

COMMONWEALTH OF KENTUCKY

CONTRACT BETWEEN
THE KENTUCKY DEPARTMENT FOR LIBRARIES AND ARCHIVES
AND THE OFFICE OF THE Lexington-Fayette Urban County Council Clerk

THIS CONTRACT, made and entered into by the Commonwealth of Kentucky, Department for Libraries and Archives, hereinafter referred to as the DEPARTMENT, and the OFFICE OF THE Lexington-Fayette Urban County Council Clerk, hereinafter referred to as the LOCAL GOVERNMENT.

The DEPARTMENT, in the exercise of its lawful duties, is the administrator of state funds provided through the Local Records Program and has approved an application submitted by the LOCAL GOVERNMENT, which is by reference made a part of this contract; and

The LOCAL GOVERNMENT, acting under the authority vested in it to execute local records projects, has applied for local records grant funds; and

The DEPARTMENT and the LOCAL GOVERNMENT are willing to cooperate for the implementation of a local records grant project.

Therefore, the parties hereto agree to and execute this contract according to the following terms and conditions:

1. The term of this project shall be from January 1, 2019 to June 30, 2020.
2. The LOCAL GOVERNMENT agrees to:
 - A. Contract for codification of city zoning ordinances with a codification services provider approved by the DEPARTMENT. Provide such assistance to the vendor as may be required to complete codification in an expeditious manner, allocate funds in the amount and according to the schedule approved in the LOCAL GOVERNMENT's grant application, and contract for the final legal review with an attorney approved by the DEPARTMENT.
 - B. Spend all grant funds by June 30, 2020, and return any unexpended or unobligated balance of funds to the DEPARTMENT by July 31, 2020.
 - C. Commence work on and complete the project within a reasonable time and with reasonable diligence and in accordance with the terms of this project.
 - D. Expend all state funds received for the project for the purpose for which granted, and any such funds not so expended, including funds lost or diverted to other purposes, shall be paid to the DEPARTMENT for repayment to the Commonwealth.

- E. Submit in writing to the DEPARTMENT requests for approval of any changes that alter the scope of the project, its line-item budget, activities or location before any changes are made. Changes are not allowable until written approval is received by the LOCAL GOVERNMENT from the DEPARTMENT. Under no circumstances will the original order of the records be altered.
- F. Submit required Project Status and Financial Expenditure Reports, as specified in the Award Summary. Satisfactory performance of the conditions of this contract is contingent upon the receipt and approval of these reports.
- G. Inform the DEPARTMENT in writing and in between scheduled reporting dates of the following types of conditions as they become known:
 - (1) Problems, delays, or adverse conditions which will materially impair the ability to attain the objectives of the project. This written disclosure shall be accompanied by a statement of contemplated action and any assistance needed to resolve the situation.
 - (2) Favorable developments which enable meeting time schedules and goals sooner or less cost than anticipated or producing more beneficial results than originally projected.
- H. Furnish any other reports, records, and information to the DEPARTMENT in such form and containing such information as may be required by the DEPARTMENT.
- I. Submit to the DEPARTMENT within thirty (30) days of expiration, or termination of the grant, a full and complete accounting of the expenditure of funds provided through the DEPARTMENT and any funds not expended during the grant reporting period.
- J. Maintain financial and programmatic records for this project separate from financial and programmatic records of other projects. Maintain effective control and accountability for real and personal property and assets and adequately safeguard all such property and assure that it is used solely for authorized purposes.
- K. Retain permanently the Application, Contract, Amendment(s), and Project Status and Financial Expenditure Reports. Maintain other project financial, programmatic, equipment and inventory records, and supporting documents accessible and intact for a period of three (3) years after completion of project activity (the effective date of retention determined by the DEPARTMENT). If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records shall be retained until completion of the action and resolution of all issues that may arise from it or until the end of the regular three-year retention period, whichever is later.
- L. Adhere to state laws and regulations governing procurement of equipment and services.
- M. Comply with state laws, rules, and regulations and DEPARTMENT policies, procedures, and requirements as they relate to the acceptance and use of funds for this state-assisted project.

Work must be performed in accordance with applicable policies and regulations of the DEPARTMENT as stated in 725 KAR 1:050.

- N. Comply with the Title II provisions of the Americans with Disabilities Act and submit to the DEPARTMENT documentation, upon request, which demonstrates compliance with the Title II requirements of the Americans with Disabilities Act (ADA) Public Law 101-336, and applicable state and federal regulations relating thereto prohibiting discrimination against otherwise disabled individuals under any program or activity.
- O. Provide a drug free workplace as required by the Drug-Free Workplace Act of 1988.
- P. Comply with all statutes and regulations which prohibit discrimination based on race, religion, color, national origin, sex, age or handicap (Title VI of the Civil Rights Act of 1964 / KRS 344.015)(Title IX of the Education Amendments of 1972)(Section 504 of the Rehabilitation Act of 1973)(The Age Discrimination Act of 1975)(Drug Abuse Office and Treatment Act of 1972)(Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970)(Public Health Service Act of 1912)(Title VIII of the Civil Rights Act of 1968)(Presidential Executive Order 13166 of 2000)(Presidential Executive Order 11246).
- Q. Maintain and make available accounting records pertaining to grant award expenditures. Source documentation may include shares provided by other sources, canceled checks, deposit documents, bank statements, paid invoices, and payrolls.
- R. Certify that the LOCAL GOVERNMENT is legally entitled to enter into this contract with the DEPARTMENT, and by holding and performing this contract will not be violating either any conflict of interest statute (KRS 45A.330 – 45A.340, 45A.990, 164.390) or KRS 11A.040 of the Executive Branch Code of Ethics, relating to employment of former public servants.
- S. Reveal to the DEPARTMENT, prior to the award of the contract, any final determination of a violation by the LOCAL GOVERNMENT within the previous five (5) year period of the provisions of KRS chapters 136, 139, 337, 338, 341, and 342. These statutes relate to the state sales and use tax, corporate and utility tax, income tax, wages and hours laws, occupational safety and health laws, unemployment insurance laws, and workers compensation insurance laws, respectively.
- T. Afford to the Kentucky Auditor of Public Accounts, the Finance and Administration Cabinet, the Education and Workforce Development Cabinet, the DEPARTMENT or any of their authorized representatives, access to the books, documents, papers, or other records which are pertinent to the grant for the purpose of financial audit and program review. LOCAL GOVERNMENT also recognizes any books, documents, papers, records or other evidence during a financial audit or program review shall be subject to the Kentucky Open Records Law, KRS 61.870 to 61.884.

