

**MUNICIPAL BUILDING
AUTHORITY MEETING
PACKET**

DATE:

November 22, 2022

AGENDA
KANE COUNTY MUNICIPAL BUILDING AUTHORITY MEETING TO BE
HELD TUESDAY November 22, 2022 at 2:00 PM
IN THE Commission Chambers at the Kane County Courthouse, 76 N. Main St.
Kanab, Utah

WE WELCOME EVERYONE TO ATTEND ELECTRONICALLY BY PHONE.
CALL IN INFORMATION: Meeting call in # 435-676-9000 participant code 168030# (This is a local call within the South Central service area)

CALL MEETING TO ORDER & WELCOME:

CONSENT AGENDA: Approval of MBA Minutes for September 13, 2022

REGULAR AGENDA:

- 1. Approval of Kane County Road Shed Project Bid and Contract**
- 2. Consideration for Adoption of Resolution MBA-2022-1 Reauthorizing Bylaws for the Municipal Building Authority of Kane County , Utah; Confirming the Election of Officers for Such Authority; and Authorizing Other Action on Behalf of the Authority**
- 3. Consideration for Adoption of Resolution MBA-2022-2 of the Municipal Building Authority of Kane County, Utah Authorizing the Issuance and Sale of not more than \$3,500,000 Aggregate Principal Amount of its Lease Revenue Bonds, Series 2022; and Related Matters**
- 4. Zion Public Finance Invoice**
- 5. Designation of ARPA Funds for the Care & Share Building**

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Karla Johnson at (435) 644-2458.

Agenda items may be accelerated or taken out of order without notice as the Administration deems appropriate. All items to be placed on the agenda must be submitted to the Clerk's office by noon Tuesday, prior to the meeting date.

CONSENT AGENDA

Minutes of:

MBA Meeting Minutes for September 13, 2022

**MINUTES OF THE
KANE COUNTY MUNICIPAL BUILDING AUTHORITY AND RDA
MEETING HELD TUESDAY September 13, 2022 at 2:00 PM
IN THE KANE COUNTY COMMISSION CHAMBERS
IMMEDIATELY FOLLOWING COMMISSION MEETING**

CALL MEETING TO ORDER & WELCOME: Chairman Brent Chamberlain
PRESENT: Chairman Brent Chamberlain, Member Wade Heaton (Excused), Member Andy Gant, County Attorney Rob Van Dyke, Sheriff Tracy Glover, Clerk/Auditor Karla Johnson, Deputy Clerk/Auditor Candice Brown, Kresta Blomquist,

CONSENT AGENDA: Approval of the February 8, 2022 MBA Minutes

Motion to approve MBA Minutes for February 8, 2022 made by Member Gant and motion carried with all members present voting in favor.

REGULAR AGENDA:

- 1. Public Hearing Regarding Application for Funding from the Utah Permanent Community Impact Fund Board (CIB) to Construct a Multipurpose Facility to Serve as the Kane County Care and Share Pantry, Space for the Drug Court Program, and Kane County Storage Facility**

Motion to go into public hearing at the call of the chair made by Member Gant and motion carried with all Members present voting in favor.

Sheriff Glover said that this project started with a need to move the Care & Share from its current location, which is owned by Kanab City. They have been using it for Care & Share for many years. They moved the Senior Citizen Center out of that area and the Care & Share has remained there, but it needs to move. He said that we also have an issue with our events equipment being down at the airport. Another use of this building will be to provide some storage space, centrally located in the City of Kanab for the Events people to be able to access their equipment easily. Sheriff Glover said that recently they have been looking at finding a way to solve a problem with the needs of our community treatment programs. One portion of this building would serve as an area to do treatment, testing, individual treatment and group treatment as well as hold individual interviews for those that monitor the programs. These will be the three primary uses. He said that the Buildings and Grounds people

would also have some space in the building to keep a little bit of equipment that will service this building, the Kanab Center, the administrative offices and the Information Center. Sheriff Glover said that they are still working on what the exact square footage should be. This will be located where the old bus yard was, behind the Kanab Center, adjacent to the church owned property that used to be a seminary building back in the early days. It fits nicely in the corner where the driveway for the current parking lot, once extended would clear the building nicely.

Member Chamberlain said that this land is owned by the County. It is a small portion of the piece of land that is where the Kanab Center was built using CIB funding. The CIB funding did not contribute to the purchase of the land. The county already owned the land. This is in the same area, so it is a very convenient location close to amenities that are already owned and controlled by the County.

Jerica Bauer, Senior Center Director, mentioned that this would smooth out their process a lot.

Matt Henke with Iron Rock Engineering gave a presentation. He said that Iron Rock is working with the County on the preliminary conceptual design. This is the phase that they are at right now. The total square footage is going to end up somewhere between 8,000-10,000. He noted that on this property all necessary setbacks can be in full compliance. There are two residential properties that this will be next to. There will not be any issues with proximity, they can still achieve this square footages and be within everything.

Sheriff Glover showed on the map that there is a Kanab City easement. He is going to ask Kanab City if they will abandon the easements.

Matt said that in conversations with the county they want to approach this building as an extension and the first steps in creating a "county campus". He said that as far as style and form it would be in line with the other buildings. It is not going to end up looking like an eyesore, industrial building. Matt said that with the introduction of the drug court the next steps over the next week are going to be schematic design. They will be finalizing the layout and determining building elevations, which is the necessary minimum required for the CIB funding.

Member Chamberlain mentioned that within the next week we will need some kind of rough number.

Matt said that the number would be based on the schematic design. They can't conduct an engineering estimate until they have an approved layout.

Sheriff Glover said that the Care and Share would need to have significant refrigeration space and vertical shelving so that they would be able to stack food. This will be a lot more efficient than what they are dealing with now.

Jerica said that this will smooth the process and hours that they are using from taking food off a truck, into a container, directly into a warehouse and sorting it and seeing everything in one place.

Member Chamberlain stated that currently their process is taking it off, storing it in a conex trailer, and then moving it into the old building when it comes to distribution. It is also not a good layout as far as space for vehicles coming and going, it is a tight setup there.

Sheriff Glover mentioned that John with the Event Center has need for vertical shelving for items that they use for events. He said that we are going to purchase a forklift to have onsite that they can share.

Jerica stated that how they are operating now is that Kanab is the “hub” it’s the warehouse for the three distribution points in Kane County. They distribute in Big Water, Orderville, and Kanab. With all three of those places, they are distributing around 7,500 pounds of food monthly. They serve an average of 150 households or 300 individuals in Kane County every month.

Member Chamberlain said that it will be far easier to maintain the food in a sanitary and proper storage. With it being scattered all over the place it is hard to maintain all the requirements that they need to. He said that there are several different sources to service the debt or bonds on this. They include some TRT money for the Event Center, MBA money for the Care & Share, and then for the drug court, they have the opioid settlement money coming in on a regular basis that would help service the amount for the drug court.

Attorney Van Dyke said that they are in their 10th year of the drug court program and that they have enjoyed having a lot of County support for the program. He said that they have also done a community recovery program, and now they are working really hard on their pre-trial services program. The County has been good to support them over the years and they have been good to work within the facilities that they have. Attorney Van Dyke thinks that putting these buildings together is going to be a big cost savings overall and in the long run for the County.

Sheriff Glover said that several steps need to be taken to create space in this building for other functions. It is all dependent on this project moving forward so that we can move drug court to its permanent location so we can then occupy the space that drug court is currently using and then someone else can move into that space. He said that there is a lot of things depending on this project.

Member Chamberlain stated that Kane County and Kanab rely heavily on events to bring people to the community in a County that more than 40% of its economy is tourism related. These events are very successful and require major setup and most of the equipment is out to the former Search & Rescue building.

John said that they also have five enclosed trailers filled with equipment because they don't have quite enough space to put everything in. He said that the biggest challenge they have is that they are averaging around nine events a month. Some are very small events and some they use just about all the equipment they have. John said that they do service a lot of equipment. They have a lot of equipment needs and storage needs. This new building will facilitate the space that they need and also centralize it better.

Sheriff Glover said that have a lot of equipment sitting out in the sun that they would put back into the enclosed space that events is currently using if we can get this project done.

Member Chamberlain said that we have 20-30 thousand dollars coming in from the opioid settlement per year and that the revenue coming into the MBA is around a quarter of a million every year, which would adequately cover that portion of it. They are also distributing a portion of the monies from the TRT and TRCC, which is maybe 3-4 million dollars a year so some portion of that could go toward this. He said that we have adequate money to cover this building. When we get some numbers, we will be able to finalize where the sources will come from.

Jerica said that she went to the "How to apply CIB" conference. She said that Gary suggested that we do try for a grant for the Care & Share portion.

No other comments were made.

Member Chamberlain called us out of public hearing.

2. Approval of the CIB Application to Construct a Multipurpose Facility to Serve as the Kane County Care and Share Pantry, Space for the Drug Court Program, and Kane County Storage Facility

Motion to approve the CIB application with a cap of \$3 million made by Member Gant and motion carried with all Members present voting in favor.

3. Review/Discuss the Status of the Renovation Project of the County Building and Building B of the Kanab Center

Sheriff Glover said that they have been working with Matt getting prepared to renovate this building and Kanab Center Building B space. He said that they ended up getting one bid. A couple years ago when the project went to CIB for funding they anticipated the cost being around \$2.2 million, the most recent bid came in at \$3.8 million total for both projects. Sheriff Glover said that he knew they were a little low on their estimate at the CIB. They had planned to use some of the ARPA funds or COVID funds that the county had brought in, because one of the functions of the renovations was to increase the space for the public to meet in, which was a problem during COVID. He said that the \$3.8 million is a fairly substantial construction cost increase, so he thinks they need to address the possibility of going back to CIB with the project to ask them for some additional money.

Mark Anderson said that he talked to Candice Powers and she said that she would want to have an application submitted by the end of this week if the County wanted to seek additional money because the project came in higher than expected.

Member Chamberlain said that we have the availability of some ARPA funds that could be justifiably used for renovations of this space at the courthouse but it would come up substantially short of the \$3.8 million.

Sheriff Glover said that they have requested a meeting with the architect and contractors to look at some value engineering options to try and get the cost down a little. They do think that there are a couple of areas that we can shave some money off.

Mark said that when we adopted the parameters resolution last year, we anticipated that if it did come in over budget then the ARPA money would make up the shortfall. We only adopted a parameters resolution for \$2 million, so if the intent was to go back to CIB and request more than \$2 million then we would have to adopt a new parameters resolution and start the process over again. This would take around 45-50 days to be in a position to close. This is once you adopt a new parameters resolution.

Sheriff Glover said that we are scheduled for construction to begin around March/April.

Matt clarified that it would be February/March of next year.

Member Chamberlain recommends that we submit a supplemental application for an additional \$1.4 million. He said that we could adjust the parameters resolution over the next 45 days.

Motion to approve a supplemental application to CIB for \$1.4 million with the existing grant to loan ratios if acceptable by CIB made by Member Gant and motion carried with all Members present voting in favor.

Motion to adjourn made by Member Gant and motion carried with all members present voting in favor.

