CITY COMMISSION MEETING AGENDA

CITY COMMISSION	DAYTON, OHIO	JUNE 1, 2022

6:00 P.M.

I. AGENDA SCHEDULE

Please register to speak on items 9, 11 and 13 with the Clerk of the Commission.
(Sign-up sheets at entrance of Commission Chambers.)

1. Call Meeting to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Minutes
6. Communications and Petitions Distribution (if any)
7. Special Awards/Recognition
8. Discussion of City Manager’s Recommendations (See Section II)
9. Citizen Comments on City Manager’s Recommendations
10. City Commission Action on City Manager’s Recommendations
11. Public Hearings: N/A
12. Discussion Item: N/A
13. Comments by Citizens - Please register to speak with the Clerk of Commission
   (Non - Calendar items) sign-up sheets at entrance of Commission Chambers
14. Comments by City Manager
15. Comments by City Commission
16. Work Session: Finance Committee Briefing
   4:30 P.M. - PRC
   https://www.daytonohio.gov/govtv
17. Miscellaneous (See Section VI)

II. CITY MANAGER RECOMMENDATIONS (Item #8 above)
The following recommendations are offered for City Commission approval.

A. Purchase Orders, Agreements and Contracts:
(All contracts are valid until delivery is complete or through December 31st of the current year).

1. Purchase Orders:

   FIRE
   A1. Sutphen Corporation (one heavy duty custom pumper)
   $649,678.68
1. (Cont’d):

**INFORMATION TECHNOLOGY**
B1. Comptech Computer Technologies (temporary staffing services as needed through 12/31/22) $20,000.00

**PLANNING, NEIGHBORHOODS & DEVELOPMENT**
C1. Lowe’s (lumber, hand tools and related items as needed through 12/31/24) 50,000.00

**POLICE**
D1. Remco Office Systems (SpacePro filing system with installation services) 11,794.08

**RECREATION**
E1. Gordon Food Services, Inc. (assorted candy as needed through 12/31/25) 57,100.00

**WATER**
F1. Dell Marketing LP (computers and accessories) 16,289.95
F2. Strategic Ohio Council for Higher Education (college intern program services as needed through 12/31/22) 20,000.00
F3. Controlsoft, Inc. (automated process control system maintenance as needed through 12/31/25) 107,000.00
F4. Weiffenbach Marble & Tile Company (carpet including removal and installation services) 31,710.00

Total: $963,572.71

2. Make It Plain Consulting, LLC – Service Agreement – for consulting services for the City’s Diversity, Equity, and Inclusion Advisory Committee - City Manager’s Office. $94,500.00 (Thru 12/31/24)

B. Construction Contract:

3. John R. Jurgensen Co – Award of Contract – for 2022 Thoroughfare Asphalt Resurfacing (10% MBE and 5% WBE Participation Goal/10.01% MBE and 5% WBE Participation Achieved) – Department of Public Work/Civil Engineering. $799,277.60 (Thru 10/28/24)
IV. LEGISLATION:

Emergency Ordinance – First Reading

4. No. 31979-22  Authorizing the Sale of Certain Real Estate located in the City of Dayton for Development Purposes, and Declaring an Emergency.

Emergency Resolution – Second Reading

5. No. 6646-22  Authorizing the City Manager to Accept Funding from the Economic Development and Government Equity Program, as Approved by the Board of County Commissioners of Montgomery County, Ohio, in an Amount Not to Exceed Two Hundred Fifty Thousand Dollars and Zero Cents ($250,000.00) for Infinity Labs, LLC on Behalf of the City of Dayton, and Declaring an Emergency.

Resolution – First Reading

6. No. 6647-22  Authorizing the City Manager to Accept Federal Fiscal Years 2022 and 2023 Federal Aviation Administration Airport Terminal Program (ATP) Grants from the United States Department of Transportation for Airport Infrastructure and Terminal Improvements at the James M. Cox Dayton International Airport and Dayton-Wright Brothers Airport on Behalf of the City of Dayton in an Amount Not to Exceed Forty-Five Million Dollars and Zero Cents ($45,000,000.00).

7. No. 6648-22  Honorarily Naming the 3500 block of Roejack Drive as “Nevora Parker Way”.

8. No. 6649-22  Honorarily Naming Xenia Avenue Between Fillmore Street and Dover Street as “Kim Steinbrugge Way.”
VI. MISCELLANEOUS:

ORDINANCE NO. 31980-22

RESOLUTION NO. 6650-22

IMPROVEMENT RESOLUTION NO. 3599-22

INFORMAL RESOLUTION NO. 996-22
City Manager’s Report

From 2730 – PMB/Procurement
Supplier, Vendor, Company, Individual
Name See Below
Address See Below

Date June 1, 2022
Expense Type Purchase Order
Total Amount $963,572.71

2022 Purchase Orders

<table>
<thead>
<tr>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>See below</td>
<td>See below</td>
<td>See below</td>
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</tbody>
</table>

Includes Revenue to the City  ☑ No
Affirmative Action Program  ☑ Yes  ☐ No  ☐ N/A

Description

FIRE

(A1) PO220940 – SUTPHEN CORPORATION, DUBLIN, OH

- One (1) heavy duty custom pumper.
- This product is required to provide additional Fire apparatus to City’s fleet and replaces unit #756 which will be disposed of in the best interest of the City.
- Rates are in accordance with the Houston-Galveston Area Council (HGAC) Contract #FS12-19.
- The Department of Fire recommends approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<td>2022</td>
<td>2022 Fire Engine</td>
<td>49218-6330-1412-71</td>
<td>$649,678.68</td>
</tr>
</tbody>
</table>

Signatures/Approval

Approved by City Commission

Clerk

Date

Updated 06/2016
INFORMATION TECHNOLOGY

(B1) P0220142 – COMPTech COMPUTER TECHNOLOGIES INC., CENTERVILLE, OH

- Temporary staffing services as needed through 12/31/2022.
- These services are required to augment staff to maintain daily operations.
- Rates are in accordance with the City of Dayton’s existing price agreement IFB No. 18066JL with pricing through 12/31/2023.
- This amendment increases the previously authorized amount of $125,000.00 by $20,000.00 for a total not to exceed $145,000.00 and therefore requires City Commission approval.
- The Department of Information Technology recommends approval of this order.

<table>
<thead>
<tr>
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<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<tr>
<td>2022</td>
<td>General Fund</td>
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</table>

PLANNING, NEIGHBORHOODS & DEVELOPMENT – HOUSING AND INSPECTIONS

(C1) P0220737 – LOWE’S, TROTWOOD, OH

- Lumber, hand tools and related items as needed through 12/31/2022.
- These goods are required to allow the Division of Housing and Inspections to perform essential duties that protect the public’s health and safety.
- Rates are in accordance with the cooperative Omnia Partners Contract #R192006 with pricing through 3/31/2025.
- This amendment increases the previously authorized amount of $8,500.00 by $10,000.00 for a total not to exceed $18,500.00 and therefore requires City Commission approval.
- The Department of Planning, Neighborhoods and Development requests additional authority of $40,000.00 through 12/31/2024.
- The Department of Planning, Neighborhoods and Development recommends approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<tbody>
<tr>
<td>2022</td>
<td>Demolition Sp. Projects</td>
<td>16022-2320-1174-32</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>2023</td>
<td>Demolition Sp. Projects</td>
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<td>2024</td>
<td>Demolition Sp. Projects</td>
<td>16022-2320-1174-32</td>
<td>$20,000.00</td>
</tr>
</tbody>
</table>
POLICE

(D1)  P0220943 – REMCO OFFICE SYSTEMS, KETTERING, OH
- SpacePro filing system with installation services.
- These goods and services are required to replace existing filing system which is worn beyond economical repair.
- Remco Office Systems is recommended to continue providing filing system goods and services to assure record retention continuity, therefore this purchase was negotiated.
- The Department of Police recommends approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<tbody>
<tr>
<td>2022</td>
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<td>10000-6221-1301-71</td>
<td>$11,794.08</td>
</tr>
</tbody>
</table>

RECREATION AND YOUTH SERVICES

(E1)  P0220941 – GORDON FOOD SERVICE, INC., VERNON HILLS, IL
- Assorted candy.
- These goods are required for the City’s 2022 Fall Harvest.
- Gordon Food Service, Inc. is recommended based upon proven past performance to ensure consistent quality; therefore, this purchase was negotiated.
- The Department of Recreation and Youth Services requests additional authority of $45,000.00 through 12/31/2025.
- The Department of Recreation and Youth Services recommends approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<td>2024</td>
<td>General Fund</td>
<td>10000-6530-1301-56</td>
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<td>2025</td>
<td>General Fund</td>
<td>10000-6530-1301-56</td>
<td>$15,000.00</td>
</tr>
</tbody>
</table>

WATER – WATER ENGINEERING

(F1)  P0220942 – DELL MARKETING LP, ROUND ROCK, TX
- Computers and accessories.
- These goods are required to replace end of life equipment used by the Department of Water.
- The City has standardized on Dell computing equipment; therefore, this purchase was negotiated.
- The Department of Water recommends approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<td>2022</td>
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<td>$16,289.95</td>
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</table>
WATER – ENVIRONMENTAL MANAGEMENT

(F2)  P0220638 – STRATEGIC OHIO COUNCIL FOR HIGHER EDUCATION, BEAVERCREEK, OH

- College intern program services as needed through 12/31/2022.
- These services are required to assist the Department of Water in providing quality programs and services by college students that are members of the Southwestern Ohio Council for Higher Education (SOCHE).
- SOCHE is recommended on the basis of proven past performance; therefore, this purchase was negotiated.
- This amendment increases the previously authorized amount of $68,500.00 by $20,000.00 for a total not to exceed $88,500.00 and therefore requires City Commission approval.
- The Department of Water recommends approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<tr>
<td>2022</td>
<td>Sanitary Sewer Operating</td>
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<td>$20,000.00</td>
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</tbody>
</table>

WATER – WATER RECLAMATION

(F3)  P0220945 – CONTROLSOFT, INC., HIGHLAND HEIGHTS, OH

- Automated process control system maintenance.
- These services are required to optimize the automated process controls of the main pump stations at the Water Reclamation Plant.
- ControlSoft, Inc. is recommended as the sole source of this proprietary service; therefore, this purchase was negotiated.
- The Department of Water requests additional authority of $75,000.00 through 12/31/2025.
- The Department of Water recommends approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
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<td>2023</td>
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<td>2024</td>
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<td>2025</td>
<td>Sanitary Sewer Operating</td>
<td>55000-3460-1164-54</td>
<td>$25,000.00</td>
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</tbody>
</table>
WATER – WATER UTILITY FIELD OPERATIONS

(F4) P0220944 – WEIFFENBACH MARBLE & TILE COMPANY, CLAYTON, OH

- Carpet including removal and installation services.
- These goods and services are required to replace flooring that is worn beyond economical maintenance and repair at the Sewer Maintenance building.
- Rates are in accordance with the City of Dayton’s existing price agreement IFB No. 19019N with pricing through 7/31/2022.
- The Department of Water recommend approval of this order.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
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<td>2022</td>
<td>Storm Water Operating</td>
<td>58000-3445-1172-54</td>
<td>$16,710.00</td>
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</table>

The aforementioned departments recommend approval of these orders.
City Manager’s Report

2100 - City Manager’s Office

Make It Plain Consulting, LLC
1212 Sycamore Street, Suite 21, Cincinnati, OH 45202

Date June 1, 2022
Expense Type Service Agreement
Total Amount $94,500.00 (thru 12/31/2024)

Fund Source(s)  Fund Code(s)  Fund Amount(s)
General Fund  10000-2100-1159-51  $94,500.00

Includes Revenue to the City Yes  No
Affirmative Action Program Yes  No  N/A

Description

Professional Services Agreement - Make It Plain Consulting, LLC
(50% MBE Goal / 50% MBE Goal Achieved)

The Office of the City Manager requests approval to enter into a Professional Services Agreement in the amount of $94,500.00 with Make It Plain Consulting, LLC. Make It Plain Consulting, LLC will provide consulting services to the City’s Diversity, Equity, and Inclusion, Advisory Committee. The services will include a cultural competency assessment, development of a long-term 5-year DEI strategic plan, training and resources, and support services.

The City issued RFP 21-039CMO for a DEI Consultant, which had a 50% MBE goal and received eight competitive responses. Our five-person selection team consisted of personnel from the City Manager’s Office, Water Department, Human Relations Council, and Finance. Make It Plain Consulting, LLC was selected as the winner due to previous experience, best price, and recommendations of references. Make It Plain Consulting, LLC is a minority owned business and therefore has met the 50% MBE goal. Make It Plain Consulting, LLC also has a successful history of working with local governments.

The agreement shall commence upon execution and will expire December 31, 2024.

This agreement has been reviewed by the Law Department and approved to form and correctness.

A Certificate of Funds in the amount of $94,500.00 is attached.

Signatures/Approval

Approved by City Commission

Clerk

Date

Updated 10/2019
CERTIFICATE OF FUNDS

SECTION I - to be completed by User Department

X New Contract

Renewal Contract

Change Order

Contract Start Date: Upon Execution
Expiration Date: 12/31/24
Original Commission Approval: $94,500.00
Initial Encumbrance: $94,500.00
Remaining Commission Approval: $-

Original CT/CF
Increase Encumbrance: $-
Decrease Encumbrance: $-
Remaining Commission Approval: $-

Required Documentation
X Initial City Manager’s Report
X Initial Certificate of Funds
X Initial Agreement/Contract

Copy of City Manager’s Report
Copy of Original Certificate of Funds

Amount: $94,500.00

Fund Code: 10000 - 2100 - 1159 - 51 - XXXX - XXXX

Fund: XXXX
Org: XXXX
Acct: XXXX
Prog: XXXX
Act: XXXX
Loc: XXXX

Amount:

Fund Code: XXXX - XXXX - XXXX - XX - XXXX - XXXX

Fund: XXXX
Org: XXXX
Acct: XXXX
Prog: XXXX
Act: XXXX
Loc: XXXX

Attach additional pages for more FOAPALs

Vendor Name: Make It Plain Consulting, LLC
Vendor Address: 1212 Sycamore Street, Suite 21, Cincinnati, OH 45202
Street
City
State
Zipcode + 4

Federal ID: 26-3335936
Commodity Code: 91800
Purpose: To provide DEI consulting services to the City’s Diversity, Equity, and Inclusion, Advisory Committee.
The services will include cultural assessment, development of long-term strategic plan, training and resources, and support services.

Contact Person: Lamonte Hall, Jr.
CMO
Department/Division
5/10/2022
Date

SECTION II - to be completed by the Finance Department

I hereby certify that the amount of money required to meet the payment(s) called for in the aforesaid request have been lawfully appropriated for such purpose and is in the Treasury, or in the process of collection, to the credit of the fund from which it is to be drawn free and clear from any previous encumbrance.

Finance Director Signature

Date

CF Prepared by

Date

CF/CT Number
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

THIS AGREEMENT is entered into on this ___ day of ___, 2022, between the CITY OF DAYTON, Ohio, ("City") and MAKE IT PLAIN CONSULTING, LLC ("Consultant"), 1212 Sycamore Street, Suite 21, Cincinnati, OH 45202.

WITNESSETH:

WHEREAS, the City wishes to seek professional consulting services to strategically advise our Diversity, Equity, and Inclusion, Advisory Committee (DEIAC).

WHEREAS, Consultant is qualified and available to provide the Services to the City on the terms and conditions stated in this Agreement.

WHEREAS, Consultant represents that is has the skills to conduct a workplace culture assessment, develop training to implement an organization wide cultural competency around DEI, develop a five (5) year strategic DEI plan, train the DEIAC to implement the strategic plan, and provide on-going tools, support, and resources.

NOW THEREFORE, in consideration of the promises contained in this Agreement ("Agreement"), the City and Consultant agree as follows:

ARTICLE 1. TERM

The Agreement shall commence upon execution by the City, and it shall expire upon expenditure of all funds provided herein or on December 31st, 2024, whichever is earlier. The parties reserve the right to extend the term of this Agreement to a later date by mutual written agreement, as described in Article 18.

ARTICLE 2. SERVICES TO BE PERFORMED BY CONSULTANT

Consultant shall provide all professional services necessary to complete the services that are described in Attachment A, Scope of Services ("Services"), which is incorporated herein by reference. Any additional services will be discussed prior to initiation and will require a written agreement with pricing to move forward.

ARTICLE 3. COMPENSATION

The total remuneration in this Agreement shall not exceed NINETY-FOUR THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS ($94,500.00). Services will be paid according to Attachment B, which is incorporated herein by reference.

ARTICLE 4. CITY’S RESPONSIBILITIES

The City will furnish Consultant, at no cost or expense, all reports, records, data that might be necessary or useful to complete the Services required under this Agreement.

ARTICLE 5. STANDARD OF CARE

Consultant shall exercise the same degree of care, skill, and diligence in the performance of the Services as is ordinarily possessed and exercised by a professional under similar circumstances. The Consultant shall have no liability for defects in the Services attributable to Consultant’s reliance upon or use of data or other information furnished by the City or third parties retained by the City.

If, during the one-year period following completion of the Services, it is shown there is an error in the Services caused by Consultant’s failure to meet such standards and the City has notified Consultant in
writing of any such error within that period, Consultant shall perform, at no additional cost to the City, such Services within the original Project as may be necessary to remedy such error.

**ARTICLE 6. LIABILITY AND INDEMNIFICATION**

To the fullest extent permitted by law, Consultant shall indemnify, hold harmless and defend the City, its respective officials, officers, consultants, agents, representatives and employees, in both individual and official capacities from and against all claims, damages, losses and expenses arising out of Consultant’s infringement of patents, copyrights or other intellectual property rights.

This Article 6 shall survive early termination or expiration of this Agreement.

**ARTICLE 7. INSURANCE**

During the term of this Agreement, Consultant shall maintain, at its sole cost and expense, no less than the following insurance issued by an insurance company authorized to conduct business in the State of Ohio and having an “A” rating or better by A.M. Best:

1. General liability insurance, having a combined single limit of $2,000,000 for each occurrence and $4,000,000 in the aggregate.

2. Automobile liability insurance, having a combined single limit of $100,000 for each person and $300,000 for each accident.

3. Professional liability insurance, having a combined single limit of $1,000,000 for each occurrence and $3,000,000 in the aggregate.

4. Other insurance coverage, including Ohio Workers’ Compensation, mandated by local, state or federal law.

Current certificates of insurance for all policies and concurrent policies required to be maintained by Consultant pursuant to this Article shall be furnished to the City. All such insurance policies, excluding Professional Liability Insurance, shall name the City and its elected officials, officers, agents, employees, and volunteers as additional insureds, but only to the extent of Consultant’s legal liability and to the extent of the policy limits stated herein. All policies of insurance required hereunder shall contain a provision requiring a minimum of thirty (30) days advance written notice to the City in the event of cancellation or diminution of coverage. In the event of a claim, Consultant shall make copies of applicable insurance policies available for review by the City.

Consultant also shall maintain Workers’ Compensation Insurance in such amounts as required by law for all employees and shall furnish to the City evidence of same.

**ARTICLE 8. OWNERSHIP OF DOCUMENTS**

Except as otherwise provided in this Agreement, documents and reports prepared by Consultant as part of the Services shall become the sole and exclusive property of the City upon payment.

Consultant shall retain its rights in pre-existing and standard scripts, databases, computer software, and other proprietary property. Rights to intellectual property that is not specifically designed or created exclusively for the City in the performance of this Agreement shall also remain the property of Consultant.
ARTICLE 9. TERMINATION

This Agreement may be terminated by the City upon written notice in the event of a failure by Consultant to perform in accordance with the terms of this Agreement. Consultant shall have ten (10) calendar days from the date of the termination notice to cure or to submit a plan for cure acceptable to the other party.

The City may terminate or suspend performance of this Agreement for the City’s convenience upon ten (10) days prior written notice to Consultant. In the event of termination by the City hereunder, the City will pay Consultant for Services actually provided and properly performed up to the date of termination.

ARTICLE 10. SUBCONTRACTING AND ASSIGNMENTS

None of the Services shall be subcontracted without the prior written consent of the City. The Consultant shall be as fully responsible to the City for the acts and omissions of its subcontractors, and of persons indirectly employed by the Consultant, as it is for the acts and omissions of persons directly employed by the Consultant. The Consultant shall insert in each subcontract appropriate provisions requiring compliance with the labor standards provisions of this Agreement.

The Consultant shall not assign any interest in this Agreement and shall not transfer any interest in the same without the prior written approval of the City. Unless otherwise stated in written consent to an assignment, no assignment will release or discharge the Consultant from any obligation under this Agreement.