3. The DEPARTMENT agrees to:

- A. Furnish funds to the LOCAL GOVERNMENT, contingent upon the availability of state funds in the maximum amount of \$11,670 in accordance with the terms of this state-assisted project.
- B. Provide information, consultation, technical assistance, and forms.
- C. Monitor the activities performed pursuant to this contract and conduct periodic reviews to assess the progress toward completion of the project.
- D. Review all proposed changes to the project to ensure that such changes are consistent with applicable statutes and regulations and render decisions within thirty (30) days of receipt of requests.

4. It is expressly understood by the LOCAL GOVERNMENT that:

- A. The time elapsing between receipt of funds and their disbursement shall be minimized and contained within the project award dates.
- B. Specified project costs incurred prior to the effective date of this contract are only allowable if written approval is sought by the LOCAL GOVERNMENT and obtained from the DEPARTMENT.
- C. Funds will not be allocated for continued support of this project if there is evidence after evaluation that the LOCAL GOVERNMENT is not performing project work for which it is being assisted or there are violations of the terms of this contract.
- D. After giving reasonable notification of unsatisfactory performance of conditions of this contract and allowing thirty (30) days for the vendor to achieve compliance, the DEPARTMENT has the right to terminate and cancel this contract. Such cancellation will be by written notice served on the LOCAL GOVERNMENT by certified or registered mail with return receipt requested. The LOCAL GOVERNMENT has the right to request the DEPARTMENT to terminate and cancel this contract upon written notice. If this contract is terminated and canceled, the LOCAL GOVERNMENT may be required to return funds advanced under this contract.
- E. Interest earned by the LOCAL GOVERNMENT on funds awarded under this project shall not be refunded to the DEPARTMENT but shall be reported to the DEPARTMENT on the final Project Status and Financial Expenditure Report furnished by the DEPARTMENT. Interest earned shall be used by the LOCAL GOVERNMENT to support the objectives of the Local Records Program.
- F. The final close-out of the grant awarded under this contract will occur after the DEPARTMENT has determined that all required work of the project and all administrative actions have been completed.
- G. All questions as to the execution, validity, interpretation, construction, and performance of this contract shall be governed by the laws of the Commonwealth of Kentucky. Furthermore, the parties hereto agree that any legal action which is brought on the basis of this contract shall be filed in Franklin County Circuit Court of the Commonwealth of Kentucky.

H. This contract supersedes all prior contracts understandings, both oral and written, among the parties with respect to the subject matter herein.

ATTEST:

OFFICE OF THE Lexington-Fayette Urban County Council Clerk
LOCAL GOVERNMENT

BY: 
Authorized Official (Signature)

Linda Gorton
PRINTED Name of Authorized Official

FEB 07 2019
Date

Authorized Official (Signature)

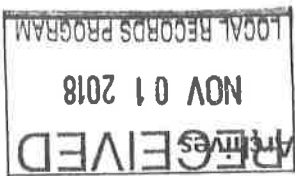
PRINTED Name of Authorized Official

Date

COMMONWEALTH OF KENTUCKY
DEPARTMENT FOR LIBRARIES AND ARCHIVES

BY: 
Terry L. Manuel
State Librarian and Commissioner

JAN 11 2019
Date



Kentucky Department for Libraries and Archives
Local Records Program

Grant Application

Please review *Local Records Grant Guidelines* and consult with your *Regional Administrator* before completing this form. Use extra sheets if necessary and attach three written, itemized, project bid proposals for each project section. Please send the completed forms to:

Local Records Branch
Kentucky Department for Libraries and Archives
P.O. Box 537
Frankfort, Kentucky 40602-0537

Part A: Contact Information

Applicant Name: Abigail Allan

Applicant Title: Council Clerk

Office Address: 200 East Main Street Lexington, KY 40507

Phone Number: 859-258-3241

Email Address: aallan@lexingtonky.gov

Federal ID Number: 610858140

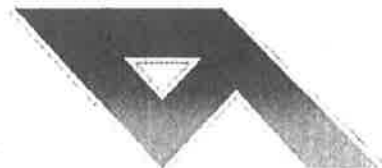
Part B: Project Summary

Total Funds Requested: \$ 11,670

Please provide a complete description of the proposed project. Describe the project scope and the anticipated finished product(s). Explain why these records were selected for preservation as well as their historical significance and relevance to the community. Provide proposed methods for handling the records to ensure they conform to generally accepted archival and records management standards. See the guidelines for additional examples and attach additional sheets, if needed.

This project's purpose is to complete the codification of LFUCG's Zoning Ordinances on an online platform for public accessibility and permanent storage. Division of Planning and the LFUCG Law Department have been working to correct, reformat, and prepare LFUCG's Zoning Ordinances for publication. Once this phase of the project is completed (expected date of completion of this phase 10/2018), the Council Clerk's Office will finalize the corrections and updates, then work to upload the Ordinances onto a secure third-party online platform. This will create a permanent location to store these Ordinances, create wider accessibility to the public, help to streamline the updating and revision process, and allow LFUCG to house the Zoning Ordinances in a manner that adheres to the standards of records retention and transparency of government that LFUCG has set forth.

Kentucky Department for Libraries and Archives
Local Records Program



Plan of Work

Please list preferred project vendor(s) for each section, vendor addresses, and vendor phone numbers. (If not selecting lowest bid proposal, please attach a justification.)