WHEREUPON MEETING ADJOURNED

Chairman Brent Chamberlain

Secretary Karla Johnson

AGENDA ITEMS

ITEM # 1

Approval of Kane County Road Shed Project Bid and
Contract

REVISED

3:37 pm, Nov 16, 2022

CONTRACTOR BID FORM

Submitted to Iron Rock Group (on behalf of Kane County):

460 East 300 South, Suite 1

Kanab, Utah 84741

Phone: (435) 644-2031

Email: matt@ireng.net

For Contract Work on the:

Kane County Road Facility

Parcel G-2-90-ANNEX

Kane County, UT

Company Name: **PRT BUILDERS LLC**

Phone:

Office: (435) 383-8799

Cell: (970) 623-4304

Address:

1870 N. Main St., Suite 100, Cedar City, UT 84721

License No.:

10389401-5501

Earliest available start date:

1/1/2023

Total # calendar days to complete project:

150

Item #	Description:	Amount:	
5001	Permits/Fees		To be paid by owner
5002	Utility Hook Up		To be paid by owner
5003	Electrical Hook Up		To be paid by owner
5004	Site Mobilization	\$20,000.00	
5005	Temporary Utilities	\$1,800.00	
5006	Temporary Restroom Facilities	\$1,800.00	
5007	Temporary Trash	\$2,500.00	
	Pre-Construction Subtotal:	\$26,100.00	
5010	Concrete Labor	\$198,000.00	Labor & Materials
5010a	Concrete Materials		Included in Labor line
5011	Framing Labor	\$14,000.00	
5011a	Framing Materials	\$28,133.00	Wood Framing
5012	Structural Steel Labor	\$125,665.00	Includes insulation install at PEMB
5012a	Structural Steel Material		Provided by Owner.
5013	Insulation Labor (Excludes PEMB Insulation)	\$3,500.00	Labor & Material
5013a	Insulation Materials		Included in Labor line
5014	Drywall Labor	\$13,200.00	Labor & Material
5014a	Drywall Materials		Included in Labor line
5015	HVAC Labor	\$49,000.00	Labor & Material
5015a	HVAC Materials		Included in Labor line
5016	Plumbing Labor	\$49,266.00	Labor & Material
5016a	Plumbing Materials		Included in Labor line
5017	Fire Sprinklers Labor		N/A None on Drawings
5017a	Fire Sprinklers Material		N/A None on Drawings
5018	Fire Caulking and Sealant Labor		N/A None on Drawings
5018a	Fire Caulking and Sealant Material		N/A None on Drawings
5019	Fire Alarm System Labor		N/A None on Drawings
5019a	Fire Alarm System Materials		N/A None on Drawings
5020	Security System Labor		N/A None on Drawings
5020a	Security System Material		N/A None on Drawings
5021	Electrical Labor	\$83,500.00	Labor & Material - See scope notes
5021a	Electrical Materials		Included in Labor line
5022	Flooring Labor	\$2,500.00	Sealor at Concrete where called for
5022a	Flooring Materials		Included in Labor line
5023	Cabinet Labor	\$5,302.00	Cabinets and Tops - Labor and Material
5023a	Cabinet Materials		Included in Labor line
5024	Interior Doors Labor	\$6,900.00	
5024a	Interior Doors Materials	\$12,795.00	
5025	Windows Labor	\$1,000.00	
5025a	Windows Materials	\$2,250.00	
5026	Exterior Doors Labor		Included in Interiors #
5026a	Exterior Doors Materials		Provided by Owner.
5027	Painting Labor	\$6,800.00	Labor & Material
5027a	Painting Materials		Included in Labor line
5028	Acoustical Sealants Labor		N/A None on Drawings

5028a	Acoustical Sealants Material		N/A None on Drawings
5029	Interior Wall Coverings Labor	\$950.00	Rubber Base only - labor and materials
5029a	Interior Wall Coverings Material		N/A None on Drawings
5030	Wall Tile Labor		N/A None on Drawings
5030a	Wall Tile Material		N/A None on Drawings
5031	Exterior Railing Labor		N/A None on Drawings
5031a	Exterior Railing Materials		N/A None on Drawings
5032	Interior Stair/Hand rails Labor	\$14,872.00	Labor & Materials at Mezz
5032a	Interior Stair/Hand rails Material		Included in Labor line
5033	Elevator Labor		N/A None on Drawings
5033a	Elevator Materials		N/A None on Drawings
5034	Elevator Access Hatch Labor		N/A None on Drawings
5034a	Elevator Access Hatch Material		N/A None on Drawings
5035	Elevator Pit Ladder Labor		N/A None on Drawings
5035a	Elevator Pit Ladder Material		N/A None on Drawings
5036	Finish Work/Trim Labor		N/A None on Drawings
5036a	Finish Work/Trim Materials		N/A None on Drawings
5037	Suspended Ceiling Labor		N/A None on Drawings
5037a	Suspended Ceiling Material		N/A None on Drawings
5038	Bathroom Accessories Labor	\$1,000.00	Allowance
5038a	Bathroom Accessories Materials		Included in Labor line
5039	Shower Sliding Glass Doors Labor		N/A None on Drawings
5039a	Shower Sliding Glass Doors Material		N/A None on Drawings
5040	Cultured Marble at Tubs/Shower Labor		N/A None on Drawings
5040a	Cultured Marble at Tubs/Shower Material		N/A None on Drawings
5041	Cultured Marble at Vanity Labor		N/A None on Drawings
5041a	Cultured Marble at Vanity Material		N/A None on Drawings
5042	Hardware Labor		Door hardware included in Interior Doors
5042a	Hardware Materials		Door hardware included in Interior Doors
5043	Lighting Allowance		Included in Electrical
5044	Fixtures/Mirrors Labor		N/A None on Drawings
5044a	Fixtures/Mirrors Materials		N/A None on Drawings
5045	Closet Organizers Labor		N/A None on Drawings
5045a	Closet Organizers Material		N/A None on Drawings
5046	Gutters/Downspouts/Scuppers Labor		Included in Steel Labor
5046a	Gutters/Downspouts/Scuppers Materials		Provided by Owner with PEMB Package
5047	Exterior Cultured Stone Labor		N/A None on Drawings
5047a	Exterior Cultured Stone Materials		N/A None on Drawings
5048	Interior Cultured Stone Labor		N/A None on Drawings
5048a	Interior Cultured Stone Materials		N/A None on Drawings
5049	Exterior EIFS Labor		N/A None on Drawings
5049a	Exterior EIFS Materials		N/A None on Drawings
5050	Roofing Labor		Included in Steel Labor
5050a	Roofing Material		Provided by Owner
5051	Exterior Flashing Labor		Included in Steel Labor
5051a	Exterior Flashing Material		Provided by Owner
5052	Pre-fab Metal Window Awnings Labor		N/A None on Drawings
5052a	Pre-fab Metal Window Awnings Material		N/A None on Drawings
5053	Interior Signage Labor	\$400.00	
5053a	Interior Signage Material		Included in Labor line
5054	Exterior Signage Labor		N/A None on Drawings
5054a	Exterior Signage Material		N/A None on Drawings
5055	Swimming Pool and Spa Labor		N/A None on Drawings
5055a	Swimming Pool and Spa Material		N/A None on Drawings
5056	Swimming Pool & Spa Equipment Labor		N/A None on Drawings
5056a	Swimming Pool & Spa Equipment Material		N/A None on Drawings
5057	Swimming Pool Lift Labor		N/A None on Drawings
5057a	Swimming Pool Lift Material		N/A None on Drawings
5058	Swimming Pool Waterslide Labor		N/A None on Drawings
5058a	Swimming Pool Waterslide Material		N/A None on Drawings
5059	Lobby Fireplace Labor		N/A None on Drawings
5059a	Lobby Fireplace Material		N/A None on Drawings
	Sectional Overhead Doors	\$36,111.00	Labor and Materials

	Interior Subtotal	\$655,144.00	
6000	Site Clearing Labor	\$7,000.00	Labor & Materials
6000a	Site Clearing Material		Included in Labor line
6001	Site Grading Labor	\$45,700.00	Labor & Materials
6001a	Site Grading Material		Included in Labor line
6002	Site Utilities Labor	\$17,680.00	Labor & Materials
6002a	Site Utilities Material		Included in Labor line
6003	Curb and Gutter Labor		N/A None on Drawings
6003a	Curb and Gutter Material		N/A None on Drawings
6004	Site Concrete Flatwork Labor	\$68,000.00	Labor & Materials
6004a	Site Concrete Flatwork Material		Included in Labor line
6005	Site Drainage System Labor		Included in Utilities
6005a	Site Drainage System Materials		Included in Utilities
6006	Parking Lot Prep and Asphalt Labor		N/A None on Drawings
6006a	Parking Lot Prep and Asphalt Material		N/A None on Drawings
6007	Parking striping and signage Labor		N/A None on Drawings
6007a	Parking striping and signage Material		N/A None on Drawings
6008	Exterior Lighting Labor	\$3,500.00	Labor & Materials
6008a	Exterior Lighting Material		Included in labor line
6009	Landscaping Labor		N/A None on Drawings
6009a	Landscaping Material		N/A None on Drawings
6010	Dumpster Enclosure & Gates Labor		N/A None on Drawings
6010a	Dumpster Enclosure & Gates Material		N/A None on Drawings
6011	Site Flagpole & Footing Labor		N/A None on Drawings
6011a	Site Flagpole & Footing Material		N/A None on Drawings
6012	Site Protective Bollards Labor	\$16,900.00	Labor & Materials
6012a	Site Protective Bollards Material		
6013	Site Staking	\$4,000.00	
6014	Site Testing		Provided by Owner
	4 Hydrants (1 at each bldg corner)	\$4,500.00	
	Chainlink Fencing and Gate	\$60,750.00	Labor & Materials
	Exterior Subtotal	\$228,030.00	
7000	Backfill/Clean Up	\$2,500.00	
7001	Contingency	\$4,000.00	
7002	General Contractor Fee	\$39,500.00	
7003	General Conditions	\$104,155.00	
7004	Construction Bond	\$14,500.00	
	General Subtotal	\$164,655.00	
	Grand Total	\$1,073,929.00	
	Building 1 Total (Main Road Facility Building)	\$998,012.00	
	Building 2 Total (Salt Shed)	\$49,425.00	Concrete L&M, Steel Labor
	Building 3 Total (Covered Equipment Rack)	\$26,492.00	Concrete L&M, Steel Labor

Contractor Bid Authorization Signature:



11/16/2022

Rob Allred - Manager - PRT BUILDERS LLC

Thomas Avant
PE, SE, PLS
CEO

Mike Downward, PE
VP Structural



Joshua Beazer, EIT
VP Civil

Chris Heaton
VP Development

November 11, 2022

To the bid review committee,

On behalf of Kane County, Iron Rock Group has overseen the bidding process for the Kane County Road Facility project intended to be constructed near Glendale, UT within the 2023 calendar year. The bidding window closed yesterday, Thursday, November 10th at 10:00 am. Two bids were received and were opened and reviewed by a bid review committee consisting of Bert Harris (Kane County) and Matt Henke (IRG) at 11:00 am that same day. The two bidding entities are:

- Maxwell Construction (195 E. Center, Glendale, Utah 84729)
- PRT Builders LLC (1870 N Main St. Ste 100, Cedar City, UT 84721)

The following represents Iron Rock Group's observations and recommendations after reviewing and comparing each bid.

Grand Totals: Bid totals came in well within comparable percentages of each other. PRT was the low bid at \$1,047,329.00 and Maxwell the high at \$1,059,174.00—a difference of \$11,845.00 (less than 1.2%).

