

City of Davenport

Committee: Public Works
Department: Administration and Public Works
Contact Info: Redmond Jones

Action / Date
PW 08/31/06
COWTBL 9/6/06

Subject: AN ORDINANCE AMENDING CHAPTER 15.30 ENTITLED "Examination for License" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SECTION 15.30.080 THERETO

Recommendation: Approve a staff recommendation to implement a 3-year pilot program that would require amending city ordinance 15.30.080 to reflect a 70% test pass rate for the mechanical license review board applicants only.

Relationship to Goals: A Growing Local Economy (though support of our local small businesses)

Background: The City of Davenport Contractor's Licensing Test is focused into two major categories: Building Trades and Mechanical Trades. The pass or satisfactory completion required for any license in the Building Trades section requires a test pass rate of 70%. The test itself is conducted by Thomson Prometric LLC (formally Experior Assessments) a nationally recognized assessment firm. The test is intended to test a candidate's knowledge of various methods of construction, repair, alteration, remodeling, addition to, subtraction from, improvement, and demolition of any structure. With regards to the Mechanical Trades section of the city's license grouping, the satisfactory completion requirement for a license is a test pass rate of 75% and a review board approval regarding experience.

The City's Contractor Licensing practice has come under much criticism by minority and other contractors over recent years. Frequent complaints reflect the contractors' claims that the testing used has little reflection of the skills actually needed for the work in the field. In an attempt to address these concerns and promote a user friendly environment for small and minority contractor businesses in the city; the Affirmative Action Committee has recommended via the Affirmative Action Plan (which is anticipated to be submitted for council review and approval in September) that the satisfactory completion requirement for a license in the Mechanical Trades be brought in line with Building Trades test pass rate of 70%.

With the intent of consensus building, the Affirmative Action office conducted and participated in a number of meetings and forums with area contractors and trade associations regarding the 70% pass rate recommendation. After giving much consideration to issues of standards, reciprocity, and equity, staff recommends the implementation of a 3-year pilot program that would amend city ordinance 15.30.080 to reflect a 70% test pass rate for the mechanical license review board applicants only. This would only constitute the testing for the following licenses: Heating, Air Conditioning, Refrigeration, and Ventilation, unlimited: A/C residential: A/C commercial: Unlimited Boiler: Low Pressure Boiler: Unlimited refrigeration: and Limited refrigeration. After the 3 year program period staff will review program/inspection data and pending staff recommendation further adjustments or readjustments can be presented to council. Inspections of these businesses will also be recorded and analyzed for performance. Based on our early analysis, staff expects to see a 10% increase in licensed small contractor businesses in the area.

Please see an attached e-mail from Andy Parker, Operations Manager with Thomson Prometric, which clearly establishes the firm's method of developing examinations that are validated, defensible, safety based and recommends a passing standard 70% for all construction related exams.

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Redmond Jones

From: Sent: Andy.Parker@thomson.com Thursday, May 25, 2006 9:19 AM
To: Jones, Redmond
Subject RE: 70% and 75% cut-score

I apologize that this has taken so long to get to you. Please let me know if you have questions.

Andy Parker
Operations Manager
Thomson prometric
651-603-3352

From: Jones, Redmond [mailto:rdjii@ci.davenport.ia.us]
Sent: Wed 5/17/2006 5:49 PM
To: Parker, Andy (Prometric)
Subject: RE: 70% and 75% cut-score

I have not received anything at this time. when should I expect to receive something?

Thank you for your time and assistance in this matter
Redmond Jones, Assistant to the City Administrator

-----Original Message----- From: Andy.Parker@thomson.com [mailto:Andy.Parker@thomson.com]
Sent: Friday, April 28, 2006 10:48 AM To: Jones, Redmond Subject: 70% and 75% cut-score
Dear Mr. Redmond,

I have shared your question with Thomson's Test Development team and hope to have a letter out to you shortly regarding the 70% cut-score on construction trade related exams.
Thank you,

Thomson Prometric provides recommendations for establishing and validating an appropriate minimum passing standard (cut score). We present data on item and exam difficulty and facilitate a discussion of minimum competency and how it relates to setting passing points/standards. Once the difficulty of the exam is set, we develop exams that meet these parameters.

Conducting Standard-Setting Workshops

For construction related exams, we use a modified Angoff method. Once we have conducted our pilot tests and analyzed the results, we conduct a standard-setting meeting to develop the cut scores for each examination form.

At the standard setting workshop we explain the purpose of a cut score; that is, to identify those who have achieved at least the threshold level of competency required for practicing without endangering the public (minimally competent practitioners). The workshop facilitator works with the workshop panel to develop an operational definition of minimum competence for the occupation. This operational definition reflects consensus among the panel and helps to minimize rater disagreement; therefore improving reliability.