Section 1

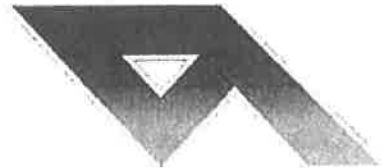
Vendor Name: _____
Municode
1700 Capital Circle SW
Tallahassee, FL 32310
Vendor Address: _____
Vendor Phone and Email: 1-800-262-2633

Purpose: Security Microfilming Digitization Conservation Codification Salary Equipment/Supplies (Select all that apply)

Records	Date	Series	Cost
Example: Deed Books A-Z	1799-1858	11317	\$6,255
Codification of Zoning Ordinance	1986-2018		\$11,670
Diazo Cost for _____ Copies			N/A
Quality Control (Add 12.5% of the microfilming cost)			N/A
Total Cost			\$11,670.00

Please Attach Additional Sections, if needed.

**Kentucky Department for Libraries and Archives
Local Records Program**



Commitment of Local Government:

Explain the local government's commitment to a comprehensive records management program (appropriate disposition of records, designation of a records officer, and training of records management personnel in records management techniques). Please detail how your office will commit resources to this project (adequate office, storage or working space; personnel; supplies; equipment; or a monetary contribution).

LFUCG strictly adheres to the KDLA retention schedules and is committed to providing public access to records while maintaining transparency of government activities. In the Council Clerk's Office, we oversee an in-house vault and the Records Center and Archives. This RCA facility is a

separate, climate controlled warehouse that houses various government documents spanning many years across all departments and divisions of

LFUCG. Our RCA manager has worked diligently to archives and catalog the items housed within the facility to provide easy access for internal

informational and open records requests and to adhere to the retention schedule. In the records vault, located in the government building, we

house historic documents pertaining to city council and local government dating back to the 1700s. These are kept in a fire safe, climate

controlled room, and stored in a manner that allows for easy access and organization while adhering to basic conservation methods. Our staff has been working with several departments to codify the zoning ordinances and publish them on the Municode platform. Once the initial phase of review is completed, the Council Clerk's Office will submit a finalized version to Municode for publication. Through emails, review, and phone conferences, we will work with our vendor representatives to ensure this project is completed in a timely fashion. Our office is committed to keeping and maintaining records for current and future constituents. We view ourselves as keepers of knowledge and history and are dedicated to preserving it for posterity.

Are these records stored in secure, fire resistant facilities? If no, please explain how the project will safeguard the records in questions.

Yes No

Currently, the Zoning Ordinances do not exist in a secure, fire safe facility. This project would store and publish them online, creating a secure and fire safe depository for these records. This would also create a hard, physical copy of correct and up-to-date ordinances which could then be stored at our RCA or in our vault- which would also be secure and fire resistant.

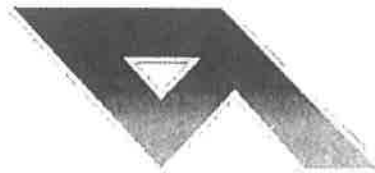
The existing records could be produced in the event of an open records request.

Yes No

Is access to these records in compliance with the state's Open Records Law (KRS 61.870-876) and in an area with proper security and supervision? If no, please explain how this project would ensure compliance.

**Kentucky Department for Libraries and Archives
Local Records Program**





Part C: Project Outcomes

1. How will this project ensure the preservation of and/or increase public access to these records? What benefit will this project be to your agency and community? How will you disseminate information about this project and its outcomes to the public?

Currently, the Zoning Ordinances are available only in print form and are outdated. Our Law Department has been working with Zoning and Planning to update the information, correct errors, and fix any formatting issues that existed previously. Once this is done, the ordinances will be uploaded to an online platform where they will be accessible to the public. Moreover, the online access will allow us to update any changes easily, keeping the records as current as possible, and will provide downloadable copies for those who have no internet or computer access. Once the project is completed, these records will be easily stored, accessed, searched, and utilized by the public.

2. Did you consult with your Regional Administrator while completing this application? Yes No

3. Can these records be removed from the office during the project? Yes No N/A

4. In what format do these records exist? Select all that apply.

Paper Electronic Files Microfilm Microfiche Aperture Cards

Other: _____

5. Can this project be completed within a single grant cycle (18 months)? Yes No
(grant cycle for Salary Grants is 48 weeks)

6. Additional information/comments:

Kentucky Department for Libraries and Archives
Local Records Program



Part D: Certification

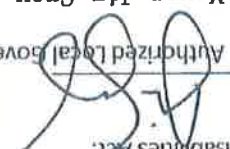
Statement regarding expenditure of funds: The applicant agrees that funds granted under the Local Records Program will be spent solely in accordance with the project description and budget statement presented in this application. The grant recipient acknowledges that any changes in the submitted plan of project work, funding, or length must be submitted in writing to, and approved in advance by, the Kentucky Department for Libraries and Archives.

Statement regarding archival and records management policies and procedures: The applicant agrees to comply with all policies, procedures, and standards deriving from Kentucky Revised Statutes, Kentucky Administrative Regulations, as well as the policies of the Kentucky Department for Libraries and Archives and the State Libraries, Archives, and Records Commission concerning management, preservation, reproduction, and storage of public records in addition to those dealing with the official recording of such records in government offices, whether on paper, microfilm, or other medium.

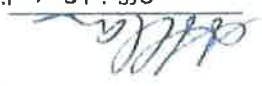
Statement regarding project status and financial expenditure reporting: The applicant agrees to submit biannual Project Status and Financial Expenditure Reports during the course of the project and at the end of the project as specified in the grant contract. The grant recipient also agrees to create a separate grant fund account, maintain separate financial and programmatic records on this project, and retain source documentation such as canceled checks, paid invoices, payroll, or other accounting documentation, which would facilitate an audit as required by statute, regulation, or administrative procedure.