Cost Differences: The majority of all line items between the bids were comparable. Where larger discrepancies were observed, clarifying notes were provided by the contractors which Iron Rock found to be satisfactory explanations for the high/low-cost variations.

A notable difference came in General Fees & Conditions with PRT's general line items at 16% of overall construction costs and Maxwell's at 21% of overall construction costs.

Potential for Change Orders: Because of the evolving nature of this project, and the owner's unique involvement in utilities, construction contributions, etc. a greater amount of specification was left to the interpretation of the contractors than otherwise might be typical. Iron Rock found PRT Builders to be highly proactive in their RFI process (seeking plan and design clarifications) while Maxwell chose to provide allowance amounts in their bid based on their own experience in commercial construction.

Kane County has prior experience working with Maxwell and based on this experience, Maxwell understands the complexity of construction, communicates well with their clients, and uses change orders only as a last resort.

PRT has not performed any work for Kane County before but provided a reputable portfolio of work and references of past clients including other municipalities and government agencies including the State of Utah.



Construction Timeline & Duration: The largest variation between bids received was that of proposed timeline.

PRT's earliest available start date is January 1st, 2023 with a construction timeline of 150 days (PRT clarified that they could also start earlier if the County can coordinate removal of the overhead power line).

Maxwell's earliest available start date is March 2023 with a construction timeline of 400 days. Maxwell has since amended their duration timeline to 200 days from start of construction.

Maxwell is already the recipient of two other County projects which are anticipated to begin construction in February 2023 which Iron Rock assumes is the main factor in their extended timeline.

Recommendation Summary: Iron Rock has found no glaring discrepancies in either bid submitted. What few clarifying questions we do have will be coordinated with Bert Harris and submitted separately to the two contractors.

Iron Rock feels confident in recommending either contractor on the basis of cost, reputation, and owner-contractor relations.

Maxwell Construction has a proven track record with work completed for the County, which is a valuable consideration, but their availability, current work load, and proposed timeline may present concern for the county.

PRT presents the greatest relational risk to the county since they have do not have an established local rapport, but if construction timeline is a crucial factor, PRT is the clear forerunner choice.

If I can provide additional assistance as the County deliberates this decision, feel free to contact me regarding further questions.

Respectfully,

Matthew Henke | AIT
IR GROUP

matt@ireng.net

O: (435) 644-2031 Ext. 111

C: (435) 406-4938

ironrockeng.com

matt@ireng.net

From: rob@prtbuilders.com
Sent: Thursday, November 10, 2022 9:55 AM
To: matt@ireng.net
Cc: bids@prtbuilders.com
Subject: RE: NOTICE TO BIDDERS Kane County Road Facility
Attachments: CONTRACT+PID+FORM_KANE+COUNTY+ROAD+FACILITY_22-1012 PRT BUILDERS.pdf; PRT Project References.pdf

Matt,

We are pleased to present you with a proposal for the work on the **Kane County Road Facility**.

We have attached the CONTRACT BID FORM as requested.

Please note that there were 2 large scope items that we did not see items for on the schedule: **Sectional OH Doors and Fencing and Gates** at the Site which we provided breakouts for.

We acknowledge the following:

- Addendum #1
- RFI 2 Questions and Answers
- PEMB Drawings Received 10/20/22
- Updated Bid set dated 11/01/22
- Soils report received 11/01/22

Scope Notes:

- No bollards were indicated on the drawings. While these are recommended we did not include them in our proposal at this time and can provide pricing form them upon request.
- Power to the building to be provided by Garkane / Owner.
- No plumbing or HVAC drawings were provided.
 - o Below are breakouts for what is provided:
 - o HVAC
- **Supply & Install (1) 3-ton Carrier Fancoil w/heat strip, & 15 SEER Heat Pump Condenser**
- **Supply & Install Line set, Thermostat, and Thermostat wire**
- **Supply & Install (1) Panasonic Bathroom Exhaust Fan and venting**
- **Supply & Install (2) 175,000 BTU Reznor Gas Unit Heaters (w/LP kits if needed), Thermostats, and associated venting (excluding conduit for thermostats)**
- **Supply & Install Duct Design, Duct, Round Pipe, Flex, etc, for Fancoil system**
- **Supply & Install Diffusers and Grilles as necessary**
- **Supply & Install Recessed Dryer Box and venting to exterior**
 - o **PLUMBING**
- emergency eyewash station, drinking fountain with bottle filler, washing machine box, 50 gallon electric water heater, wall hung bathroom lav sink, ADA height toilet, urinal and flush valve, floor drain, 36" fiberglass shower stall, kitchen sink with faucet and disposal. Includes Trench drain at shop. This price does not include insulation on the piping (if required)

Please let me know if you have any questions or if we can be of further assistance.

Kind regards,
Rob Allred – Manager
Office: (435) 383-8799
Cell: (970) 623-4304

CONTRACTOR BID FORM

Submitted to Iron Rock Group (on behalf of Kane County):

460 East 300 South, Suite 1

Kanab, Utah 84741

Phone: (435) 644-2031

Email: matt@ireng.net

For Contract Work on the:

Kane County Road Facility

Parcel G-2-90-ANNEX

Kane County, UT

Company Name: **PRT BUILDERS LLC**

Phone:

Office: (435) 383-8799

Cell: (970) 623-4304

Address:

1870 N. Main St., Suite 100, Cedar City, UT 84721

License No.:

10389401-5501

Earliest available start date:

1/1/2023

Total # calendar days to complete project:

150

Item #	Description:	Amount:	
5001	Permits/Fees		To be paid by owner
5002	Utility Hook Up		To be paid by owner
5003	Electrical Hook Up		To be paid by owner
5004	Site Mobilization	\$20,000.00	
5005	Temporary Utilities	\$1,800.00	
5006	Temporary Restroom Facilities	\$1,800.00	
5007	Temporary Trash	\$2,500.00	
	Pre-Construction Subtotal:	\$26,100.00	
5010	Concrete Labor	\$198,000.00	Labor & Materials
5010a	Concrete Materials		Included in Labor line
5011	Framing Labor	\$14,000.00	
5011a	Framing Materials	\$28,133.00	Wood Framing
5012	Structural Steel Labor	\$125,665.00	Includes insulation install at PEMB
5012a	Structural Steel Material		Provided by Owner.
5013	Insulation Labor (Excludes PEMB Insulation)	\$3,500.00	Labor & Material
5013a	Insulation Materials		Included in Labor line
5014	Drywall Labor	\$13,200.00	Labor & Material
5014a	Drywall Materials		Included in Labor line
5015	HVAC Labor	\$49,000.00	Labor & Material
5015a	HVAC Materials		Included in Labor line
5016	Plumbing Labor	\$49,266.00	Labor & Material
5016a	Plumbing Materials		Included in Labor line
5017	Fire Sprinklers Labor		N/A None on Drawings
5017a	Fire Sprinklers Material		N/A None on Drawings
5018	Fire Caulking and Sealant Labor		N/A None on Drawings
5018a	Fire Caulking and Sealant Material		N/A None on Drawings
5019	Fire Alarm System Labor		N/A None on Drawings
5019a	Fire Alarm System Materials		N/A None on Drawings
5020	Security System Labor		N/A None on Drawings
5020a	Security System Material		N/A None on Drawings
5021	Electrical Labor	\$80,000.00	Labor & Material - See scope notes
5021a	Electrical Materials		Included in Labor line
5022	Flooring Labor	\$2,500.00	Sealor at Concrete where called for
5022a	Flooring Materials		Included in Labor line
5023	Cabinet Labor	\$5,302.00	Cabinets and Tops - Labor and Material
5023a	Cabinet Materials		Included in Labor line
5024	Interior Doors Labor	\$6,900.00	
5024a	Interior Doors Materials	\$12,795.00	
5025	Windows Labor	\$1,000.00	
5025a	Windows Materials	\$2,250.00	
5026	Exterior Doors Labor		Included in Interiors #
5026a	Exterior Doors Materials		Provided by Owner.
5027	Painting Labor	\$6,800.00	Labor & Material
5027a	Painting Materials		Included in Labor line
5028	Acoustical Sealants Labor		N/A None on Drawings

5028a	Accoustical Sealants Material		N/A None on Drawings
5029	Interior Wall Coverings Labor		N/A None on Drawings
5029a	Interior Wall Coverings Material		N/A None on Drawings
5030	Wall Tile Labor		N/A None on Drawings
5030a	Wall Tile Material		N/A None on Drawings
5031	Exterior Railing Labor		N/A None on Drawings
5031a	Exterior Railing Materials		N/A None on Drawings
5032	Interior Stair/Hand rails Labor	\$14,872.00	Labor & Materials at Mezz
5032a	Interior Stair/Hand rails Material		Included in Labor line
5033	Elevator Labor		N/A None on Drawings
5033a	Elevator Materials		N/A None on Drawings
5034	Elevator Access Hatch Labor		N/A None on Drawings
5034a	Elevator Access Hatch Material		N/A None on Drawings
5035	Elevator Pit Ladder Labor		N/A None on Drawings
5035a	Elevator Pit Ladder Material		N/A None on Drawings
5036	Finish Work/Trim Labor		N/A None on Drawings
5036a	Finish Work/Trim Materials		N/A None on Drawings
5037	Suspended Ceiling Labor		N/A None on Drawings
5037a	Suspended Ceiling Material		N/A None on Drawings
5038	Bathroom Accessories Labor	\$400.00	Grab Bars only
5038a	Bathroom Accessories Materials		Included in Labor line
5039	Shower Sliding Glass Doors Labor		N/A None on Drawings
5039a	Shower Sliding Glass Doors Material		N/A None on Drawings
5040	Cultured Marble at Tubs/Shower Labor		N/A None on Drawings
5040a	Cultured Marble at Tubs/Shower Material		N/A None on Drawings
5041	Cultured Marble at Vanity Labor		N/A None on Drawings
5041a	Cultured Marble at Vanity Material		N/A None on Drawings
5042	Hardware Labor		Door hardware included in Interior Doors
5042a	Hardware Materials		Door hardware included in Interior Doors
5043	Lighting Allowance		Included in Electrical
5044	Fixtures/Mirrors Labor		N/A None on Drawings
5044a	Fixtures/Mirrors Materials		N/A None on Drawings
5045	Closet Organizers Labor		N/A None on Drawings
5045a	Closet Organizers Material		N/A None on Drawings
5046	Gutters/Downspouts/Scuppers Labor		Included in Steel Labor
5046a	Gutters/Downspouts/Scuppers Materials		Provided by Owner with PEMB Package
5047	Exterior Cultured Stone Labor		N/A None on Drawings
5047a	Exterior Cultured Stone Materials		N/A None on Drawings
5048	Interior Cultured Stone Labor		N/A None on Drawings
5048a	Interior Cultured Stone Materials		N/A None on Drawings
5049	Exterior EIFS Labor		N/A None on Drawings
5049a	Exterior EIFS Materials		N/A None on Drawings
5050	Roofing Labor		Included in Steel Labor
5050a	Roofing Material		Provided by Owner
5051	Exterior Flashing Labor		Included in Steel Labor
5051a	Exterior Flashing Material		Provided by Owner
5052	Pre-fab Metal Window Awnings Labor		N/A None on Drawings
5052a	Pre-fab Metal Window Awnings Material		N/A None on Drawings
5053	Interior Signage Labor	\$250.00	
5053a	Interior Signage Material		Included in Labor line
5054	Exterior Signage Labor		N/A None on Drawings
5054a	Exterior Signage Material		N/A None on Drawings
5055	Swimming Pool and Spa Labor		N/A None on Drawings
5055a	Swimming Pool and Spa Material		N/A None on Drawings
5056	Swimming Pool & Spa Equipment Labor		N/A None on Drawings
5056a	Swimming Pool & Spa Equipment Material		N/A None on Drawings
5057	Swimming Pool Lift Labor		N/A None on Drawings
5057a	Swimming Pool Lift Material		N/A None on Drawings
5058	Swimming Pool Waterslide Labor		N/A None on Drawings
5058a	Swimming Pool Waterslide Material		N/A None on Drawings
5059	Lobby Fireplace Labor		N/A None on Drawings
5059a	Lobby Fireplace Material		N/A None on Drawings
	Sectional Overhead Doors	\$36,111.00	Labor and Materials

