cherokee County, Oklahoma

Dated \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

**CLAIM**

FISCAL YEAR

\_\_\_\_/\_\_\_\_

CLAIM NO. \_\_\_\_\_

WARRANT NO. \_\_\_\_\_

IN ACCOUNT WITH: City of Tahlequah, Oklahoma  
111 South Cherokee  
Tahlequah, Oklahoma 74464

DATE \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Claim Jurisdictionally defective not subject to filing or consideration.

Insert spreadsheet here

If invoice or bill of account is attached, list detail on **CLAIM**, nevertheless, on both copies the clerk is hereby authorized to mail the warrant, when registered, to claimant at the address stated above.

I, the undersigned, upon oath do depose and say that I have full knowledge of the above and foregoing claim, that said account is just and according to law, that all materials and things therein enumerated, have been delivered and all services therein set forth have been performed, that the amount claimed, after allowing all just credits, is now due and wholly unpaid, and that I am duly authorized to make this affidavit, so help me God.

\_\_\_\_ Claimant

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_ Notary Public

My commission expires \_\_\_\_\_.

CLAIM APPROVED FOR PAYMENT: \_\_\_\_\_

Chairman

**NOTE: This form is to be submitted with all claims.**



Tahlequah City Council  
**AGENDA ITEM REPORT**

Item No. 8 (p.32-33)

Meeting Date 7/17/23

Initiator Taylor Tannehill

Office/Department: Managerial

**Item Title**

Discussion and possible action to approve Resolution 07-17-2023. A resolution authorization for USDOC EDA Grant.

**Background**

The City has an opportunity for funding through a 2019 Disaster Recovery Funds that are now available due to other government agencies non expenditure of the funds.

**Exhibits**

Exhibit 1 - Resolution

**Founding Source**

Department of Commerce – EDA Grant

**Request**

Approval of Resolution 07-17-2023 and authorize Mayor to sign related documents to said grant application.

**City of Tahlequah**

**RESOLUTION NO. 07-17-2023**

**A RESOLUTION AUTHORIZATION APPLICATION FOR USDOC EDA GRANT**

WHEREAS, the City of Tahlequah promotes economic development and financial stewardship of public dollars by seeking funding assistance from various agencies for eligible projects to serve the residents and businesses in the City of Tahlequah; and

WHEREAS, the parking adjacent to the Provalus building is in need of repair and expansion, and there are not adequate parking spaces available for Provalus or the downtown business district; and

WHEREAS, providing safe pedestrian and bicycle pathways are of the utmost importance in creating equity and resiliency by providing access to the downtown business district and the Provalus building; and

WHEREAS, the City of Tahlequah is seeking a grant through the US Economic Development Administration (US-EDA) in the amount of \$1,800,000.00 (One Million Eight Hundred Thousand Dollars) to provide adequate parking and safe pathways adjacent to the Provalus company and for the downtown business district; and

NOW THEREFORE, BE IT RESOLVED, by the elected Council of the City of Tahlequah that it is formerly authorization the application to the US-EDA for a grant to rehabilitate the public parking area adjacent to the building to be occupied by Provalus. In addition, a remote parking area will be constructed to provide additional parking access for downtown businesses and improved access within the downtown business corridor.

PASSED AND APPROVED by the City Council of the City of Tahlequah this 17<sup>th</sup> day of July, 2023.

City of Tahlequah

ATTEST:

By \_\_\_\_\_

Title \_\_\_\_\_



## Tahlequah City Council AGENDA ITEM REPORT

Item No. 9 (p.34)

Meeting Date 07-17-2023

Initiator John Tyler Hammons

Office/Department: City Attorney

### Item Title

Pursuant to 25 OS 307(B)(2), consider convening in Executive Session to discuss negotiations with the Fraternal Order of Police Lodge No. 201, and if necessary, take appropriate action in Open Session.

### Background

The City's negotiating team desires to discuss with the Mayor and City Council ongoing negotiations with FOP Lodge No. 201. The City Council should determine that disclosure of ongoing negotiations between the City and FOP will seriously impair the ability of the City to continue negotiations. Therefore, the Council should convene in Executive Session to discuss this matter.

### Exhibits

N/A

### Founding Source

N/A

### Request

Discuss negotiations with the Fraternal Order of Police Lodge No. 201 and if necessary, take appropriate action in Open Session.