



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

TUESDAY, JULY 14, 2020 - CONFERENCE CALL - 6:00 PM

Due to the COVID-19 Global Pandemic and adhering to all Federal, State and Local Emergency Proclamations and Guidelines to protect the health, safety and welfare of our citizens, the City of Bartlett's Board of Mayor and Aldermen meetings will be held electronically via teleconference during the month of July.

These meetings will follow Governor Bill Lee's Executive Order No. 51, extending Order Nos. 16 and 34 regarding the Tennessee Open Meetings Act. Minutes and recordings will be posted within two days of the Board of Mayor and Aldermen meeting.

INVOCATION

Opening Prayer by Alderman Emily Elliott

FUTURE MEETINGS

These future meetings, if necessary to meet, will be held via teleconference; or if meeting in-person, practice social distancing and follow Governor Lee's Executive Order No. 51 extending Order Nos. 16 and 34.

Board of Zoning Appeals, July 16 at 6:30 p.m.

Historic Preservation Commission, July 20 at 7 p.m.

Bartlett Arts Council, July 21 at 6 p.m.

Design Review Commission, July 21 at 6:30 p.m.

RECOGNITIONS

Official Business of the Day

MINUTES ACCEPTANCE

Minutes of the June 23, 2020 Board of Mayor and Aldermen Regular Meeting

UNFINISHED BUSINESS

- I **Second Reading of Ordinance 20-02, an ordinance amending Article II, Section 5(B); Article IV, Section I; and Article IV, Section 12(A) of the Bartlett Subdivision Ordinance, Title 14, Chapter I, Appendix B, of the Codified Ordinances of the City of Bartlett, Tennessee. The development community expressed concern about the cost and difficulty in acquiring 100 percent bonds for construction activities. This proposed ordinance amendment introduces a minimum bond requirement to spur growth in the land development sector of the City. (Rick McClanahan, Director of Engineering).** The public hearing is set for July 28, 2020.

CONSENT AGENDA

- I **Bid for annual lawn treatment services. (Shan Criswell, Director of Parks and Recreation)**
Recommend accepting the lower bid from Herbi Systems at a total cost of \$117,805.39. Funds are available in Accounts 110.44300.265 and 110.44400.265.
- 2 **Authorization to auction surplus property. (Dick Phebus, Director of Finance)**
Twenty items have been identified as having a potential auction-value of \$500 or more and will be auctioned on GovDeals.com.

OPEN DISCUSSION**ADJOURNMENT**



City of Bartlett

A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, JUNE 23, 2020 - CONFERENCE CALL - 6:00 PM

ATTENDANCE

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, Alderman Emily Elliott: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Paula Sedgwick: Present.

INVOCATION

Opening Prayer by Alderman Jack Young

FUTURE MEETINGS

Bartlett Station Commission, July 1 at 7:30 a.m.

City Beautiful Commission, July 2 at 6:30 p.m.

Family Assistance Commission, July 6 at 6:00 p.m.

Planning Commission, July 6 at 7:00 p.m.

Parks and Recreation Advisory Board, July 9 at 7:00 p.m.

Bartlett Historical Society, July 13 at 7:00 p.m.

RECOGNITIONS

*****Official Business of the Day*****

Mayor McDonald announced that in keeping with Governor Bill Lee's Executive Orders #16 & #34, as determination of record, this meeting was being recorded and that the minutes and the recording will be made available on the City's website within two days.

Minutes Acceptance: Minutes of Jun 23, 2020 6:00 PM (MINUTES ACCEPTANCE)

Mayor McDonald announced a continuing appropriation and budget for Fiscal Year 2021 in light of economic challenges from COVID-19. Tennessee Code Annotated 06-56-210 and the City of Bartlett Charter provides that if the budget is not adopted prior to the beginning of the next fiscal year, the appropriations for the last fiscal year shall become the appropriations for the next fiscal year until the adoption of the new budget ordinance. Administration's goal is to provide a more detailed budget proposal within the first quarter.

MINUTES ACCEPTANCE

Minutes of the June 9, 2020 Board of Mayor and Aldermen Regular Meeting

RESULT:	ACCEPTED [5 TO 0]
MOVER:	David Parsons, Alderman
SECONDER:	Emily Elliott, Alderman
AYES:	Pleasant, Elliott, Parsons, Young, Sedgwick
AWAY:	Simmons

CONSENT AGENDA

RESULT:	APPROVED [5 TO 0]
MOVER:	W.C. Pleasant, Alderman
SECONDER:	Paula Sedgwick, Alderman
AYES:	Pleasant, Elliott, Parsons, Young, Sedgwick
AWAY:	Simmons

- 1 Renewal of maintenance agreement for Watson Field Reporting. (Jeff Cox, Police Chief)**
Request to renew service agreement with Data Driven for Watson Field Reporting Suite in the amount of \$37,364.90. This is an annual agreement running from July 1, 2020 to June 30, 2021.
- 2 Presentation of General Obligation Capital Outlay Note, Series 2020. (Dick Phebus, Director of Finance)**
- 3 Property, general liability, auto, worker's compensation, and other insurance renewals. (Dick Phebus, Director of Finance)**
- 4 Seventh year renewal of water tank maintenance project (10 Years). (John Horne, Assistant Director of Engineering)**
Last year (2019), the bid for water tank maintenance from Utility Service Company (Suez) was accepted. The project bid in 2013 was for maintenance during a 10 year period. Please award year seven of the project for \$214,005.21. Funds are available in Account 510.51200.945.