	Interior Subtotal	\$649,944.00	
6000	Site Clearing Labor	\$7,000.00	Labor & Materials
6000a	Site Clearing Material		Included in Labor line
6001	Site Grading Labor	\$45,700.00	Labor & Materials
6001a	Site Grading Material		Included in Labor line
6002	Site Utilities Labor	\$17,680.00	Labor & Materials
6002a	Site Utilities Material		Included in Labor line
6003	Curb and Gutter Labor		N/A None on Drawings
6003a	Curb and Gutter Material		N/A None on Drawings
6004	Site Concrete Flatwork Labor	\$68,000.00	Labor & Materials
6004a	Site Concrete Flatwork Material		Included in Labor line
6005	Site Drainage System Labor		Included in Utilities
6005a	Site Drainage System Materials		Included in Utilities
6006	Parking Lot Prep and Asphalt Labor		N/A None on Drawings
6006a	Parking Lot Prep and Asphalt Material		N/A None on Drawings
6007	Parking striping and signage Labor		N/A None on Drawings
6007a	Parking striping and signage Material		N/A None on Drawings
6008	Exterior Lighting Labor	\$3,500.00	
6008a	Exterior Lighting Material		Included in labor line
6009	Landscaping Labor		N/A None on Drawings
6009a	Landscaping Material		N/A None on Drawings
6010	Dumpster Enclosure & Gates Labor		N/A None on Drawings
6010a	Dumpster Enclosure & Gates Material		N/A None on Drawings
6011	Site Flagpole & Footing Labor		N/A None on Drawings
6011a	Site Flagpole & Footing Material		N/A None on Drawings
6012	Site Protective Bollards Labor		N/A None on Drawings
6012a	Site Protective Bollards Material		N/A None on Drawings
6013	Site Staking	\$4,000.00	
6014	Site Testing		Provided by Owner
	Chainlink Fencing and Gate	\$60,750.00	Labor & Materials
	Exterior Subtotal	\$206,630.00	
7000	Backfill/Clean Up	\$2,500.00	
7001	Contingency	\$4,000.00	
7002	General Contractor Fee	\$39,500.00	
7003	General Conditions	\$104,155.00	
7004	Construction Bond	\$14,500.00	
	General Subtotal	\$164,655.00	
	Grand Total	\$1,047,329.00	
	Building 1 Total (Main Road Facility Building)	\$971,412.00	
	Building 2 Total (Salt Shed)	\$49,425.00	
	Building 3 Total (Covered Equipment Rack)	\$26,492.00	

Contractor Bid Authorization Signature:

11/10/2022

Rob Allred - Manager - PRT BUILDERS LLC



435-648-2205 michael.k.maxwell@gmail.com 195 E. Center, Glendale, Utah 84729
License #327220-5501

November 16, 2022

To: IronRock Group and Kane County Representatives

Maxwell Construction submits this letter to accompany our amended bid in order to provide clarification that all responsibilities of the General Contractor, in regards to the Kane County Road Shed project, have been accounted for and included in our bid.

Any amendments we have made to our original bid are shown in red on the bid form.

The following table gives our response to the "Responsibility Matrix" provided by IronRock.

Response to Responsibility Matrix			
1	No change to original bid	10	No change to original bid - installation of signage, purchase and install of toilet and bath accessories is included.
2	22 Protective bollards and 4 frost free hydrants have been added to the updated bid form. No other changes made.	11	No change to original bid
3	An adjustment to exterior concrete was made based on updated information received from IronRock.	12	Installation of signage covered in original bid.
5	No change to original bid	21	Fire extinguishers provided by owner - GC can install
6	No change to original bid	22	Install of 4 frost free hydrants has been added to bid
7	Installation of gutters and downspouts is included in bid if materials are provided with building package.	23	No change to original bid
8	Material cost for 5 exterior doors removed from bid.	26	No change to original bid
9	No change to original bid	27	Will coordinate with Owner IT Department
		28	Will coordinate with Owner IT Department
		**	Garage roll up doors including electric openers were included in original bid.

We appreciate the opportunity to bid on this project.

Sincerely,

Michael Maxwell

Maxwell Construction Inc.

CONTRACTOR BID FORM			
Submitted to Iron Rock Group (on behalf of Kane County):			
460 East 300 South, Suite 1		For Contract Work on the:	
Kanab, Utah 84741		Kane County Road Facility	
Phone: (435) 644-2031		Parcel G-2-90-ANNEX	
Email: matt@ireng.net		Kane County, UT	
Company Name:	Maxwell Construction		
Phone:	Office: (435) 648-2205	Cell: (435) 817-7176	
Address:	195 E. Center, P.O. Box 129, Glendale, Utah 84729		
License No.:	372720-5501		
Earliest available start date:	1/1/2023 **Actual start date of project dependent on weather		
Total # calendar days to complete project:	200		
Item #	Description:	Amount:	
5001	Permits/Fees	NA	
5002	Utility Hook Up	NA	
5003	Electrical Hook Up	NA	
5004	Site Mobilization	\$6000.00	
5005	Temporary Utilities	\$3000.00	
5006	Temporary Restroom Facilities	\$3500.00	
5007	Temporary Trash	\$4000.00	
	Pre-Construction Subtotal:	\$16500.00	
5010	Concrete Labor	\$56650.00	
5010a	Concrete Materials	\$118377.00	
5011	Framing Labor	\$11511.00	
5011a	Framing Materials	\$10496.00	
5012	Structural Steel Labor	\$104486.00	
5012a	Structural Steel Material		*PROVIDED BY KANE COUNTY*
5013	Insulation Labor	\$7625.00	Insulation and sound batt for administrative area.
5013a	Insulation Materials		
5014	Drywall Labor	\$12500.00	5/8" Drywall in administrative area only.
5014a	Drywall Materials		
5015	HVAC Labor	\$10950.00	2 Ton Bryant split system unit for administrative area.
5015a	HVAC Materials		
5016	Plumbing Labor	\$83450.00	Does not include plumbing for water or compressed air in show area. Shop heaters included. INCLUDES 4 FROST FREE HYDRANTS
5016a	Plumbing Materials		
5017	Fire Sprinklers Labor		
5017a	Fire Sprinklers Material		
5018	Fire Caulking and Sealant Labor		
5018a	Fire Caulking and Sealant Material		
5019	Fire Alarm System Labor		
5019a	Fire Alarm System Materials		
5020	Security System Labor		
5020a	Security System Material		
5021	Electrical Labor	\$88350.00	
5021a	Electical Materials		
5022	Flooring Labor		
5022a	Flooring Materials		
5023	Cabinet Labor	\$5940.00	Allowance for cabinets and countertops.
5023a	Cabinet Materials		
5024	Interior Doors Labor	\$1500.00	
5024a	Interior Doors Materials	\$3000.00	Allowance
5025	Windows Labor	\$1500.00	
5025a	Windows Materials	\$1561.00	Allowance

5026	Exterior Doors Labor				\$5000.00	Allowance - INCLUDES LABOR ONLY FOR 5
5026a	Exterior Doors Materials				\$6000.00	EXTERIOR DOORS PROVIDED WITH BUILDING PACKAGE
5027	Painting Labor					
5027a	Painting Materials				\$9816.00	Allowance - Does not include any painting in shop area except designated caution painting on floor.
5028	Accoustical Sealants Labor					
5028a	Accoustical Sealants Material					
5029	Interior Wall Coverings Labor					
5029a	Interior Wall Coverings Material					
5030	Wall Tile Labor					
5030a	Wall Tile Material					
5031	Exterior Railing Labor					
5031a	Exterior Railing Materials				\$7842.00	
5032	Interior Stair/Hand rails Labor					
5032a	Interior Stair/Hand rails Material					
5033	Elevator Labor					
5033a	Elevator Materials					
5034	Elevator Access Hatch Labor					
5034a	Elevator Access Hatch Material					
5035	Elevator Pit Ladder Labor					
5035a	Elevator Pit Ladder Material					
5036	Finish Work/Trim Labor					
5036a	Finish Work/Trim Materials				\$1500.00	Allowance for rubber base in administrative area only.
5037	Suspended Ceiling Labor					
5037a	Suspended Ceiling Material					
5038	Bathroom Accessories Labor					
5038a	Bathroom Accessories Materials				\$1000.00	Allowance
5039	Shower Sliding Glass Doors Labor					
5039a	Shower Sliding Glass Doors Material					
5040	Cultured Marble at Tubs/Shower Labor					
5040a	Cultured Marble at Tubs/Shower Material					
5041	Cultured Marble at Vanity Labor					
5041a	Cultured Marble at Vanity Material					
5042	Hardware Labor					
5042a	Hardware Materials				\$5200.00	Allowance
5043	Lighting Allowance					
5044	Fixtures/Mirrors Labor					
5044a	Fixtures/Mirrors Materials					*Included in bathroom accessories
5045	Closet Organizers Labor					
5045a	Closet Organizers Material					
5046	Gutters/Downspouts/Scuppers Labor					
5046a	Gutters/Downspouts/Scuppers Materials					
5047	Exterior Cultured Stone Labor					
5047a	Exterior Cultured Stone Materials					
5048	Interior Cultured Stone Labor					
5048a	Interior Cultured Stone Materials					
5049	Exterior EIFS Labor					
5049a	Exterior EIFS Materials					
5050	Roofing Labor					
5050a	Roofing Material					
5051	Exterior Flashing Labor					
5051a	Exterior Flashing Material				\$1400.00	Allowance
5052	Pre-fab Metal Window Awnings Labor					
5052a	Pre-fab Metal Window Awnings Material					
5053	Interior Signage Labor					
5053a	Interior Signage Material					
5054	Exterior Signage Labor					
5054a	Exterior Signage Material					
5055	Swimming Pool and Spa Labor					
5055a	Swimming Pool and Spa Material					
5056	Swimming Pool & Spa Equipment Labor					