Statement regarding continued records management and preservation support: The applicant agrees to make budgetary allowance to continue the work begun by this project to better manage, preserve, and secure the current and future records of this agency. The applicant also recognizes that such an allowance is a necessary operating expense that must be budgeted for on a regular basis

Statement regarding the Americans with Disabilities Act: The applicant agrees to comply with the Title II provisions of the Americans with Disabilities Act and to submit to the Department, upon request by the Department, documentation that demonstrates compliance with the Title II requirements of the Americans with

Disabilities Act:

Authorized Local Government Official
Mayor Jim Gray
Typed or Printed Name and Title

OCT 29 2018
Date


Official Custodian of Records
Abigail Allan, Council Clerk
Typed or Printed Name and Title

OCT 29 2018
OCT 29 2018

Grant Recipient Letterhead

INVITATION FOR BID PROPOSAL FOR CITY/COUNTY CODIFICATION OF ORDINANCES

The City/County of Lexington Fayette is applying for a Local Records Program grant from the Kentucky Department for Libraries and Archives for the purpose of formulating and codifying the city's/county's ordinances.

The city/county solicits firm, not-to-exceed price proposals from codification services providers approved by the Kentucky Department for Libraries and Archives to complete the project described herein.

The City/County of Lexington, with a population of 318,499, currently has approximately 202 ordinances (and other legislative actions affecting the citizens at large), containing approximately 500 pages.

The city/county desires the production of a Code of Ordinances that includes:

- 1) All ordinances required by Kentucky Statutes for a Home Rule city; (first class or home rule)
- 2) Sample drafts of ordinances covering the specific topics checked on the list on project description of this document;
- 3) Currently effective legislative actions of the city/county which do not fit into either of the categories in Items One and Two above and which are specifically applicable to the city/county.

NOTE: Ordinances of this nature enacted after the invitation for Bid Proposal date are not part of this project and will be added as a supplement to the code at the city's/county's expense.

It is the city's/county's intention, following successful completion of this project, to repeal all previous ordinances or legislative actions covering codified subject matter and adopt by reference the Code of Ordinances produced by this project as its entire body of law.

The successful offerer will:

- 1) Provide drafts of new ordinances needed as listed above;
- 2) Review all of the city's/county's currently effective legislative actions (ordinances, motions, resolutions, etc.), as submitted by the city/county, to provide an opinion on their relevance, consistency with state and federal law, accuracy, and adequacy;
- 3) Provide all needed editorial corrections including re-drafts of ordinances to correct problems noted in Item Two above;
- 4) Provide these services following the steps outlined in the Kentucky Department for Libraries and Archives' revised Codification Steps Policy for Cities memorandum, dated December 5, 2000;
- 5) Provide services or materials within the term of the grant following the beginning of the FY 19 and subsequent availability of state funds;
- 6) Perform all work in accordance with applicable policies and regulations of the Kentucky Department for Libraries and Archives; and
- 7) Agree that the offer will be valid through June 30, 2019.

Written notification, from this city/county of the selection of a bid proposal and the signed, returned obligation statement shall constitute a legal obligation on the part of the offerer to provide the services as stated. Selection of a bid proposal is contingent upon the award of the Local Records Program grant and subsequent availability of state funds. The city/county shall incur no obligation for the preparation of any proposal and reserves the right to reject any and all proposals submitted in response to this invitation.

Written proposals must be received no later than September 28, 2018 to be considered.

Abigail Allan
Signature/Title

Abigail Allan
Printed Name

9/19/2018
Date



September 28, 2018

Ms. Abigail Allan

Council Clerk

Lexington-Fayette County

200 East Main Street, Room 104

Lexington, KY 40507

Sent Via Email: aallan@lexingtonky.gov

Dear Ms. Allan:

Thank you for corresponding with our us regarding the updating and republication of the Lexington-Fayette County, KY Zoning Ordinance. Per your request, we are pleased to submit the following information for consideration.

Our team is driven by the desire to serve you and your citizens. We believe that quality customer relationships and exceptional service are what have set us apart in the legal codification industry since 1951. Our commitment to service inspires us to provide you with the highest quality legal codification service in the industry; set the standard for online and mobile services; ensure that you receive the most accurate and timely supplements possible and to work with you as a long-term partner. Our desire to serve you is why we have chosen this profession.

Why Municode?

Integrity. "Our word is our bond." We believe that long-term relationships built on trust are built to stand the test of time. Our goal is to serve you and your citizens for the next 30 years or more.

Attorneys. We have a team of full-time attorneys. All of your legal work is completed by our experienced team of in-house attorneys.

Experience. With over 4,200 customers in all 50 states, we are the nation's most trusted and experienced codifier of local government codes in the nation, currently hosting over 3,400 municipal codes online. Our team of attorneys has an average of over 20 years of codification experience. With over 225 professionals committed to serving you, we have the depth of knowledge and experience that it takes to stay at the forefront of legal and technological developments.

Relationships. For over 67 years, we have earned the trust, loyalty and respect of our customers by focusing on what is most important to us: our customers. We have a team of customer service professionals dedicated to serving you, your team and your citizens. No matter what the challenge, we are here for you.

Quality. We are committed to excellence in every product that we create. Our team of legal editors and legal proofreaders, each averaging over eight years of service, is dedicated to providing you with the most accurate and timely product available in the nation.

Technological Leadership. MunicodeNEXT is the nation's most advanced, accessible and intuitive website. With MunicodeNEXT, your staff and citizens can have access to your rules and resolutions, all archived versions of your code, every official copy of your rules and resolutions, the power to compare versions of your code over time, the ability to be notified every time your code is updated and a powerful search engine capable of simultaneously searching your code, rules and resolutions, minutes, resolutions, budgets and more. Our web tools are designed to make your job easier, your code more accessible and your citizens more informed.

Commitment to Kentucky. We are proud to serve 11 clients in the State of Kentucky. We regularly attend, support and sponsor the Kentucky Municipal Clerks Institute.