At the workshop, participants are advised that the purpose of rating the test questions is to judge how many of 100 minimally competent candidates would answer each question correctly. This point is emphasized in the general session as well as in the rating session to avoid rating errors.

A sample test of 10 questions is independently rated by each panel member. Following the rating of the 10 questions, participants' ratings are discussed. Based on data from an actual administration, percent pass statistics for each sample item are given to the panel during the discussion. Panel members may give a second rating following the discussion if they want to change the first rating based upon their discussion of what the minimally acceptable candidate would know.

The remaining test items are then independently rated by the panel based on the question: "How many of 100 minimally competent candidates would get this item correct?" No key is provided and there is no discussion among workshop members

Analysis

After completing each set of ratings, each panel member's ratings are entered into a spreadsheet and their individual recommendations for the cut score are computed. Because of Thomson Prometric's frequent use of the Angoff method, we have developed a proprietary computer program that enables the entry of ratings at the meeting and immediate feedback, both to their ratings and to the recommended standard at the completion of the Angoff procedure. At the conclusion of the meeting, the data are checked for accuracy and analyzed.

Summary

Complete and accurate documentation of standard setting procedures and outcomes is important in providing a rational relationship between the passing score and the purpose of the examination. Following the standardized modified Angoff procedures resulted in a defensible required minimum passing score of 70% for construction related exams.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 15.30 ENTITLED "Examination for License" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SECTION 15.30.080 THERETO

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1 That section (15.30.080) of the Municipal Code of Davenport Iowa, be and the same is hereby amended to read as follows:

Any person who desires to be licensed as a building contractor, plumbing contractor, electrical contractor, mechanical contractor or journeyman shall be tested by examination. The licensing board and the building official may appoint a person or agency to administer the preparation, conducting and grading of examinations. Examinations shall be of such a nature to uniformly test the capabilities of all applicants for each specific type of license. The applicant shall score a passing test result of seventy five percent (75%) in order to secure a license. However, applicants pursuing licensing as a building contractor or mechanical contractor shall score a passing test result of seventy percent (70%) in order to secure a license. All associated fees for examination services, grading and administration shall be paid at the time of application by the individual desiring to be tested.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided. However upon the third anniversary of its publication this amendment will become void and this code section will return to its present wording.

First Consideration _____

Second Consideration _____

Approved _____

Edwin G. Winborn
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Glen Wazny, 326-7729

Action / Date
PW – 9/14/06

Subject:

Resolution Approving the Plans, Specifications, Form of Contract and Estimated Cost covering the Goose Creek Trail from 46th Street to 53rd Street.

Recommendation:

Passage of the Resolution.

Relationship to Goals:

Davenport – The Choice Community for Living.

Background:

This project involves constructing a ten foot wide trail along the east side of Goose Creek between 46th Street and 53rd Street. This project is based on an old agreement between the City and developers of the Tremont Street and Grand Avenue corridors in this area. This trail was to be built by the developers upon 46th Street being built at the Creek in lieu of the requirement of building sidewalks along Tremont and Grand. The developers deposited all available funds in escrow for the path with the City. However, there was not enough money to build the path and, as a result, the City Community and Economic Development Department applied for a REAP (Resources Enhancement and Protection) grant from the State to complete the funding. The developer's plans prepared for the project by a consultant were unacceptable and have been altered by City Engineering staff in order to reduce the number of trees that need to be removed to a minimum, which is also a condition of the REAP grant. The project is currently estimated at \$158,780.00. The funds are currently available.

Resolution No. _____

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION Approving the Plans, Specifications, Form of Contract and Estimated Cost covering the Goose Creek Trail from 46th Street to 53rd Street.

WHEREAS, on the 11th day of September, 2006, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the Goose Creek Trail from 46th Street to 53rd Street Project within the City of Davenport, Iowa; and

WHEREAS, notice of hearing on plans, specifications and form of contract was published as required by law:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for said Goose Creek Trail from 46th Street to 53rd Street Project.

Passed and approved this 20th day of September, 2006.

Approved:

Attest:

Edwin G. Winborn, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Glen Wazny, 326-7729

Action / Date
PW – 9/14/06

Subject:

Resolution of Acceptance covering the Utica Ridge Road Eastside Widening Project between 53rd Street and 56th Street.

Recommendation:

Passage of the Resolution.