Minutes Acceptance: Minutes of Jun 23, 2020 6:00 PM (MINUTES ACCEPTANCE)

5 Bid for annual transportation projects. (John Horne, Assistant Director of Engineering)

Recommend accepting the lowest bids from the following contractors:
Citywide Concrete Replacement - Ensor; Traffic Signal Maintenance - McCrory Electric. These are all budgeted items.

6 Planning Commission Report for June 2020. (Kim Taylor, Director of Planning and Economic Development)

Item 1) Special Use Permit for Celebration of Life Funeral Services - Funeral Home use of 5803 Stage Road. Approved favorable recommendation to the Board of Mayor and Aldermen with conditions of staff, no parking on the grass or gravel area, only on the marked pavement on that lot, and signed shared parking agreement.

Item 2) Special Use Permit for West Tennessee Funeral Associates - Funeral Home of 5809 Stage Road. Approved favorable recommendation to the Board of Mayor and Aldermen with conditions of staff, no parking on the grass or gravel area, only on the marked pavement on that lot, and signed shared parking agreement.

Item 3) Revised site plan for Murphy USA Convenience Store and Gas Station, 6506 Memphis Arlington. Approved favorable with conditions.

NEW BUSINESS

1 Set a public hearing for July 28, 2020 for Resolution 15-20, a resolution approving a Special Use Permit to allow funeral home use to be located at 5803 Stage Road within the "CG-MS" General Business with Main Street Overlay zoning district. (Kim Taylor, Director of Planning and Economic Development)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Parsons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

2 Set a public hearing for July 28, 2020 for Resolution 16-20, a resolution approving a Special Use Permit to allow funeral home use to be located at 5809 Stage Road within the "CG-MS" General Business with Main Street Overlay zoning district. (Kim Taylor, Director of Planning and Economic Development)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Parsons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

3 Resolution 18-20, a resolution to amend the Fiscal Year 2020 Capital Improvement Program Fund Budget and appropriate funds for construction of Bartlett Public Works City Shop. (Dick Phebus, Director of Finance)

Director of Finance, Dick Phebus, explained that this resolution amends the FY2020 Capital Improvement Program Fund budget to appropriate the Capital Outlay Notes, Series 2020 for \$2,000,000 approved last Board of Mayor and Aldermen meeting for the building of the Public Works City Shop.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jack Young, Vice Mayor
SECONDER: Paula Sedgwick, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

4 Resolution 19-20, a resolution to amend the Fiscal Year 2020 Bartlett City Schools Federal Projects Fund, Discretionary Grants Fund and General Purpose School Fund. (Dick Phebus, Director of Finance)

RESULT: APPROVED [UNANIMOUS]
MOVER: Emily Elliott, Alderman
SECONDER: Paula Sedgwick, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

5 First Reading of Ordinance 20-02, an ordinance amending Article II, Section 5(B); Article IV, Section I; and Article IV, Section 12(A) of the Bartlett Subdivision Ordinance, Title 14, Chapter 1, Appendix B, of the Codified Ordinances of the City of Bartlett, Tennessee. The development community expressed concern about the cost and difficulty in acquiring 100 percent bonds for construction activities. This proposed ordinance amendment introduces a minimum bond requirement to spur growth in the land development sector of the City. (Rick McClanahan, Director of Engineering)

Chief Administrative Officer, Mark Brown, detailed that the development community had requested the Board of Mayor and Aldermen to approve a minimum bond requirement. Currently the ordinance is set for a 100 percent bond. He explained that the amendment would allow developers to hold bonds to cover all exterior work including rights-of-way; however, a minimum bond could be set for interior work.

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 7/14/2020 7:00 PM
MOVER: W.C. Pleasant, Alderman
SECONDER: Jack Young, Vice Mayor
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

OPEN DISCUSSION

Mayor McDonald responded to aldermen inquiries regarding July meetings. Governor Bill Lee did not extend Executive Order #34 regarding electronic open meetings. Board of Mayor and Aldermen meetings and Boards and Commissions will meet in-person and practice social distancing with mask requirements beginning July 1, 2020.

ADJOURNMENT

Meeting adjourned at 6:31 PM

W.C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald
Mayor

Minutes Acceptance: Minutes of Jun 23, 2020 6:00 PM (MINUTES ACCEPTANCE)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2803)

Meeting: 07/14/20 06:00 PM

Department: Engineering

Category: Amendment

Prepared By: Penny Medlock

Initiator: Rick McClanahan

Sponsors:

DOC ID: 2803

Ordinance 20-02, an ordinance amending Article II, Section 5(B); Article IV, Section 1; and Article IV, Section 12(A) of the Bartlett Subdivision Ordinance, Title 14, Chapter 1, Appendix B, of the Codified Ordinances of the City of Bartlett, Tennessee. The development community expressed concern about the cost and difficulty in acquiring 100 percent bonds for construction activities. This proposed ordinance amendment introduces a minimum bond requirement to spur growth in the land development sector of the City.