ARTICLE 11. INDEPENDENT CONTRACTOR

By executing this Agreement for professional services, Consultant acknowledges and agrees that it will be providing services to the City as an “independent contractor.” As an independent contractor for the City, Consultant shall be prohibited from representing or allowing others to construe the parties’ relationship in a manner inconsistent with this Article. Consultant shall have no authority to assume or create any obligation on behalf of, or in the name of the City, without the express prior written approval of a duly authorized representative of the City.

Consultant, its employees and any persons retained or hired by Consultant to perform the duties and responsibilities under this Agreement are not City employees, and therefore, such persons shall not be entitled to, nor will they make a claim for, any of the emoluments of employment with the City of Dayton. Further, Consultant shall be responsible to withhold and pay, or cause such agents, contractors and sub-contractors to withhold and pay, all applicable local, state and federal taxes.

Consultant acknowledges its employees are not public employees for purposes of Ohio Public Employees Retirement System (“OPERS”) membership.

ARTICLE 12. EQUIPMENT AND SUPPLIES

The Consultant, at its expense, shall provide all equipment, tools, and supplies necessary to perform the Services.

ARTICLE 13. COMMUNICATIONS AND NOTICES

Any written communication or notice required or permitted by this Agreement shall be made in writing and shall be delivered personally, sent by express delivery, certified mail or first class U.S. mail, postage pre-paid to the address specified below:
Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of Consultant and the City.

ARTICLE 14. EQUAL EMPLOYMENT OPPORTUNITY

Consultant shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, ancestry, national origin, place of birth, age, marital status, or handicap with respect to employment, upgrading, demotion, transfer, recruitment or recruitment advertising, lay-off, termination, rates of pay or other forms of compensation, or selection for training, including apprenticeship.

It is expressly agreed and understood that Section 35.14 of the Revised Code of General Ordinances of the City of Dayton constitutes a material condition of this Agreement as fully and as if specifically rewritten herein and that failure to comply therewith shall constitute a breach thereof entitling the City to terminate this Agreement at its option.

ARTICLE 15. GOVERNING LAW AND VENUE

This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio, without giving effect to the principles thereof relating to conflicts or choice of laws. Any litigation or other legal matter regarding this Agreement or performance by either party must be brought in a court of competent jurisdiction in Montgomery County, Ohio.

ARTICLE 16. SEVERABILITY

The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void, unenforceable, invalid or illegal provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if this Agreement did not contain the particular portion or provision. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision, which is of the essence of this Agreement, be determined void.

ARTICLE 17. THIRD PARTY RIGHTS

Except as expressly provided in this Agreement, nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the City and Consultant.
ARTICLE 18. AMENDMENT

The City and Consultant may mutually agree to amend this Agreement at any time. However, no such amendment shall be effective unless it is reduced to a writing, which references this Agreement, executed by a duly authorized representative of the City and the Consultant and, if applicable or required, approved by the Commission of the City of Dayton, Ohio.

The parties may mutually agree to extend the term of this Agreement to a later date. The City Manager’s Office is authorized to extend the term of this Agreement for the City.

ARTICLE 19. POLITICAL CONTRIBUTIONS

Consultant affirms and certifies that it complies with Ohio Revised Code § 3517.13 limiting political contributions.

ARTICLE 20. INTEGRATION

This Agreement represents the entire and integrated agreement between the City and Consultant. This Agreement supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this Agreement.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
IN WITNESS WHEREOF, the City and Consultant, each by a duly authorized representative, have executed this Agreement on the date first written above.

CITY OF DAYTON, OHIO

City Manager

Date: ____________________________

APPROVED:

Assistant to the City Manager

APPROVED AS TO FORM AND CORRECTNESS:

4/5/2022

× John Musto for

City Attorney

Signed by: Musto, John

APPROVED BY THE COMMISSION OF THE CITY OF DAYTON, OHIO

__________________________, 2022

Min./Bk. ___________ Pg. ___________

Clerk of Commission

MAKE IT PLAIN CONSULTING

By: _______________________________________

Its: _______________________________________

PRESIDENT AND CEO
ATTACHMENT A

TO

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

City: City of Dayton OH

Project: Diversity, Equity, and Inclusion Consulting Services

Consultant: Make It Plain Consulting, LLC:

SCOPE OF SERVICES

Assessment Expectations
A. Consultant will conduct assessment of the City’s workplace culture in efforts to increase diversity, equity, and inclusion (DEI). The assessment should evaluate DEI in all aspects of the City’s organization.

OBJECTIVES
A. Create and/or administer staff-wide climate assessment to provide a foundation for future work and for the City organization.
B. Establish a clear definition of DEI that receives broad committee support based on an evaluation of the City organization.
C. Review, summarize, and train the DEIAC based on national best practices.

DELIVERABLES

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Start Date</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Develop training to implement an organization wide cultural competency around DEI</td>
<td>4/13/2022</td>
<td>4/22/2022</td>
</tr>
<tr>
<td>B. Develop and implement a realistic five (5) year strategic plan that sets the vision, mission, values, and behaviors, along with specific goals necessary to achieve DEI within the City organization</td>
<td>4/18/2022</td>
<td>5/13/2022</td>
</tr>
<tr>
<td>C. Prepare and present plan with stakeholders</td>
<td>5/16/2022</td>
<td>5/27/2022</td>
</tr>
<tr>
<td>D. Educate and train DEIAC, to implement strategic plan</td>
<td>5/2/2022</td>
<td>10/28/2022</td>
</tr>
<tr>
<td>E. Provide resources and tools to support ongoing learning, development, and engagement</td>
<td>6/4/2022</td>
<td>12/31/2022</td>
</tr>
</tbody>
</table>

REQUIREMENTS

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Start Date</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Initial project kick-off meeting</td>
<td>4/13/2022</td>
<td>4/22/2022</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DEI Climate Assessment, Strategy and Training Process Chart</th>
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</thead>
<tbody>
<tr>
<td>Phase 1</td>
</tr>
<tr>
<td>Climate Assessment</td>
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</table>
### PROJECT TIMELINE

<table>
<thead>
<tr>
<th>ASSESSMENT &amp; TRAINING DEVELOPMENT PROJECT TIMELINE</th>
<th>LAUNCH DATE</th>
<th>COMPLETION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Climate Assessment Meeting</td>
<td>4/13/2022</td>
<td>4/22/2022</td>
</tr>
<tr>
<td>Design Climate Assessment Survey Instruments</td>
<td>4/25/2022</td>
<td>4/29/2022</td>
</tr>
<tr>
<td>Test Survey Instrument</td>
<td>5/2/2022</td>
<td>5/6/2022</td>
</tr>
<tr>
<td>Launch Climate Assessment Survey Instrument</td>
<td>5/9/2022</td>
<td>5/27/2022</td>
</tr>
<tr>
<td>Request and Review Existing Workforce and DEI Data</td>
<td>5/9/2022</td>
<td>5/27/2022</td>
</tr>
<tr>
<td>Conduct Virtual Focus Groups and Individual Interviews</td>
<td>5/9/2022</td>
<td>6/3/2022</td>
</tr>
<tr>
<td>Review and Analysis of Findings</td>
<td>6/6/2022</td>
<td>6/10/2022</td>
</tr>
<tr>
<td>Initiate Cultural Competency Training Development</td>
<td>4/25/2022</td>
<td>4/29/2022</td>
</tr>
<tr>
<td>Develop Cultural Competency Training</td>
<td>4/25/2022</td>
<td>5/6/2022</td>
</tr>
</tbody>
</table>

### DEI STRATEGIC PLAN PROJECT TIMELINE

| Launch Cultural Competency                        | 5/9/2022    | 10/28/2022     |
| Initiate DEIAC Meeting                            | 5/9/2022    | 5/13/2022      |
| DEI Strategic Planning Session #1                 | 5/16/2022   | 5/20/2022      |
| DEI Strategic Planning Session #2                 | 5/23/2022   | 5/27/2022      |
| DEI Strategic Planning Session #3                 | 5/31/2022   | 6/3/2022       |
| DEI Strategic Planning Session #4                 | 6/6/2022    | 6/10/2022      |
| Final Strategic Plan & Stakeholder Presentation   | 6/13/2022   | 6/17/2022      |

### DEIAC STRATEGY IMPLEMENTATION TRAINING PROJECT TIMELINE

| Initial DEIAC Training Logistics Meeting          | 6/13/2022   | 6/17/2022      |
| DEIAC Training #1                                 | 6/20/2022   | 6/24/2022      |
| DEIAC Training #2                                 | 6/27/2022   | 7/1/2022       |
| DEIAC Training #3                                 | 7/5/2022    | 7/8/2022       |
| DEIAC Training #4                                 | 7/11/2022   | 7/15/2022      |
| DEIAC Training #5                                 | 7/25/2022   | 7/29/2022      |
| DEIAC Training #6                                 | 8/1/2022    | 8/5/2022       |
| DEI Strategic Plan Implementation                 | 8/8/2022    | 9/9/2022       |

### DEI RESOURCES & SUPPORTIVE PROJECT TIMELINE

| DEI Resources                                     | 5/2/2022    | 12/31/2022     |
| Ongoing Support                                   | 5/2/2022    | 12/31/2022     |
### PROJECTED TIMELINE WITH KEY MILESTONES

<table>
<thead>
<tr>
<th>ASSESSMENT &amp; TRAINING DEVELOPMENT PROJECT TIMELINE</th>
<th>LAUNCH DATE</th>
<th>COMPLETION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Climate Assessment Meeting</td>
<td>4/13/2022</td>
<td>4/22/2022</td>
</tr>
<tr>
<td>Launch Climate Assessment Survey Instrument</td>
<td>5/9/2022</td>
<td>5/27/2022</td>
</tr>
<tr>
<td>Develop Cultural Competency Training</td>
<td>4/25/2022</td>
<td>5/6/2022</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>DEI STRATEGIC PLAN PROJECT TIMELINE</th>
<th>LAUNCH DATE</th>
<th>COMPLETION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Launch Cultural Competency</td>
<td>5/9/2022</td>
<td>10/28/2022</td>
</tr>
<tr>
<td>Initiate DEIAC Meeting</td>
<td>5/9/2022</td>
<td>5/13/2022</td>
</tr>
<tr>
<td>DEI Strategic Planning Session #4</td>
<td>6/6/2022</td>
<td>6/10/2022</td>
</tr>
<tr>
<td>Final Strategic Plan &amp; Stakeholder Presentation</td>
<td>6/13/2022</td>
<td>6/17/2022</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DEIAC STRATEGY IMPLEMENTATION TRAINING PROJECT TIMELINE</th>
<th>LAUNCH DATE</th>
<th>COMPLETION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial DEIAC Training Logistics Meeting</td>
<td>6/13/2022</td>
<td>6/17/2022</td>
</tr>
<tr>
<td>DEIAC Training #1</td>
<td>6/20/2022</td>
<td>6/24/2022</td>
</tr>
<tr>
<td>DEIAC Training #6</td>
<td>8/1/2022</td>
<td>8/5/2022</td>
</tr>
<tr>
<td>DEI Strategic Plan Implementation</td>
<td>8/8/2022</td>
<td>9/9/2022</td>
</tr>
<tr>
<td>OBJECTIVE</td>
<td>TIMELINE</td>
<td>RESOURCES</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>-------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Assess workforce to identify DEI needs and opportunities relative to Cultural Competency: People, Process &amp; Culture.</td>
<td>4/13/2022</td>
<td>Make It Plain Consulting team of consultants / trainers.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>City access to workforce data, strategic plan, org. chart, training curriculum, policies and procedures</td>
</tr>
</tbody>
</table>

**Goal 2: Develop Cultural Competency Training**

<table>
<thead>
<tr>
<th>OBJECTIVE</th>
<th>TIMELINE</th>
<th>RESOURCES</th>
<th>FIRM TEAM</th>
<th>STRATEGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop training to implement an organization wide Cultural Competency around DEI</td>
<td>4/13/2022</td>
<td>Make It Plain Consulting team of consultants / trainers.</td>
<td>Tommie Lewis, Lynn Watts, Brittany Mention, Chahnna Johnson, Margie Anderson, Nicole Keith (Admin)</td>
<td>Develop a curriculum of instructor-led and virtual DEI trainings in Cultural Competency</td>
</tr>
<tr>
<td></td>
<td></td>
<td>City DEIAC, City HR, etc.</td>
<td></td>
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</table>

**Goal 3: Develop and implement a five (5) year strategic plan**

<table>
<thead>
<tr>
<th>OBJECTIVE</th>
<th>TIMELINE</th>
<th>RESOURCES</th>
<th>FIRM TEAM</th>
<th>STRATEGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop 5-year DEI Cultural Competency Strategic Plan</td>
<td>4/18/2022</td>
<td>Make It Plain Consulting team of consultants / trainers.</td>
<td>Tommie Lewis, Maronica Williams, Brittany Mention, Crystal Kendrick, Kelly Hayden, Chahnna Johnson, Margie Anderson, Nicole Keith (Admin)</td>
<td>Utilize findings from assessment and DEIAC current state to identify DEI priorities, vision and OGS for Cultural Competency Strategic Plan</td>
</tr>
<tr>
<td></td>
<td></td>
<td>City DEIAC, City HR, etc.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Goal 4: Present Strategic Plan with Stakeholders**

<table>
<thead>
<tr>
<th>OBJECTIVE</th>
<th>TIMELINE</th>
<th>RESOURCES</th>
<th>FIRM TEAM</th>
<th>STRATEGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present assessment findings and Cultural Competency Strategic Plan with Stakeholders</td>
<td>5/16/2022</td>
<td>Make It Plain Consulting team of consultants</td>
<td>Tommie Lewis, Maronica Williams, Brittany Mention, Crystal Kendrick, Margie Anderson, Nicole Keith (Admin)</td>
<td>Deliver three (3) findings and Strategic Plan presentations with Stakeholder presentations</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

ATTACHMENT A (Cont’d)
<table>
<thead>
<tr>
<th>OBJECTIVE</th>
<th>TIMELINE</th>
<th>RESOURCES</th>
<th>FIRM TEAM</th>
<th>STRATEGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Train DEIAC in Diversity Management and Cultural Competency Strategic Plan Implementation</td>
<td>5/2/2022</td>
<td>Make It Plain Consulting team of trainers. City DEIAC</td>
<td>Tommie Lewis Lynn Watts Brittany Mention Kelly Hayden Marsha Visher Karen Townsend Nicole Keith (Admin)</td>
<td>Conduct a 6-part, weekly DEI/Cultural Competency training and create an Implementation Plan</td>
</tr>
</tbody>
</table>
ATTACHMENT B

TO

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

COMPENSATION

City: City of Dayton OH

Project: Diversity, Equity, and Inclusion Consulting Services

Consultant: Make It Plain Consulting, LLC:

COMPENSATION

Make It Plain Consulting, LLC will perform the proposed services described for a price not to exceed $94,500. Consultant shall submit professional invoices, not more frequently than monthly, for payment of the services provided. Such invoices shall be itemized, stating the category*, a description of each service provided along with the cost for each service, state the total amount requested, and state the invoice period. The City will, unless disputed, remit payment of all undisputed amounts of invoices within thirty (30) days from receipt thereof.

The City discourages consultants from frontloading work and, thus, the City reserves the right to set a reasonable limit on monthly invoices paid.

Any other additional services or expenses will be negotiated separately. Any additional services for that require additional payment above the stated payment will need to be approved in writing beforehand by both the City of Dayton and Make It Plain Consulting, LLC.

*Categories are based on the proposed categories of DEI Assessment, DEI Strategic Planning, DEIAC Training, DEI Consultation
ATTACHMENT B (Cont’d)

TOTAL COSTS

DEI ASSESSMENT ............................................................................. $35,000
Includes:
• review and analysis of existing documents, policies, procedures
• participation in a maximum of three (3) pre-planning meetings
• design and deployment of survey instrument
• design and delivery of ten, 60-minute virtual focus groups
• design and delivery of twenty, 60-minute virtual interviews
• participation in three (3) post-assessment meetings
• participation in three (3) stakeholder presentations
• travel for a maximum of five (5) onsite observation visits
• review and analysis of assessment and interview findings
• development of Summary Report with recommendations

DEI STRATEGIC PLANNING ........................................................... $15,000
Includes:
• session agendas with clearly defined objectives
• four (4), 2-4-hour planning sessions
• meeting materials, resources and take-aways
• interactive activities and exercises
• creation of PowerPoint presentation (as needed)
• post-meeting evaluations
• administration fee
• final written report
• participation in one (1) stakeholder presentation
• creation of pre- and post-training survey instrument

DEIAC TRAINING .......................................................................... $20,000
Includes:
• sessions are 60-minutes to 3-hours in length
• customized design, development and delivery of training
• training supplies, materials, resources and take-aways
• interactive activities and exercises
• session agendas with clearly defined objectives
• final written report
• creation of PowerPoint presentation
• professional training facilitation
• post-training evaluations
• facilitator’s fee
• final written report

SUBTOTAL .................................................................................. $70,000

DEI CONSULTATION (ONGOING SUPPORT)................................ $300 / hour
Includes:
• consultant’s fee
• administrative fees (best practice research and resources)
• reporting
Projected maximum annual hours = 80

TOTAL ....................................................................................... $94,500
City Manager’s Report

Date June 1, 2022
Expense Type Award of Contract
Total Amount $799,277.60 thru 10/28/24

From 6450 - PW/Civil Engineering
Supplier, Vendor, Company, Individual
Name John R. Jurgensen Co.
Address 1780 Enon Road
Springfield, Ohio 45502

<table>
<thead>
<tr>
<th>Fund Source(s)</th>
<th>Fund Code(s)</th>
<th>Fund Amount(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Capital</td>
<td>41309-6450-1428-54</td>
<td>$ 437,360.00</td>
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<tr>
<td>General Capital</td>
<td>21200-6450-1428-54</td>
<td>$ 343,167.60</td>
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<tr>
<td>Storm Water Capital Fund</td>
<td>58002-3420-1428-54-ST1001</td>
<td>$ 6,750.00</td>
</tr>
<tr>
<td>Sanitary Capital Fund</td>
<td>55004-3420-1428-54-SF1001</td>
<td>$ 6,750.00</td>
</tr>
<tr>
<td>Water Capital Fund</td>
<td>53003-3420-1428-54-WF1004</td>
<td>$ 5,250.00</td>
</tr>
</tbody>
</table>

Includes Revenue to the City ✔ No
Affirmative Action Program ✔ Yes

Description

2022 THOROUGHFARE ASPHALT RESURFACING
(10% MBE AND 5% WBE PARTICIPATION GOAL / 10.01% MBE AND 5% WBE PARTICIPATION ACHIEVED)

The Department of Public Works requests approval to award a contract with John R. Jurgensen Co. The project consists of the asphalt resurfacing of various sections of thoroughfare streets throughout the City of Dayton. Work includes the grinding of existing asphalt, application of tack coat, asphalt, and performing other work incidental thereto.

Two bids were received for this project. It is recommended that the contract be awarded to the lowest and best bidder, John R. Jurgensen Co. in the amount of $799,277.60, the base bid. The estimated cost for the project was $780,000.00. Project completion is scheduled for October 28, 2022.

This project is being funded using Permissive Tax Resurfacing 2022 ($437,360.00), Street Maintenance-Ohio Gas Tax ($343,167.60), Storm Water Capital Funds ($6,750.00), Sanitary Capital Fund ($6,750.00), Water Capital Funds ($5,250.00)

A Certificate of Funds, Tabulation of Bids, Human Relations Council’s verification letter, Bid Form from the firm recommended for award, and street list are attached.

Signatures/Approval

Approved by City Commission

Clue
Date

FORM NO. MS-16

Updated 10/2019
### SECTION I - to be completed by User Department

- **X** New Contract
- **_____** Renewal Contract
- **_____** Change Order

<table>
<thead>
<tr>
<th>Contract Start Date</th>
<th>Upon Execution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expiration Date</td>
<td>10/28/24</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Original Commission Approval</th>
<th>$ 799,277.60</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Encumbrance</td>
<td>$ 799,277.60</td>
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<tr>
<td>Remaining Commission Approval</td>
<td>$ -</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Original CT/CF</th>
<th>Increase Encumbrance</th>
<th>Decrease Encumbrance</th>
<th>Remaining Commission Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

### Required Documentation

- Initial City Manager's Report
- Initial Certificate of Funds
- Initial Agreement/Contract
- Copy of City Manager's Report
- Copy of Original Certificate of Funds

<table>
<thead>
<tr>
<th>Amount:</th>
<th>$ 437,360.00</th>
</tr>
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<tbody>
<tr>
<td>Fund Code</td>
<td>41309 - 6450 - 1428 - 54 - 54 - 54 - LOC</td>
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<tr>
<th>Amount:</th>
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<td>Fund Code</td>
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<thead>
<tr>
<th>Amount:</th>
<th>$ 6,750.00</th>
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</thead>
<tbody>
<tr>
<td>Fund Code</td>
<td>55004 - 3420 - 1428 - 54 - SF1001 - 54 - LOC</td>
</tr>
</tbody>
</table>

---

**Attach additional pages for more FOAPALs**

- **Vendor Name:** John R. Jurgensen Co.
- **Vendor Address:** 1780 Enon Rd, Springfield, Ohio 45502
- **Federal ID:** 31-0578656
- **Commodity Code:** 96856
- **Purpose:** Award of Contract for 2022 Thoroughfare Asphalt Resurfacing

---

**Contact Person:** Joe Weinel
**Public Works/Civil Engineering Department/Division:**
**Date:** 5/16/2022

**Originating Department Director's Signature:**

---

### SECTION II - to be completed by the Finance Department

I hereby certify that the amount of money required to meet the payment(s) called for in the aforesaid request have been lawfully appropriated for such purpose and is in the Treasury, or in the process of collection, to the credit of the fund from which it is to be drawn free and clear from any previous encumbrance.