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities

Background:

This project involved the paving of the far easterly lane of Utica Ridge Road between 53rd Street and 56th Street. The previous surface had been only a gravel shoulder area. The work done by A. Oetzel Construction, Inc. of Davenport, Iowa, has been completed satisfactorily, and the Engineer's Certificate of Completion has been filed with the deputy clerk, as required by the Code of Iowa. The final cost of the contract work came to \$174,140.79, compared to the original contract cost of \$174,377.80.

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

Resolution of Acceptance covering the Utica Ridge Road Eastside Widening Project between 53rd Street and 56th Street.

WHEREAS, the engineers have duly filed a certificate in accordance with Section 384.58 of the Code of Iowa, 2005, as amended, showing that they have inspected completed work for the Utica Ridge Road Eastside Widening Project between 53rd Street and 56th Street and that the same has been performed in compliance with the terms of the contract and showing the total cost thereof;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that

Section 1. That it is hereby found and determined that the work of constructing the above-named project has been duly and fully completed by the contractor in accordance with the terms of the contract, and the same is hereby accepted and approved.

Section 2. That it is hereby found and determined that the total construction cost of said project is in the total amount of \$174,140.79, which is a portion of the amount assessable against private property within the assessable district.

Section 3. That except for the five (5) percent retainage by the City pursuant to Chapter 563 of the Code of Iowa, which shall be paid to the contractor not less than thirty (30) days after the acceptance of the work, the amount due the contractor is hereby ordered paid by the issuance to the contractor of anticipatory warrant or warrants, in accordance with Section 384.57 of the Code of Iowa, 2005, as amended, or from such other fund or funds as may be available for that purpose, such warrant or warrants and amounts paid from any such fund or funds to be paid and replaced to the extent possible from the proceeds of special assessments and the sale of special assessment bonds.

Section 4. That the engineers are hereby instructed to prepare the final schedule of assessments, as provided in Section 384.59 of the Code of Iowa, 2005, as amended.

Section 5. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 20th day of September, 2006.

Approved:

Attest:

Edwin G. Winborn, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: PW
Department: PW
Contact Info: Tom Leabhart 563 326-7729

Action / Date
PW – 9/14/06

Subject:

Resolution granting permission to U S Signal Company to install a buried communications system within public right-of-way in the City of Davenport.

Recommendation:

Passage of the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

U S Signal Company has requested permission to install buried communication cable within City right-of-way. The proposed route is shown on the attached drawing.

The City Legal Department, the Engineering Division of the Public Works Department, the IT Department and the Fire Department have reviewed the proposed route and terms of the resolution.

The resolution, as written, requires U S Signal Company to provide the City with an empty interduct along the route at no cost to the City. The duct can then be used in the future for City communications.

Resolution No. _____

Resolution offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION granting permission to U S Signal Company to install a buried communications system within public right-of-way in the City of Davenport.

WHEREAS, U S Signal Company has submitted a request to construct buried communications cable in accordance with the plans hereto attached; and

WHEREAS, the Engineering Division of the Public Works Department of the City of Davenport, Iowa (the "City") has reviewed said plans and recommends permission be granted for the installation, as described, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA: that permission is hereby granted to U S Signal Company to install buried communications cable in accordance with the attached plans subject to the following conditions which shall be accepted in writing by U S Signal Company:

1. That U S Signal Company shall hold the City harmless, defend and indemnify it from any and all liability for claims of any nature arising from the granting of this authorization of the activities or work performed as a consequence thereof, or as the result of the damage, interruption or any other matters relating to the cable and connection therewith or as a result thereof, and that U S Signal Company shall hold harmless, defend and indemnify the City from any such claims. Further, that U S Signal Company shall name the City and its employees as additional insureds on its liability insurance coverage in limits to be set from time to time by the City Council and initially set at \$1 million each year.
2. That U S Signal Company shall pay all costs for the construction and maintenance of the cable.
3. That U S Signal Company shall coordinate all traffic control required for this project with the Traffic Engineering Division of the Public Works Department and shall be responsible for all costs related to traffic control.
4. That, at the direction of the City Council, U S Signal Company shall remove and replace, relocate, or otherwise adjust said cable in order to provide for the maintenance, construction, or reconstruction of any City utility or public improvements or any currently franchised utility operating with the City of Davenport, Iowa, or, for any other reasonable cause determined in the discretion of the City Council of Davenport.
5. That all excavations for laying pipes, cable or lines shall be made in such a manner as will not interfere with any gas, sewer, water or other pipes theretofore laid and so as to avoid, so far as possible, obstructing any street or alley or the drainage thereof, and said streets, avenues and alleys shall be promptly repaired and restored to a condition as good as the same were in prior to the laying of said pipes and any

pavement or other surfacing removed shall be repaired and restored with the same kind of material as was used in the construction of the pavement or other surfacing so removed. Settling in any street, avenue or alley caused by such excavations shall be promptly repaired by U S Signal Company and all repairs and replacements shall be to the satisfaction of the City officials; but before opening or making any excavation in any street or alley, U S Signal Company shall secure from said City a written permit so to do, except in case of emergency, which permit said City shall issue to U S Signal Company upon reasonable terms and conditions.