ORDINANCE 20-02

AN ORDINANCE AMENDING ARTICLE II, SECTION 5(B); ARTICLE IV, SECTION 1; AND ARTICLE IV, SECTION 12 (A) OF THE BARTLETT SUBDIVISION ORDINANCE, TITLE 14, CHAPTER 1, APPENDIX B, OF THE CODIFIED ORDINANCES OF THE CITY OF BARTLETT, TENNESSEE.

WHEREAS some of the provisions of the Bartlett Subdivision Ordinance, Title 14, Chapter 1, Appendix B, of the Codified Ordinances of the City of Bartlett are inadequate to address particular situations; and

WHEREAS the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, desire to amend said Subdivision Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE, THAT:

Section 1. That Article II, Section 5(B), Subdivision Development Contract, of the Bartlett Subdivision Ordinance, Title 14, Chapter 1, Appendix B, of the Codified Ordinances of the City of Bartlett be amended to add the following as the last sentence of Section 5(B): "If no plat is recorded and/or no permit(s) issued, a minimum bond can be set out as outlined in the subdivision contract." (Ord. #80-18, July 8, 1980; modified.)

Section 2. That Article IV, Section 1, General Requirements, of the Bartlett Subdivision Ordinance, Title 14, Chapter 1, Appendix B, of the Codified Ordinances of the City of Bartlett be amended to add the following as the last sentence of Section 1: "If minimum bonds are used, the reductions apply only as allowed by the City Engineer to cover outstanding liabilities." (Ord. #80-18, July 8, 1980; modified.)

Section 3. That Article IV, Section 12(A), Reduction of Bond upon Partial Completion, of the Bartlett Subdivision Ordinance, Title 14, Chapter 1, Appendix B, of the Codified Ordinances of the City of Bartlett be amended to delete the final sentence and to substitute the following: “The residual improvement shall normally be limited to such items as erosion control, revegetation, landscaping and plantings, and to those improvements such as sidewalks, handicap ramps, curb cuts, driveway aprons, asphalt, and HOA set-up fees, etc. which are deferred pending completion of building construction in those instances where the developer is also the builder. If a minimum bond is allowed for a development, no bond adjustments will be allowed until all work is complete, all fees are paid, and the final plat is recorded. Only then can the bond be adjusted to reflect the remaining outstanding items in the subdivision ie. paving, sidewalks, streetlights, HOA completion etc.” (Ord. #80-18, July 8, 1980; modified.)

Section 4. Severability

Should any provision of this Ordinance be rendered unconstitutional or null and void by a Court of Law, legislative act or otherwise, all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. BE IT FURTHER ORDAINED that this ordinance shall take effect upon its passage on third and final reading, the public welfare requiring it.

First Reading: June 23, 2020
 Second Reading: July 14, 2020
 Third Reading: July 28, 2020

 W. C. Pleasant Register to the Board
 of Mayor and Aldermen

 A. Keith McDonald
 Mayor

ATTEST: _____
 Penny Medlock
 City Clerk

HISTORY:

06/23/20 Board of Mayor and Aldermen APPROVED ON FIRST READING
 Next: 07/14/20

Chief Administrative Officer, Mark Brown, detailed that the development community had requested the Board of Mayor and Aldermen to approve a minimum bond requirement.

Currently the ordinance is set for a 100 percent bond. He explained that the amendment would allow developers to hold bonds to cover all exterior work including rights-of-way; however, a minimum bond could be set for interior work.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 07/14/20 06:00 PM

Department: Parks and Recreation

Category: Bid

Prepared By: Debbie Christopher

Department Head: Shan Criswell

Bid for annual lawn treatment services.

On June 2, 2020, an ad was placed in *The Daily News*. On June 16, 2020, the City of Bartlett received two bids, which were opened at City Hall.

Bids were received from the following companies:

Herbi Systems	\$137,899.60 with/fertilization / \$117,805.39 without fertilization
Trugreen	\$200,495.00 with fertilization / \$170,420.75 without fertilization

We recommend the bid be awarded to Herbi Systems for a total price of \$117,805.39.

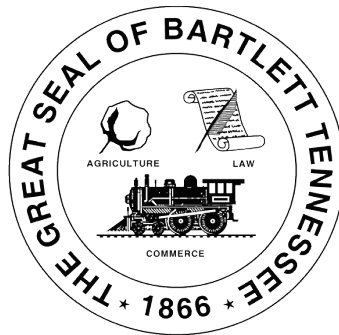
Funds are available in Accounts 110.44300.265 and 110.44400.265.

Thank you for your consideration.

CITY OF BARTLETT

**FINANCE DEPARTMENT
6400 STAGE ROAD
BARTLETT, TENNESSEE 38134**

**A. Keith McDonald, Mayor
Mark Brown, Chief Administrator Officer
Dick Phebus, Finance Director
Shan Criswell, Parks and Recreation Director**



REQUEST FOR SEALED BIDS

SB # FY2020-06-057

DUE: Tuesday, June 16, 2020, no later than 2:00 p.m. (CST)

LAWN TREATMENT SERVICES PARKS AND RECREATION

The City of Bartlett, Parks and Recreation Department is seeking bids to provide Lawn Treatment services for the Bartlett parks and schools at various locations. Service will include herbicide and fertilization treatments five (5) times a year in accordance to the following bid specifications.