**Finance Director Signature:**
**Date:** 5/24/22

**CF Prepared by:**
**Date:** 5/24/22
**CF/CT Number:** CT22-2299

---

October 18, 2011
CERTIFICATE OF FUNDS

SECTION I - to be completed by User Department

X New Contract

Renewal Contract

Change Order:

Contract Start Date

Upon Execution

Expiration Date

10/28/24

Original Commission Approval

$ 799,277.60

Initial Encumbrance

$ 799,277.60

Remaining Commission Approval

$ -

Required Documentation

Initial City Manager’s Report

Initial Certificate of Funds

Initial Agreement/Contract

Copy of City Manager’s Report

Copy of Original Certificate of Funds

Original CT/CF

Increase Encumbrance

Decrease Encumbrance

Remaining Commission Approval

$ -

Amount: $ 5,250.00

Fund Code 53003 - 3420 - 1428 - 54 - WF1004 -

Fund Org Acct Prog Act Loc

Amount: 

Fund Code

Fund Org Acct Prog Act Loc

Amount: 

Fund Code

Fund Org Acct Prog Act Loc

Attach additional pages for more FOAPALs

Vendor Name: John R. Jurgensen Co.

Vendor Address: 1780 Enon Rd Springfield Ohio 45502

Street City State Zip code + 4

Federal ID: 31-0578656

Commodity Code: 96856

Purpose: Award of Contract for 2022 Thoroughfare Asphalt Resurfacing

Contact Person: Joe Weinel

Public Works/Civil Engineering

5/16/2022

Department/Division Date

Originating Department Director’s Signature:

SECTION II - to be completed by the Finance Department

I hereby certify that the amount of money required to meet the payment(s) called for in the aforesaid request have been lawfully appropriated for such purpose and is in the Treasury, or in the process of collection, to the credit of the fund from which it is to be drawn free and clear from any previous encumbrance.

Finance Director Signature

5/16/2022

Date

CF Prepared by

5/16/2022

CF/CT Number

October 18, 2011
**Dayton, Ohio**  
Bid Tabulation For: **2022 Thoroughfare Asphalt Resurfacing**  
(10% MBE and 5% WBE Participation Goal)

<table>
<thead>
<tr>
<th>Bid Opening Date:</th>
<th>Cost Estimate:</th>
<th>Estimated Time Of Completion:</th>
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</thead>
<tbody>
<tr>
<td>March 31, 2022</td>
<td>$780,000.00</td>
<td>October 28, 2022</td>
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<table>
<thead>
<tr>
<th>Bidders</th>
<th>Actual Amount Of Base Bid</th>
<th>Adjustment For Work Days</th>
<th>Adjustment For Comparison Purposes Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>John R. Jurgensen Company</em></td>
<td>$799,277.60</td>
<td>-0-</td>
<td>$799,277.60</td>
</tr>
<tr>
<td>Barrett Paving Materials, Inc.</td>
<td>$917,440.55</td>
<td>-0-</td>
<td>$917,440.55</td>
</tr>
</tbody>
</table>

*Awarded*

Revised 9/14/98
May 12, 2022

TO: David Escobar, Senior Engineer II

FROM: Donerik Black, Business & Technical Assistance Administrator, Human Relations Council (HRC)

SUBJECT: 2022 Thoroughfare Asphalt Resurfacing (10% MBE, 5% WBE Participation Goal)

The HRC recommendation is to award the above contract to John R. Jergensen, Co. They submitted the lowest and best bid for this project.

The recommended company to receive the above-mentioned construction award is as follows:

<table>
<thead>
<tr>
<th>PRIME CONTRACTOR</th>
<th>AMOUNT OF BASE BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>John R. Jurgensen, Co.</td>
<td>$799,277.60</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CERTIFIED BUSINESS PARTICIPATION</th>
<th>COMMITTED DOLLAR AMT</th>
<th>% TOWARD GOAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>W.C. JONES ASPHALT</td>
<td>$80,000.00</td>
<td>10.01%</td>
</tr>
<tr>
<td>MATERIALS</td>
<td>$56,750.00</td>
<td>7.10%</td>
</tr>
<tr>
<td>LABOR</td>
<td>$23,250.00</td>
<td>2.91%</td>
</tr>
<tr>
<td>FIRST STAR SAFETY</td>
<td>$40,000.00</td>
<td>5.00%</td>
</tr>
<tr>
<td>MATERIALS</td>
<td>$28,000.00</td>
<td>3.50%</td>
</tr>
<tr>
<td>LABOR</td>
<td>$12,000.00</td>
<td>1.50%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TOTAL COMMITTED PARTICIPATION</th>
<th>10.01% MBE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.00% WBE</td>
<td>5.00% WBE</td>
</tr>
</tbody>
</table>
CITY OF DAYTON, OHIO
DEPARTMENT OF PUBLIC WORKS

Bid
2022 Thoroughfare
Asphalt Resurfacing
(Permissive Tax Funds)
(10% MBE and 5% WBE Participation Goal)

Bidder  John R. Jurgensen Co.
         1780 Enon Rd.
         Springfield, OH 45502
<table>
<thead>
<tr>
<th>Item Code</th>
<th>Item Description</th>
<th>UofM</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>202</td>
<td>Grinding Existing Pavement, (2&quot;)</td>
<td>S.Y.</td>
<td>43,500</td>
<td>$2.30</td>
<td>$100,050.00</td>
</tr>
<tr>
<td>ODOT 253</td>
<td>Pavement Repair</td>
<td>S.Y.</td>
<td>150</td>
<td>$75.00</td>
<td>$11,250.00</td>
</tr>
<tr>
<td>ODOT 407</td>
<td>Non-Tracking Tack Coat</td>
<td>Gal</td>
<td>4,350</td>
<td>$1.00</td>
<td>$4,350.00</td>
</tr>
<tr>
<td>ODOT 442</td>
<td>Asphalt Concrete Surface Course PG70-22M, 12.5MM,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Type A (448) [2&quot;]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>614</td>
<td>Maintenance of Traffic</td>
<td>S.Y.</td>
<td>43,500</td>
<td>$1.00</td>
<td>$43,500.00</td>
</tr>
<tr>
<td>632</td>
<td>Loop Detector</td>
<td>Each</td>
<td>9</td>
<td>$1,305.00</td>
<td>$11,745.00</td>
</tr>
<tr>
<td>632</td>
<td>Loop Detector Tie-Ins</td>
<td>Each</td>
<td>9</td>
<td>$100.00</td>
<td>$900.00</td>
</tr>
<tr>
<td>644</td>
<td>Centerline</td>
<td>LF</td>
<td>10,745</td>
<td>$1.82</td>
<td>$19,555.90</td>
</tr>
<tr>
<td>644</td>
<td>Channelizing Line (8&quot;)</td>
<td>LF</td>
<td>4,130</td>
<td>$1.50</td>
<td>$6,195.00</td>
</tr>
<tr>
<td>644</td>
<td>Lane Line (4&quot;)</td>
<td>LF</td>
<td>2,300</td>
<td>$1.00</td>
<td>$2,300.00</td>
</tr>
<tr>
<td>644</td>
<td>Crosswalk Line (8&quot;)</td>
<td>LF</td>
<td>2,065</td>
<td>$3.00</td>
<td>$6,195.00</td>
</tr>
<tr>
<td>644</td>
<td>Stop Line</td>
<td>LF</td>
<td>546</td>
<td>$6.00</td>
<td>$3,276.00</td>
</tr>
<tr>
<td>644</td>
<td>Crosswalk Line (24&quot;)</td>
<td>LF</td>
<td>180</td>
<td>$6.00</td>
<td>$1,080.00</td>
</tr>
<tr>
<td>644</td>
<td>Edge Line (4&quot;)</td>
<td>LF</td>
<td>2,010</td>
<td>$1.27</td>
<td>$2,552.70</td>
</tr>
<tr>
<td>644</td>
<td>Transverse Line (8&quot;)</td>
<td>LF</td>
<td>300</td>
<td>$3.00</td>
<td>$900.00</td>
</tr>
<tr>
<td>644</td>
<td>Dotted Line (8&quot;)</td>
<td>LF</td>
<td>300</td>
<td>$1.96</td>
<td>$588.00</td>
</tr>
<tr>
<td>644</td>
<td>Bike Lane Symbol Marking</td>
<td>Each</td>
<td>20</td>
<td>$303.00</td>
<td>$6,060.00</td>
</tr>
<tr>
<td>644</td>
<td>Bike Lane Arrow</td>
<td>Each</td>
<td>20</td>
<td>$176.00</td>
<td>$3,520.00</td>
</tr>
<tr>
<td>644</td>
<td>Shared Lane Marking</td>
<td>Each</td>
<td>2</td>
<td>$300.00</td>
<td>$600.00</td>
</tr>
<tr>
<td>836</td>
<td>Manhole Adjusted</td>
<td>Each</td>
<td>15</td>
<td>$400.00</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>836</td>
<td>Major Manhole Adjustment</td>
<td>Each</td>
<td>10</td>
<td>$750.00</td>
<td>$7,500.00</td>
</tr>
<tr>
<td>846</td>
<td>Water Valve Box Adjusted</td>
<td>Each</td>
<td>35</td>
<td>$150.00</td>
<td>$5,250.00</td>
</tr>
</tbody>
</table>

**Alternate No. 1**

SPL Contingency Allowance ($100,000) Lump 1 $100,000.00 $100,000.00

**Alternate No. 2**

SPL Asphalt Rejuvenating Agent S.Y. 43,500 $1.05 $45,675.00

**Alternate No. 3**

ODOT 826 Asphalt Concrete Surface Course, 442 12.5MM, Type A (448), Fiber Type C Tons 4,834 $12.00 $58,008.00

**Base Bid Total:** $799,277.60
DISCLOSURE OF LITIGATION AND/OR INVESTIGATION

Disclosure of Litigation: Have you or any person, group, partnership, company, or corporation affiliated with you been engaged in the past three (3) years in litigation, mediation or any form of contractual dispute resolution with any state government or any political subdivision thereof including, without limitation, the State of Ohio, the City of Dayton, Ohio, or Montgomery County, Ohio? For the purpose of your response, “affiliated” means directly or indirectly controlling, controlled by, or under common control, with “control” meaning legally or operationally in a position to exercise restraint or direction over the other.

RESPONSE: YES □ NO □

If your response is “YES” please separately identify each lawsuit, mediation or dispute resolution process in which you or your affiliate have been engaged during the past three (3) years. Identify the nature of the dispute, the parties involved, and the current status of the dispute. Attach or include any information you believe pertinent to a full understanding of the disputed matters.

Disclosure of Investigation or Criminal Proceedings:

Within the past three (3) years have you or any person, group partnership, company, or corporation affiliated with you:

(1) Been the subject of any criminal investigation, whether open or closed, or an indictment for any business-related conduct constituting a crime under local, state or federal law?

RESPONSE: YES □ NO □

(2) Been the subject of:

(i) An indictment, grant of immunity, judgment or conviction (including entering into a plea bargain) for conduct constituting a crime; or

(ii) Any criminal investigation, felony indictment or conviction concerning the formation of any business association with, an allegedly false or fraudulent Minority Business Enterprise, Women-Owned Business Enterprise, or a Disadvantaged Business Enterprise

RESPONSE: YES □ NO □

If your response is “YES” please separately identify each investigation and/or indictment. Identify the names of the investigating agency, the court caption and case number of any indictment, the nature of the investigation/indictment, the parties involved, the current status, and if completed the final outcome.
Within the past three (3) years has any individual previously identified or any individual currently or formerly having the authority to sign, execute or approve bids, proposals, contracts or supporting documentation on behalf of the company been:

(1) Sanctioned relative to any business or professional permit and/or license?

RESPONSE: YES ☐ NO ☑

(2) Suspended, debarred, or disqualified from any government contracting process?

RESPONSE: YES ☐ NO ☑

(3) The subject of a criminal investigation, whether open or closed, or an indictment for any business related constituting a crime under local, state, or federal law?

RESPONSE: YES ☐ NO ☑

(4) Charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime or subject to a judgment for:

(i) Any business-related activity, including but not limited to fraud, coercion, extortion, bribe or bribe receiving, giving or accepting unlawful gratuities, immigration or tax fraud, racketeering, mail fraud, wire fraud, price-fixing or collusive bidding; or

(ii) Any crime, whether or not business-related, the underlying conduct of which related to truthfulness, including but not limited to filing of false documents or false sworn statements, perjury or larceny.

RESPONSE: YES ☐ NO ☑

If your response is “YES” please separately identify each investigation and/or indictment. Identify the names of the investigating agency, the court caption and case number of any indictment, the nature of the investigation/indictment, the parties involved, the current status, and if completed the final outcome.
BID BOND

Amount $ Ten Percent (10%) ________________________________

We, the undersigned, are held and firmly bound unto the City of Dayton, Ohio in the sum

of Ten Percent (10%) of the Bid Amount Dollars, for the payment of which well and truly to be made, we hereby, jointly and

severally, bind ourselves, our heirs, executors, and administrators, firmly by these presents.

The condition of this obligation is such that, if the Bid attached hereto is accepted and the Contract award to the bidder,

John R. Jurgensen Company, 1780 Enon Road, Springfield, OH 45502

______________________________

named therein, and the said bidder shall within ten (10) days after being notified that said contract has been awarded to

the bidder, enter into a Contract in the form acceptable to the Director and give bond in a form to be furnished by the

Director, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

Signed at Dayton, Ohio, this 31st day of March , 2022

______________________________

John R. Jurgensen Company

______________________________

Bidder

______________________________

Robert E. Gigax, Jr., Attorney-In-Fact

Federal Insurance Company

______________________________

Surety

______________________________

Arthur J. Gallagher Risk Management Services, Inc.

______________________________

Name of Insurance Agency

201 E Fourth Street, Suite 125, Cincinnati, OH 45202

______________________________

Address of Insurance Agency

Telephone 513-977-3133

FAX 513-977-4633
CHUBB

Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company
Westchester Fire Insurance Company | ACE American Insurance Company

Know All By These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Robert E. Gigax Jr., Shelly M. Martin, Phyllis T. Neal and Thomas B. Thelen of Cincinnati, Ohio —

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 19th day of April, 2020.

Dawn M. Chloros, Assistant Secretary

Stephen M. Haney, Vice President

STATE OF NEW JERSEY
County of Hunterdon

On this 19th day of April, 2020 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros and Stephen M. Haney, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof; that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal

KATHERINE J. ADIELAAR
NOTARY PUBLIC OF NEW JERSEY
Nov. 23, 1999
Commission Expires July 19, 2024

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2016; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009.

RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

1. Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.

2. Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of power provided for in such person's written appointment as such attorney-in-fact.

3. Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

4. Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

5. The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

(i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,

(ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 31st day of March, 2022

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903-2403
Fax (908) 903-2456
e-mail: surety@chubb.com

Combined: FED-WS-PF-WFIC-AHC (rev. 11-19)
Ohio Department of Insurance
Mike DeWine - Governor
Judith French - Director
Certificate of Compliance

Issued 03/24/2021
Effective 04/02/2021
Expires 04/01/2022

I, Judith French, hereby certify that I am the Director of Insurance in the State of Ohio and have supervision of insurance business in said State and as such I hereby certify that

FEDERAL INSURANCE COMPANY

of Indiana is duly organized under the laws of this State and is authorized to transact the business of insurance under the following section(s) of the Ohio Revised Code:

Section 3929.01 (A)
Accident & Health
Aircraft
Allied Lines
Boiler & Machinery
Burglary & Theft
Commercial Auto - Liability
Commercial Auto - No Fault
Commercial Auto - Physical Damage
Credit
Earthquake
Fidelity
Fire
Glass
Group Accident & Health
Inland Marine
Multiple Peril - Commercial
Multiple Peril - Homeowners

Ocean Marine
Other Liability
Private Passenger Auto - Liability
Private Passenger Auto - No Fault
Private Passenger Auto - Physical Damage
Surety
Workers Compensation

FEDERAL INSURANCE COMPANY, certified in its annual statement to this Department as of December 31, 2020 that it has admitted assets in the amount of $16,527,052,288, liabilities in the amount of $12,202,879,964, and surplus of at least $4,324,172,324.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused my seal to be affixed at Columbus, Ohio, this day and date.

Judith French, Director

Accredited by the National Association of Insurance Commissioners (NAIC)
FEDERAL INSURANCE COMPANY
STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS
Statutory Basis
December 31, 2020
(In thousands)

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>LIABILITY AND SURPLUS TO POLICYHOLDERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and Short Term Investments</td>
<td>$ (247,647)</td>
</tr>
<tr>
<td>United States Government, State and</td>
<td></td>
</tr>
<tr>
<td>Municipal Bonds</td>
<td>$ 4,277,332</td>
</tr>
<tr>
<td>Other Bonds</td>
<td>$ 5,465,272</td>
</tr>
<tr>
<td>Stocks</td>
<td>$ 587,832</td>
</tr>
<tr>
<td>Other Invested Assets</td>
<td>$ 1,207,053</td>
</tr>
<tr>
<td>TOTAL INVESTMENTS</td>
<td>$ 11,259,842</td>
</tr>
<tr>
<td>Investments in Affiliates:</td>
<td></td>
</tr>
<tr>
<td>Great Northern Ins. Co.</td>
<td>$ 404,889</td>
</tr>
<tr>
<td>Vigilant Ins. Co.</td>
<td>$ 349,615</td>
</tr>
<tr>
<td>Chubb Indemnity Ins. Co.</td>
<td>$ 182,191</td>
</tr>
<tr>
<td>Chubb National ins. Co.</td>
<td>$ 186,189</td>
</tr>
<tr>
<td>Other Affiliates</td>
<td>$ 88,832</td>
</tr>
<tr>
<td>Premiums Receivable</td>
<td>$ 1,634,609</td>
</tr>
<tr>
<td>Other Assets</td>
<td>$ 2,410,891</td>
</tr>
<tr>
<td>TOTAL ADMITTED ASSETS</td>
<td>$ 16,527,052</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL LIABILITIES</td>
</tr>
<tr>
<td></td>
<td>$ 12,202,880</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL LIABILITIES AND SURPLUS</td>
</tr>
<tr>
<td></td>
<td>$ 16,527,052</td>
</tr>
</tbody>
</table>

Investments are valued in accordance with requirements of the National Association of Insurance Commissioners. At December 31, 2020, investments with a carrying value of 507,764,700 were deposited with government authorities as required by law.

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA

John Taylor, being duly sworn, says that he is Senior Vice President of Federal Insurance Company and that to the best of his knowledge and belief the foregoing is a true and correct statement of the said Company’s financial condition as of the 31st day of December, 2020.

[Signature]

My commission expires August 8, 2023

Commonwealth of Pennsylvania - Notary Seal
Diane Wright, Notary Public
Philadelphia County
My commission expires August 8, 2023
Commission number 1235745
Member, Pennsylvania Association of Notaries
Bidder is
An Individual
Firm Name

Business Address

Telephone

Partnership
Firm Name

Members of Firm and
Their Business Address

Corporation
Name

State of Incorporation

Name and Title of
Officers with Authority
to Sign Contract

Home Office Address

Local Address

Telephone

Fax

E-mail

Federal I.D.#

Dated this day of , 2022

Bidder:

By:

Title:
CITY OF DAYTON, OHIO
Department of Public Works

Responsible Contractor Bidding Requirements
(Form 1 of 3)

In accordance with Ordinance No. 31487-16 of the City of Dayton, Ohio Revised Code of General Ordinances,

I, ________________________________ hereby certify that
(print name – an Officer of the company)

John R. Jurgensen Co. _______ meets the following Contractor requirements relating to this City of Dayton construction project

Check All That Apply:

☑ Comply with all City of Dayton income tax obligations and requirements

☑ Maintain worker’s compensation insurance for all employees as required by the State of Ohio

☑ Comply with State or Federal prevailing wage rate laws, as applicable and required by the funding of this project

☑ Comply with the State of Ohio Bureau of Worker’s Compensation Drug Free Workplace Policy

☑ Maintain an unemployment compensation insurance policy registered with the State of Ohio Department of Job and Family Services

☑ Made a good faith effort to contract with one or more qualified minority business enterprises to perform work required by this project, in accordance with bid documents, ordinances, and applicable Federal and State law

By: _____________________________
(signature)

Title: ____________________________

Date: ____________
CITY OF DAYTON, OHIO  
Department of Public Works  

Responsible Contractor Bidding Requirements  
(Form 2 of 3)  

A. Please provide a complete listing of the fringe benefits provided to employees, including but not limited to health insurance and retirement benefits.  