5056a	Swimming Pool & Spa Equipment Material					
5057	Swimming Pool Lift Labor					
5057a	Swimming Pool Lift Material					
5058	Swimming Pool Waterslide Labor					
5058a	Swimming Pool Waterslide Material					
5059	Lobby Fireplace Labor					
5059a	Lobby Fireplace Material					
	Garage Door Labor				\$5330.00	Allowance for garage doors per plan including electric openers.
	Garage Door Material				\$30782.00	
	Appliances					Removed per IronRock Letter Dated 11/14/22
	Interior Subtotal				\$591766.00	
6000	Site Clearing Labor					
6000a	Site Clearing Material					
6001	Site Grading Labor				\$35500.00	
6001a	Site Grading Material				\$10400.00	
6002	Site Utilities Labor				\$17680.00	Price for Septic and Grease Trap - ALL OTHER UTILITIES BY OWNER
6002a	Site Utilities Material					
6003	Curb and Gutter Labor					
6003a	Curb and Gutter Material					
6004	Site Concrete Flatwork Labor				\$76740.00	Heavy duty concrete slab
6004a	Site Concrete Flatwork Material					
6005	Site Drainage System Labor					
6005a	Site Drainage System Materials					
6006	Parking Lot Prep and Asphalt Labor					
6006a	Parking Lot Prep and Asphalt Material					
6007	Parking striping and signage Labor					
6007a	Parking striping and signage Material					
6008	Exterior Lighting Labor					
6008a	Exterior Lighting Material					
6009	Landscaping Labor				\$59508.00	Allowance for fencing per plan including electric gate and electric connection - TRENCHING POWER TO GATE BY OWNER
6009a	Landscaping Material					
6010	Dumpster Enclosure & Gates Labor					
6010a	Dumpster Enclosure & Gates Material					
6011	Site Flagpole & Footing Labor					
6011a	Site Flagpole & Footing Material					
6012	Site Protective Bollards Labor				\$11605.00	
6012a	Site Protective Bollards Material				\$5500.00	
6013	Site Staking				\$5000.00	
6014	Site Testing					BY OWNER
	Exterior Subtotal				\$221933.00	
7000	Backfill/Clean Up				\$8500.00	
7001	Contingency				\$18850.00	
7002	General Contractor Fee				\$140000.00	
7003	General Conditions				\$27000.00	
7004	Construction Bond				\$30000.00	
	General Subtotal				\$224350.00	
	Grand Total				\$1054549.00	
	Building 1 Total (Main Road Facility Building)				\$941667.00	
	Building 2 Total (Salt Shed)				\$72713.00	

	Building 3 Total (Covered Equipment Rack)	\$40169.00	
Contractor Bid Authorization Signature:			Nov 16, 2022



435-648-2205 michael.k.maxwell@gmail.com 195 E. Center, Glendale, Utah 84729
License #327220-5501

November 10, 2022

To: IronRock Group and Kane County Representatives

The intent of this letter is to address a concern regarding the bid process of the Kane County Road Shed project.

Maxwell Construction, along with many of the subcontractors with which we frequently work, have realized there has been much in the Kane County Road Shed project which has been left up to the interpretation of each bidder. The concern is that without exact specifications on all aspects of the project there very well could be a wide variation in each bid submitted based solely on how each bidder interpreted the plans and the needs of Kane County.

It has always been the practice of Maxwell Construction to submit a bid that is as complete and accurate as possible based on our understanding of the plans provided as well as our understanding of the needs of the client. Our goal is to be as thorough as possible in our bidding process thus eliminating the need for surprising up-charges or change orders during the course of construction.

We appreciate the opportunity to bid on this project for Kane County and respectfully ask that you take into consideration our concerns as you deliberate on the bids received for the Road Shed project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Maxwell'.

Michael Maxwell

Maxwell Construction Inc.

CONTRACTOR BID FORM			
Submitted to Iron Rock Group (on behalf of Kane County):			
460 East 300 South, Suite 1		For Contract Work on the:	
Kanab, Utah 84741		Kane County Road Facility	
Phone: (435) 644-2031		Parcel G-2-90-ANNEX	
Email: matt@ireng.net		Kane County, UT	
Company Name:	Maxwell Construction		
Phone:	Office: (435) 648-2205	Cell: (435) 817-7176	
Address:	195 E. Center, P.O. Box 129, Glendale, Utah 84729		
License No.:	372720-5501		
Earliest available start date:	March 2023		
Total # calendar days to complete project:	400		
Item #	Description:	Amount:	
5001	Permits/Fees	NA	
5002	Utility Hook Up	NA	
5003	Electrical Hook Up	NA	
5004	Site Mobilization	\$6000.00	
5005	Temporary Utilities	\$3000.00	
5006	Temporary Restroom Facilities	\$3500.00	
5007	Temporary Trash	\$4000.00	
	Pre-Construction Subtotal:	\$16500.00	
5010	Concrete Labor	\$56650.00	
5010a	Concrete Materials	\$118377.00	
5011	Framing Labor	\$11511.00	
5011a	Framing Materials	\$10496.00	
5012	Structural Steel Labor	\$104486.00	
5012a	Structural Steel Material		*PROVIDED BY KANE COUNTY*
5013	Insulation Labor	\$7625.00	Insulation and sound batt for administrative area.
5013a	Insulation Materials		
5014	Drywall Labor	\$12500.00	5/8" Drywall in administrative area only.
5014a	Drywall Materials		
5015	HVAC Labor	\$10950.00	2 Ton Bryant split system unit for administrative area.
5015a	HVAC Materials		
5016	Plumbing Labor	\$81500.00	Does not include plumbing for water or compressed air in show area. Shop heaters included.
5016a	Plumbing Materials		
5017	Fire Sprinklers Labor		
5017a	Fire Sprinklers Material		
5018	Fire Caulking and Sealant Labor		
5018a	Fire Caulking and Sealant Material		
5019	Fire Alarm System Labor		
5019a	Fire Alarm System Materials		
5020	Security System Labor		
5020a	Security System Material		
5021	Electrical Labor	\$88350.00	
5021a	Electrical Materials		
5022	Flooring Labor		
5022a	Flooring Materials		
5023	Cabinet Labor	\$5940.00	Allowance for cabinets and countertops.
5023a	Cabinet Materials		
5024	Interior Doors Labor	\$1500.00	
5024a	Interior Doors Materials	\$3000.00	Allowance
5025	Windows Labor	\$1500.00	
5025a	Windows Materials	\$1561.00	Allowance

5026	Exterior Doors Labor	\$5000.00	
5026a	Exterior Doors Materials	\$10000.00	Allowance
5027	Painting Labor		
5027a	Painting Materials	\$9816.00	Allowance - Does not include any painting in shop area except designated caution painting on floor.
5028	Accoustical Sealants Labor		
5028a	Accoustical Sealants Material		
5029	Interior Wall Coverings Labor		
5029a	Interior Wall Coverings Material		
5030	Wall Tile Labor		
5030a	Wall Tile Material		
5031	Exterior Railing Labor		
5031a	Exterior Railing Materials	\$7842.00	
5032	Interior Stair/Hand rails Labor		
5032a	Interior Stair/Hand rails Material		
5033	Elevator Labor		
5033a	Elevator Materials		
5034	Elevator Access Hatch Labor		
5034a	Elevator Access Hatch Material		
5035	Elevator Pit Ladder Labor		
5035a	Elevator Pit Ladder Material		
5036	Finish Work/Trim Labor		
5036a	Finish Work/Trim Materials	\$1500.00	Allowance for rubber base in administrative area only.
5037	Suspended Ceiling Labor		
5037a	Suspended Ceiling Material		
5038	Bathroom Accessories Labor		
5038a	Bathroom Accessories Materials		Included in plumbing price.
5039	Shower Sliding Glass Doors Labor		
5039a	Shower Sliding Glass Doors Material		
5040	Cultured Marble at Tubs/Shower Labor		
5040a	Cultured Marble at Tubs/Shower Material		
5041	Cultured Marble at Vanity Labor		
5041a	Cultured Marble at Vanity Material		
5042	Hardware Labor		
5042a	Hardware Materials	\$5200.00	Allowance
5043	Lighting Allowance		
5044	Fixtures/Mirrors Labor	\$200.00	
5044a	Fixtures/Mirrors Materials	\$300.00	Allowance
5045	Closet Organizers Labor		
5045a	Closet Organizers Material		
5046	Gutters/Downspouts/Scuppers Labor		
5046a	Gutters/Downspouts/Scuppers Materials		
5047	Exterior Cultured Stone Labor		
5047a	Exterior Cultured Stone Materials		
5048	Interior Cultured Stone Labor		
5048a	Interior Cultured Stone Materials		
5049	Exterior EIFS Labor		
5049a	Exterior EIFS Materials		
5050	Roofing Labor		
5050a	Roofing Material		
5051	Exterior Flashing Labor		
5051a	Exterior Flashing Material	\$1400.00	Allowance
5052	Pre-fab Metal Window Awnings Labor		
5052a	Pre-fab Metal Window Awnings Material		
5053	Interior Signage Labor		
5053a	Interior Signage Material		
5054	Exterior Signage Labor		
5054a	Exterior Signage Material		
5055	Swimming Pool and Spa Labor		
5055a	Swimming Pool and Spa Material		
5056	Swimming Pool & Spa Equipment Labor		

5056a	Swimming Pool & Spa Equipment Material			
5057	Swimming Pool Lift Labor			
5057a	Swimming Pool Lift Material			
5058	Swimming Pool Waterslide Labor			
5058a	Swimming Pool Waterslide Material			
5059	Lobby Fireplace Labor			
5059a	Lobby Fireplace Material			
	Garage Door Labor		\$5330.00	
	Garage Door Material		\$30782.00	
	Appliances		\$5400.00	Allowance for refrigerator, washer, dryer
	Interior Subtotal		\$598716.00	
6000	Site Clearing Labor			
6000a	Site Clearing Material			
6001	Site Grading Labor		\$35500.00	
6001a	Site Grading Material		\$10400.00	
6002	Site Utilities Labor		\$17680.00	Price for Septic and Grease Trap - ALL OTHER UTILITIES BY OWNER
6002a	Site Utilities Material			
6003	Curb and Gutter Labor			
6003a	Curb and Gutter Material			
6004	Site Concrete Flatwork Labor		\$91520.00	Heavy duty concrete slab
6004a	Site Concrete Flatwork Material			
6005	Site Drainage System Labor			
6005a	Site Drainage System Materials			
6006	Parking Lot Prep and Asphalt Labor			
6006a	Parking Lot Prep and Asphalt Material			
6007	Parking striping and signage Labor			
6007a	Parking striping and signage Material			
6008	Exterior Lighting Labor			
6008a	Exterior Lighting Material			
6009	Landscaping Labor		\$59508.00	Fencing Cost
6009a	Landscaping Material			
6010	Dumpster Enclosure & Gates Labor			
6010a	Dumpster Enclosure & Gates Material			
6011	Site Flagpole & Footing Labor			
6011a	Site Flagpole & Footing Material			
6012	Site Protective Bollards Labor			
6012a	Site Protective Bollards Material			
6013	Site Staking		\$5000.00	
6014	Site Testing			BY OWNER
	Exterior Subtotal		\$219608.00	
7000	Backfill/Clean Up		\$8500.00	
7001	Contingency		\$18850.00	
7002	General Contractor Fee		\$140000.00	
7003	General Conditions		\$27000.00	
7004	Construction Bond		\$30000.00	
	General Subtotal		\$224350.00	
	Grand Total		\$1059174.00	
	Building 1 Total (Main Road Facility Building)		\$821015.00	
	Building 2 Total (Salt Shed)		\$63229.00	

	Building 3 Total (Covered Equipment Rack)	\$34930.00		
Contractor Bid Authorization Signature:				



ITEM # 2

Consideration for Adoption of Resolution MBA-2022-1
Reauthorizing Bylaws for the Municipal Building
Authority of Kane County, Utah; Confirming the Election
of Officers for Such Authority; and Authorizing Other
Action on Behalf of the Authority

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE GOVERNING BOARD OF THE MUNICIPAL
BUILDING AUTHORITY OF KANE COUNTY, UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Governing Board of the Municipal Building Authority of Kane County (the "Authority"), will be held at 76 North Main Street, Kanab, Utah at 2:00 p.m. on November 22, 2022, for the purpose of approving the Bylaws of the Authority and the election of officers, and related matters, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Secretary-Treasurer

ACKNOWLEDGMENT OF NOTICE AND CONSENT TO SPECIAL MEETING

We, the Chair/President and Trustees of the Governing Board of the Authority, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Chair/President

Trustee

Trustee

Kanab, Utah

November 22, 2022

The Board of Trustees (the "Governing Board") of the Municipal Building Authority of Kane County, Utah (the "Authority"), met in special public session at the Authority's Offices, 76 North Main Street, Kanab, Utah, on Tuesday, November 22, 2022, at the hour of 2:00 p.m., with the following members of the Governing Board being present:

Andy Gant	Chair/President
Brent Chamberlain	Trustee
Wade Heaton	Trustee

Also present:

Karla Johnson	Secretary-Treasurer
---------------	---------------------

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this November 22, 2022, meeting was presented to the Board, a copy of which is attached hereto as Exhibit A.