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NOTICE TO BIDDERS

Sealed Bids are to be received no later than **2:00 p.m. on June 16, 2020.** All bid packets with ***an original, clearly identified, and two copies***, must be labeled "**FY2020-06-057 LAWN TREATMENT SERVICES**" and addressed to:

**MAYOR A. KEITH MCDONALD
CITY OF BARTLETT
6400 STAGE ROAD
BARTLETT, TENNESSEE 38134-1148**

The City reserves the right to reject any and all bids and to waive any informality in the bidding process. The City of Bartlett is an equal opportunity employer and will not discriminate against any individual for any reason. If further information is desired, please contact Debbie Cairncross, Purchasing Agent at 901-385-6416 or by email at dcacircross@cityofbartlett.org.

Please quote prices on attached bid pricing sheet

We propose to furnish the item(s) listed on attached form(s) at prices quoted and guarantee safe delivery FOB Delivered and as specified.

These prices are submitted with a declaration that no City Official or Employee has a financial or beneficial interest in this transaction.

NAME OF FIRM

E-MAIL ADDRESS

ADDRESS

SIGNATURE OF AUTHORIZED
REPRESENTATIVE

TELEPHONE

PRINT NAME

A. INTENT

The intent of this request is for the City of Bartlett Parks and Recreation Department to contract with a lawn treatment provider for the city parks and schools at various locations on an as needed basis for an initial two year period beginning J, with the option to renew for three (3) additional one year periods, upon mutual agreement of both parties subject to the Terms and Conditions listed in this bid.

B. STATEMENT OF INTENT – EQUALITY AND FAIRNESS

The City of Bartlett will not discriminate against any individual of any reason and will provide services to all citizens in a nondiscriminatory fashion. It is the intent of the city to fully comply with the provision of Title VI and Title VII of the Civil Rights Act of 1964. The City is committed to a moral, ethical, and legal responsibility to ensure equitable employment practices and the delivery of city services regardless of an individual's race, color, religion, national origin, age, disability, gender or political affiliation.

C. GENERAL SPECIFICATIONS

These specifications are intended as minimum requirements. However, it is recognized that each manufacturer has special features that make his equipment unique. Therefore, all bids will be considered, but every bidder must state, in detail, where his product fails to meet these specifications. Unless otherwise stated, these specifications are not intentionally written to favor any one Manufacturer, and are only for the purpose of indicating generally the type of work required of said bid items. It is the intention of the City to purchase quality products and not necessarily the products with the lowest initial cost.

1. General Requirements

- All bidders must clearly identify any and all deviations from these specifications that their products may have; however, bids must meet or exceed specifications.
- Bidder shall include the signed pricing sheet, the signed and notarized Public Acts 109 form (page 10) and current year, signed W9 form. **Note: An original, clearly marked, and two copies shall be included in the bid package.**
- The City reserves the right to reject any and all bids.
- There is no guaranteed quantity or dollar amounts to be purchased against this bid.
- Prompt payment discount shall be considered as a cost factor in this bid. Invoices shall be paid thirty (30) days after receipt of correct invoices. **Note:** Each location shall be invoiced as separate line items.
- A Purchase Order will be issued to the successful vendor.
- All services to be performed five (5) times a year, and to include two (2) spring applications, two (2) summer applications and one (1) fall application at various locations.

2. Firm Pricing and Renewals

Note: Please see pages 16 thru 19 Bid Pricing Sheets for individual locations and pricing.

All prices are to remain firm from award date of July 1, 2020 through June 30, 2022 with the option to renew for three (3) additional one year periods, July 1, 2022 through June 30, 2023 and July 1, 2023 through June 30, 2024, and July 1, 2024 thru June 30, 2025, upon mutual agreement of both parties and subject to the Terms and Conditions listed in this bid. Prior to any renewal period, the contractor receiving an award may review and request an adjustment of pricing sixty (60) days prior to the beginning of the renewal period.

However, the successful contractor shall be required to give the City of Bartlett the benefit of any general price reduction. Price escalation/de-escalations after the first completed year of the contract shall be limited to five percent (5%) or a maximum based upon the Consumer Price Index for Urban Consumers.

The successful contractor shall provide a written letter from the manufacturer advising of the specific product price increase and percent of increase. The City of Bartlett reserves the right to reject any increase and may cancel this agreement if the price increase is not agreed upon by both parties.