- Vision Insurance  
- Life Insurance  
- Dental Insurance  
- Short Term Disability  
- Group Medical Insurance  
- Defined Benefit Contribution Plan  

B. Please identify any “bona fide apprentice training program” in which this company participates in accordance with the Ohio Bureau of Apprenticeship Training and the U. S. Department of Labor.  

Ohio Laborers Training Program  
Ohio Operating Engineers Training & Apprenticeship Program  

C. Please provide a list of subcontractors whose quotes or information are included or used in the bid submitted for this project.  

- WC Jones  
- First Star Safety  
- Security Fence Group  
- Pavement Technologies Inc.
D. Please provide a list of all minority business enterprises contacted for the purpose of obtaining quotes to perform work for this project.

W C Jones

E. Provide a complete listing of any determinations of the bidder's violations of federal, state, or local laws, including a list of all citations, orders, or recommendations issued to or against the bidder within the previous 3 years.

N/A
CERTIFICATION
OF COMPLIANCE WITH OHIO REVISED CODE SECTION 3517.13
FOR CONTRACTS IN EXCESS OF FIVE HUNDRED DOLLARS ($500.00)

STATE OF OHIO,
COUNTY OF Clark, ss:

Sean Poynter being duly sworn, deposes and states as follows:

1. I am duly authorized to make the statements contained herein on behalf of
John R. Jurgensen Co. (“the Contracting Party”).

2. The Contracting Party is a/an (select one):

☐ Individual, partnership, or other unincorporated business association (including without
limitation, a professional association organized under Ohio Revised Code Chapter
1785), estate, or trust.

☒ Corporation organized and existing under the laws of the State of Ohio.

☐ Labor organization.

3. I hereby affirm that the Contracting Party and each of the individuals specified in R.C.
3517.93(I)(3) (with respect to non-corporate entities and labor organizations) or R.C.
3517.93(J)(3) (with respect to corporations) are in full compliance with the political
contributions limitations set forth in R.C. 3517.93(I) and (J), as applicable. I understand
that a false representation on this certification constitutes a felony of the fifth degree pursuant to
R.C. 3517.93(AA) and 3517.992(R)(3). Any contract that contains a falsified certification
shall be rescinded.

By: [Signature]
Title: General Manager

Brinda E. Hannah - 3·31·22
CITY OF DAYTON
CONTRACTOR NON-COLLUSION AFFIDAVIT

STATE OF Ohio }  SS:
COUNTY OF Clark  }

Sean Poynter, being first duly sworn deposes and states that:

1) He/she is General Manager of
(owned, partner, officer, representative, or agent)
John E. Jurgensen Co. that
(business or organization name)

2) He/She is fully informed respecting the preparation and contents of the attached Bid and all pertinent circumstances respecting such Bid.

3) Such offering is genuine and is not a collusive or sham offering.

4) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly with any other Bidder, firm or person to submit a sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from offering in connection with such contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, or to secure through collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Dayton, its employees, or citizens.

5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest including the affiant.

Brenda E. Hannah 3-31-22

SIGNED: __________________________
General Manager

TITLE: __________________________
ADDENDUM NO. 1
2022 THOROUGHFARE ASPHALT RESURFACING
(PERMISSIVE TAX FUNDS)
(10% MBE AND 5% WBE PARTICIPATION GOAL)

TO ALL BIDDERS:
This addendum, including all articles and corrections listed below, shall be taken into account in preparing the Bid.

ITEM NO. 1
The unit price for Alternate No. 3 Asphalt Concrete Surface Course, 442 12.5mm, Type A (448), Fiber Type C shall be the additional cost of adding fibers to the asphalt mix in the Base Bid.

ITEM NO. 2
Traffic control items have been broken down by location and are included in the attached list.

ITEM NO. 3
The Thoroughfare List has been updated to include the square yard measurements for each street.

ITEM NO. 4
Attached is the standard detail for a typical pavement repair.

ITEM NO. 5
The following line item was added:

ODOT 253 Pavement Repair S.Y. 150

March 18, 2022
Joseph Weinel Chief Engineer
Department of Public Works
Page 1
<table>
<thead>
<tr>
<th>STREET</th>
<th>FROM</th>
<th>TO</th>
<th>SY</th>
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<td>Detector Loop</td>
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<th>Edge Line, 4&quot;</th>
<th>Transverse Line, 8&quot;</th>
<th>Dotted Line, 8&quot;</th>
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TYPICAL PAVEMENT REPAIR

1. DOT ITEM 442 Asphalt Concrete Surface Course, 12.5mm, Type A (448) (2"
2. DOT ITEM 301 ASPHALT CONCRETE BASE (6"
3. COMPACTED BASE
AFFIRMATIVE ACTION PROGRAM
EQUAL EMPLOYMENT OPPORTUNITY

PROJECT: 2022 Thoroughfare Asphalt Resurfacing Dayton, OH

During the performance of this contract: 1780 Enon Rd.
John R. Jurgensen Co. Springfield, OH 45502 937-882-6233/937-882-6957
CONTRACTOR ADDRESS TELEPHONE / FAX

being the general contractor, assumes the responsibility and obligation to institute an Affirmative Action Program which complies with revised City Ordinances 24059 and 26090 and Executive Order 11246 on any city, federal or federally-assisted construction project, to insure Equal Employment Opportunity regardless of race, color, religion, sex, national origin, ancestry, place of birth, age, or marital status.

The successful contractor using one or more trades of construction employees must comply with Part I of these Affirmative Actions Program conditions to each such trade.

Part I: Requirements. To be eligible for award of a contract under this Invitation to Bid, contractors must certify as prescribed in Paragraph 1a, of the certification specified in Part II hereof that it adopts the minimum goals and timetables of minority and female worker utilization, and specific Affirmative Action steps set forth in Sections 1 and 2 of this Part I.

1.) Goals & Timetables. The goals of minority and female worker utilization required of the contractor are applicable to each trade which will be used on any project in Greene, Miami, Montgomery, and Preble Counties, OH (hereinafter the Economic Area).

The required goals and timetables are as follows:

Goals of Minority Worker
Utilization Expressed in Percentage Terms

From 1/1/2000 to Present

11.5%

Goals of Female Worker
Utilization Expressed in Percentage Terms

From 4/1/80 to Present

6.9%
The percentage goals of minority and female worker utilization are expressed in terms of working hours of training and employment as a proportion of the total working hours to be worked by the contractor's entire work force in that trade on all projects (both federal and non-federal) in the Economic Area during the performance of this contract. The working hours for minority and female work and training must be uniform throughout the length of this contract, on all projects and for each of the trades. Further, the transfer of minority and/or female or trainee from employer-to-employer or from project-to-project for the sole purpose of meeting the contractor's goals shall be a violation of this Affirmative Action Program.

In reaching the goals for minority and female utilization, every effort shall be made to find and employ qualified journey-persons. Provided, however, and pursuant to the requirements of the Department of Labor Regulations, 29 CFR 5a.3, twenty-five percent (25%) of apprentices or trainees shall be employed on all projects and shall be in their first year of training, where feasible.

In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the contractor during the training period, and the contractor must have made a commitment to employ the apprentices and/or trainees at the completion of the training subject to the availability of employment opportunities. Apprentices and trainees must be trained pursuant to programs which have been approved by The U.S. Department of Labor and/or The State of Ohio.

A contractor shall be deemed to be in compliance with the terms and requirements of this Part I by the employment and training of minorities and females in the appropriate percentage of the contractor's aggregate work force in the Economic Area for each trade for which it is committed to the goals under Part I.

However, no contractor shall be found to be in noncompliance solely on account of the contractor's failure to meet the goals and timetables, but such contractor shall be given the opportunity to demonstrate that all of the specific Affirmative Action steps specified in Part I have been instituted and has made every "good faith" effort to make these steps work towards the attainment of the goals and timetables.

2.) **Specific Affirmative Action Steps.** A contractor subject to Part I, must engage in Affirmative Action directed at increasing minority and female utilization, which is at least as extensive and as specific as the following steps:

a) The contractor shall notify community organizations that the contractor has employment opportunities available and shall maintain records of the organizations' responses.

b) The contractor shall maintain a file of the names and addresses of each minority and female referred and what action was taken with respect to each referred worker. If the worker was not employed, the reason therefor. If the worker was not sent to the union hiring hall for referral, the contractor's file shall document this and the reasons therefore.

c) The contractor shall promptly notify the Dayton Human Relations Council (HRC) when the union or unions with which the contractor has a collective bargaining agreement has not referred to the contractor a minority and/or female, or when the contractor has other information that the union referral process has impeded the contractor's efforts to meet its obligations.

d) The contractor should participate in training programs in the area; especially those approved by the U.S. Department of Labor and/or the State of Ohio.
e) The contractor shall disseminate the EEO Policy within the organization by including it in any policy manual, by publicizing it in company newspapers, annual reports, etc.; by conducting staff, employee and union representatives' meetings to explain and discuss the policy; by posting of the policy; and by specific review of the policy with minority and female employees.

f) The contractor shall ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites and in all facilities at which the contractor's employees are assigned to work. The contractor, where possible, will assign two or more women to all projects (both federal and non-federal) in the Economic Area during the performance of its contract or subcontract.

g) The contractor shall make specific and constant personal (both written and oral) recruitment efforts directed at all minority and female organizations, schools, minority and female recruitment training organizations with the Dayton Economic Area.

h) The contractor shall make specific efforts to encourage present minority and female employees to recruit other minorities and females.

i) The contractor shall validate all tests and other selection requirements.

j) The contractor should develop on-the-job training opportunities; participate and assist in any association or employer-group training programs relevant to the contractor's employees needs consistent with its obligations under Part I.

k) The contractor shall evaluate all minority and female personnel for promotional opportunities and encourage employees to seek such opportunities.

l) The contractor shall ensure that seniority practices, job classifications, etc., do not have a discriminatory effect.

m) The contractor shall make certain that all facilities and company activities are nonsegregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.

n) The contractor will monitor all personnel activities to ensure that its EEO Policy is being carried out.

o) The successful contractor shall solicit bids for work to be performed on this project under a subcontract from minority and female contractors and other business associations.

3.) Nothing herein is intended to relieve any contractor during the term of this project from compliance with any other local bid requirements. Further, it shall be the responsibility of each contractor to comply with all terms, conditions, and provisions of the Affirmative Action Programs.
Part II: Contractor's Certification. A contractor will not be eligible for award of a contract under this Invitation to Bid, unless such contractor has submitted as a part of the bid the following certification, which will be deemed a part of the resulting contract:

CONTRACTOR'S CERTIFICATION

John R. Jurgensen Co. (Contractor) certifies that:

1. The following listed construction trades will be used in performance of this project.

   Operators
   Laborers

a) as to those trades set forth in the preceding paragraph one hereof, it adopts the minimum minority and female utilization goals and the specific Affirmative Action steps contained in this Affirmative Action Program. Compliance is measured in each trade of the contractor's aggregate work force for all construction work (both federal and non-federal) in the four Counties (Greene, Miami, Montgomery and Preble) subject to this Affirmative Action Program; and

b) the successful contractor will obtain from each subcontractor and submit to the contracting or administering agency prior to the award of any subcontract under this contract, the subcontractor certification required by the Affirmative Action Program.

SIGN: [Signature]

(Signature of Authorized Representative of Bidder)

FAILURE TO SIGN AND SUBMIT THIS DOCUMENT WITH YOUR BID WILL RESULT IN YOUR BID NOT BEING READ
**PEP-CERTIFIED**

(Seleccione uno) FORMULARIO DE PARTICIPACIÓN

**Instrucciones para los Vendedores/Propusentes:** Para cada Plan de Mejora del Proyecto (PEP)-Certificado del Vendedor la participación que usted planea contar hacia el objetivo del proyecto/contrato. Este formulario debe incluirse con su oferta. Para dividir la participación del PEP-Certificado de un objetivo, envíe un formulario separado para cada objetivo (i.e., SBE, MBE, WBE, o DLSB).

**Sección 1: Información de Vendedor/Propusente**

Nombre del Vendedor/Propusente: John R. Jurgensen Co.

Dirección: 1780 Enon Rd.

Ciudad: Springfield

Estado: OH

Código Postal: 45502

Teléfono: 937-882-6233

Correo Electrónico: Luke.Trubee@jnjnet.com

Base de la Propuesta: $799,277.60

Nombre del Proyecto: 2022 Thoroughfare Asphat Resurfacing

**Sección 2: Información de Negocios PEP-Certificados y Participación**

Nombre del Grupo PEP-Certificado: WC Jones

Número de Identificación Fiscal del Grupo PEP-Certificado: 30-0955590

Área de Trabajo a Ser Realizado por el Grupo PEP-Certificado: Asphat Paving

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<th>Percentage Towards Goal</th>
<th>Amount to Be Paid to This PEP Firm for the Work Described:</th>
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<td>$80,000.00</td>
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</tr>
<tr>
<td>Labor: $23,250.00</td>
<td>2.91%</td>
<td>$23,250.00</td>
</tr>
</tbody>
</table>

**Sección 3: Afirmaciones**

El vendedor/propusente, bajo pena de perjurio, afirma que ha negociado en buena fe con el grupo PEP-Certificado mencionado y utilizará el grupo PEP-Certificado mencionado para el tipo(s) de trabajo y el monto(s) descrito(s) en el formularios de arriba.

(Firmas y despachos)

Sean Paynter

(Dirección de Vendedor/Propusente)

General Manager

(Título del Vendedor/Propusente)

3/31/2022

(Date)

*Si el vendedor/propusente no recibe el contrato, o si el HRC no aprueba las condiciones como se indican arriba, cualquier y todas las representaciones en este formulario de participación estarán anuladas y nulas.*
PEP-CERTIFIED

(SELCT ONE) PARTICIPATION FORM

Instructions for Bidders / Proposers: Submit one executed copy of this form for each Procurement Enhancement Plan (PEP)-Certified Firm whose participation you plan to count toward the project/contract's participation goal(s). This form must be included with your Bid. To split a PEP-Certified Firm's participation among more than one goal, submit a separate form for each goal (i.e., SBE, MBE, WBE or DLSB).

SECTION 1: BIDDER / PROPOSER INFORMATION

Name of Bidder / Proposer's Firm: John R. Jurgensen Co.
Address: 1780 Enam Rd
City: Springfield State: OH ZIP: 45502
Telephone: 937 882 6233 Email: Luke.Trube@jrjnet.com
Primes Base Bid $ 799,277.60 Name of Project: 2022 Thoroughfare Asphalt Resurfacing

SECTION 2: PEP-CERTIFIED BUSINESS & PARTICIPATION INFORMATION

Name of PEP-Certified Firm: First Star Safety
PEP-Certified Firm's Tax ID#: 42-1719025
Scope of Work to Be Performed by Certified Firm: Traffic Control/Striping

| Total Dollar Amount Towards Goal | Percentage Towards Goal | Amount to Be Paid to This PEP Firm for the Work Described:
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<tr>
<td>Labor $12,000.00</td>
<td>% 1.50</td>
<td>$12,000.00</td>
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SECTION 3: AFFIRMATIONS

The above-named Bidder / Proposer affirms, under penalty of perjury, that it has negotiated in good faith with the above-named PEP-Certified Firm and will utilize the above-named PEP-Certified Firm for the type(s) of work and for the dollar amount(s) described above.

(Signature of Bidder/Proposer's Authorized Agent)

[Signature]

(Printed Name of Bidder/Proposer's Authorized Agent)

General Manager

(Title of Bidder/Proposer's Authorized Agent) 3/31/2022

(Date)

IF THE BIDDER/OFFEROR IS NOT AWARDED A CONTRACT, OR IF THE HRC DOES NOT APPROVE OF THE TERMS AS STATED ABOVE, THEN ANY AND ALL REPRESENTATIONS ON THIS PARTICIPATION FORM SHALL BE NULL AND VOID.
PEP PARTICIPATION COMMITMENT AND/OR WAIVER REQUEST FORM

Instructions for Bidders/Proposers: Submit one (1) executed copy of this form with your Bid/Proposal.
- If Option 1 is selected, you must also submit one (1) executed PEP-Certified SBE/MBE/WBE/DLSB Participation Form for each PEP-Certified Firm whose participation you plan to count toward the project/contract’s participation goal(s).
- If Option 2 (WAIVER REQUEST) is selected, you must also submit documentation of your Good Faith Efforts to the City of Dayton Human Relations Council (HRC) within two (2) business days of the Bid Opening / Proposal Due Date. Bidders/Proposers will receive no further reminders about this deadline.

The undersigned affirms that the Bidder/Proposer has satisfied the requirements of the Bid/RFP Specification in the following manner: (Check the box for Option 1 and/or Option 2, complete the appropriate spaces, and sign below.)

☑ Option 1. The Bidder/Proposer has secured enough commitment(s) from one or more PEP-Certified Firms to meet or exceed the project’s PEP participation goal(s). The Bidder/Proposer is committed to a minimum of:

<table>
<thead>
<tr>
<th>% SBE</th>
<th>10.0</th>
<th>% MBE</th>
<th>5.0</th>
<th>% WBE</th>
<th>% DLSB</th>
</tr>
</thead>
</table>

participation on this contract, as detailed on the executed PEP-Certified SBE/MBE/WBE/DLSB Participation Form(s) submitted with this Bid/Proposal.

☐ Option 2 (WAIVER REQUEST). The Bidder/Proposer is unable to meet the project’s PEP participation goal(s) and requests that the following goal(s) be waived: (Check all that apply.)

☐ SBE  ☐ MBE  ☐ WBE  ☐ DLSB

The Bidder/Proposer’s documentation of Good Faith Efforts to meet the participation goal(s) checked above must be submitted to the HRC within two (2) business days of the Bid Opening / Proposal Due Date. The Bidder/Proposer will receive no further reminders about this deadline.

A waiver will be granted based on a Bidder/Proposer’s documented Good Faith Efforts, and only when the HRC determines that the Bidder/Proposer has completed all of the following activities:

1. Solicited the interest of all PEP-Certified Firms having the capability to perform the work of the contract. The Bidder/Proposer must solicit this interest at least ten (10) business days before the Bid Opening / Proposal Due Date in order to allow the PEP-Certified Firm sufficient time to respond to the solicitation. Electronic communication will not be deemed as sufficient Good Faith Efforts, if it is the sole method of communication used.

2. Divided contract work items into economically feasible units to facilitate PEP participation, even when the Bidder/Proposer might otherwise prefer to perform these work items with its own forces.

3. Negotiated in good faith with PEP-Certified Firms, and considered the firms’ prices and capabilities as well as the contract goals. Rejected PEP-Certified Firms as being unqualified only for reasons based on a diligent investigation of their capabilities. The Bidder/Proposer’s standing within its industry; membership in specific groups, organizations, or associations; and political or social affiliations (for example, union vs. non-union employee status) are not legitimate causes to reject or not solicit bids from particular PEP-Certified Firms.

4. Provided interested PEP-Certified Firms with plans and specifications at no cost, or directed them to the Greater Dayton Minority Business Assistance Center (Dayton MBAC) for information about the project’s plans, specifications, and requirements at least ten (10) business days prior to the Bid Opening / Proposal Due Date in order to assist them in responding to a solicitation.

5. Sought the Dayton MBAC’s assistance or used the services of community organizations; contractors’ groups; local, state or federal business assistance offices; or similar organizations to find PEP-Certified Firms. Contacting the HRC for a list of certified companies will not be deemed as sufficient Good Faith Efforts.

NOTE: In determining whether a Bidder/Proposer has made Good Faith Efforts, the HRC may take into account the performance of other Bidders/Proposers in meeting the goal(s). For example, when the apparent low bidder fails to meet a participation goal but others meet it, the HRC may reasonably raise the question of whether, with additional reasonable efforts, the apparent low bidder could have met the goal.

(Signature of Bidder/Proposer’s Authorized Agent)

John R. Jurgenson Co.