Why Our Clients Love Us

Applying our Legal Experience. We have a large team of full-time attorneys. This is a crucial factor to consider when assessing the qualifications of a codification company that is being considered for legal publication and supplementation services. We have been in business for over 67 years and have worked for decades serving the biggest and most advanced municipalities in the nation. No other codification company has this level of experience and knowledge that can be harnessed for your benefit.

Team Approach. We have 14 legal editorial teams, over 35 legal editors and over 20 legal proofreaders. By partnering with us, you are provided with a depth of legal talent that is unmatched in the industry. You and your citizens deserve the best and deserve to have a team that will be here to serve you no matter what the situation.

Customer Service. Our goal is to fully understand your unique needs. Your Municode representative, Scott Horton, is able to meet with you in person anytime. Scott can also provide onsite training or host webinars throughout the term of the contract.

Your Representative. Municode's Eastern Regional Sales Representative, Scott Horton, is located in Raleigh, North Carolina. He is available to answer questions and meet with you, as needed. Scott worked in state government and local government for over 10 years. Scott will attend the Kentucky Municipal Clerk's Institute Conference and IMC Conference. Scott is supported by our entire team in Tallahassee.

Real People. If you have a question, our response time is normally less than a few minutes via e-mail (constantly monitored) or within the half-hour for phone correspondence. When you call us, you will always find that our phones are answered by our employees...not an automated answering service.

Personal Touch. We are a family-owned, medium size business which means you receive a level of personal service that is unparalleled in the industry. We earn our reputation by providing exceptional customer service, offering helpful suggestions and developing solutions for your unique situation.

Responsible Citizen. We are proud to support numerous Clerk, Attorney, Municipal and County Associations. Additionally, we partner with the International Institute of Municipal Clerks and International Lawyers Association to provide services to their members. Our Vice President of Sales, Dale Barstow, is the former President of the Municipal Clerks Education Foundation. We are also extremely active within our community, supporting the United Way, Boys Town, the Tallahassee Veteran's Village and Ability First through quarterly employee volunteer days.

If you have any questions or desire additional information, please call and speak with your Sales Representative Scott Horton, or our Vice President of Client Services, Steffanie Rasmussen. We are also happy to schedule a conference call or webinar with all interested parties or meet with you personally. We are here to serve you!

Sincerely,



W. Eric Grant
President

WEG/amb

Enc.

Cc: Steffanie Rasmussen, Assistant Vice President of Sales
steff@municode.com / 800-262-2633 ext. 1148
Scott Horton, Regional Sales Representative
shorton@municode.com / (919) 830-3358

Supplement Service Page Rate²

Supplement service page rate

Page Format	Base Page Rate
Double Column	\$22.00 per page

Base page rate above includes:

- Ⓒ Acknowledgement of material
- Ⓒ Data conversion, as necessary
- Ⓒ Editorial work
- Ⓒ Proofreading
- Ⓒ Updating the index
- Ⓒ Tri-Annual Printed Supplement Schedule each January, May & September
- Ⓒ Updating electronic versions³ and online code
- Ⓒ Printing 0 copies (PDF file of Supplement will be provided)

Base page rate above excludes:

- | | |
|---|----------------|
| Ⓒ Freight | Actual freight |
| Ⓒ State sales tax | If applicable |
| Ⓒ Graphics ⁴ & tabular ⁵ matter, per graphic or table | \$10 |

Electronic media options for Zoning Ordinance (sent via download)⁶

- | | | |
|--------------------------|------------------------------|--------------------------------------|
| <input type="checkbox"/> | Folio Bound Views | \$100 per update |
| <input type="checkbox"/> | WORD (DOCX) | \$150 initially then \$75 per update |
| <input type="checkbox"/> | Adobe PDF of the Zoning | \$75 per update |
| <input type="checkbox"/> | Adobe PDF of each supplement | No Charge |

Payment for supplements and additional services:

- Ⓒ Invoices will be submitted upon shipment of project(s).

² All prices quoted in this section may be increased annually in accordance with the Producer Price Index – Bureau of Labor Statistics.

³ We do not charge a per page rate for updating the internet; however, a handling fee is charged for PDF, Word, Folio or additional electronic media items ordered.

⁴ Includes printing all copies. Additional fees apply graphics are printed in color.

⁵ Tabular matter is defined as tables, algebraic formulas, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.

⁶ "delivery" is defined as making updated electronic data available to you via download or FTP. Fee applies whenever content is delivered as PDF, Folio or Word, via one of the afore-mentioned mediums.

Pricing Quotation Sheet

Republication base cost, includes

\$10,370

- Ⓐ Base page count of 536 double column pages
- Ⓐ Inclusion of legislation¹ adopted (Ordinance Nos.: 16-2015; 34-2015; 35-2015; 36-2016; 133-2016; 137-2016; 211-2016; 22-2017; 23-2017; 75-2017; 76-2017; 124-2017; 166-2017; 2-2018; 5-2018; 13-2018; 22-2018 and corrections)
- Ⓐ Receipt, review and organization of materials
- Ⓐ Removal of supplement numbers
- Ⓐ Updating of preliminary pages (title page, officials page and preface)
- Ⓐ New page numbers
- Ⓐ Editing and Proofreading
- Ⓐ Graphics and tabular matter
- Ⓐ Proofs
- Ⓐ Updating the index
- Ⓐ Page formatting (**make selection below**)
- Ⓐ Zoning integrated with Folio, via download (existing order)
- Ⓐ Zoning formatted in Adobe PDF, via download (existing order)
- Ⓐ Maintaining OrdBank Links in History Notes
- Ⓐ 0 printed copies

Format Elections (*Please circle or check desired elections*)

Font: Times New Roman
will be used as the font unless otherwise indicated.