D. INSURANCE REQUIREMENTS

Certificate of Insurance required from awarded bidder before beginning work. Provider shall maintain coverage with limits of no less than:

1. *Commercial General Liability Insurance* - \$1,000,000 limit per occurrence bodily injury and property damage/\$1,000,000 personal and advertising injury/\$2,000,000 General Aggregate/\$2,000,000 Products-Completed Operations Aggregate; \$5,000 medical expenses – any one person. City of Bartlett, its elected officials, appointees, employees and members of boards, agencies, and commissions shall be named as additional insureds. The insurance shall include coverage for the following:
 - a. Premises/Operations
 - b. Explosion, Collapse, & Underground, if applicable
 - c. Products/Completed Operations
 - d. Contractual
 - e. Independent Contractors
 - f. Pollution/Spray Drift

2. *Business Automobile Liability Insurance* - \$1,000,000 each accident for bodily injury and property damage. City of Bartlett, its elected officials, appointees, employees and members of boards, agencies, and commissions shall be named as additional insureds. Coverage is to be provided on all:
 - a. Owned/Leased Autos
 - b. Non-owned Autos
 - c. Hired Autos
3. *Workers Compensation* - statutory limits as required by Tennessee statutes. This policy should include Employers' Liability Coverage for \$1,000,000 per accident. Policy will include waiver of subrogation endorsement in favor of the City of Bartlett.

All policies will provide for thirty (30) days written notice to the City of Bartlett of cancellation of coverage provided. A ten (10) day notice is applicable to non-payment of premium. If the insurer is not required by the policy terms and conditions to provide written notice of cancellation to the City, the Provider will send immediate notice to the City and provide evidence of replacement coverage with no lapse. All insurance policies maintained by the Provider shall be primary and non-contributory as applying to the City of Bartlett, irrespective of such insurance or self-insurance as the City of Bartlett may maintain in its own name and on its own behalf. Any insurance company of the Provider shall be admitted and authorized to do business in the State of Tennessee and shall carry a minimum rating assigned by A.M. Best & Company's Key Rating Guide of "A-" and a Financial Size Category of "X".

E. SAFETY, PROTECTION AND EMERGENCIES

1. The Contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and programs in connection with the Work. He shall take all necessary precautions for the safety of and provide the necessary protection to prevent damage, injury, or loss to:
 - a. The public and to vehicular and pedestrian traffic,
 - b. All employees on the Work and other persons who may be affected thereby,
 - c. All the Work and all materials or equipment to be incorporated therein, whether in storage on or off the site, and
 - d. Other property at the site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures, and utilities not designated for removal, relocation, or replacement in the course of construction.

2. The Contractor shall comply with all applicable laws, ordinances, rules, regulations, and orders of any public body having jurisdiction for the safety of persons or property or to protect them from damage, injury, or loss. He shall erect and maintain, as required by the conditions and progress of the Work, all necessary safeguards for safety, protection, and guidance of traffic in accordance with the Tennessee Manual on Uniform Traffic Control Devices, if applicable. All Work, conditions, operations, procedure, and actions of every nature shall be performed in strict conformance with requirements of the "Occupational Safety and Health Act of 1970" as revised and amended. The Contractor shall notify owners of adjacent utilities and railroad facilities when execution of the Work may affect them. All damage, injury, or loss to any property referred to in Subparagraph 1B.1.C or 1B.1.D caused directly or indirectly, in whole or in part, by the Contractor, and Subcontractor, or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, shall be remedied by the Contractor at his expense.
3. The Contractor shall designate a responsible member of his organization at the site whose duty shall be the prevention of accidents. This person shall be the Contractor's Superintendent unless otherwise designated in writing by the Contractor to the City.
4. In emergencies affecting the safety of persons or the Work or property at the site or adjacent thereto, the Contractor, without special instruction or authorization from the Engineer or the City, is obligated to act, at his discretion, to prevent threatened damage, injury, or loss. He shall give the Engineer prompt written notice of any significant changes in the Work or deviations from the Contract Documents caused thereby. If the Contractor believes that additional work done in an emergency which arose from causes beyond his control entitles him to an increase in the Contract Price or to an extension of the Contract Time.

F. **DRUG PROGRAM**

State TCA Title 50, Chapter 9, Part 1, requires all bids to be accompanied by the following statements and requires a signed affidavit attesting to the following statements:

1. The City of Bartlett has a drug and alcohol testing program for testing employees for workplace drug and alcohol use.
2. Full documentation of the program can be found on the City's website, Personnel Department, Chapter 10 of the Personnel Manual. This program is described by the following statements:

Drug Testing - It is the City's policy to require a drug test in the following situations:

- a) New Employee (Post offer testing)
- b) Employee being advanced in job or salary, or both
- c) Random under U.S. DOT regulations (may also include alcohol test).
- d) Random for Fire, EMS or Law Enforcement employees (at the Fire or Police Chief's discretion with approval by the Mayor).
- e) When an employee is at fault in a vehicle or equipment accident. The department head has the option to require testing when not at fault, or when at fault is not evident
- f) When the department head determines there is reasonable suspicion or reasonable cause to warrant testing.

Drugs to be tested for - When drug and alcohol screening is required under the provisions of this policy, a urinalysis test will be given to detect the presence of the drug groups listed below. This list is not intended as an exhaustive inventory of every drug for which an employee can be tested. The selection of drugs subject to testing will be based upon known abuse in the community and the ability of any drug to affect job performance.