(Signed Name of Bidder/Proposer’s Firm)

General Manager

(Printed Name of Bidder/Proposer’s Authorized Agent)

3/31/2022

(Date)
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<tr>
<th>StreetName</th>
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<th>BEHIND</th>
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<tbody>
<tr>
<td>HUFFMAN AVE</td>
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<tr>
<td>STANLEY AVE</td>
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<tr>
<td>N BROADWAY ST</td>
<td>HARVARD BLVD</td>
<td>W GRAND AVE</td>
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</table>
AN ORDINANCE

Authorizing the Sale of Certain Real Estate located in the City of Dayton for Development Purposes, and Declaring an Emergency.

WHEREAS, The British Transportation Museum (BTM), formerly known as the Society for the Preservation of British Transportation in America, desires to purchase City-owned real estate, further detailed in Exhibit A, for a proposed expansion project; and

WHEREAS, The British Transportation Museum is a non-profit corporation in good standing with the City of Dayton and is eligible to acquire vacant City-owned property; and

WHEREAS, The Mission of Mary Cooperative (MMC) desires to purchase the City-owned real estate, further detailed in Exhibit B, for a proposed expansion project; and

WHEREAS, The Mission of Mary Cooperative is a non-profit corporation in good standing with the City of Dayton and is eligible to acquire vacant City-owned property; and

WHEREAS, The disposition of the Properties has been recommended by the Director of Planning, Neighborhoods & Development, the officer of the City of Dayton having the supervision and management of such land; and

WHEREAS, The City Commission finds these sales to be in the public interest, in order to promote economic development, foster job creation, and improve the quality of life within the City of Dayton; and

WHEREAS, To allow for the transfers to be processed as soon as possible and provide for the immediate preservation of the public peace, property, health, or safety, it is necessary that this ordinance take effect immediately upon its passage; now, therefore,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF DAYTON:

Section 1. The City Commission hereby accepts the British Transportation Museum’s offer to purchase certain real estate located at Hopeland Street, as described in Exhibit A.

Section 2. The City Commission hereby accepts the Mission of Mary Cooperative’s offer to purchase certain real estate located at 234 Hawker Street, as described in Exhibit B.

Section 3. The City Manager, or her designee, is hereby authorized to proceed with the sale of the real estate generally described in the attached Exhibit A to the British Transportation Museum, Exhibit B to the Mission of Mary Cooperative, and to execute any and all documents necessary to facilitate the transfer.
Section 4. The real estate described above shall be sold for the purposes set forth in the various preambles of this ordinance and for the consideration to be deposited into the following account:

REAL ESTATE DEVELOPMENT ACCOUNT  
16304-2370-29301-41  
BTM - NINE HUNDRED THIRTY-FIVE DOLLARS  
($935.00)  
MMC – ONE THOUSAND SEVEN HUNDRED SIXTY DOLLARS  
($1,760.00)  

Section 5. For the reasons stated in the preambles hereof, this Ordinance is declared to be an emergency measure and shall take effect immediately upon its passage.

PASSED BY THE COMMISSION....................., 2022  

SIGNED BY THE MAYOR.........................., 2022  

______________________________  
Mayor of the City of Dayton, Ohio  

Attest:  

______________________________  
Clerk of the Commission  

Approved as to form:  

______________________________  
City Attorney
May 23, 2022

TO: Shelley Dickstein, City Manager
    Office of the City Manager

FROM: Todd M. Kinskey, Director
       Department of Planning, Neighborhoods & Development

SUBJECT: An Ordinance Authorizing the Sale of Certain Real Estate located in the City of Dayton

The Department of Planning, Neighborhoods & Development requests to approve an Emergency Ordinance authorizing the sale of real estate located at Hopeland Street to the British Transportation Museum (BTM) and the sale of real estate located at 234 Hawker Street to Mission of Mary Cooperative (MMC). The sale of these properties will help reduce the number of City owned parcels and help non-profit organizations further their goals and mission in the community. Both organizations currently maintain and use the properties; the transfers are in the mutual best interest of the entities and the City.

The BTM is a non-profit corporation, located at 321 Hopeland Street. BTM is a volunteer group for individuals who enjoy learning, driving, and displaying British sports cars, sedans, trucks, motorcycles, and bicycles. BTM is updating their building entrances and bathrooms to be ADA compliant and accessible for all visitors. BTM owns all the property bounded by Cincinnati Street, Concord Street, Durner Street and Hopeland Street except for three parcels within this block. One of the three remaining parcels is owned by the city. BTM has maintained the city owned parcel since 2018. Ownership of this property will allow BTM to host new community events.

Mission of Mary Cooperative is a non-profit corporation, which operates in and serves the Twin Towers neighborhood. MMC transformed uncultivated green spaces into vegetable gardens, and they share the harvest with their neighbors. They manage a network of six urban farming plots and grow over 100 different varieties of fruits and vegetables. The Hawker Street Garden was developed by MMC from 2013-2014 with the support of East End Community Services (EECS). Before this, it had been a garden for some time used by The Ohio State University (OSU) Extension in collaboration with St. Mary’s Catholic Church. MMC connected with EECS when the OSU Extension no longer was using the garden for programming. This allowed a natural transition for MMC to continue to garden at Hawker Street. The city owned parcel has been maintained by MMC since the garden was developed in 2013-2104 and MMC currently owns and maintains five adjacent parcels. This property will be used in the furtherance of MMC’s mission through maintaining a network of urban agricultural plots in the Twin Towers neighborhood, operating a two-tiered Community Supported Agriculture (CSA) program to support the low-cost food in the neighborhood, distributing food through local markets, and organizing volunteers to work in the gardens. Additionally, it will provide opportunities for experiential learning and applied research for University of Dayton, Dayton area Pre-K through 12th grade public and private schools, the community, and church groups.

We are requesting an emergency Ordinance with two readings over two meetings with the first reading on June 1, 2022. This will ensure the sale of these properties can be scheduled and transferred efficiently.

If you have any questions, please contact me at extension 4209 or Ashley Hatton at extension 3696.

TMK/ah

Attachments

C: Ms. Lofton; Mr. Parlette; Mr. Lipson; Ms. Browning; file
Exhibit A

Situated in the City of Dayton, County of Montgomery and State of Ohio, and bounded and described as follows, to wit;

And being part of Lot Numbered TWENTY-ONE THOUSAND FIVE HUNDRED FORTY-THREE (21543) of the consecutive numbers of lots on the Revised Plat of the said City of Dayton, Ohio, which said part is bounded and described as follows;

Beginning at the Northeast corner of said lot and on the West line of Hopeland Street, and running thence Southwardly with the Easterly line of said lot and the West line of Hopeland Street, Thirty-six and six hundredths (36.06) feet to the Southeast corner of said lot: thence with the South line of said lot Westwardly Ninety and eight tenths (90.8) feet to a point; thence Northwardly Thirty-two and five tenths (32.5) feet to a point on the North line of said lot a distance of One Hundred Six and Twenty-two tenths (106.22) feet Westwardly from the Northeast corner of said lot; thence Eastwardly with the North line of said lot one Hundred Six and Twenty-two hundredths (106.22) feet to the place of beginning.

PARCEL NO. R72 10107 0019

PROPERTY LOCATED AT: Hopeland Street, Dayton, Ohio

PRIOR DEED REFERENCE: SF/D-01-126521
Exhibit B

Situate in the County of Montgomery in the State of Ohio and in the City of Dayton and being Lot Numbered 8192 of the consecutive numbers of lots on the revised plat of the said City of Dayton, Ohio, excepting 4 feet taken by parallel lines off the North said lot.

PARCEL NO. R72 02504 0012

PROPERTY LOCATED AT: 234 Hawker Street, Dayton, Ohio 45322

PRIOR DEED REFERENCE: SF/D-09-011403
A RESOLUTION

Authorizing the City Manager to Accept Funding from the Economic Development and Government Equity Program, as Approved by the Board of County Commissioners of Montgomery County, Ohio, in an Amount Not to Exceed Two Hundred Fifty Thousand Dollars and Zero Cents ($250,000.00) for Infinity Labs, LLC on Behalf of the City of Dayton, and Declaring an Emergency.

WHEREAS, This Commission is committed to the welfare of the City of Dayton and the surrounding communities through the promotion of regional cooperation; and

WHEREAS, The Board of Commissioners of Montgomery County, Ohio ("Board") established the Montgomery County Economic Development/Government Equity Program ("ED/GE") to enhance the region's ability to compete successfully in the global marketplace by providing a significant fund of grant dollars to attract and retain jobs and tax base;

WHEREAS, Evidence of such cooperation has been demonstrated by the approval and formal execution of an agreement with the Board by each participating jurisdiction in Montgomery County; and,

WHEREAS, By Resolution #21-1559, passed by the Board of County Commissioners on December 14, 2021, the City of Dayton was awarded an amount not to exceed Two Hundred Fifty Thousand Dollars and Zero Cents ($250,000.00) in ED/GE funding for the Infinity Labs, LLC project identified in the City’s ED/GE funding application; and,

WHEREAS, To provide for the timely assignment of the grant funds and allow for the commencement of the projects for which ED/GE funding has been awarded, and for the immediate preservation of the public peace, property, health and safety, it is therefore necessary that this Resolution take effect at the earliest possible date; now, therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DAYTON:

Section 1. That the City Manager, or her designee, is authorized, on behalf of the City of Dayton, to execute all documents and agreements necessary to accept the funding awarded by the Board of County Commissioners of Montgomery County, Ohio under the Montgomery County Economic Development/Government Equity Program ("ED/GE") for the following project and in the following amount:
APPROVED PROJECT FUNDING FROM 2021 FUND

Infinity Labs, LLC Project $250,000.00

Section 2. That for the reasons stated in the preamble hereof, this Resolution is declared to be an emergency measure and shall take effect immediately upon its adoption.

ADOPTED BY THE COMMISSION ....., 2022

SIGNED BY THE MAYOR ....., 2022

Mayor of the City of Dayton, Ohio

ATTEST:

Clerk of the Commission

APPROVED AS TO FORM:

City Attorney
May 17, 2022

TO: Shelley Dickstein, City Manager  
    Office of the City Manager

FROM: Todd M. Kinskey, Director  
       Department of Planning, Neighborhoods & Development

SUBJECT: Resolution Accepting ED/GE Funding for Infinity Labs, LLC

Attached is a Resolution accepting Montgomery County ED/GE funding, which we are recommending for the May 25, 2022, City Commission calendar. The County awarded a $250,000.00 ED/GE grant in support of Infinity Labs, LLC (“Infinity Labs”) corporate headquarters project (formerly known as “Project Bluejay”), which is further described below.

The proposed Infinity Labs project located at 118 E. Fourth Street, known as the Powerhouse, will be a 45,000 SF collaboration space where the company will work with entrepreneurs on projects for both the Defense and commercial markets. The project will include a full renovation of one of Dayton’s oldest buildings; the 1887 Dayton Power & Light steam power plant. It will include nearly 10,000 SF of high-tech lab space and 2,200 SF of sensitive compartmented information facility (SCIF) space, giving Infinity Labs additional capabilities in Defense-specific Research & Development (R&D) for the Air Force, Defense Advanced Research Projects Agency (DARPA), and other government labs.

The project includes an estimated $17,000,000.00 investment in Dayton. They expect to bring 100 high-paying new jobs with a payroll of $11,200,000.00 to the facility. The company is in the process of opening a training, sales, and conference center space at the Arcade for their remote employees to use until the headquarters project is complete, currently anticipated for 2024.

Following execution of the ED/GE Agreement with Montgomery County, we will bring forward a Development Agreement with the company to convey the ED/GE funding, when the company is ready to finalize their financing. The Development Agreement will require the company to work with the Human Relations Council (HRC) and PEP-certified businesses during the construction project, and it will include clawback provisions in case the project is not completed.

We are requesting an emergency Resolution to expedite the process for Montgomery County and the City to execute the 2021 Montgomery County Economic Development/Government Equity (ED/GE) Program Project Agreement. Additionally, staff will be working with Infinity Labs to finalize the Development Agreement.

If you have any questions or concerns, please contact me at extension 4209 or Keith Klein of our staff at extension 3812.

TK/kek

c: Ms. Lofton  
   Mr. Parlette  
   Mr. Lipson  
   Ms. Morris
2021
MONTGOMERY COUNTY
ECONOMIC DEVELOPMENT/GOVERNMENT EQUITY (ED/GE)
PROGRAM PROJECT AGREEMENT

THIS AGREEMENT is entered into on the date(s) at the end hereof, by and between the
BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO,
Montgomery County Administration Building, 451 West Third Street, Dayton, Ohio 45422,
hereinafter referred to as the "Board," and the CITY OF DAYTON, MONTGOMERY COUNTY,
OHIO, hereinafter referred to as the "Participant."

WITNESSETH:

WHEREAS, O.R.C. Section 307.07 grants the Board the authority to create an Office of
Economic Development and to appoint a person to act as Director of said Office, referred to
hereinafter as the Director; and

WHEREAS, O.R.C. Section 307.07 further constitutes a grant of authority to the Board to
become actively involved in the development and execution of economic development in
Montgomery County, Ohio; and

WHEREAS, on or about June 4, 1991, and pursuant to O.R.C. Section 307.07, the Board
did create a Montgomery County Office of Economic Development and did appoint a Director of
same; and
WHEREAS, O.R.C. Section 307.07 further authorizes the Board to use a portion of its sales tax revenues for the purpose of furthering and fostering economic development in Montgomery County, Ohio; and

WHEREAS, O.R.C. Section 307.07(B)(3) authorizes the Director, with the approval of the Board, to enter into Agreements with federal, state and local governmental agencies for the purpose of carrying out economic development functions of the Board relative to economic development; and

WHEREAS, the Board and the Participant are desirous of mutually cooperating in the funding of an economic development project situated within the boundaries of the CITY OF DAYTON Montgomery County, Ohio, known as the INFINITY LABS, LLC (FORMERLY PROJECT BLUEJAY) Project, hereinafter referred to as the "Project;" and

WHEREAS, the Board is willing to use some of its sales tax revenues to foster same; and

WHEREAS, the Board has been advised by the Director that the Project properly qualifies as an economic development project in the Montgomery County area; and

WHEREAS, the Participant has supplied the Board with proof that it possesses sufficient statutory/legal authority and management capability needed to assume the primary administration of the Project; and

WHEREAS, on December 14, 2021 by Resolution #21-1559, the Board awarded the CITY OF DAYTON an amount not to exceed $250,000, or 1.47% of total project cost, from the 2021 Primary Economic Development Fund, to provide funding support for the INFINITY LABS, LLC (FORMERLY PROJECT BLUEJAY) Project.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements hereinafter set forth, the parties to this Agreement, with the intent to be legally bound,
agree as follows:

1. The Participant agrees to assume the responsibility of administering the Project, which project is found specifically identified in the Scope of Work, which scope is attached hereto and made a part hereof as Exhibit "A," and a budget document for said project, which budget is attached hereto and made a part hereof, as Exhibit "B". The Board agrees to tender to the Participant the sum of **TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000)** or **ONE AND FORTY-SEVEN HUNDREDTHS PERCENT (1.47%)** of total project cost, whichever is less, of the Board's 2021 sales tax revenue to assist the Participant in conducting the Project.

2. The Participant agrees that the Board's sales tax revenues referred to in paragraph 1, above, will be used solely and exclusively by the Participant to offset the cost incurred by it in undertaking the Project, and further agrees that should any or all of Board's said sales tax revenues be used for any purpose other than that of the Project, the Participant will repay the Board the amount improperly expended, and will do so within fourteen (14) calendar days of written notice to it by the Board that such an improper expenditure has occurred, stating therein the amount which the Board believes has been misapplied.

3. Upon execution of this Agreement by both parties and certification by the Montgomery County Auditor, the Board agrees to tender the amount identified in paragraph 1 hereof to the Participant on a regular reimbursement basis as more fully explained in this paragraph. The Participant agrees to supply the Board with regular statements, or invoices, indicating therein the amount of monies expended by the Participant in the furtherance of the Project, this statement, or invoice, will also contain a statement therein identifying the date of each expenditure, the name of the person or business enterprise paid, and the goods or services provided warranting the payment. The Board will, within thirty (30) calendar days of the receipt of such a
statement, or invoice, reimburse the Participant the amount stated in the Participant's statement or invoice. Should the Board be of the opinion that any amount of monies identified in the Participant's invoice was expended for purposes other than the furtherance of the Project, the Board may, in its sole discretion, reduce such payment by the amount of the alleged misapplication, or seek reimbursement as same is provided in paragraph 2 hereof. The parties also agree that the Board, through its Office of Economic Development, has the authority to meet with the contractor, person or business entity employed by the Participant for the Project, and review documentation as it deems necessary to determine that the Board's sales tax revenues are being expended for Project purposes.

4. The Participant agrees that the Board's sales tax revenues are to be expended by the Board in its sole discretion, and that the Board's financial assistance to the Participant is voluntary and that the Participant has no legal or equitable claim to any of the Board's sales tax revenues.

5. The Participant acknowledges that part of the consideration for this Agreement emanates from the Board's sales tax revenues, and that as such, said consideration constitutes public funds, and the Participant acknowledges that the Board, the Montgomery County, Ohio Auditor and/or the Ohio Bureau of Inspection and Supervision of Public Offices (State Auditor's Office) is legally authorized to inspect and make copies of the Participant's books and audit the receipt and expenditure of said consideration. The Participant, therefore, agrees to allow either the Board, the Montgomery County, Ohio Auditor or his representative, or a representative of the State Auditor's Office, to enter upon its premises during regular business hours and to supply the Board, the Montgomery County, Ohio Auditor or his representative, the State Auditor's Office or its representative, the books/financial records concerning the Participant's receipt and expenditure of the economic development funding received by the Participant pursuant to the Agreement.
6. The Participant agrees that all documentation, financial records and other evidence of project activity under this Agreement shall be maintained by the Participant, consistent with the records retention requirements of the Ohio Revised Code, for a period of three (3) years after the completion or termination of the Project. After this three (3) year retention period, the Participant must notify the Board, in writing, of its intent to destroy said records. The Board reserves the right to extend the retention period for such records, and if it decides to do so it will notify the Participant in writing, otherwise, the Board will issue to the Participant a written Certificate of Records Disposal, it being understood that no records in the Participant's possession will be destroyed until the Participant has received a Certificate of Records Disposal. The Participant also agrees to notify persons or business entities with which it does business in the prosecution of the work called for in the "Project" of the fact that such person or business entity is receiving public funds and that such funds may be audited by the County Auditor or the State Auditor even though they have been received by a private person or business entity.

7. The Participant agrees that, upon completion of said Project, Participant will deliver to the Board's Director of Economic Development a report certifying the Participant's expenditures for the total Project, including ED/GE funds and all other financial sources. In addition, the Participant agrees to provide to the Board's Director of Economic Development, upon the Director's request and at such intervals as requested by the Director, but not to exceed three years, a report certifying the jobs created/retained and the tax base enhanced/retained as a direct result of the Project.

8. The parties acknowledge that this Agreement is made pursuant to the Montgomery County ED/GE program and that the distribution of funds provided for herein is made pursuant to that program and constitutes a distribution to the Participant thereunder. The parties agree that use
of the funds distributed hereunder is subject to all terms and conditions of the Economic Development/Government Equity Participation Agreement previously entered into between the parties hereto.

9. The parties expressly agree that this Agreement shall not be assigned by the Participant without the prior written approval of the Board, which approval may be withheld in the sole discretion of the Board.

10. During the performance of this Agreement, the Participant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, ancestry, handicap, age, political belief or place of birth. The Participant will ensure that applicants are employed and that employees are treated during employment without regard to race, color, religion, sex, national origin, ancestry, handicap, age, political belief or place of birth. Such action shall include, but is not limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Participant, or any person claiming through the Participant agrees not to establish or knowingly permit any such practice or practices of discrimination or segregation in reference to anything relating to this Agreement, or in reference to any contractors or subcontractors of said Participant.

11. Either party may terminate this Agreement by serving written notice on the other party at least fourteen (14) calendar days before the effective date of such termination as is mentioned in the notice.

12. If any term or provision of this Agreement or the application thereof to any entity, person or circumstance shall, to any extent be held invalid or unenforceable, the remainder of this
Agreement, or the application of such term or provision to entities, persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each remaining term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. This instrument embodies the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations or agreements, either written or oral, between the parties to this Agreement. Also, this Agreement shall not be modified in any manner except by an instrument, in writing, executed by the parties to this Agreement and approved by proper Resolution of the parties, if necessary.

14. This Agreement and any modifications, amendments, or alterations, shall be governed, construed, and enforced under the laws of The State of Ohio.