Other font choices include: Helvetica, Avant-Garde Demi, Courier, Palatino, Helvetica Narrow, Century Gothic, Gill Sans and Arial MT

Font Size: 10 point 11 point 12 Point

Items not included in base cost

- | | |
|---|---------------------------------|
| Ⓐ Reorganizing, renumbering or legally reviewing Zoning content | |
| Ⓐ Online Zoning Ordinance or MyMunicode bundled package | Per Selections on Page 5 |
| Ⓐ Pages over 536 double column pages, per page | \$18 |
| Ⓐ Freight | Actual |
| Ⓐ State sales tax | If applicable |

Payments for republication services

- | | |
|--------------------------|----------------|
| Ⓐ Execution of agreement | \$4,665 |
| Ⓐ Submission of proofs | \$3,630 |
| Ⓐ Delivery | Balance |


¹ Legislation added to the project must be approved and received prior to the established project cutoff date. Following the delivery of the final zoning ordinance draft for client proofing, any extensive changes requested in the Zoning content, and/or any material added to the Zoning that was not previously contemplated, will be subject to an additional Proof Update fee.

Online Services Quotation Sheet


The following information and pricing applies to both the Code of Ordinances & Zoning Ordinance

Online features can be purchased on an a la carte basis, or through our budget-friendly, feature-rich MyMunicode bundle for the best value. Please visit our online library of 3,460 codes on MunicodeNEXT [here](#). You can sign up to participate in one of our webinars [here](#) or view a pre-recorded version of the webinar [here](#).


A la carte pricing: Online services can be purchased a la carte at the following rates:

- **Existing Order - Online Code & Zoning Ordinance = MunicodeNEXT**  \$550
(invoiced annually each July)
- **Existing Order - CodeBank** (annually & invoiced in conjunction with Code on Internet fee) \$150
- **Existing Order - OrdBank** (24 ordinances averaged per year at \$25 per ordinance) \$600
- Total** **\$1,300**

Additional Services to Add via a la carte, if MyMunicode is not elected:

- MuniPRO** (annually) \$295
- Custom banner** (onetime fee) \$250
- CodeBank Compare⁷ + eNotify** (annually)  \$250
- MuniDocs** annually, upgraded self-loading capabilities – *no charge until July 1, 2019!* \$500
Host any other documents in a fully searchable format, including Minutes, Agendas, Resolutions, Budgets and more for self-loading to the MuniDocs platform!

ORDINANCES PENDING CODIFICATION (Only select one option if selecting services a la carte)

- Option 1) OrdBank** 
- Per ordinance fee \$25
 - Flat annual fee (recommended if MyMunicode is not selected, includes only) \$600
- Option 2) OrdBank + OrdLink**
- Per ordinance fee \$50
 - Flat annual fee (recommended if MyMunicode is not selected; includes only) \$700

Value Pricing: All of the following features would be included if you upgrade to MyMunicode for only \$895 more per year! Given that you just paid for the annual web hosting fee this past July, we will prorate the MyMunicode fee monthly until July 2019.

- MyMunicode⁹ includes:** **\$1,595 annually⁹**

MunicodeNEXT (Online Code of Ordinances & Zoning Ordinance), OrdBank, CodeBank, CodeBank Compare + eNotify¹⁰, MuniPRO, and Custom Banner

⁷ Enrollment in CodeBank is required in order to receive the CodeBank Compare with eNotify technology

⁸ Municode does not charge a per page rate for updating the online code (Internet). Your per page supplement rate for the codification of new legislation is not affected by selecting our budget friendly and feature enriched MyMunicode bundle package

⁹ Total value if each item were to be purchased a la carte would be approximately \$2,095 per year with participation in our OrdBank service.

¹⁰ Enrollment in CodeBank is required in order to receive the CodeBank Compare/eNotify technology.

Republication Scope of Services

Excellence

*"The code update went far beyond my expectations. Everyone at Municode was nice to work with and always responded in a timely manner. Your customer service was outstanding. Thanks again for a very positive experience."
- Barron, WI*

We will handle 100% of the publishing for you. This includes editing, page composition, proofreading, indexing, and delivering the information as printed or electronic copy. We understand the scope of this project to include a complete republication of your Zoning Ordinance, continued supplementation and online hosting. Upon completion of the republication project, supplementation services will commence.

When we republish your Zoning Ordinance, pages are recomposed to eliminate short pages, pages with blank backs and oddly numbered (point) pages. Following the re-composition, your entire Zoning Ordinance is reprinted and supplement number designations start over with Supplement No. 1.

The process includes:

- ☞ Removal of supplement numbers;
- ☞ Updating of preliminary pages (title page, officials' page, and preface);
- ☞ New page numbers;
- ☞ Editing & proofreading;
- ☞ 10-point font, double column (unless otherwise instructed);
- ☞ Incorporation of adopted legislation (Ordinance Nos.: 16-2015; 34-2015; 35-2015; 36-2016; 133-2016; 137-2016; 211-2016; 22-2017; 23-2017; 75-2017; 76-2017; 124-2017; 166-2017; 2-2018; 5-2018; 13-2018; 22-2018 and corrections;
- ☞ Incorporation of maps, diagrams, charts and tables;
- ☞ Updating the index;
- ☞ Proofs provided for your review;
- ☞ Posting your newly republished Zoning Ordinance on MunicodeNEXT;
- ☞ Providing the Zoning Ordinance integrated with Folio BoundVIEWS & Complete PDF, sent via email with links to download (existing orders)

The process does not include:

- ☞ Reorganizing the structure of your Zoning Ordinance
- ☞ Review by an attorney;
- ☞ Substantive editing or changes to the text.

Supplemental Updating

We will handle 100% of the publishing for your Zoning Ordinance. This includes editing, page composition, proofreading, indexing, and delivering the information as printed or via electronic copy. Supplementation will start upon completion of the republication project on the schedule selected by the client, starting over with Supplement No. 1.

Editorial Approach. We use a team approach to editing. This provides for consistency in editing, understanding and quality of work for you.

Ongoing Supplementation. Our goal is to meet and exceed the needs and expectations of our clients. Working with you and your staff, we will create whatever supplementation schedule will best serve you and your citizens.

municode

CONNECTING YOU & YOUR COMMUNITY

This proposal shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by Municode and the Client.