6. That the Contractor performing the work shall comply with all City Ordinances covering the work, including permits and bonding.
7. That U S Signal Company shall contract with a "One Call" utility notification service for receiving notice on the location of the cable for the time the cable shall be in place and in service.
8. That U S Signal Company shall be responsible for obtaining necessary legal consent and permission from railroad companies, the Iowa Department of Transportation, private and public agencies and other persons or organizations that have a legal interest, and this Resolution is subject to such permission, consent and clearance being obtained from such companies.
9. That U S Signal Company release the City and it's employees for and from any and all liability as a result of negligence or otherwise, for any damage or interruption, or of any other nature directly or indirectly related to the existence of the cable and related facilities, which at any time occur in the future.
10. That U S Signal Company will provide to the City of Davenport, at no cost, a separate (private) two inch (2") diameter, SDR-11, schedule 80 conduit along the entire route of the proposed installation to be owned and managed by the City of Davenport. The extra conduit will have access points (hand holds) at either end of the route. The City of Davenport would like to reserve the right to have extra "hand holds" installed along the route, at the City's cost, during the initial installation as negotiated with U S Signal Company. U S Signal Company will also provide the City of Davenport as built drawings of the entire route. U S Signal Company shall pay all costs associated with this extra interduct provided to the City of Davenport.

Approved:

Attest:

Edwin G. Winborn, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

APPROVAL NO.

COMMITTEE/ACTION
Public Works

DATE
09/14/2006

COMMITTEE: Public Works
DEPARTMENT: Public Works
CONTACT: Gene Hellige
PHONE: 326-7729

SUBJECT:

Resolution approving a supplemental agreement with the Iowa Department of Transportation regarding the maintenance and repair of primary roads within the city from July 1, 2006 through June 30, 2007

RECOMMENDATION:

Approve the Resolution.

RELATIONSHIP TO GOALS:

Financially Responsible City Government

BACKGROUND:

The City has entered into a maintenance agreement with the Iowa Department of Transportation regarding maintenance on primary highways in the City. The Iowa Department of Transportation has prepared a Supplemental Agreement addressing the provisions of several maintenance responsibilities by the City and the reimbursement for same.

RESOLUTION NO.

Resolution offered by Alderman

Ambrose

Resolution approving a supplemental agreement with the Iowa Department of Transportation regarding the maintenance and repair of primary roads within the city from July 1, 2006 through June 30, 2007

RESOLVED by the City Council of the City of Davenport.

WHEREAS the City of Davenport has entered into a maintenance agreement with the Iowa Department of Transportation regarding maintenance on primary highways in the City, and

WHEREAS The Iowa Department of Transportation has prepared a supplemental agreement addressing the provision of several maintenance responsibilities by the City and the reimbursement for same, and

NOW THEREFORE BE IT RESOLVED THAT the Supplemental Maintenance Agreement with the Iowa Department of Transportation regarding the maintenance and repair of primary roads within the city from July 1, 2006 through June 30, 2007 is hereby approved.

BE IT FURTHER RESOLVED THAT the Mayor is hereby authorized and directed to sign said supplemental agreement in behalf of the City of Davenport.

Attest:

Approved:

Jackie E. Holecek, CMC
Deputy City Clerk

Edwin G. Winborn
Mayor

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart, 327-5155

Action / Date
PW – 9/14/06

Subject:

Motion ordering Iowa-American Water Company to install water main and fire hydrants to service Nottingate Courts Addition.

Recommendation:

Approval of the Motion

Relationship to Goals:

A Growing Local Economy

Background:

This subdivision is being developed at this time. This motion orders the water company to install water main and fire hydrants to service this new addition.

The installation requires approximately 690 feet of 12" main along Eastern Avenue from an existing main on the south side of lot 32 to the north line of lot 1, 410 feet of 8" water main along Jordyn Court from Eastern Avenue to lot 23, 410 feet of 8" main along Nicole Court from Eastern Avenue to lot 9.

Four fire hydrants are to be installed, 1 each along Eastern Avenue between lots 16 and 17, at the north line of lot 1, between lots 8 and 9 and between lots 23 and 24.