- a) Alcohol (Ethyl)
- b) Amphetamines (e.g. Speed)
- c) Barbiturates (e.g. Amobarbital, Butabarbital, Phenobarbital, Secobarbital)
- d) Cocaine
- e) Methaqualone (e.g. Quaalude)
- f) Opiates (e.g. Codeine, Heroin, Morphine, Hydromorphone, Hydrocodone)
- g) Phencyclidine (PCP)
- h) THC (Marijuana)
- i) Other illegal substances as requested by the City. END

Note: All bidders responding to this bid must have affidavit signed by the officer of the company stating the company has a drug testing program for its employees at least as stringent as the government's program. See attached affidavit, (Page 8).

End of General Specifications

AFFIDAVIT OF EQUIVALENT DRUG TESTING PROGRAM

State of _____)

S.S.

County of _____)

_____, being first duly sworn, deposes and says
that:

(1) He/She is _____ of the company submitting this bid
and has authority to sign this affidavit.

(2) He/She is fully informed of the City of Bartlett's drug policy as outlined in this
bid.

(3) His/Her company has a testing program in place equal to or greater than the
City's program.

Signed _____

Title _____

Subscribed and sworn before me this _____ day of _____, 20 _____.

Signed _____

Title _____

My commission expires: _____, 20 _____.

PUBLIC ACTS 109

“By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalties of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to § 12-12-106.”

Full text of Public Chapters can be found on the Tennessee Secretary of State’s website: [http://tnsos.org/acts/](http://tnsos.org/acts/PublicActs.109.php) PublicActs.109.php.

Print Name _____

Signed _____

Title _____

Subscribed and sworn before me this _____ day of _____, 20____.

Signed _____ Print Name _____

Title _____

My commission expires: _____, 20____.

NOTE: Bids cannot be considered nor awards made to anyone without the above required statement.

CONTRACT MONITORING

The **Tennessee Department of Transportation** requires the City of Bartlett to maintain records of those ethnic and gender groups who are awarded bids on projects.

You are asked for **voluntary disclosure** of the following information as it pertains to the ownership of the bidding company:

Company Name: _____

Date: _____

Gender: Male ____ Female ____

Race: Caucasian ____
 African American ____
 Hispanic ____
 Other (please specify) _____.

_____ I have reviewed this request and have decided NOT to provide the requested information.

Title VI Self Survey for Contractors/Consultants/Suppliers

Name of Contractor: _____ Date Completed: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

This should be completed annually while the contract is active and submitted to the sub-recipient's Title VI Coordinator for review.

1. Are Title VI posters visible to staff? If yes, where? _____

2. Are all Physical Areas (i.e. restrooms, dining rooms, waiting rooms, etc.) provided without regard to race, color, or national origin? _____

3. How is Title VI information disseminated to new/current employees? _____

4. Describe how certified Disadvantaged Business Enterprises (DBEs), other small, minority and women-owned businesses are solicited to participate on contracts. _____

5. What process has been established to track and monitor ethnicity and gender of any contractors awarded contracts/sub-contracts? _____

6. Provide documentation to show that contracts contain non-discrimination assurance language.
7. Provide complaint procedures and attach complaint log form.
8. Provide Limited English Proficiency Communications Plan (i.e. how do you communicate with persons that speak a language other than English.)

The Title VI Assurance (below) is to be submitted on Company (selected bidder's) Letterhead:

Contractor/Consultant Name assures that no person on the grounds of race, color, national origin, or sex, as provided by the Title VI of the Civil Rights Act of 1964 and from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Tennessee Department of Transportation (TDOT).

DECLARATION OF RESPONDENT: I declare that I have completed this form to the best of my knowledge and believe it to be true and correct.

Name of Authorized Official

Date

PUBLIC NOTICE

TITLE VI OF THE 1964 CIVIL RIGHTS ACT

“No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The State Department of Military provides benefits and services such as emergency management assistance, National Guard protection services and facility construction and maintenance, and disaster assistance following a major Presidential declaration. The federal assistance administered by the Military Department are pass through funds to local governments, other state agencies, and certain private non-profit organizations.

Anyone who believes that an agency or local government receiving the federal funding mentioned above has discriminated against someone on the basis of race, color or national origin has a right to file a complaint within 180 days of the alleged discrimination.

Local Title VI Coordinator: Ted Archdeacon, Director of Personnel
City of Bartlett
901-385-6430

**MILITARY DEPARTMENT
TITLE VI COMPLAINT HOTLINE:
1-800-367-9635**

SPECIAL CONDITIONS

Note: All work done must be done and inspected in accordance with the City of Bartlett requirements.

1. The Contractor shall give all notices required by and comply with, all applicable State, City laws and ordinances applicable at his own expense, and secure and pay the fees and charges for all permits, licenses for the performance of contract work specified in this specification. Proof of all proper licenses from City and State must be submitted prior to commencement of work.
2. The Contractor shall be responsible for all damages to persons or property, including all City of Bartlett property listed in this specification.
3. The Contractor shall contact Parks and Recreation Director Shan Criswell at 901-385-5590 or Jimbo Draffin at 901-734-8140 for questions about the locations.