Thereupon, Trustee _____ introduced the following resolution in writing, which was thereupon read and moved for its adoption. Trustee _____ seconded the motion to adopt said resolution and the motion and resolution were adopted on the following recorded vote:

Those voting AYE:

Those voting NAY:

The resolution was then signed by the Chair/President in open meeting and recorded by the Secretary-Treasurer in the official records of the Municipal Building Authority of Kane County, Utah. The resolution is as follows:

A RESOLUTION ADOPTING BYLAWS FOR THE MUNICIPAL BUILDING AUTHORITY OF KANE COUNTY, UTAH; CONFIRMING THE ELECTION OF OFFICERS FOR SUCH AUTHORITY; AND AUTHORIZING OTHER ACTION ON BEHALF OF THE AUTHORITY.

WHEREAS, by a resolution (the "County Resolution") adopted by the County Commission (the "County Commission") of Kane County, Utah (the "County") on September 13, 2022, the County Commission has authorized, approved, and directed, the creation of the Municipal Building Authority of Kane County, Utah (the "Authority"), under the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (the "Act") for the purpose of accomplishing the public purposes for which the County exists by acquiring, improving or extending one or more projects, as defined in the Act, and financing their costs on behalf of the County; and

WHEREAS, pursuant to the County Resolution, the Articles of Incorporation for the Authority (the "Articles") have been filed by the incorporators of the Authority with the Department of Commerce of the State of Utah; and

WHEREAS, the Department of Commerce of the State of Utah has heretofore issued a Certificate of Incorporation for the Authority establishing in all respects the due incorporation and creation of the Authority; and

WHEREAS, pursuant to the County Resolution and under the Articles, the Board of Trustees of the Authority (the "Governing Board") has been authorized to elect officers, adopt bylaws, and to take other action on behalf of the Authority; and

WHEREAS, this organizational meeting of the Governing Board has been duly called pursuant to prescribed notice by the incorporators of the Authority for the purposes set forth in such notice;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MUNICIPAL BUILDING AUTHORITY OF KANE COUNTY, UTAH, AS FOLLOWS:

Section 1. Bylaws for the Authority in the form attached hereto as Exhibit B and as approved by the Board are hereby adopted by the Board of Trustees of the Authority pursuant to their authority under the Articles.

Section 2. The following members and officers of the Governing Board are hereby elected to the respective offices of the Authority set forth below:

Office

President/Chair
Vice President
Secretary-Treasurer

Candidate

Section 3. The officers of the Authority shall file such annual or other reports as are required to be filed with the Department of Commerce of the State of Utah and any other public office and shall do all things necessary and proper to preserve and keep in full force and effect the existence of this Authority.

A motion to adopt the foregoing resolution (the "Resolution") was then duly made by Trustee _____, duly seconded by Trustee _____, and was put to vote and carried, the vote being as follows:

AYE:

NAY:

Thereupon, the President/Chair of the Authority declared the motion carried and the Resolution adopted, and the Secretary-Treasurer was directed to enter the foregoing proceedings and Resolution upon the minutes of the Governing Board.

The foregoing resolution of the Governing Board of the Authority was adopted and approved this November 22, 2022.

**MUNICIPAL BUILDING AUTHORITY
OF KANE COUNTY, UTAH**

(SEAL)

By: _____
President/Chair

ATTEST:

By: _____
Secretary-Treasurer

STATE OF UTAH)
 : ss.
COUNTY OF KANE)

I, Karla Johnson, the undersigned duly qualified and acting Secretary-Treasurer of the Municipal Building Authority of Kane County (the "Authority"), do hereby certify as follows:

That the foregoing typewritten pages constitute a full, true and correct copy of the record of proceedings of the Board of Trustees of the Authority taken at a meeting thereof held on November 22, 2022, commencing at the hour of 2:00 p.m., insofar as said proceedings relate to the consideration and adoption of a resolution authorizing the creation of a building authority; that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of the Authority this November 22, 2022.

(SEAL)

By: _____
Secretary-Treasurer

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Karla Johnson, the duly qualified and acting Secretary-Treasurer of the Municipal Building Authority of Kane County Utah (the "Authority"), do hereby certify, according to the records of the Authority in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the November 22, 2022, public meeting held by the Authority as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Authority's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Southern Utah News at least twenty-four (24) hours prior to the convening of the meeting, either directly or through the newspaper's subscription to the Utah Public Notice Website (<http://pmn.utah.gov>); and

(c) By causing a copy of such Notice to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

The Authority does not schedule its meetings in advance over the course of the year.

IN WITNESS WHEREOF, I have hereunto subscribed my signature this November 22, 2022.

(SEAL)

By: _____
Secretary-Treasurer

SCHEDULE 1

NOTICE OF MEETING

EXHIBIT B

BYLAWS

BYLAWS
OF
MUNICIPAL BUILDING AUTHORITY
OF
KANE COUNTY, UTAH

ARTICLE I

OFFICES

The principal corporate office of the Municipal Building Authority of Kane County, Utah (the "Authority"), shall be located at 76 North Main Street, Kanab, Utah.

ARTICLE II

PURPOSE

The objects and purposes for which the Authority is founded and incorporated are to construct, acquire, improve or extend one or more projects and to finance their costs on behalf of Kane County, Utah (the "County"), in accordance with the procedures and subject to the limitations of the Municipal Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (the "Act"), in order to accomplish the purposes for which the County exists.

In furtherance thereof, the Authority shall have all of the powers set forth in the Act and the Constitution and other laws of the State of Utah. The Authority shall not, however, undertake any of the activities set forth in the preceding paragraph without prior authorization therefor by the County Commission of the County (the "County Commission").

The purpose and essence of the Authority shall be purely civic, benevolent, charitable, and philanthropic. The Authority shall not possess or exercise any power or authority either expressly, by interpretation, or by operation of law that would prevent it at any time from qualifying and continuing to qualify as a corporation described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, nor shall it engage directly or indirectly in any activity which would cause the loss of such qualification. It is hereby expressly declared that this Authority has been organized not for gain, and that no loans, dividends, or other distributions shall ever be declared or paid to any of its trustees or officers. The Authority shall have no shareholders and shall not issue shares of stock and none of its property, real or personal, shall ever be used or expended except in carrying into effect the legitimate ends and aims of the Authority.

At no time shall the Authority engage in any activities which are unlawful under the laws of the United States of America, the State of Utah, or any other jurisdiction wherein it conducts its activities. No substantial part of the activities of the Authority shall include the carrying on of propaganda, or otherwise attempting to influence legislation and the Authority shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office.

ARTICLE III

GOVERNING BOARD

Section 1. General Powers. The affairs of the Authority shall be managed by a governing board (the "Governing Board").

Section 2. Number, Tenure, and Qualifications. The number of trustees shall be three and shall consist of the members of the County Commission as may from time to time serve on such County Commission, and any change in the composition of the membership of the County Commission shall automatically and without any action required hereunder operate to change the composition of the membership of the Governing Board. The initial trustees are designated in the Articles of Incorporation, and each shall serve as a member of the Governing Board for a term of four years or until his/her death, incapacity, resignation, or removal from such office or, if applicable, until such officer shall cease to be a member. Whenever a member of the Governing Board shall cease to be a member, his/her successor shall, upon his/her election and qualification for office, thereupon become a member of the Governing Board. To the extent permitted by law, members of the Governing Board may be removed and replaced by the County Commission at any time in its discretion.

Section 3. Regular Meetings. Regular meetings of the Governing Board shall be held in compliance with the laws of the State of Utah relating to open and public meetings, Title 52, Chapter 4, Utah Code Annotated 1953, as amended (the "Open Meeting Law"), at such times and places as the Governing Board may by resolution designate.

Section 4. Special Meetings. Special meetings of the Governing Board may be called by or at the request of the Chair-President of the Governing Board (the "Chair-President") or any two trustees and shall be held in compliance with the Open Meeting Law, at the principal office of the Authority or at such other place as the Chair-President may determine.

Section 5. Notice. Public notice of all meetings of the Governing Board shall be given in accordance with the Open Meeting Law. Notice to the trustees of any regular meeting of the Governing Board shall be deemed given upon the enactment of the resolution scheduling such meeting. Notice to the trustees of any special meeting of the Governing Board shall be given at least twenty-four (24) hours previously thereto by written notice.

Section 6. Quorum. A majority of the then current membership of the Governing Board shall constitute a quorum for the transaction of business at any meeting of the Governing Board; but if fewer than a majority of the trustees of the Governing Board are present at any meeting, a majority of the trustees present may adjourn the meeting from time to time without further notice.

Section 7. Governing Board Decisions. The act of a majority of the trustees present at a meeting at which a quorum is present shall be the act of the Governing Board, unless the act of a greater number is required by law or by these bylaws (the "Bylaws").

Section 8. Compensation. Trustees as such shall not receive any compensation for their services, but by resolution of the Governing Board, expenses of attendance, if any, may be allowed for attendance at any regular or special meeting of the Governing Board. Nothing herein contained shall be construed to preclude any trustee from serving the Authority in any other capacity and receiving compensation therefor.

ARTICLE IV

OFFICERS

Section 1. Officers. The officers of the Authority shall be a Chair of the Governing Board, who shall also serve as President of the Authority (the "Chair-President"), a Vice President, a Secretary-Treasurer, and such other officers as may be elected in accordance with the provisions of this Article. Any two or more offices may be held by the same person, except the offices of Chair-President and Secretary-Treasurer. Upon their election by the Governing Board or other qualification for office, each officer shall serve a term of four years or until his/her death, incapacity, resignation, or removal from such office or, if applicable, until such officer shall cease to be a member of the County Commission.

Section 2. Election. The officers of the Authority shall be elected by the Governing Board. New offices may be created and filled at any meeting of the Governing Board.

Section 3. Removal. Any officer elected or appointed by the Governing Board may be removed by the Governing Board whenever in its judgment the best interests of the Authority would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancies. A vacancy in any office because of death, resignation, disqualification, or otherwise, may be temporarily filled by another member of the Governing Board for the unexpired portion of the term.