15. Signatures hereon shall act as express representations that the signing agents are authorized to bind their respective principals to all rights, duties, remedies, obligations and responsibilities incurred by way of this Agreement.
IN WITNESS WHEREOF, the parties have hereunto set their hands this ____ day of

___________, 20__.

Signed and acknowledged in the presence of:

______________________________________________
Witness

______________________________________________
Witness

______________________________________________
Witness

BOARD OF COUNTY COMMISSIONERS OF
MONTGOMERY COUNTY, OHIO

By:__________________________________________

By:__________________________________________

By:__________________________________________

OR

By:__________________________________________

Michael B. Colbert
County Administrator

AND

By:__________________________________________

Erik S. Collins, Director
Community & Economic Development

AND

______________________________________________
Witness

____________________________
Name of Jurisdiction

____________________________
Address

____________________________
City State Zip

By:__________________________________________

____________________________
Title:

__________________________________________
APPROVED AS TO FORM:
MATHIAS H. HECK, JR.
PROSECUTING ATTORNEY
By:__________________________________________
Assistant Prosecuting Attorney

DATE:__________________________________________
EXHIBIT A
Work Program

Jurisdiction: CITY OF DAYTON

Project: INFINITY LABS, LLC (FORMERLY PROJECT BLUEJAY)

This project will assist “Project Bluejay,” a confidential technology company looking to renovate a building in the City of Dayton to house its corporate headquarters. The company projects the new facility will retain and consolidate 50 jobs and create an additional 50 jobs. Funds will be used to renovate and update the building.

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<th>End Date:</th>
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EXHIBIT B
Budget

Jurisdiction: CITY OF DAYTON

Project: INFINITY LABS, LLC (FORMERLY PROJECT BLUEJAY)

It is expressly understood by the Board of County Commissioners and the Participant that the Board of County Commissioners will reimburse to the Participant only $250,000, or 1.47% of total project cost, whichever is less. All costs, including those relating to salaries and benefits, shall be supported by documentation sufficient to support any claim for reimbursement under this Agreement.

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<thead>
<tr>
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<tbody>
<tr>
<td>ED/GE</td>
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<tr>
<td>Owner Equity</td>
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<tr>
<td><strong>Total</strong></td>
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RESOLUTION NO. 21-1559
DECEMBER 14, 2021

RESOLUTION APPROVING THE FALL 2021 ECONOMIC DEVELOPMENT PROJECT FUNDING RECOMMENDATIONS FOR THE MONTGOMERY COUNTY ECONOMIC DEVELOPMENT/GOVERNMENT EQUITY (ED/GE) PROGRAM.

WHEREAS, pursuant to the terms of the Economic Development/Government Equity (ED/GE) agreements entered into by the Board of County Commissioners and participating local governments, an ED/GE Advisory Committee was created; and

WHEREAS, that Advisory Committee has reviewed ED/GE project funding applications and recommended to the Board of County Commissioners of Montgomery County, Ohio, a package of economic development funding recommendations for the Fall 2021 ED/GE Program (Exhibit A); and

WHEREAS, pursuant to Ohio Revised Code, Section 307.07, the Economic Development Director of Montgomery County, Ohio has been appointed in order to design, implement, oversee and evaluate economic development programs and policies in the County; and

WHEREAS, the Economic Development Director has evaluated the attached recommendations of the ED/GE Advisory Committee and finds that those recommendations are consistent with the ED/GE Program guidelines and criteria;

NOW THEREFORE BE IT RESOLVED that the Fall 2021 economic development project funding recommendations for the Montgomery County Economic Development/Government Equity (ED/GE) Program, be and is hereby approved.

BE IT FURTHER RESOLVED that the Clerk of Commission certify this resolution and make an imaged copy of this resolution available on the Montgomery County, Ohio website at http://www.mcohio.org.
RESOLUTION NO: 21-1559
DECEMBER 14, 2021

CERTIFICATE

Mrs. Lieberman moved the adoption of the foregoing resolution. It was seconded by Mrs. Rice, and upon call of the roll the following vote resulted:

Mrs. Lieberman, aye; Mrs. Rice, aye; Ms. Dodge, aye: Carried.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Board of County Commissioners of Montgomery County, Ohio, on the 14th day of December, 2021.

THE BOARD OF COUNTY COMMISSIONERS HEREBY FINDS AND DETERMINES THAT ALL FORMAL ACTIONS RELATIVE TO THE ADOPTION OF THIS RESOLUTION WERE TAKEN IN AN OPEN MEETING OF THIS BOARD OF COUNTY COMMISSIONERS, AND THAT ALL DELIBERATIONS OF THIS BOARD OF COUNTY COMMISSIONERS, AND OF ITS COMMITTEES, IF ANY WHICH RESULTED IN FORMAL ACTION, WERE TAKEN IN MEETINGS OPEN TO THE PUBLIC, IN FULL COMPLIANCE WITH APPLICABLE LEGAL REQUIREMENTS, INCLUDING SECTION 121.22 OF THE REVISED CODE.

Emily Bradford, Clerk
Board of County Commissioners
Montgomery County, Ohio
## EXHIBIT A
PRIMARY ECONOMIC DEVELOPMENT PROJECTS

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<th>JURISDICTION</th>
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<td>City of Centerville</td>
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<td>Project Bluejay</td>
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<td>Harrison Township</td>
<td>Budde Precision Machining</td>
<td>$207,345</td>
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<td>HPC Fire Inspired/Certification Lab</td>
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<tr>
<td>City of Union</td>
<td>Project Bolt/Titan</td>
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A RESOLUTION

Authorizing the City Manager to Accept Federal Fiscal Years 2022 and 2023 Federal Aviation Administration Airport Terminal Program (ATP) Grants from the United States Department of Transportation for Airport Infrastructure and Terminal Improvements at the James M. Cox Dayton International Airport and Dayton-Wright Brothers Airport on Behalf of the City of Dayton in an Amount Not to Exceed Forty-Five Million Dollars and Zero Cents ($45,000,000.00).

WHEREAS, The United States Congress enacted the Infrastructure Investment and Jobs Act (H.R. 3684) Public Law 117-58, referred to as the Bipartisan Infrastructure Law (BIL), which is designed to provide grants for airport infrastructure and terminal improvements; and,

WHEREAS, The City of Dayton owns, operates, and maintains the James M. Cox Dayton International Airport and the Dayton-Wright Brothers Airport; and,

WHEREAS, The local Airport Improvement Program at the James M. Cox International Airport and Dayton-Wright Brothers Airport includes undertaking certain projects such as pavement rehabilitation and related improvements, airfield and terminal improvements, land acquisition, master planning, equipment purchases, environmental study, safety, security, and other aviation-related projects; and,

WHEREAS, These projects will be funded by the United States Department of Transportation through the Bipartisan Infrastructure Law (BIL) Airport Terminal Program (ATP) Grants in an aggregate amount not to exceed Forty-Five Million Dollars and Zero Cents ($45,000,000.00), with an aggregate local cash match of eligible costs not to exceed Two Million Three Hundred Sixty-Nine Thousand Dollars and Zero Cents ($2,369,000.00) to be provided by City of Dayton Department of Aviation funds; and,

WHEREAS, As a result of the United States Department of Transportation and the Federal Aviation Administration’s proclivity to make ATP Grants needing immediate action, it is necessary to authorize the City Manager to accept the award of all ATP Grants on behalf of the City of Dayton during Federal Fiscal Years 2022 and 2023; now, therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DAYTON:

Section 1. That the City Manager, or her designee, is authorized to execute any and all documents and agreements on behalf of the City of Dayton, which are necessary to accept ATP Grants awarded by the United States Department of Transportation acting through the Federal Aviation Administration during Federal Fiscal Years 2022 and 2023 in
an aggregate amount not to exceed Forty-Five Million Dollars and Zero Cents ($45,000,000.00), with an aggregate local cash match of eligible costs by the City of an amount not to exceed Two Million Three Hundred Sixty-Nine Thousand Dollars and Zero Cents ($2,369,000.00), for the following Airport Improvement Program projects at the James M. Cox Dayton International Airport or the Dayton-Wright Brothers Airport: (a) pavement rehabilitation and related improvements, (b) airfield and terminal improvements, (c) land acquisition, (d) master planning, (e) equipment purchases, (f) environmental study, (g) safety, (h) security, and (i) other aviation-related projects.

ADOPTED BY THE COMMISSION ...................................., 2022

SIGNED BY THE MAYOR ............................................, 2022

Mayor of the City of Dayton, Ohio

ATTEST:

Clerk of Commission

APPROVED AS TO FORM:

City Attorney
May 23, 2022

TO: Shelley Dickstein, City Manager
Office of the City Manager

FROM: Gilbert Turner, Director of Aviation
Department of Aviation

SUBJECT: Resolution–Bipartisan Infrastructure Law-Airport Terminal Program Grant FY22-23

The Department of Aviation submits the attached Resolution for Commission approval. This Resolution, reviewed by the Law Department, is needed to ensure that the City can take immediate action to receive funding from the Federal Aviation Administration (“FAA”) under the newly established Airport Terminal Program (ATP), made available under the Infrastructure Investment and Jobs Act of 2021, referred to as the Bipartisan Infrastructure Law (BIL) for projects at the Dayton International Airport and Dayton-Wright Brothers Airport for FY22-23.

Congress passed the BIL in November 2021; a once-in-a-generation investment in the nation’s infrastructure. The ATP grants provide $1 billion annually over the next 5 years for airport-related projects that will modernize aging airport terminals and infrastructure to make them safer and more sustainable.

The ATP grants are competitive, Dayton International Airport will compete with small hub airports for $200 million in ATP grants annually over the next 5 years for airfield & airport terminal development projects. Grants awarded will be 95% ATP Grant and 5% local match of eligible costs.

The Department of Transportation’s Notice of Funding Opportunity (NOFO) for the ATP grants was received on February 22, 2022, with an application deadline of March 28, 2022 for projects to be considered for the first year of funding in FY22. The Airport submitted an application on March 28, 2022 for a Terminal Project that includes the renovation of Concourse’s A & B. Attached is a copy of the NOFO and the Airport grant application.

If the Airport’s project is selected, this Resolution allows the City to meet the narrow timeline prescribed by the FAA for execution of the required agreement(s) to receive federal funds for Airport projects. As is common practice with grants issued by the FAA, there is often a short turnaround time in which to execute an agreement.
May 23, 2022
SUBJECT: Resolution-Bipartisan Infrastructure Law-Airport Terminal Program Grant FY22-23
Page 2

To be proactive and capture as much ATP grant funding as possible for Airport projects, this Resolution allows the City Manager or her designee, to execute any documentation or agreements to timely react to the immediacy needed to secure funds under this program.

As always, please contact me at 454-8212 if additional information is needed.

Encl.

cc: Ms. Lofton
    C. Loritts
    File
A RESOLUTION

Honorary Naming the 3500 block of Roejack Drive as “Nevora Parker Way.”

WHEREAS, An application has been made by Jeri Birnbaum, Memorial Committee Chair, Pineview Neighborhood Association, to honorarily designate the 3500 block of Roejack Drive as “Nevora Parker Way” for a two-year period due to her service and contributions to the Pineview community; and

WHEREAS, Mrs. Parker was a leader in the Pineview community, serving as the Pineview Neighborhood Association Treasurer for many years, advocating for the beautification of Lakeside, and helped to organize annual neighborhood clean-ups; and

WHEREAS, Mrs. Parker was recognized for her hospitality, giving and serving, wisdom, and encouragement. She was a selfless caretaker and was known as “Granny Parker” and “Mom Parker” to many; and

WHEREAS, The Honorary Designation of Roejack Drive is within the Pineview neighborhood and is the street in which Mrs. Parker resided for many years; and

WHEREAS, The City Commission adopted Resolution 5014-99 on July 28, 1999, which established the rules and procedures for the naming of public facilities and rights-of-way, and this proposal is consistent with the policy outlined in said resolution; and

WHEREAS, The City Plan Board, on May 10, 2022, reviewed the proposal, Case PLN2022-00124, and recommended approval of the two-year designation; now, therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DAYTON:

Section 1. The 3500 block of Roejack Drive is honorarily designated as Nevora Parker Way for a two-year period commencing thirty days after the passage of this resolution.

Section 2. The official name of Roejack Drive is unchanged.

Section 3. The City Manager is directed to implement this resolution in a timely manner.

Adopted by the Commission......................................................, 2022

Signed by the Mayor............................................................., 2022

Mayor of the City of Dayton, Ohio

Attest:

Clerk of the Commission

Approved as to form:

City Attorney
May 23, 2022

TO: Regina Blackshear, Clerk of Commission

FROM: Susan Vincent, Secretary
City Plan Board

SUBJECT: Two-Year Honorary Designation for “Nevora Parker Way” on June 1, 2022,
        City Commission Calendar

Plan Board Case PLN2022-00124

I am requesting that a resolution be placed on the June 1, 2022, City Commission calendar to establish a
two-year honorary designation for the 3500 block of Roejack Drive as “Nevora Parker Way.” The
official/legal name of Roejack Drive will remain. A second reading and vote on the resolution is planned
for the June 8, 2022, City Commission meeting. If approved on June 8, 2022, the effective date of the
resolution will be July 8, 2022.

Staff and Plan Board have found the designation to be appropriate. Mrs. Parker was a leader in the
Pineview community, serving as the Pineview Neighborhood Association Treasurer for many years. Sh
advocated for the beautification of Lakeside and helped to organize annual neighborhood clean-ups. Mrs.
Parker was recognized for her hospitality, giving and serving, wisdom, and encouragement. She was a
selfless caretaker and was known as “Granny Parker” and Mom Parker” to many.

In compliance with the requirements of Resolution 5014-99 which governs honorary street designations,
sufficient support was received from property owners abutting the proposed designation. The City of Dayton
Engineer, the Public Works Department, and the Police and Fire Departments have no objections to the
designation.

By a 6-0 vote, the Plan Board recommends City Commission approval of the two-year honorary designation.
The Plan Board believes the request complies with the requirements outlined in Resolution 5014-99. No
public hearing is required on the request, so a public hearing will not be held.

Enclosed for distribution to the City Commission is the Plan Board minute record, the Plan Board case
report, correspondence received, and the resolution. If you have any questions, please contact Abigail
Free at x3635. Thank you.

c: Ms. Dickstein, Mr. Parlette, Ms. Lofton, Mr. Kinskey, Ms. Hollingsworth, Case File
City of Dayton
City Plan Board

Decision Memorandum

May 17, 2022

Pineview Neighborhood Association
c/o Jeri Birnbaum, Nevora Parker Memorial Chair
3334 Forent Avenue
Dayton, OH 45417

PLN2022-00124; Establish a 2-year Honorary Designation for 3500 block of Roejack Drive as “Nevora Parker Way.” The official name of Roejack Drive will remain.

Meeting Date: May 10, 2022

Decision: Recommended Approval

The City Plan Board recommended City Commission approval of case PLN2022-00124. The resolution to approve the honorary designation for “Nevora Parker Way” will be scheduled for City Commission consideration as part of the Wednesday, June 1, 2022, City Commission agenda. This meeting will begin at 6:00 PM and will be held in the City Commission Chambers on the second floor of City Hall.

The June 1, 2022, City Commission meeting will include a first reading of the resolution to approve the honorary designation. A first reading means that the resolution has been introduced for consideration. It is on the City Commission calendar/agenda for the first time and the City Commission Clerk will read the title of the resolution aloud as a calendar/agenda item. At this meeting you and others may speak in support of the honorary designation. Anyone who wishes to speak must register to do so before the meeting begins at 6:00 PM. Speaker registration forms are available outside the City Commission Chambers 30 minutes prior to the start of the meeting.

At the Wednesday, June 8, 2022, City Commission meeting, the City Commission will have a second reading of the resolution to approve the honorary designation. This means that the resolution is on the City Commission calendar/agenda for a second time. The Commission Clerk will read the title of the resolution aloud as a calendar/agenda item and the City Commission will then vote to approve the resolution. It is not necessary for you to attend the June 8th City Commission meeting. If you wish to attend, this meeting begins at 8:30 AM and is held in the City Commission Chambers on the second floor of City Hall. Once approved on June 8, 2022, the resolution will be effective thirty days later which is July 8, 2022.

Once the honorary designation is approved by the City Commission, sometime between June 8th and July 8th, City of Dayton staff will arrange for the honorary street designation signs to be fabricated and installed. An extra sign will be given to you.

Please contact Abigail Free at abigail.free@daytonohio.gov or 937-333-3635 if you have any questions.

Sincerely,

Susan Vincent, Secretary
City Plan Board

c: Decision Memorandum Distribution List
7. PLN2022-00124– Honorary Designation – Nevora Parker Way

Applicant: Jeri Birnbaum, Memorial Committee Chair, Pineview Neighborhood Association
Land Use Board: West
Planning District: Pinewood
Decision: Approved

Staff Comments
Abigail Free presented the staff report. The Honorary Designation will establish the 3500 block of Roejack Drive as “Nevora Parker Way.” The official name of Roejack Drive will remain. It is proposed to be a two-year honorary designation.

Nevora Parker lived in the Pineview neighborhood and helped to establish the neighborhood association in 1981 and served as Treasurer and Street Coordinator Chair for many years. She was a strong community advocate and helped to organize the annual Pineview neighborhood clean-up day. Also, she worked tirelessly to see Lakeside Park area revitalized and beautified. She was a selfless caretaker, with gifts of hospitality, giving, serving, wisdom and encouragement. She was known to many as Granny Parker or Mom Parker.

On September 15, 2021, Pineview Neighborhood Association held a memorial picnic in remembrance of Mrs. Nevora Parker. The picnic was phase one of their tribute to her life and legacy. Phase 2 is the approval of the Honorary Street Designation or Roejack Drive as Nevora Parker Way.

Ms. Free showed photos of the memorial picnic and photos of Mrs. Parker in community leadership activities. A map showed the location of Roejack Drive as well as the petitions received totaling 53% of the property owners. Photos of the street signs at the intersection of Roejack at Ernroe and Forent are where the honorary signs will be installed.

Staff believes that the application meets the rules and guidelines set forth in Resolution Number 5014-99, and recommends approval.

According to the resolution, honorary designations shall meet the following criteria:

a. The designation shall be confined to the right-of-way within the vicinity of the home, business, or location associated with the person(s) or event.
   Nevora Parker lived at 3512 Roejack Drive, within the Pineview neighborhood.

b. The designation shall not be an Arterial as listed on the Official Thoroughfare Plan.
   Roejack Drive is not an arterial street.

c. There shall be only one honorary designation per facility or right-of-way.
   There is no current designation for Roejack Drive.
d. An important community event, organization or well-known person(s) is a person or entity who has made a sustained contribution, over a long period of time, above and beyond the call of duty and demonstrated leadership relating to governance, human relations and development, or neighborhood development.

1. A person(s) who has made specific and sustained contributions to an organization located in or in proximity to the facility.

**Nevora Parker was an activist, Pineview neighborhood leader, and mother figure to many spanning more than 60 years.**

e. The important community event, organization, or well-known person(s) shall be directly related to the public facility or the public right-of-way, i.e. lived, worked, went to school, etc. at the location specified. Only one honorary designation shall be permitted for each person(s) or community event. Preference shall be given to intersections and other limited locations.

**This is the only (first) request for honorary designation for Nevora Parker and for Roejack Drive.**

Mr. Free received a letter of support from the Pineview neighborhood association and there were no objections from Police or Fire.

**Public Comments**
Jeri Birnbaum, Applicant, Pineview neighborhood association, recounted her memories growing up in the area; of a little girl experiencing Lakeside Park and the VA (Soldiers Home). Mrs. Nevora Parker helped to share the historical significance and memories of the area. She helped to secure good relations with the Dayton Police. Her greatest achievements were to revitalize Lakeside and the neighborhood hopes to continue to beautify and maintain the space. Mrs. Nevora Parker was like a mother to her.

Mr. Kinskey added that he met Mrs. Parker at the Neighborhood Presidents Forum. She was pleasant and shared a connection to Portsmouth, Ohio where he grew up as well. She was a great public servant to the community.

**Board Discussion**
None

**Board Action**
A motion was made by Ms. Schenking and seconded by Mr. Sauer and carried to recommend approval of the proposal to give a two-year honorary designation of “Nevora Parker Way”) to the 3500 block of Roejack Drive because the proposal meets the requirements outlined in City Commission Resolution 5014-99.

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Vote</th>
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<tr>
<td>Mr. William Allen</td>
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<td>Mr. Matt Sauer</td>
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<td>Dr. Julius Beckham</td>
<td>Yes</td>
<td>Ms. Ann Schenking</td>
<td>Yes</td>
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<td>Ms. Rosalyn Miller</td>
<td>Yes</td>
<td>Mr. Greg Scott</td>
<td>Yes</td>
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<tr>
<td>Ms. Geraldine Pegues</td>
<td>Absent</td>
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Minutes approved by the City Plan Board on June 14, 2022.

Susan Vincent, Secretary
City Plan Board
Establish an Honorary Designation for 3500 block of Roejack Drive as “Nevora Parker Way.” The official name of Roejack Drive will remain. It is proposed as a two-year honorary designation.