SCOPE OF WORK

1. The contractor shall furnish all supervision, labor, materials, machinery, tools, equipment, and services and perform and complete all work as listed in the specifications.
2. The Contractor shall be prepared to start work upon execution of this contract. Subsequent start dates shall be at the discretion of the City of Bartlett.
3. The Contractor shall maintain 90% plus weed control at each location. The City of Bartlett or its representative shall inspect all work upon completion as set forth in the contract. No payment will be made prior to completion of job or before inspection has been made.
4. The Contractor is responsible for measurements of property) along with fertilization on selected areas twice a year.
5. Five Step Application/Fertilization Program, includes
 - Two (2) Spring Applications
 - Two (2) Summer Applications
 - One (1) Fall Application
6. Locations, Treatment Requirements and Pricing as follows:

BID PRICING SHEET (Original and two copies)

PARKS

LOCATION	TREATMENT	BID PRICE \$
Bartlett Country Park Dove Ridge Cove/High Plains Road	Herbicide Only	
Bartlett Recreation Center 7700 Flaherty Place	Herbicide & Fertilization	
Soccer Fields behind Rec. Center 7700 Flaherty Place	Herbicide & Fertilization	
Appling Ball Complex 3610 Appling Rd b. Field behind ball fields	Herbicide & Fertilization Herbicide Only	
Bartlett Police Department 3730 Appling Road	Herbicide Only	
Bartlett Performing Arts Center (includes lake area) 3663 Appling Road	Herbicide and *Fertilization (*selected areas only for fertilization)	
Singleton Community Center 7266 Third Rd.	Herbicide Only	
Deermont Park 6675 Deermont Road.	Herbicide & Fertilization	
Ellendale Park 3800 Greenleaf	Herbicide Entire Park Fertilize Athletic Fields only	
Quail Ridge Park (selected areas) Corner of Egypt and Fiske Rd.	Herbicide Only	
Yale Road Park - Triangle & Across Road 6241 Yale Rd.	Herbicide Only	
Bartlett Soccer Complex 3170 Bartlett Blvd.	Herbicide & Fertilization	
Elva T. Bledsoe Park 2863 Bartlett Rd.	Herbicide Only	
Dixon/Brewer Park 5745 Woodlawn	Herbicide Only	
W.J. Freeman Park 2629 Bartlett Blvd. a. Park area only b. Multi-purpose Fields	 Herbicide Only Herbicide & Fertilization	

PARKS (continued)

LOCATION	TREATMENT	BID PRICE \$
Municipal Park 2975 Altruria	Herbicide Only	
Shadowlawn Park 4684 E. Shadowlawn	Herbicide entire Park Fertilize Athletic fields Only	
Blue Lagoon Park Blue Lagoon Drive & Germantown Rd.	Herbicide Only	
Davies Plantation Park Davies Plantation Rd. & St. Phillip Rd	Herbicide Only	
Fletcher Creek Trail- a. North Parking Area	Herbicide Only	
b. South Parking Area to first bridge	Herbicide Only	
Hwy. 64 and Santa Valley		
Sleepy Hollow Park North Hampton and Sleepy Hollow	Herbicide Only	
Sugartree Park 5468 Pine Oak Lane	Herbicide Only	
Rockyford Park 6885 Ranner Creek Drive	Herbicide Only	
Freeman Smith Park 4620 N. Brunswick Road	Herbicide Only	
Stoneridge Park 3525 Altruria Road	Herbicide Only	
Elmore Civic Park 2505 Elmore Park Road	Herbicide Only	
Easthill Park 6950 Dawnhill Road	Herbicide Only	
Bartlett Grove Park 7155 Santa Cruz	Herbicide Only	
A. E. Beaty Park 7859 Memphis-Arlington Road	Herbicide Only	
Arthur Byrd Park 3400 Summerdale Estates	Herbicide Only	
Noah Lane - East of Summer and Yale Rd., Burloe Bike Trail/Greenway 3400 Summerdale Estates	Herbicide Only	

SCHOOLS

LOCATION	TREATMENT	BID PRICE \$
Altruria Elementary 6641 Deermont Dr. 38134	Herbicide & Fertilization	
Appling Middle School 3700 Appling Rd. 38133	Herbicide & Fertilization	
Bartlett Elementary School 3932 Billy Maher Rd. 38135	Herbicide & Fertilization	
Bartlett High School 5688 Woodlawn St. 38134	Herbicide & Fertilization	
Bartlett 9th Grade Academy 4734 Shadowlawn Rd. 38002	Herbicide & Fertilization	
Bon Lin Elementary School 3940 N. Germantown Rd. 38133	Herbicide & Fertilization	
Bon Lin Middle School 3862 N. Germantown Rd. 38133	Herbicide & Fertilization	
Ellendale Elementary School 6950 Dawnhill Rd.	Herbicide & Fertilization	
Elmore Park Middle School 6330 Althorne Rd. 38134	Herbicide & Fertilization	
Oak Elementary School Water Basin included 3573 Oak Rd. 38135	Herbicide & Fertilization	
Rivercrest Elementary Water Tower Included 4825 Rivercrest Lane 38135	Herbicide & Fertilization	
TOTAL BID AMOUNT		\$ _____

Total Bid in Words:

Signatures on next page

Signature Page

Contractor

Phone

Authorized Representative

Date

Print Name

E-mail Address

REFERENCES:

The City of Bartlett will require the Contractor to furnish three (3) references for past performances of this type of work performed within the last year.