Section 5. Powers and Duties. The several officers shall have such powers and shall perform such duties as may from time to time be specified in resolutions or other directives of the Governing Board. In the absence of such specifications, each officer shall have the powers and authority and shall perform and discharge the duties of officers of the

same title serving in nonprofit corporations having the same or similar general purposes and objectives as this Authority. The powers and the duties of the Chair-President of the Governing Board shall be to make application and implementation of policies and procedures for the day-to-day operation of the Authority and for the operation and administration of any real or personal property owned or controlled by the Authority. The Chair-President of the Governing Board shall also implement the policies as adopted by the Governing Board; and provide a liaison between the Authority and the County Commission and citizens of the County. In the absence of the Chair-President, the Vice President is hereby authorized by these bylaws to act in his place.

ARTICLE V

COMMITTEES

The Governing Board, in its discretion, may constitute and appoint committees to assist in the supervision, management, and control of the affairs of the Authority with responsibilities and powers appropriate to the nature of the several committees and as provided by the Governing Board in the resolution of appointment or in subsequent resolutions and directives. Each committee so constituted and appointed by the Governing Board shall serve at the pleasure of the Governing Board. In addition to such obligations and functions as may be expressly provided by the Governing Board, each committee constituted pursuant to these Bylaws and appointed by the Governing Board shall from time to time report to and advise the Governing Board on corporate affairs within its particular area of responsibility and interest. The Governing Board may provide by general resolution applicable to all such committees for the organization and conduct of the business of the committees. Such committees as provided in this section of these Bylaws shall not have nor exercise the authority of the Governing Board in the management of the Authority. Any member of such committee may be removed by the Governing Board whenever in its judgment the best interests of the Authority shall be served by such removal.

ARTICLE VI

CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 1. Contracts. The Governing Board may authorize any officer or officers, agent, or agents of the Authority to enter into any contract, to execute and deliver any instrument in the name of and on behalf of the Authority and such authority may be general or may be confined to specific instances.

Section 2. Checks, Drafts, or Orders. All checks, drafts, orders for payment of money, notes, or other evidences of indebtedness issued in the name of the Authority shall be signed by such officer or officers, agent, or agents of the Authority, and in such manner as shall from time to time be determined by resolution of the Governing Board. In the absence of such determination by the Governing Board, such instruments shall be signed

by the Chair-President or Vice President and countersigned by the Secretary-Treasurer of the Authority.

Section 3. Deposits. All funds of the Authority shall be deposited from time to time to the credit of the Authority in such banks, trust companies, or other depositories as the Governing Board may select.

Section 4. Gifts. The Governing Board may accept on behalf of the Authority any contribution, gift, bequest, or devise for any purpose of the Authority.

ARTICLE VII

BOOKS AND RECORDS

The Authority shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Governing Board and committees.

ARTICLE VIII

SEAL

The corporate seal for the Authority shall be circular in shape with the words "Municipal Building Authority Seal" at the top and the words "Kane County" at the bottom located on the perimeter of the seal.

ARTICLE IX

WAIVER OF NOTICE

Whenever a notice is required to be given to a member of the Governing Board under the provisions of the statutes of the State of Utah or under the provisions of these Bylaws of the Authority or under the Articles of Incorporation of this Authority, a waiver thereof in writing by each trustee entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE X

MANNER OF OPERATION

Section 1. Operation to be for the Public Good. The Authority shall at all times conduct its operations in a manner consistent with the best interests of the County and the citizens thereof. It is hereby declared that the Authority, having been created pursuant to a resolution duly and regularly adopted by the County Commission shall at all times act

with the approval of the County Commission given by means of a resolution, ordinance, or other official approval of such body.

Section 2. Compliance with Other Requirements of Law. The Authority has been created under and pursuant to the Act and the Utah Revised Nonprofit Corporation Act, Title 16, Chapter 6a, Utah Code Annotated 1953, as amended, and shall operate in strict accordance therewith. The officers of the Authority shall at all times do such things as are required of corporations created under such acts and as may be necessary and proper to preserve and protect the existence of the Authority thereunder.

Section 3. Compliance with Certain Federal Income Tax Revisions. The Authority has been created with the intent that it would qualify as a corporation described under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, as well as under any similar provision of the Internal Revenue Code subsequently enacted. Accordingly, the Authority shall undertake no action which would result in the Authority failing to qualify as a corporation described under said Section of the Internal Revenue Code subsequently enacted.

The undersigned, being the Secretary-Treasurer of the Authority, does hereby certify that the foregoing Bylaws have been duly adopted as Bylaws of the Authority and are the full and complete Bylaws of the Authority as of this date.

DATED at Kane County, Utah, this October ___, 2022.

By: _____
Secretary-Treasurer

ITEM # 3

Consideration for Adoption of Resolution MBA-2022-2
of the Municipal Building Authority of Kane County,
Utah Authorizing the Issuance and Sale of Not More
Than \$3,500,000 Aggregate Principal Amount of Its
Lease Revenue Bonds, Series 2022; and Related
Matters

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE GOVERNING BOARD OF THE MUNICIPAL BUILDING AUTHORITY OF KANE COUNTY, UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Governing Board of the Municipal Building Authority of Kane County (the "Authority"), will be held at 76 North Main Street, Kanab, Utah at 2:00 p.m. on November 22, 2022, for the purpose of authorizing the issuance and sale of the Authority's Lease Revenue Bonds, Series 2022, in a total principal amount of not more than \$3,500,000, and related matters, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Secretary-Treasurer

ACKNOWLEDGMENT OF NOTICE AND CONSENT TO SPECIAL MEETING

We, the Chair/President and Trustees of the Governing Board of the Authority, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Chair/President

Trustee

Trustee

Kanab, Utah

November 22, 2022

The Board of Trustees (the "Governing Board") of the Municipal Building Authority of Kane County, Utah (the "Authority"), met in special public session at the Authority's Offices, 76 North Main Street, Kanab, Utah, on Tuesday, November 22, 2022, at the hour of 2:00 p.m., with the following members of the Governing Board being present:

Andy Gant	Chair/President
Brent Chamberlain	Trustee
Wade Heaton	Trustee

Also present:

Karla Johnson	Secretary-Treasurer
---------------	---------------------

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the Secretary-Treasurer presented to the Governing Board a Certificate of Compliance with Open Meeting Law with respect to this November 22, 2022 meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to a motion duly made by _____ and seconded by _____, adopted by the following vote:

AYE:

NAY:

The resolution was then signed by the Chair/President and recorded by the Secretary-Treasurer in the official records of the Municipal Building Authority of Kane County. The resolution is as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE BY THE MUNICIPAL BUILDING AUTHORITY OF KANE COUNTY (THE "AUTHORITY") OF NOT MORE THAN \$3,500,000 AGGREGATE PRINCIPAL AMOUNT OF ITS LEASE REVENUE BONDS, SERIES 2022 (THE "SERIES 2022 BONDS"); DELEGATING TO CERTAIN OFFICERS OF THE AUTHORITY THE ABILITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SERIES 2022 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; CALLING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION BY THE AUTHORITY OF A MASTER RESOLUTION OF TRUST, MASTER LEASE AGREEMENT, GROUND LEASE, SECURITY DOCUMENTS, AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE SERIES 2022 BONDS; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION, AND RELATED MATTERS.

WHEREAS, the County Commission (the "Commission") of Kane County, Utah (the "County") has previously authorized and directed the creation of the Municipal Building Authority of Kane County (the "Authority"); and

WHEREAS, pursuant to the direction of the Board, the Authority has been duly and regularly created, established and is organized and existing as a nonprofit corporation under and by virtue of the provisions of the Constitution and the laws of the State of Utah, including, in particular, the provisions of the Local Building Authority Act (the "LBA Act"), Title 17D, Chapter 2, of the Utah Code Annotated 1953, as amended (the "Utah Code"); and

WHEREAS, pursuant to the provisions of the LBA Act and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (together, the "Act"), the Board of Trustees (the "Governing Board") of the Authority, has authority to issue its lease revenue bonds for the purpose of financing certain improvements for and on behalf of the Authority; and

WHEREAS, the Authority desires to issue its Lease Revenue Bonds, Series 2022 (to be issued in one or more series and with any other series or title designations of the Authority) (the "Series 2022 Bonds"), in the aggregate principal amount of not to exceed

\$3,500,000 to (a) finance the construction of (i) renovation improvements to the historic school building known as the Kanab Center, Building B and all related improvements and (ii) renovation improvements to the Kane County Administration Building and all related improvements (collectively, the “Series 2022 Project”) and (b) pay costs associated with the issuance of the Series 2022 Bonds; and

WHEREAS, the County is the owner of fee simple title to a portion of the site on which the Series 2022 Project is to be located and the Authority desires to lease such properties from the County pursuant to the terms and provisions of a Ground Lease Agreement, or any amendment thereto, as needed (the “Ground Lease”) in substantially the form presented to this meeting and attached hereto as Exhibit E and herein authorized and approved; and

WHEREAS, the Act provides for the publication of a Notice of Public Hearing and Bonds to Be Issued and the Authority desires to publish such notice in compliance with the Act with respect to the Series 2022 Bonds; and

WHEREAS, pursuant to Sections 11-14-316, 11-14-318 and 17D-2-502 of the Act, the Notice of Public Hearing and Bonds to be Issued shall (a) constitute the notice of intent to issue bonds, (b) constitute notice of a public hearing to receive input from the public with respect to the Series 2022 Bonds and (c) provide for a 30-day period in which the registered voters of the County may submit a written petition requesting an election to approve or disapprove the issuance of the Series 2022 Bonds; and

WHEREAS, the Authority desires to lease the Series 2022 Project, as lessor, on an annually renewal basis, to the County, as lessee, pursuant to the terms and provisions of a Master Lease Agreement and any amendment thereto, as needed (the “Master Lease”) by and between the Authority and the County in substantially the form presented to this meeting and attached hereto as Exhibit C; and

WHEREAS, the Authority proposes to finance the Series 2022 Project and pay costs of issuance by means of the issuance of the Series 2022 Bonds to be issued pursuant to a Master Resolution and a Supplemental Master Resolution (together, the “Master Resolution”) in substantially the form presented to this meeting and attached hereto as Exhibit B; and

WHEREAS, to further secure its payment obligations under the Master Resolution, the Authority proposes to grant a lien on and security interest in the Project pursuant to one or more of the following: (i) one or more Deeds of Trust, Assignment of Rents and Security Agreement, or any amendment thereto, as necessary and (ii) an Assignment of Ground Lease, or any amendment thereto, as needed in substantially the forms presented to this meeting and attached hereto as Exhibit D (collectively the “Security Documents”); and

WHEREAS, it is anticipated that the Authority will sell the Series 2022 Bonds to the State of Utah Permanent Community Impact Fund Board (the “Purchaser”); and

WHEREAS, the Authority desires to improve and promote the general welfare of the citizens of the County by entering into the documents and taking the actions described above; and

WHEREAS, the County has or is expected to authorize, approve and direct the execution of the Master Lease, Ground Lease and the Security Documents by the County and to authorize the issuance of the Series 2022 Bonds, and the financing of the Series 2022 Project by the Authority and to further authorize the execution of the Master Lease, the Master Resolution, the Ground Lease and the Security Documents and certain other acts to be taken by the Authority in connection therewith; and

WHEREAS, in order to allow the Authority flexibility in setting the pricing date of the Series 2022 Bonds, the Authority desires to grant to any one of the Chair/President or Vice Chair/President (the "Designated Officer") the authority to approve the final interest rates, principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2022 Bonds shall be sold and any changes with respect thereto from those terms which were before the Authority at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the "Parameters");

NOW, THEREFORE, it is hereby resolved by the Governing Board of the Municipal Building Authority of Kane County as follows:

Section 1. Terms defined in the foregoing recitals hereto shall have the same meaning when used in this Resolution.