Term of Agreement. This Agreement shall begin upon execution of this Agreement and end three years after the publication date of the new code. Thereafter, the supplement service shall be automatically renewed from year to year provided that each party may cancel or change this agreement with sixty (60) days written notice.

Submitted by:

MUNICIPAL CODE CORPORATION

Municode Officer: *E. J. Grant*

Title: President

Date: September 28, 2018

Accepted by:

**LEXINGTON-FAYETTE COUNTY, KENTUCKY
ZONING ORDINANCE**

By: _____

Title: _____

Date: _____

Justification for single vendor

The grant application submitted on behalf of LFUCG Council Clerk's Office for the purpose of codification of the zoning ordinances includes on the application only one bid from a sole source. LFUCG has an existing and ongoing contract with Municode, the proprietor that has published the existing Code of Ordinances. Because of this contract, procuring a separate vendor for an existing service is not feasible. The project to publish the zoning ordinances included plans to include a link to the zoning ordinances on the Municode platform, located next to the Code of Ordinances on the main page. It would place an undue burden on multiple departments to contract a second proprietor in order to publish the ordinances in question on a second platform.

Codification Proposal

**Code of Ordinances
City of Lexington, Kentucky**



American Legal Publishing Corporation
432 Walnut St. Cincinnati, Ohio 45202

**Richard C. Frommeyer
Codification Consultant
1-800-445-5588**



AMERICAN LEGAL Publishing Corporation

September 26, 2018

Stephen Pracht, CMC
Deputy Council Clerk
City of Lexington, KY
200 East Main Street
Lexington, KY 40507

Dear Stephen,

Thank you for requesting a quote for codification services. As per your request, the following is our proposal. Our proposal specifically includes meeting all of the Codification Steps of the Kentucky Department for Libraries and Archives as well as all of the requirements. The total cost for codifying the City of Lexington's ordinances includes the following:

City of Lexington's ordinances will be used for the codification
500 estimated total page count of the code of ordinances
A Draft will be provided to the City for review
Indexing and Cross-Referencing will be included
Ordinance review by a licensed Kentucky Staff Attorney
Code will be provided to City in Word, PDF, WordPerfect
Final Revisions/changes included as per the agreement
25 printed copies with tabs and binders with City's name

Codification Cost on this project is \$9,500.00

Legal Review for this project will cost \$1,500.00

TOTAL COST:	\$9,500.00	+	\$1,500.00	=	\$11,000.00
If both requested	Codification		Legal review		

This price quote should be attached to your Application Form when forwarded to the Kentucky Department for Libraries and Archives (DLA) to request funding through the Department's Local Records Program. ALPC will guarantee that (1) the cost for codifying the City's ordinances according to the guidelines of the Kentucky Department for Libraries and Archives will not exceed the above amount, and (2) the price listed above will remain in effect throughout the contract period. The offer will be valid through June 30, 2019.

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Codification services are overseen by Christi Baunach, a Kentucky Licensed Attorney. Your codification project will consist of our one of our Kentucky attorneys researching and reviewing your local ordinances and bring them up-to-date with Kentucky and some federal law based on the 500 finished page count. We will work closely with you in creating a code of ordinances that fits the needs of the City and satisfies the requirements of KRS 83A.060 which require City ordinances to be codified or compiled and periodically reviewed for consistency with state law.

We can also supply you with a number of model ordinances to cover topics where you may request an ordinance. We use comprehensive model ordinances that have been drafted specifically for use by Kentucky cities.

Your code of ordinances will be arranged according to subject matter, indexed, and cross-referenced so that all of the general and permanent laws of your City will be in one easy-to-use book.

American Legal has been in business since 1934. We have over 2,400 clients nation wide including New York City, Los Angeles, Chicago, Philadelphia, Boston, Louisville-Jefferson County Metro Government, Dallas, Fort Worth, and San Francisco to name a few. In Kentucky we have over 250 clients, which is more than any other codification company.

We feel an accurate code is the most important part of any codification project and that is why American Legal has more attorneys on staff than any other codification company and we use Kentucky licensed attorneys on our codification projects.

LEGAL ANALYSIS

Our legal staff's **Exclusive Editorial and Legal Report** details internal code inconsistencies as well as inconsistencies between your ordinances and state statutes and federal law. Our legal team consists of fourteen members with law degrees, including the president of the company.

We have 15 attorneys on staff which is more than any other codification company. Our attorney to client ratio is the best in the industry.

We provide the **most comprehensive analysis** in the codification industry: outlining problems, providing you with alternatives, and allowing you to implement desired improvements.

You receive the Editorial and Legal Report with the **draft** of your code, allowing you to review your code with the assistance of our detailed, written editorial analysis which will ultimately be reviewed with you at a conference in Lexington if requested.

SUBJECT MATTER FORMAT

We will arrange your ordinances according to logical subject matter. We group all of your land use ordinances together in one section, your business regulations together in one section, your administrative ordinances in another section, etc.

TABLE OF SPECIAL ORDINANCES, PARALLEL REFERENCES AND INDEXING

As part of your new code, we will create Tables of Special Ordinances covering such topics as annexations, zoning map changes, franchises, easements, etc. These ordinances will be listed in table form by ordinance number, date of passage, and will include a brief description of each ordinance.

Your code will include Parallel Reference Tables that indicate which code sections are based on state statutes, where prior code sections appear in your new code, and a cross-reference of ordinance numbers to code section numbers.

Our comprehensive index includes no dead ends when you search for a topic.

STYLE OPTIONS

We offer different timesteps for your code, single or dual column printing and various types of binders.

TIMELY DELIVERY AND FLEXIBLE BILLING

We will complete your code within 9 months (excluding your review time).

We can work with you to schedule the project so that it meets your time lines.

We complete supplements within days if requested.