**Applicant:**

Jeri Birnbaum  
3334 Forent Avenue  
Dayton, OH 45417

**Land Use Board:** West  
**Neighborhood:** Pineview

**Background:** A request for an two-year honorary designation for the 3500 block of Roejack Drive as "Nevora Parker Way" to honor Ms. Parker's role as an activist and Pineview neighborhood leader, spanning more than 60 years of service to the community. Roejack Drive starts as a transition from Derbyshire Drive and dead ends where La Salle Drive transitions into Forent Avenue.

**Taken from her obituary:** Nevora Tubbs Parker, age 86 of Dayton, Ohio completed her earthly journey on March 23, 2020, and went home to be with her Lord and Savior, Jesus Christ. She was born in Portsmouth, Ohio on August 3, 1933 to the late Reverend Isaiah and Nancy Tubbs.

Nevora, graduated from Portsmouth High School (1951). She attended Ohio State University in Columbus, Ohio. She received her degree as a Licensed Practical Nurse, and worked at several Dayton hospitals (St. Elizabeth, Kettering Memorial and Dayton VA Hospital). She also worked for many years at NCR. She was an Office Manager/Bookkeeper for Martin Construction Company and then later for Boyd Construction Company.

Nevora accepted Christ at an early age. She was a faithful member of Mt. Olive Baptist Church for nearly 60 years. She served on the Missionary Board, Food Pantry and Children’s Church Ministries. She was a member of Equity Chapter No. 102 order of Eastern Star.

Nevora was a sports enthusiast, she especially loved football, basketball, tennis and track. She was a devoted Pineview Neighborhood Association member, serving as Treasurer and Street Coordinator Chair for many years. Mrs. Parker was a strong community advocate.

Nevora possessed the gifts of hospitality, giving, serving, wisdom and encouragement. She was a selfless caretaker for several friends. She enjoyed being Granny Parker to many children and Mom Parker to many adults. She was generous with her laughter, smiles, hugs and “love you more”.

**Taken from the application:** On the 15th of September 2021, Pineview Neighborhood Association (PNA) held a memorial picnic in remembrance of Mrs. Nevora Parker who passed in March 2020. This was phase one of our tribute to the life and legacy of Mrs. Parker.

The PNA was established in 1981, and Mrs. Parker’s leadership played a vital role in the stability and safety of our community organization. She held the office of treasurer for many years. Through her
dedication and excellent record keeping of funds received and outgoing, and her guidance of the various charitable projects, the PNA exceeded all expectations for a community led organization.

Mrs. Parker, along with Geraldine Moran organized the annual PNA neighborhood clean-up day. When the state allowed US 35 to cut across our neighborhood, Mrs. Parker worked tirelessly to see the neighborhood vision of a revitalized “Lakeside”. The city created a fishing dock and picnic area on the lake that connects to Lakeview Ave. The neighborhood clean-up committee continued functioning for the beautification of this precious landmark.

An Honorary Street Designation for Nevora Parker on Roejack Drive will allow the neighborhood to remember dedication and love Mrs. Parker shared for the Pineview community. The Honorary Street Designation will complete phase two of Pineview’s memorial to Mrs. Nevora Parker.

**Board Authority and Requirements:**
According to the requirements of Resolution 5014-99, Amended Rules and Procedures for the Naming of Public Right of Way (and Public Facilities), the Plan Board shall review the request and make recommendation to the City Commission to approve the request or an alternate proposal.

**Staff Analysis Regarding Determination and Findings:**
Resolution 5014-99 details the process to be followed when bestowing an honorary designation on a public right-of-way. Staff believes the findings and determinations can be made, and recommends that the Plan Board send the proposal on to City Commission with a recommendation for approval.

**Agencies and Groups Contacted:**
All Property Owners on Roejack Drive
Affected Property Owners along Fovent Avenue & Enroe Drive
City of Dayton Public Works
City of Dayton Police Department
City of Dayton Fire Department

**Impacts and Comments:**
There should be no negative impact by implementing the proposal. This is an honorary designation, not an official renaming of Roejack Drive. The honorary designation will be recognized by separate street signs posted above the Roejack Drive signs. Thirty homes have frontage along Roejack Drive. Staff has received 16 signed petitions which reflects 53.33% of property owners.

The Departments of Public Works, Fire, and Police have stated no objections to the designation.

**Determinations and Findings:**
Staff believes that the application meets the rules and guidelines set forth in Resolution Number 5014-99, and therefor recommends approval.

According to the resolution, honorary designations shall meet the following criteria:

a. The designation shall be confined to the right-of-way within the vicinity of the home, business, or location associated with the person(s) or event.

   Nevora Parker lived at 3512 Roejack Drive, within the Pineview neighborhood.

b. The designation shall not be an Arterial as listed on the Official Thoroughfare Plan.
Roejack Drive is not an arterial street.

c. There shall be only one honorary designation per facility or right-of-way.

There is no current designation for Roejack Drive.

d. An important community event, organization or well-known person(s) is a person or entity who has made a sustained contribution, over a long period of time, above and beyond the call of duty and demonstrated leadership relating to governance, human relations and development, or neighborhood development.

- A person(s) who has made specific and sustained contributions to an organization located in or in proximity to the facility.
- An event that recognized statewide or nationwide.

Nevora Parker was an activist, Pineview neighborhood leader, and mother figure to many spanning more than 60 years.

e. The important community event, organization, or well-known person(s) shall be directly related to the public facility or the public right-of-way, i.e. lived, worked, went to school, etc. at the location specified. Only one honorary designation shall be permitted for each person(s) or community event. Preference shall be given to intersections and other limited locations.

This is the only (first) request for an honorary designation for Nevora Parker and for Roejack Drive.

Recommendation:
The determination and findings set forth in Resolution 5014-99 can be met by this request for Nevora Parker Way. Staff recommends approval of the Honorary Street Designation.

Alternatives:
1. Recommend approval of the proposal to give a two-year honorary designation because the proposal meets the requirements outlined in City Commission Resolution 5014-99.

2. Recommend an alternate proposal.

3. Recommend disapproval of the designation because the proposal does not meet the requirements outlined in City Commission Resolution 5014-99.

Future Actions:
Approval by the City Commission.

Attachments:
- Aerial map
- Map of Petitions received from abutting property owners
Jeri Birnbaum
3334 Forent Ave.
Dayton, Ohio 45417
Pineview Neighborhood Association

23 March 2022

Land Use Board
% Rachel Hardenbrook
101 W. Third Street
Dayton, Ohio

Dear Ms. Hardenbrook

The Pineview Neighborhood Association is requesting an Honorary Designation in the name of Nevora Parker be placed on the 3500 block of Roejack Dr., Dayton, Ohio, 45417. Mrs. Parker was a neighborhood leader/activist residing in Pineview for over sixty years. Her dedication to the continued improvements and safety of our community is bar none.

Pineview, historically, is one of the first black suburbs in this country. Many of our city and state leaders are from our neighborhood. Don Crawford, the first Afro-American to sit on the Dayton City Commission, is from here. Mr. Lloyd Lewis (Ohio House of Representatives) and his wife, Evelyn and family also resided in Pineview. In fact, I am reminded of the words spoken to me at one of our now, historic block parties, by Mr. Lloyd to, “remember to check out” the Nutter Center and continue to support our “city beautiful”

I along with our President Lisa Parker, Herbert Burton, Julia Capers (founding member of PNA) and the rest of our membership, thank you for considering Mrs. Nevora Parker for an Honorary Designation.

Sincerely,

ES  Jeri Birnbaum

Jeri Birnbaum

Chairman, Nevora Parker Memorial Committee
HONORARY STREET DESIGNATION
ROEJACK DRIVE AS NEVORA PARKER WAY
HONORARY STREET DESIGNATION
ROEJACK DRIVE AS NEVORA PARKER WAY
Roejack Drive

Ernroe at Roejack

Forent at Roejack
HONORARY DESIGNATION APPLICATION

Honoree(s): Mrs. Nevora Parker

Instructions
Complete this application and submit it along with the required fee and attachments to:
Department of Planning, Neighborhoods & Development
c/o Dayton Plan Board (6th Floor)
101 W. Third St.
Dayton, OH 45402

The designation must be endorsed by a member of the City Commission, the City Plan Board, or a Land Use board prior to the required pre-application meeting with Planning staff. The designation shall be confined to a facility or right-of-way within the vicinity of the home, business, or location associated with the honoree(s). The designation shall not be an Arterial as listed on the Official Thoroughfare Plan. There shall be only one designation per facility or right-of-way. Before pursuing an Honorary Designation, the applicant should consider the City’s preferred methods of honoring groups and individuals, including donations to programs and projects; a proclamation; naming of neighborhood or community festivals; planting trees or other living memorials; placement of pieces of art, benches, and similar objects in public or private spaces; and community service awards of the Dayton volunteers program.

By signing below, you certify that the information contained in this application and all attachments is true and correct. Applications that are not complete or are illegible will be returned to the applicant and will not be scheduled for public hearing. Incomplete applications shall be a basis for denial. Submit all application materials by the 30-day deadline, and you will be placed on the agenda for the next available public hearing. Your application will be reviewed by Planning Staff in consultation with the City Commission Office. For more information and a complete list of deadlines, visit www.daytonohio.gov/952/Plan-Board-Process. If you have questions or would like to schedule a pre-application interview, please call Plan Board Secretary Susan Vincent at (937) 333-3683.

Applicant (Contact Person) Information

Full Name: Jeri Birnbaum

Address:
3334 Forest Ave.

Dayton
State
ZIP Code

Phone: 937 422-0111
Email: Jeribirnbaum@gmail.com

Signature: __________
Date: 22 March 2022

Description of Designation

Proposed Facility or Right-of-way for Designation: Sign: Honorary - Roejack Dr.

Length of Time the Designation Shall Be in Effect: Indefinite
Summarize the reasons for the designation*

On the 15th of September 2021, Pineview Neighborhood Association held a memorial picnic in remembrance of Mrs. Nevora Parker who passed in March 2020. This was phase one of our tribute to the life and legacy of Mrs. Parker.

The PNA was established in 1981, and Mrs. Parker’s leadership played a vital role in the stability and safety of our community organization. She held the office of treasurer for many years. Through her dedication and excellent record keeping of funds received and outgoing, and her guidance of the various charitable projects, the PNA exceeded all expectations for a community led organization.

Mrs. Parker along with Geraldine Moran organized the annual PNA neighborhood clean-up day. When the state allowed US 35 to cut across our neighborhood, Mrs. Parker worked tirelessly to see the neighborhood vision of a revitalized “Lakeside”. The city created a fishing dock and picnic area on the lake that connects to Lakeview Ave. The neighborhood clean-up committee continued functioning for the beautification of this precious landmark.

We could go on and on about the daily contributions of Mrs. Parker’s commitment to our neighborhood and community as a whole. We are asking that a Honorary Designation be placed in Mrs. Nevora Parker’s name on Rocklick Dr. in our Pineview homes. This will help us to never forget the dedication and love Mrs. Parker shared with us. Through her enthusiasm and warmth we were not only neighbors, but becoming much more as friends and family. This completes phase two of our memorial to Mrs. Nevora Parker.

Submission Checklist

All materials submitted as part of this application and presented at the public hearing must be retained as part of the public record and cannot be returned. Applicants are encouraged to keep a copy of all items for their records.

☑ Completed and Signed Designation Application
☑ Map Specifying Location of Designation
☑ Petition Supporting the Designation Signed by 51 Percent of Abutting Property Owners
☐ Copy of Letter from Land Use Board(s)
☐ Copy of Letter from Neighborhood Association(s)
☐ Additional Materials as Needed (e.g. letters of support, photos, etc.)
☐ Designation Application Fee: $500 (check or money order payable to City of Dayton)

*Should you require extra pages to provide an adequate description, please attach them to this document.
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of
“NeVora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Catherine Jackson am the owner of the property at

(Name of Owner)

3513 Roejack Dr Dayton OH 45417

(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of “NeVora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive.

Signature of Property Owner

Date Signed

Catherine Jackson

Printed Name of Property Owner

3513 Roejack Dr

Printed Mailing Address of Property Owner

Dayton OH 45417

City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "Nora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, _______ am the owner of the property at
(Name of Owner)

3524 Roejack Dr.
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "Nora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

__________________________ 8-19-21
Signature of Property Owner  Date Signed

James P. Mitchell Sr.
Printed Name of Property Owner

630 S. Gettysburg Ave.
Printed Mailing Address of Property Owner

Dayton, Ohio 45417
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Enrooe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Frances Wimbourn am the owner of the property at
(Name of Owner)

3627 Roejack Dr.
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Enrooe Drive.

[Signature]
Signature of Property Owner

[Printed Name]
Printed Name of Property Owner

3627 Roejack Dr.
Printed Mailing Address of Property Owner

Sept. 15, 2021
Date Signed

Dayton, Ohio 45417
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of
“Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, ______________ am the owner of the property at
(Name of Owner)

3533 Roejack Dr.
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of
“Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive. NEVORA PARKER

_________________________  ______________
Signature of Property Owner  Date Signed

_________________________
Printed Name of Property Owner

_________________________
Printed Mailing Address of Property Owner

Dayton, OH 45417
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of
“Ne'Vora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Joyce Burden am the owner of the property at
(Name of Owner)
3539 Roejack Dr
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of “Ne'Vora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive.

Joyce Burden
Signature of Property Owner

8-14-21
Date Signed

Joyce Burden
Printed Name of Property Owner

3539 Roejack Dr
Printed Mailing Address of Property Owner

Dayton, Oh 45417
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of
“Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Michael A. Swain, am the owner of the property at
(Owner)
3550 Roejack Dr
(Address of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of “Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive.

Signature of Property Owner

Michael A. Swain
(Printed Name of Property Owner)

5898 Pinnacle Rd
(Printed Mailing Address of Property Owner)

45342
(City, State, Zip Code of Property Owner)

Date Signed
9/25/21
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "NEVORA PARKER Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

Elizabeh A. Hodges am the owner of the property at
(Name of Owner)

3556 Roejack Dr
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "NEVORA PARKER Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

Elizabeth A. Hodges
Signature of Property Owner

9-25-2021
Date Signed

Elizabeth A. Hodges
Printed Name of Property Owner

3556 Roejack Dr
Printed Mailing Address of Property Owner

Dayton Ohio 45417
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of
“Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Gerald E. Ligon am the owner of the property at
(Name of Owner)
3561 Roejack Dr
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of “Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive.

Gerald E. Ligon
Signature of Property Owner
8-14-21
Date Signed

Gerald E. Ligon
Printed Name of Property Owner

3561 Roejack Dr
Printed Mailing Address of Property Owner

Dayton, OH 4541
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of
“Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Michael Demmons am the owner of the property at
(Name of Owner)
3562 Roejack Dr
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of “Nevora Parker Way” to Roejack Drive between Forent Avenue and Ernroe Drive.

Michael Demmons
Signature of Property Owner

8-14-21
Date Signed

Michael Demmons
Printed Name of Property Owner

3562 Roejack Dr 45417
Printed Mailing Address of Property Owner

Dayton, OH
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Cynthia Campbell, am the owner of the property at

3568 Roejack Dr.

(Name of Owner)

Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

Cynthia M. Campbell
Signature of Property Owner

9-25-2021
Date Signed

Cynthia M. Campbell
Printed Name of Property Owner

3568 Roejack Dr.
Printed Mailing Address of Property Owner

Dayton, Ohio 45417
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "NEVORA PARKER Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Loretta Richardson am the owner of the property at
(Name of Owner)

3573 Roejack Dr.
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "NEVORA PARKER Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

Loretta Richardson 8-19-21
Signature of Property Owner

Loretta Richardson
Printed Name of Property Owner

3573 Roejack Dr.
Printed Mailing Address of Property Owner

Dayton Oh. 45417
City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "NEVORA PARKER Way" to Roejack Drive between Forest Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Rita Hart, am the owner of the property at

3584 Roejack Dr

(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "NEVORA PARKER Way" to Roejack Drive between Forest Avenue and Ernroe Drive.

Rita Hart

Signature of Property Owner

8-14-21

Date Signed

Rita Hart

Printed Name of Property Owner

3584 Roejack

Printed Mailing Address of Property Owner

Dayton, Ohio 45408

City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, [Name of Owner], am the owner of the property at
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

[Signature of Property Owner]

Printed Name of Property Owner

[Printed Mailing Address of Property Owner]

City, State, Zip Code of Property Owner

Date Signed: 9-25-21
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "NEVORA PARKER Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, David Ferguson, am the owner of the property at
(Name of Owner)

3588 Roejack Dr
(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

Signature of Property Owner

Date Signed

8-14-21

Printed Name of Property Owner

Printed Mailing Address of Property Owner

City, State, Zip Code of Property Owner
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, [Name of Owner] am the owner of the property at

3325 Forent Ave

(Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "Nevora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

[Signature of Property Owner]

[Printed Name of Property Owner]

3325 Forent Ave

(Printed Mailing Address of Property Owner)

Dayton, Ohio

(City, State, Zip Code of Property Owner)

Date Signed: 9-15-21
HONORARY STREET DESIGNATION PETITION

PETITION to support giving a two-year honorary designation of "Neyora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive. The official and legal name of Roejack Drive WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, [Name of Owner], am the owner of the property at 3335 Forent. (Address(es) of Property or County Parcel Identification Number(s) for Property)

By signing this petition, I acknowledge my desire to support giving the honorary designation of "Neyora Parker Way" to Roejack Drive between Forent Avenue and Ernroe Drive.

Bertha M Walker [Signature of Property Owner] 9-15-21 [Date Signed]

Bertha M Walker [Printed Name of Property Owner]

3335 Forent Ave [Printed Mailing Address of Property Owner]

Dayton, OH 3335 Forent Ave [City, State, Zip Code of Property Owner]
A RESOLUTION

Honorarily Naming Xenia Avenue Between Fillmore Street and Dover Street as “Kim Steinbrugge Way.”

WHEREAS, An application has been made by Jan Lepore-Jentleson, Executive Director, East End Community Services, to honorarily designate Xenia Avenue from Fillmore Street to Dover Street as “Kim Steinbrugge Way” for a two-year period due to her service and contributions to the Twin Towers community; and

WHEREAS, Ms. Steinbrugge served in many capacities during her 17 years of employment with East End Community Services, including administratively and as the Youth Director; and

WHEREAS, Ms. Steinbrugge was known for her warmth and kindness, and reputation for making sure that everyone was fed, especially children; and

WHEREAS, The portion of Xenia Avenue to be given the honorary designation is adjacent to East End Community Services and is also one block from Ms. Steinbrugge’s former residence; and

WHEREAS, The City Commission adopted Resolution 5014-99 on July 28, 1999, which established the rules and procedures for the naming of public facilities and rights-of-way, and this proposal is consistent with the policy outlined in said resolution; and

WHEREAS, The City Plan Board, on May 10, 2022, reviewed the proposal, Case PLN2022-00100, and recommended approval of the two-year designation; now, therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DAYTON:

Section 1. Xenia Avenue between Fillmore Street and Dover Street is honorarily designated as Kim Steinbrugge Way for a two-year period commencing thirty days after the passage of this resolution.

Section 2. The official name of Xenia Avenue is unchanged.

Section 3. The City Manager is directed to implement this resolution in a timely manner.

Adopted by the Commission..........................................., 2022

Signed by the Mayor......................................................., 2022

Mayor of the City of Dayton, Ohio

Attest:

Clerk of the Commission

Approved as to form:

City Attorney
May 16, 2022

TO: Regina Blackshear, Clerk of Commission

FROM: Susan Vincent, Secretary
City Plan Board

SUBJECT: Two-Year Honorary Designation for “Kim Steinbrugge Way” on June 1, 2022, City Commission Calendar

Plan Board Case PLN2022-00100

I am requesting that a resolution be placed on the June 1, 2022, City Commission calendar to establish a two-year honorary designation for Xenia Avenue between Fillmore Street and Dover Street as “Kim Steinbrugge Way.” The official/legal name of Xenia Avenue will remain. A second reading and vote on the resolution is planned for the June 8, 2022, City Commission meeting. If approved on June 8, 2022, the effective date of the resolution will be July 8, 2022.

Staff and Plan Board have found the designation to be appropriate. Kim Steinbrugge was a long-time employee of East End Community Services and resident of Twin Towers. During her 17 years with East End, Kim worked as the Youth Director and later in an administrative capacity for the entire staff. Kim was known for her warmth and kindness, and she had a reputation for making sure that everyone was fed, especially children. Kim passed away unexpectedly in February of 2022. The loss is felt in all corners of the Twin Towers community.

In compliance with the requirements of Resolution 5014-99 which governs honorary street designations, sufficient support was received from property owners abutting the proposed designation. The City of Dayton Engineer, the Public Works Department, and the Police and Fire Departments have no objections to the designation.

By a 6-0 vote, the Plan Board recommends City Commission approval of the two year honorary designation. The Plan Board believes the request complies with the requirements outlined in Resolution 5014-99. No public hearing is required on the request, so a public hearing will not be held.