Company Name: _____

Company Address: _____

Contact Person: _____

Contact Email: _____

Phone Number: _____

Company Name: _____

Company Address: _____

Contact Person: _____

Contact Email: _____

Phone Number: _____

Company Name: _____

Company Address: _____

Contact Person: _____

Contact Email: _____

Phone Number: _____

NOTICE OF AWARD

To:

PROJECT Description: FY2020-06-057 LAWN TREATMENT SERVICES PARKS AND RECREATION

The CITY has considered the BID submitted by _____ for the above-described WORK in response to its Advertisement for Bids dated **June 2, 2020** and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of _____.

You are required by the Information for Bidders to furnish the required Certificates of Insurance **within ten (10) calendar** days from the date of the Notice to you.

If you fail to furnish said Insurance Document within ten (10) days from the date of this Notice, said CITY will be entitled to consider all your rights arising out of the CITY'S acceptance of your BID as abandoned. The CITY will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the CITY.

Dated this ____ day of _____, 2020.

CITY OF BARTLETT

Name: _____

Print Name: A. Keith McDonald

Title: Mayor, City of Bartlett

ACCEPTANCE OF NOTICE

Receipt of the above **NOTICE OF AWARD** is hereby acknowledged

by _____ this

the _____ day of _____, 20____.

Name: _____

Print Name: _____

Title: _____

CONTRACT AGREEMENT

THIS AGREEMENT, made this ____ day of _____, 2020 by and between City of Bartlett, hereinafter called "CITY" and _____, doing business as (an individual,) or (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 comply with the services required in FY2020-06-057 Lawn Treatment Services, City of Bartlett Parks and Recreation.
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the lawn treatment described herein.
3. 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. The initial contract is from July 1, 2020 thru June 30, 2022. This contract contains three (3) one-year renewals, July 1, 2022 thru June 30, 2023, July 1, 2023 thru June 30, 2024, and July 1, 2024 thru June 30, 2025, contingent upon agreement of both parties.
4. The term "CONTRACT DOCUMENT" means and includes the following:
 - (A) Advertisement for Bids
 - (B) Instructions to Bidders
 - (C) General Conditions
 - (D) Special Conditions
 - (E) Bid Specifications
 - (F) Bid Pricing Sheets
 - (G) Notice of Award
 - (H) Contract Agreement

This Agreement shall be binding upon all parties hereto and their respectable heirs, executors, administrators, successors, and assigns.

Contractor's Initials

CA-1

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, the Agreement in (5), each of which shall be deemed an original on the date first above written.

CITY OF BARTLETT

BY: _____

PRINT NAME: A. Keith McDonald

TITLE: Mayor, City of Bartlett

(SEAL – City of Bartlett Notary)
ATTEST:

Print Name: _____

TITLE: _____

My Commission expires _____, 20____

CONTRACTOR:

BY: _____

PRINT NAME: _____

TITLE: _____

(SEAL-Contractor's Notary)
ATTEST:

Print Name: _____

TITLE: _____

My Commission expires _____, 20____

CA-2



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 07/14/20 06:00 PM

Department: Finance

Category: Budget

Prepared By: Penny Medlock

Department Head: Dick Phebus

Authorization to auction surplus property.

Department	Year	Make/Model	Color	Vehicle ID#
Police	1985	Toyota Pick-up	Copper	JT4RN56DXF0151453
Police	1994	Nissan Altima	Black	IN4BU31D0RC185832
Police	2000	Ford Escort	Green	3FAFP13P2YR167546
Police	2002	VW Jetta	Blue	3VWSK69M32M005329
Police	2003	Dodge Dakota	Gray	ID7FL36X23S190115
Police	2005	Suzuki Motorcycle	Black	JS1VP53A352100313
Police	2005	Nissan Altima	Black	IN4AL11D75C208777
Police	2006	Chevy Tahoe	Silver	IGNEK13Z16R107442
Police	2006	Kia Rio	Silver	KNADE163966117914
Police	2006	Ford Taurus	Green	1FAFP56U56A193736
Police	2008	Ford Mustang	Blue	1ZVHT82H785186613
Police	2009	Chevy Malibu	Gray	1GIZG57B79F164047
Police	2009	Chevy Impala	White	2GIWU57MX91280699
Police	2009	Chevy Impala	Red	2GIWU57M991195885
Police	2010	Lexus ES350	Red	JTHBK1EG6A2373319
Police	2012	Chevy Impala	Gray	2GIWG5E39C1313099
Solid Waste	1997	International 4900	White	1HTSHAAR3VH482754
Solid Waste	1997	Leach Pack Master	White	2RII-11551
Public Works	1999	Stone 4000 Asphalt Rotter	Yellow	5198214
Public Works	1985	Muldin 4000 Roller	Yellow	4-8-85-200

Article V Section 4 of the Charter of the City of Bartlett designates the authority to the Mayor to sell surplus property with Board approval for items valued over \$500. The following items have been identified as surplus with a potential value of over \$500 and are eligible to be sold at public auction.

It is our recommendation that these items be approved to be sold at public auction. If approved, the City of Bartlett will advertise the items to be auctioned on the GovDeals website (www.govdeals.com).

Thank you for your consideration of the above item.