Section 2. The Governing Board hereby finds and determines that it is in the best interests of the Authority and residents of the County for the Authority to issue not more than \$3,500,000 aggregate principal amount of the Series 2022 Bonds (to be issued in one or more series), to bear interest at a rate or rates of not to exceed one percent (1.00%) per annum, to mature in not more than thirty-three (33) years from their dated date, and to be sold at a price not less ninety-eight percent (98%) of the total principal amount thereof to (i) finance the Project and (ii) pay costs of issuance of the Series 2022 Bonds, all pursuant to this Resolution, the Master Resolution and the Master Lease, all substantially in the forms attached hereto, as shall be approved by the Designated Officer, all within the Parameters set forth herein. The issuance of the Series 2022 Bonds shall be subject to the final approval of Bond Counsel and to the approval of the Attorney for the Authority.

Section 3. The Master Resolution, in substantially the form presented to this meeting and attached hereto as Exhibit B is hereby authorized, approved, and confirmed, and the Chair/President or Vice Chair/President and Secretary-Treasurer are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 4. The Master Lease, the Ground Lease and Security Documents, in substantially the respective forms presented to this meeting and attached hereto as exhibits, are in all respects approved, authorized and confirmed, and the Chair/President or Vice

Chair/President and Secretary-Treasurer are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 5. The Designated Officer of the Authority is authorized to make any alterations, changes or additions to the Master Resolution, Master Lease, Ground Lease, Security Documents, the Series 2022 Bonds, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2022 Bonds (within the Parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution, or any resolution adopted by the County or the Authority, the agreements with the Purchaser or the provisions of the laws of the State of Utah or the United States.

Section 6. The form, terms, and provisions of the Series 2022 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Master Resolution. The Chair/President or Vice Chair/President and Secretary-Treasurer are hereby authorized and directed to execute and seal the Series 2022 Bonds and to deliver said Series 2022 Bonds to the Purchaser. The signatures of the Chair/President or Vice Chair/President and the Secretary-Treasurer may be by facsimile or manual execution.

Section 7. Upon their issuance, the Series 2022 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2022 Bonds, the Master Resolution, the Ground Lease and the Security Documents. No provision of this Resolution, the Master Resolution, the Master Lease, the Ground Lease, the Security Documents, the Series 2022 Bonds, or any other instrument, shall be construed as creating a general obligation of the Authority or the County or as creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Authority or the County or its taxing powers.

Section 8. The Designated Officer or other appropriate officials of the Authority, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Authority any or all additional certificates, documents (including, but not limited to, post-issuance compliance policies and any escrow agreement permitted under the Master Resolution) and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 9. After the Series 2022 Bonds are delivered to the Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of the Series 2022 Bonds is deemed to have been duly discharged in accordance with the terms and provisions of the Master Resolution.

Section 10. The Authority shall hold a public hearing on January 10, 2023 at 6:00 p.m. to receive input with respect to (a) the Series 2022 Bonds and (b) the potential economic impact that the Series 2022 Project will have on the private sector. In accordance

with the provisions of the Act, the Secretary-Treasurer shall cause a notice in substantially the form as the following "Notice of Public Hearing and Bonds to Be Issued" to be published (A) once in the Southern Utah News, a newspaper of general circulation in the County, (B) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, and (C) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, with the publication no less than fourteen (14) days before the public hearing date, and shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the office of the Clerk/Auditor for public examination during the regular business hours of the County for a period of at least thirty (30) days from and after the last date of publication thereof. The Authority directs its officers and staff to publish a "Notice of Public Hearing and Bonds to be Issued" in substantially the following form:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

PUBLIC NOTICE IS HEREBY GIVEN that pursuant to the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended, and the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (collectively, the "Act"), on November 22, 2022 the Governing Board (the "Governing Board") of the Municipal Building Authority of Kane County, Utah (the "Authority") adopted a resolution (the "Resolution") declaring its intention to issue its Lease Revenue Bonds, Series 2022 (to be issued in one or more series and with such other or further designation(s) as the Authority may determine) (the "Bonds").

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Authority shall hold a public hearing on January 10, 2023, at the hour of 6:00 p.m. The location of the public hearing is 76 North Main Street, Kanab, Utah. The purpose of the meeting is to receive input from the public with respect to (i) the issuance of the Bonds and (ii) any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE BONDS

The Bonds will be issued for the purpose of (a) financing the construction of (i) renovation improvements to the historic school building known as the Kanab Center, Building B and all related improvements and (ii) renovation improvements to the Kane County Administration Building and all related improvements (collectively, the "Series 2022 Project") and (b) paying issuance expenses of the Bonds.

PARAMETERS OF THE BONDS

The Authority intends to issue the Bonds in the principal amount of not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000), to bear interest at a rate or rates of not to exceed one percent (1.00%) per annum, to mature in not more than thirty-three (33) years from their date or dates of issuance, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, plus accrued interest to the date of delivery.

The Bonds are to be issued and sold by the Authority pursuant to the Resolution, including as part of said Resolution, forms of a Master Resolution (the "Master Resolution"), a Master Lease Agreement (the "Master Lease"), a Ground Lease Agreement (the "Ground Lease") and certain Security Documents (the "Security Documents"), which were before the Governing Board and attached to the Resolution at the time of the adoption of the Resolution and said Master Resolution, Master Lease, Ground Lease and Security Documents and are to be executed by the Authority in such form and with such changes thereto as shall be approved by the Authority; provided that the principal amount, interest rates, maturity, and discount of the Bonds will not exceed the maximums set forth above.

Copies of the Resolution, Master Resolution, Master Lease, Ground Lease and Security Documents are on file in the office of the Clerk/Auditor of Kane County (the "County") located at 76 North Main Street, Kanab, Utah, where they may be examined during regular business hours of the County Clerk/Auditor from 8:00 a.m. to 5:00 p.m. Monday through Friday, for a period of at least thirty (30) days from and after the last date of publication of this notice.

SECURITY FOR THE BONDS

The Bonds are to be issued under and secured by and entitled to the protection of the Master Resolution, pursuant to which all base rentals payable by Kane County, Utah (the "County") under the Master Lease and, if paid by the County, the Purchase Option Price, are assigned to secure the payment of principal of, interest on, and premium, if any on the Bonds. Additionally, a security interest in the Project shall be granted to the holders of the Bonds pursuant to the Master Lease, to further secure the Authority's obligations under the Master Resolution.

OUTSTANDING BONDS SECURED BY LEASE REVENUES

The Authority currently has \$2,630,000 of bonds outstanding secured by lease revenues.

OTHER OUTSTANDING BONDS OF THE ISSUER

Additional information regarding the Issuer's outstanding bonds may be found in the Issuer's financial report (the "Financial Report") at: <https://reporting.auditor.utah.gov/searchreport>. For additional information, including any information more recent than as of the date of the Financial Report, please contact Authority at (435) 644-4901.

TOTAL ESTIMATED COST

Based on the Issuer's current Project plan of finance and a current estimate of interest rates, the total principal and interest cost of the Bonds if held until maturity is \$3,777,786.

NOTICE IS HEREBY GIVEN that a period of thirty (30) days from and after the last date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Master Resolution, Master Lease or Security Documents, or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever; and (ii) registered voters within the County may sign a written petition requesting an election to authorize the issuance of the Bonds. If written petitions which have been signed by at least twenty percent (20%) of the registered voters of the County are filed with the Authority during said thirty (30) day period, the Authority shall be required to hold an election to obtain voter authorization prior to the issuance of the Bonds. If fewer than twenty percent (20%) of the registered

voters of the County file a written petition during said thirty (30) day period, the Authority may proceed to issue the Bonds without an election.

DATED this November 22, 2022.

/s/ Karla Johnson
Secretary-Treasurer

Section 11. The Authority hereby reserves the right to opt not to issue the Bonds for any reason.

Section 12. The Authority hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds to reimburse itself for initial expenditures for costs of the Series 2022 Project. The Series 2022 Bonds are to be issued, and the reimbursements made, by the later of 18-months after the payment of the costs or after the Series 2022 Project is placed in service, but in any event, no later than three years after the date the original expenditure was paid. The maximum principal amount of the Series 2022 Bonds which will be issued to finance the reimbursed costs of the Series 2022 Project is not expected to exceed \$3,500,000

Section 13. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this November 22, 2022.

Chair/President

ATTEST AND COUNTERSIGN:

Secretary-Treasurer

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the agenda, the meeting was adjourned.

Chair/President

ATTEST AND COUNTERSIGN:

Secretary-Treasurer

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Karla Johnson, the undersigned Secretary-Treasurer of the Municipal Building Authority of Kane County (the "Authority"), do hereby certify, according to the records of the Authority in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the November 22, 2022 public meeting held by the Authority as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Authority's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Southern Utah News at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such notice to be posted on the Utah Public Notice website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

The Authority does not schedule its meetings in advance over the course of the year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November 22, 2022.

Secretary-Treasurer

SCHEDULE 1

NOTICE OF MEETING

(attach Proof of Publication of
Notice of Public Bonds to be Issued)

EXHIBIT B

FORM OF MASTER RESOLUTION

(See Transcript Document No. ____)

EXHIBIT C

MASTER LEASE AGREEMENT

(See Transcript Document No. __)

EXHIBIT D

LEASEHOLD DEED OF TRUST, ASSIGNMENT OF RENTS AND SECURITY
AGREEMENT

(See Transcript Document No. __)

EXHIBIT E

GROUND LEASE AGREEMENT

(See Transcript Document No. __)

ITEM # 4

Zion Public Finance Invoice



INVOICE

Re: Kane County MBA, East Zion Visitor Center Project

Invoice To

Brent Chamberlain

Commissioner/MBA Chair

Kane County

76 N Main St

Kanab UT 84741

P: 435.899.0786

E: bchamberlain@kane.utah.gov

Total Due:	Invoice Date:	Invoice Number:
\$30,000.00	November 9, 2022	6570

DESCRIPTION	TOTAL
Municipal Advisory Fee	\$30,000.00

Payment Instructions

TOTAL DUE: \$30,000.00

Mail Payment To:

Zions Public Finance

One South Main Street, 18th Floor

Salt Lake City, Utah 84133

Payment Instructions for DDA Account

Wire Payment To:

Zions Bancorporation, NA

ABA No. 124000054

Account No. 002204055

Account Name: Zions Public Finance, In.

Reference: MBA Kane Co, East Zions Visitor Center Project, 2020

Thank you for your business

If you have any questions, concerns or would like wire instructions for your payment please contact Mark Anderson at:

Phone: 801.844.7377

Email: mark.anderson@zionsbancorp.com

Vice President
Mark Anderson

EXPERIENCE · INTEGRITY · SCALE

One South Main Street 18th Floor • Salt Lake City UT • 84133-1109 • Telephone: 801.844.7373 • Fax: 801.844.4484

ITEM # 5

Designation of ARPA Funds for the Care & Share
Building