RE-ORDERS AND PAMPHLETS

We have no minimum or maximum orders of extra copies of your code. You can call us at any time and order 1 or 1,000 additional copies of your code.

You can order only as many codes as you need without having to worry about buying, storing and updating copies that you don't need.

You can receive specific pamphlets for your police department, zoning department, etc.

COMPUTERIZATION OF CODE

You can receive your code on a flash drive or download it from our secured site in Microsoft Word, PDF and even WordPerfect at no additional charge.

Access every word in your code in just seconds with our online code of ordinances. Your code can be linked to your meeting minutes and other municipal documents. We do all the conversion work ourselves and host all the codes ourselves. This is an additional fee.

Users can customize their network version by creating color highlights, bookmarks, notes, and pop-up links without affecting the original text.

SUBSCRIBERS SERVICE

American Legal can sell current copies of Lexington's code (printed and computer versions) via our "800" number directly to Law Firms, Developers and other outside parties if requested.

Our service relieves Lexington of the burden of maintaining and updating inventory of codes and processing individual payments.

SUPPLEMENT SERVICE

Our staff will provide you with accurate updates of your code on a timely basis.

Our fast and efficient supplement service will keep your code current in future years.

You can supplement as often as necessary - even after every council meeting using our instant updating service.

Unlike other code companies, our supplement service includes incorporation of changes in state law that affect your code if requested.

This supplement service is at an additional cost.

AMERICAN LEGAL PUBLISHING
STAFF ATTORNEYS

Our editorial support staff consists of more than 25 experienced editors skilled in the multiple disciplines required in providing codification services: editing, computer operation, proofreading and indexing. Our typical editor is a college graduate with a degree in English, Journalism, or Law. Our editors work directly on personal computers using the most advanced software programs for editing, proofreading and indexing. Therefore, we can return your completed Code of Ordinances on computer disk and online if desired. American Legal has a higher percentage of editors with Masters or Doctorate Degrees than any other national codification firm. We have more attorneys on staff than any other codification firm.

ATTORNEYS ON STAFF:

STEPHEN G. WOLF - PRESIDENT

- J.D., University of Cincinnati College of Law
- B.B.A., Management, University of Cincinnati
- Current City Attorney of an Ohio city, and former Mayor
- Over Thirty five years with American Legal Publishing

CYNTHIA A. POWELEIT - VICE PRESIDENT AND EDITOR-IN-CHIEF

- J.D., Salmon P. Chase College of Law, Northern Kentucky University
- B.A., English, Denison University
- Over twenty-six years with American Legal Publishing

RAY G. BOLLHAUER - CLIENT RELATIONS DIRECTOR

- J.D., University of Cincinnati College of Law (Moot Court)
- B.A., Economics, University of Cincinnati
- Past President of local community Council
- Over twenty-one years with American Legal

TODD MYERS - SUPPLEMENT DIRECTOR

- J.D., University of Cincinnati College of Law (Law Review)
- B.S., Criminal Justice, University of Cincinnati
- Over twenty years with American Legal

CHRISTI G. BAUNACH - LEGAL REVIEW STAFF

- J.D., University of Louisville, Cum Laude
- B.A., Political Science, University of Louisville, Cum Laude
- Judicial Internship, Supreme Court of Kentucky
- Over twenty-four years with American Legal
- She would be assigned to your legal review and research

deRICCI HORWATT - LEGAL REVIEW STAFF

- J.D., University of Akron
- B.B.A. Marketing, Ohio University
- Licensed in both Ohio and Pennsylvania
- Owned law firm for nine years practicing municipal law in Pennsylvania
- Twelve years with American Legal Publishing

RENELL HAMILTON - LEGAL REVIEW STAFF

- J.D., University of Cincinnati
- B.S., Education, University of Wisconsin
- Former Law Firm Administrator
- Twenty two years with American Legal Publishing

LISA BRICKNER - LEGAL REVIEW STAFF AND EDITOR

- J.D., University of Cincinnati
- University of San Diego School of Law, Magdalen College
- B. A. Police Administration, Eastern Kentucky University
- University of Oxford, Oxford, England
- Eight years with American Legal Publishing

DEVON MOSER - LEGAL REVIEW STAFF AND EDITOR

- J.D., University of Cincinnati
- B.A. International Studies, Wright State University
- Army Cadet
- Ten years with American Legal Publishing

DARLENE FOLEY - LEGAL EDITOR

- J.D., University of Cincinnati
- B.A., University of Cincinnati
- Federal Bar Member
- Ten years with American Legal Publishing

MICHAEL FIELMAN - LEGAL EDITOR

- J.D., Salmon P. Chase College of Law, Northern Kentucky University
- Law Review
- B.S. Finance, Miami University (Oxford, OH)
- Eight years with American Legal Publishing

LAURA MOSER- LEGAL EDITOR

- J.D., Salmon P. Chase, College of Law
- B.S. Political Science, University of Kentucky
- Kentucky Citizen Foster Care Review Board
- Over three years with American Legal Publishing

NILS HERDELIN- LEGAL EDITOR

- J.D., Salmon P. Chase, College of Law
- B.A. Political Science, Western Kentucky University
- Member of the Ohio Bar Association
- Former Special Assistant Prosecutor in Campbell County, KY

OWEN PARSONS- LEGAL EDITOR

- J.D., Salmon P. Chase School of Law
- B.A. Government Studies, Centre College
- Over two years with American Legal Publishing

BRANDI BUCHENAU - STAFF ATTORNEY


- J.D., Salmon P. Chase School of Law
- B.A. Political Science, Northern Kentucky University

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We certainly hope you choose American Legal and explain your preference on your application form.

If you have additional questions about any part of the project, please contact me at your earliest convenience. We are looking forward to working with you on this most important project.

Sincerely,

A handwritten signature in cursive script, appearing to read 'R. Frommeyer', with a long horizontal flourish extending to the right.

Richard C. Frommeyer
Codification Consultant
3635 Walnut Park Drive
Alexandria, KY 41001