Enclosed for distribution to the City Commission is the Plan Board minute record, the Plan Board case report, correspondence received, and the resolution. If you have any questions, please contact Jennifer Hanauer at x2005. Thank you.

c: Ms. Dickstein, Mr. Parlette, Ms. Lofton, Mr. Kinskey, Ms. Hollingsworth, Case File
1. PLN2022-00100 – Honorary Designation – Kim Steinbrugge Way

Applicant: Jan Lepore-Jentleson, Executive Director, East End Community Services
Land Use Board: Southeast
Planning District: Twin Towers
Decision: Approved

Staff Comments
Jennifer Hanauer presented the staff report. The Honorary Designation would establish Xenia Avenue (from Fillmore Street to Dover Street) as “Kim Steinbrugge Way.” The official name of Xenia Avenue will remain. It is proposed to be a two-year honorary designation.

Kim Steinbrugge was a long-time employee of East End Community Services and resident of Twin Towers. During her 17 years with East End, Kim worked as the Youth Director and later in an administrative capacity for the entire staff. Kim was known for her warmth and kindness, and she had a reputation for making sure that everyone was fed, especially children. Kim passed away unexpectedly in February of 2022. The loss is felt in all corners of the Twin Towers community.

According to the requirements of Resolution 5014-99, Amended Rules and Procedures for the Naming of Public Right of Way (and Public Facilities), the Plan Board shall review the request and make recommendation to the City Commission to approve the request or an alternate proposal. Resolution 5014-99 details the process to be followed when bestowing an honorary designation on a public right-of-way. Staff believes the findings and determinations can be made, and recommends that the Plan Board send the proposal on to City Commission with a recommendation for approval.

Abutting property owners and tenants, neighborhood leadership, the Southeast Land Use Board, and the City’s Public Works, Police and Fire departments were contacted regarding the application, and none indicated any opposition. Petitions were signed by property owners representing more than the required 51 percent support thereof. The honorary designation is also supported by the W.A.T.T. Business Association. There should be no negative impact by implementing the proposal. This is an honorary designation, not an official renaming of this portion of Monument Avenue. The honorary designation will be recognized by signs posted above the street signs.

Staff believes that the application meets the rules and guidelines set forth in Resolution Number 5014-99, and therefore recommends approval.

According to the resolution, honorary designations shall meet the following criteria:

a. The designation shall be confined to the right-of-way within the vicinity of the home, business, or location associated with the person(s) or event.
Kim worked at East End on Xenia at Dover and lived a block north on Church.
b. The designation shall not be an Arterial as listed on the Official Thoroughfare Plan. **Xenia Avenue is not an arterial and has been determined by the Department of Public Works to be appropriate for an honorary designation.**

c. There shall be only one honorary designation per facility or right-of-way. **There is no current designation for this portion of Xenia Avenue.**

d. An important community event, organization or well-known person(s) is a person or entity who has made a sustained contribution, over a long period of time, above and beyond the call of duty and demonstrated leadership relating to governance, human relations and development, or neighborhood development.
   - A person(s) who has made specific and sustained contributions to an organization located in or in proximity to the facility.
   - An event that recognized statewide or nationwide.  
   **Kim, through her 17 years of service to East End and long-time contributing resident of the Twin Towers neighborhood, made a sustained impact for the betterment of the community.**

e. The important community event, organization, or well-known person(s) shall be directly related to the public facility or the public right-of-way, i.e. lived, worked, went to school, etc. at the location specified. Only one honorary designation shall be permitted for each person(s) or community event. Preference shall be given to intersections and other limited locations.  
   **The presence of East End on this segment satisfies this requirement.**

**Public Comments**
Twin Towers Neighborhood Association President Leslie Sheward spoke in support of the application. She relayed details about Kim as a person and how she contributed to the community. Ms. Sheward said that the community has had many difficult losses during the pandemic, but this honorary designation has given residents a reason to come together in celebration.

**Board Discussion**
The Board found that the application could be approved and endorsed based on the required standards in the allowing Resolution.

**Board Action**
A motion was made by Ms. Schenking and seconded by Dr. Beckham and carried to recommend approval of the proposal to give a two-year honorary designation (“Kim Steinbrugge Way”) to Xenia Avenue from Fillmore Street to Dover Street because the proposal meets the requirements outlined in City Commission Resolution 5014-99.

Mr. William Allen  Yes  Mr. Matt Sauer  Yes  
Dr. Julius Beckham  Yes  Ms. Ann Schenking  Yes  
Ms. Rosalyn Miller  Yes  Mr. Greg Scott  Yes  
Ms. Geraldine Pegues  Absent

Minutes approved by the City Plan Board on June 14, 2022.

Susan Vincent, Secretary  
City Plan Board
Establish an Honorary Designation for Xenia Avenue (from Fillmore Street to Dover Street) as “Kim Steinbrugge Way.” The official name of Xenia Avenue will remain. It is proposed to be a two-year honorary designation.

Applicant(s):
Jan Lepore-Jentleson, Executive Director, East End Community Services
624 Xenia Ave.
Dayton, OH 45410

Land Use Board: Southeast Neighborhood: Twin Towers

Background: Kim Steinbrugge was a long-time employee of East End Community Services and resident of Twin Towers. During her 17 years with East End, Kim worked as the Youth Director and later in an administrative capacity for the entire staff. Kim was known for her warmth and kindness, and she had a reputation for making sure that everyone was fed, especially children.

Kim passed away unexpectedly in February of 2022. The loss is felt in all corners of the Twin Towers community.

Board Authority and Requirements:
According to the requirements of Resolution 5014-99, Amended Rules and Procedures for the Naming of Public Right of Way (and Public Facilities), the Plan Board shall review the request and make recommendation to the City Commission to approve the request or an alternate proposal.

Staff Analysis Regarding Determination and Findings:
Resolution 5014-99 details the process to be followed when bestowing an honorary designation on a public right-of-way. Staff believes the findings and determinations can be made, and recommends that the Plan Board send the proposal on to City Commission with a recommendation for approval.

Agencies and Groups Contacted:
Abutting property owners and tenants
Neighborhood leadership
Southeast Land Use Board
City of Dayton Public Works
City of Dayton Police Department
City of Dayton Fire Department

Impacts and Comments:
There should be no negative impact by implementing the proposal. This is an honorary designation, not an official renaming of this portion of Xenia Avenue. The honorary designation will be recognized by signs posted above the street signs. Attached are petitions signed by property owners representing more than the required 51 percent support thereof.
The Departments of Public Works, Fire, and Police have stated no objections to the designation. The honorary designation is also supported by the W.A.T.T. business association.

**Determinations and Findings:**
Staff believes that the application meets the rules and guidelines set forth in Resolution Number 5014-99, and therefore recommends approval.

According to the resolution, honorary designations shall meet the following criteria:

a. The designation shall be confined to the right-of-way within the vicinity of the home, business, or location associated with the person(s) or event.

   **Kim worked at East End on Xenia at Dover and lived a block north on Church.**

b. The designation shall not be an Arterial as listed on the Official Thoroughfare Plan.

   **Xenia Avenue is not an arterial and has been determined by the Department of Public Works to be appropriate for an honorary designation.**

c. There shall be only one honorary designation per facility or right-of-way.

   **There is no current designation for this portion of Xenia Avenue.**

d. An important community event, organization or well-known person(s) is a person or entity who has made a sustained contribution, over a long period of time, above and beyond the call of duty and demonstrated leadership relating to governance, human relations and development, or neighborhood development.

   - A person(s) who has made specific and sustained contributions to an organization located in or in proximity to the facility.

   - An event that recognized statewide or nationwide.

   **Kim, through her 17 years of service to East End and long-time contributing resident of the Twin Towers neighborhood, made a sustained impact for the betterment of the community.**

e. The important community event, organization, or well-known person(s) shall be directly related to the public facility or the public right-of-way, i.e. lived, worked, went to school, etc. at the location specified. Only one honorary designation shall be permitted for each person(s) or community event. Preference shall be given to intersections and other limited locations.

   **The presence of East End on this segment satisfies this requirement.**
Alternatives:
1. Recommend approval of the proposal to give a two-year honorary designation because the proposal meets the requirements outlined in City Commission Resolution 5014-99.

2. Recommend an alternate proposal.

3. Recommend disapproval of the designation because the proposal does not meet the requirements outlined in City Commission Resolution 5014-99.

Future Actions:
Approval by the City Commission.

Attachments:
Application
Letters of support
Aerial map
Map showing abutting property owners
Petitions from abutting property owners
HONORARY DESIGNATION APPLICATION  

Honoree(s): Kim Steinbrugge

Instructions

Complete this application and submit it along with the required fee and attachments to:
Department of Planning, Neighborhoods & Development
c/o Dayton Plan Board (6th Floor)
101 W. Third St.
Dayton, OH 45402

The designation must be endorsed by a member of the City Commission, the City Plan Board, or a Land Use board prior to the required pre-application meeting with Planning staff. The designation shall be confined to a facility or right-of-way within the vicinity of the home, business, or location associated with the honoree(s). The designation shall not be an Arterial as listed on the Official Thoroughfare Plan. There shall be only one designation per facility or right-of-way. Before pursuing an Honorary Designation, the applicant should consider the City's preferred methods of honoring groups and individuals, including donations to programs and projects; a proclamation; naming of neighborhood or community festivals; planting trees or other living memorials; placement of pieces of art, benches, and similar objects in public or private spaces; and community service awards of the Dayton volunteers program.

By signing below, you certify that the information contained in this application and all attachments is true and correct. Applications that are not complete or are illegible will be returned to the applicant and will not be scheduled for public hearing. Incomplete applications shall be a basis for denial. Submit all application materials by the 30-day deadline, and you will be placed on the agenda for the next available public hearing. Your application will be reviewed by Planning Staff in consultation with the City Commission Office. For more information and a complete list of deadlines, visit www.daytonohio.gov/952/Plan-Board-Process. If you have questions or would like to schedule a pre-application interview, please call Plan Board Secretary Susan Vincent at (937) 333-3683.

Applicant (Contact Person) Information

Full Name: Jan Lepore-Jenthesen, Epw, Dir. Eastern Community Services

Address: 624 Xenia Ave.

Street Address: Dayton 45401

City: Dayton  

State: OH  

ZIP Code: 45401

Phone: 937-259-1898  

Email: jan.lepore-jenthesen@  

jenthesen.com

Signature: Jan Lepore-Jenthesen  

Date: 3/17/2022

Description of Designation

Proposed Facility or Right-of-way for Designation: Kim Steinbrugge Way

Length of Time the Designation Shall Be in Effect: 3 years

Revised 12/2021 J. Hanauer
Summarize the reasons for the designation*

See Attached

Submission Checklist

All materials submitted as part of this application and presented at the public hearing must be retained as part of the public record and cannot be returned. Applicants are encouraged to keep a copy of all items for their records.

☐ Completed and Signed Designation Application
☐ Map Specifying Location of Designation
☐ Petition Supporting the Designation Signed by 51 Percent of Abutting Property Owners
☐ Copy of Letter from Land Use Board(s)
☐ Copy of Letter from Neighborhood Association(s)
☐ Additional Materials as Needed (e.g. letters of support, photos, etc.)
☐ Designation Application Fee: $500 (check or money order payable to City of Dayton)

*Should you require extra pages to provide an adequate description, please attach them to this document.
March 14, 2022

To Whom It May Concern,

There are no words that can be spoken to mourn the loss of Kim Stienbrugge. Those who were blessed to know her would agree that while heaven gained an angel that day, Twin Towers lost a piece of its humanity. Kim was more than just a mentor to her family, she was mentor to hundreds of children raised in the community always there with words of wisdom, support and kindness.

For the last 17 years Kim wore many hats while employed at East End Community Services, one would say she was the anchor and calm that kept the building grounded, always greeting people with a smile, treating everyone with respect and kindness, never judging people by the way they talked or looked.

Kim got her name “Mom” while she was the director of the youth center, she was the spark that helped change the lives of so many children that passed through the youth centers doors, giving them words of encouragement, making sure they never went home hungry, (boy could she cook) she was a true champion of the saying “no child left behind.”

Leaving her role as youth director, Kim assumed the role of being the right hand to all the staff, seeing that the building ran like clocked work (even the copy machine loved her). On any given day dozens of people from all walks of life many not always in the best place in their lives Kim could make them feel welcome, being able to assure them that things would get better. It is my honor as the President of the Twin Towers Neighborhood in supporting East End Community Services and the community request in honoring Kim’s legacy by temporarily renaming Xenia Ave between Fillmore St and Dover St “Kim Stienbrugge Way.”

Leslie Sheward TTNA- President
Emails of support from Southeast Priority Land Use Board and W.A.T.T. Business Association

From: Mike/Amie Schommer
To: Squire, Mike; Peggy Weaver; Adam Smith; Ben Abernathy; Bill Montgomery; Matthew Cary; Steve Behnke
Cc: Hanauer, Jennifer
Subject: RE: Southeast Priority Land Use Board Meeting - April 19th
Date: Thursday, April 14, 2022 10:43:13 AM
Attachments: image001.png

The Southeast Priority Land Use Board (SEPLUB), has decided to not meet on the Honorary Street Designation of Xenia Ave. The Twin Towers Community and many other Stake Holders sent in letters of support for this designation; as a board we did not receive any correspondents objecting. Based on the materials we have been provided, the SEPLUB is in support of this Designation.

Sincerely,
Mike Schommer
Chair, SELUB

From: Peggy Weaver
Sent: Monday, April 11, 2022 7:10 PM
To: Squire, Mike; Adam Smith; Ben Abernathy; Bill Montgomery; Matthew Cary; Mike Schommer (foxy818203@yahoo.com); Steve Behnke
Cc: Hanauer, Jennifer
Subject: RE: Southeast Priority Land Use Board Meeting - April 19th

Mike,
You can add the W.A.T.T Business Association to this list of approval.
Peggy Weaver
Esther Price Candies Corp
1709 Wayne Ave
Dayton, OH 45410
937.253.2121 Ext 213
800.782.0326
937.253.3294 Fax
pweaver@epcandies.com
Ma'am,

I hope you are having a great start to your Thursday! I have reviewed the application for the honorary designation for Xenia Avenue. I do not see any issues for the police department. Please advise me when this application is approved and I will make the necessary notifications to the Regional Dispatch Center.

Jason

DAYTON
Major Jason Hall
Department of Police | City of Dayton
Patrol Operations Division | Dayton Bomb Squad
335 W. Third Street | Dayton, Ohio 45402
Office 937.333.1126 | www.daytonohio.gov
KIM STEINBRUGGE HONORARY DESIGNATION
XENIA AVENUE, TWIN TOWERS
HONORARY STREET DESIGNATION PETITION

Petition to support giving a two-year honorary designation of Kim Steinbrugge Way to Xenia Ave. between Fillmore St. and Dover St. The official and legal name of Xenia Ave. WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Michael Schulz, Cooperative, am the owner of property at 619 Silver Ln. By signing this petition, I acknowledge my desire to support giving the honorary designation of Kim Steinbrugge Way to Xenia Ave. between Fillmore St. and Dover St.

Michael Schulz, Executive Director 3/25/22
Signature of Property Owner

Printed Name

Street Address of Property Owner

Dayton, OH 45410
City, ST Zip

3/25/22
Date Signed
HONORARY STREET DESIGNATION PETITION

Petition to support giving a two-year honorary designation of "Kim Stienbrugge Way" to Xenia Ave between Fillmore St and Dover St. The official and legal name of Xenia Ave WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Joe Zaneman, am the owner of property at 509 Xenia Ave. By signing this petition, I acknowledge my desire to support giving the honorary designation of "Kim Stienbrugge Way" to Xenia Ave between Fillmore St and Dover St.

__________________________
Signature of Property Owner

__________________________
Printed Name

509 Xenia Ave

__________________________
Street Address of Property Owner

Dayton, OH 45401

__________________________
City, ST Zip

3/16/22

Date Signed
HONORARY STREET DESIGNATION PETITION

Petition to support giving a two-year honorary designation of "Kim Stienbrugge Way" to Xenia Ave between Fillmore St and Dover St. The official and legal name of Xenia Ave WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Jeff Cartwright, am the owner of property at New Hope Church. By signing this petition, I acknowledge my desire to support giving the honorary designation of "Kim Stienbrugge Way" to Xenia Ave between Fillmore St and Dover St.

Signature of Property Owner

JEFF CARTWRIGHT

Printed Name

530 XENIA AVE

Street Address of Property Owner

DAYTON, OH 45410

City, ST Zip

3/15/22

Date Signed

note this property includes the following addresses:

510 Xenia Ave 528 Xenia Ave 546 Xenia Ave

512 Xenia Ave 530 Xenia Ave

524 Xenia Ave 534 Xenia Ave

526 Xenia Ave 536 Xenia Ave

Revised 12/2021 J. Hanauer
HONORARY STREET DESIGNATION PETITION

Petition to support giving a two-year honorary designation of "Kim Stienbrugge Way" to Xenia Ave between Zillmore St and Dover St. The official and legal name of Xenia Ave WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Stan Dillhoff, am the owner of property at 600 Xenia Ave. By signing this petition, I acknowledge my desire to support giving the honorary designation of "Kim Stienbrugge Way" to Xenia Ave between Zillmore St. and Dover St.

Signature of Property Owner: [Signature]

Printed Name: Stan Dillhoff

Street Address of Property Owner: 600 Xenia Ave

City, ST Zip: Dayton, OH 45410

Date Signed: 3/28/22

Revised 12/2021 J. Hauseur
HONORARY STREET DESIGNATION PETITION

Petition to support giving a two-year honorary designation of Kim Steinbrugge Way to Xenia Ave between Fillmore St and Dover St. The official and legal name of Xenia Ave will NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, John Strahm, am the owner of property at Eastway, 601 Xenia Ave. By signing this petition, I acknowledge my desire to support giving the honorary designation of Kim Steinbrugge Way to Xenia Ave between Fillmore St and Dover St.

Signature of Property Owner

John Strahm

Printed Name

601 Xenia Ave

Street Address of Property Owner

Dayton, OH 45410

City, ST Zip

Date Signed

March 25, 2020
HONORARY STREET DESIGNATION PETITION

Petition to support giving a two-year honorary designation of “Kim Steinbrugge Way” to 3 Blocks Xenia Avenue between Fillmore Avenue and Dover Street. The official and legal name of Xenia Avenue WILL NOT change. The honorary designation will be marked by a blue and white sign mounted above the street name sign.

I, Jan Leperre-Jettleson, am the owner of property at 614 & 624 Xenia Ave. By signing this petition, I acknowledge my desire to support giving the honorary designation of “Kim Steinbrugge Way” to Xenia Avenue between Fillmore Avenue and Dover Street.

Jan Leperre-Jettleson
Signature of Property Owner

Jan Leperre-Jettleson, Exeo Dir. Westside Ohio dba Eastern Community Service
Printed Name

624 and 614 Xenia Ave
Street Address of Property Owner

Dayton, Oh 45410
City, ST Zip

March 17, 2022
Date Signed

Revised 12/2021 J. Hanauer
A RESOLUTION

Honorary Naming Xenia Avenue
Between Fillmore Street and Dover Street as “Kim Steinbrugge Way.”

WHEREAS, An application has been made by Jan Lepore-Jentleson, Executive Director, East End Community Services, to honorarily designate Xenia Avenue from Fillmore Street to Dover Street as “Kim Steinbrugge Way” for a two-year period due to her service and contributions to the Twin Towers community; and

WHEREAS, Ms. Steinbrugge served in many capacities during her 17 years of employment with East End Community Services, including administratively and as the Youth Director; and

WHEREAS, Ms. Steinbrugge was known for her warmth and kindness, and reputation for making sure that everyone was fed, especially children; and

WHEREAS, The portion of Xenia Avenue to be given the honorary designation is adjacent to East End Community Services and is also one block from Ms. Steinbrugge’s former residence; and

WHEREAS, The City Commission adopted Resolution 5014-99 on July 28, 1999, which established the rules and procedures for the naming of public facilities and rights-of-way, and this proposal is consistent with the policy outlined in said resolution; and

WHEREAS, The City Plan Board, on May 10, 2022, reviewed the proposal, Case PLN2022-00100, and recommended approval of the two-year designation; now, therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF DAYTON:

Section 1. Xenia Avenue between Fillmore Street and Dover Street is honorarily designated as Kim Steinbrugge Way for a two-year period commencing thirty days after the passage of this resolution.

Section 2. The official name of Xenia Avenue is unchanged.

Section 3. The City Manager is directed to implement this resolution in a timely manner.

Adopted by the Commission................................................., 2022

Signed by the Mayor..............................................................., 2022

Mayor of the City of Dayton, Ohio

Attest:

Clerk of the Commission

Approved as to form:

City Attorney