



City of Bentonville
Bentonville Utility Board Meeting
Tuesday, May 3rd – 11:30 am
Bentonville City Hall 305 SW “A” St.
City Council Chambers

AGENDA

Call to Order
Pledge of Allegiance
Attendance
Approval of Minutes: April 5th, 2022

New Business

1. Ordinance & Bid Waiver – Badger Water Meters – Travis Matlock, PE (pages 2-6)
2. Resolution – Water Service Boundary – Mike Bender (pages 7-12)
3. Adjournment



Agenda Item Form

Date of City Council Meeting	5/10/2022
Department	Inventory Control
Submitted by	Travis Matlock
Phone	479 271-3145

Item Type: (Check All That Apply)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☒ Ordinance	☐ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Ordinance authorizing Mayor and City Clerk to enter into an agreement with Henard Utility and waiving the requirement for competitive bidding for 5/8" and 1" Badger water meters for \$78,521.00 plus tax. This is a single source item in the State of Arkansas.					

Estimated Cost	78,521
Is this Item Budgeted?	☒ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	





Waiver of Bid Request

Date of Utility Board Meeting	5/10/2022
Department	Inventory Control
Submitted by	Travis Matlock, PE
Phone	(479) 271-5941

Vendor	Henard Utility
Total Cost	\$ 78,521.00

Description of Purchase *(This should include a detailed description of the type of material, equipment or service that is being requested including make, model, year & options if applicable. Enter details in space below):*

Water Dept. staff recommends waiving the requirements for competitive bidding and purchasing 5/8" and 1" from Henard Utility for \$78,521.00 plus tax.

Justification *(Enter justification in space below):*

Due to the current supply chain issues with micro chips for the solid state register water meters, Henard is able to supply meters that will work with our AMI system while the Mueller Company works out manufacturing issues.



MEMORANDUM

DATE: May 10, 2022

TO: City Council, Mayor Orman

FROM: Travis Matlock, PE, Electric Utility Director

RE: Badger water meters

Bentonville Water Utilities switched to a Solid State Registers (SSR) from the traditional mechanical register for our water meters several years back due to the failure rate and unreliability of the mechanical registers. The operations team was informed on March 1, 2022 the supplier (Mueller) could not furnish SSR meters at the time due to a chip manufacturing issue. Shortly after receiving this news, the warehouse received word that the current order of SSRs would not be fulfilled until October. We do not have enough inventory currently at the warehouse to provide meters for new construction until the proposed delivery time of October 2022. At that time, Bentonville Water Utilities started researching and vetting all other meter manufacturers. We found Badger Meters are one of the few manufacturers that make an SSR register that is comparable to Mueller's and will also work with our AMI system. We contacted Henard Utility Products who is the area distributor and asked about lead times for these register/meter combos. They informed us that they keep plenty of inventory on hand at all times and are only out 3-6 weeks when they order from the manufacturer. This is due in part, because several of the larger municipalities in our area are installing the same type of meter. Based on this information, we decided to reach out to these other municipalities to hear their pros and cons with the Badger meters as well as the distributor. Their responses were overwhelmingly positive.

At this time we are requesting to enter into an agreement and waive the requirements of competitive bidding and purchase Badger 5/8" and 1" Meters in the amount of \$78,251.00 to fulfill the gap while Mueller Company works out their manufacturing issues with their SSR meters.



4545 W Brown Deer Road
PO Box 245036
Milwaukee, Wisconsin 53224-9536
414-355-0400 | 800-876-3837
www.badgermeter.com

April 21, 2022

Amy Blood
Bentonville Water Department
501 Southwest 28th Street
Bentonville, AR 72712

RE: Sole Source Letter

Dear Amy Blood:

This correspondence confirms that Henard Utility Products, Inc. is the sole authorized distributor of all Badger Meter products for the state of Arkansas.

In the event you have any questions regarding this correspondence, we can be reached by telephone at 800-876-3837 or via email at bids@badgermeter.com.

Sincerely,

BADGER METER, INC.

A handwritten signature in blue ink that reads 'Jenny Dunk'.

Jennifer A. Dunk
Assistant Secretary and Proposal Lead

501 SW 28th ST.
BENTONVILLE, AR 72712
PHONE: (479) 271-3145
AMY BLOOD

[illegible]



Agenda Item Form

Date of Utility Board Meeting	5/3/2022
Department	Water Utilities
Submitted by	Beau Thompson
Phone	479-271-3140

Item Type: (Check Applicable Item Type)					
☐ Budget Adjustment	☐ Change Order	☐ Informational	☐ Ordinance	☒ Resolution	☐ Bid Award
Recommendation/Suggested Action (Enter recommendation in space below):					
Staff is recommending the Mayor and City Clerk to enter into an agreement with the City of Cave Springs accepting property into the City of Bentonville's water service area. The property is located at the corner of Arkansas Highway 112 and W Scoggins Road. The property is in Bentonville's city limits and consist of 50.21 acres. See attached exhibit.					

Estimated Cost	\$0
Is this Item Budgeted?	☐ Yes ☐ No
If no, please explain how item will be funded (briefly explain in space below) :	





Memo

To: Bentonville Utility Board

From: Beau Thompson

CC: Mike Bender

Date: April 22, 2022

Re: Simpson Trust Water Service Boundary Amendment

Staff is recommending the Mayor and City Clerk to enter into an agreement with the City of Cave Springs accepting property into the City of Bentonville's water service area. On March 22, 2022, the City of Cave Springs passed resolution number 2022-11 releasing the Simpson Trust property from their water service area to the City of Bentonville. The property is located at the corner of Arkansas Highway 112 and W Scoggins Road. The property is in Bentonville's city limits and consist of 50.21 acres. See attached exhibit.

Thank you for your consideration of this request.

RESOLUTION NO. 2022- 11

CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS

**A RESOLUTION APPROVING AND AUTHORIZING THE
MAYOR OF CAVE SPRINGS TO EXECUTE AN AGREEMENT
FOR WATER SERVICE BOUNDARIES WITH THE CITY OF
BENTONVILLE.**

WHEREAS, the City of Cave Springs has received an agreement from the City of Bentonville acknowledging water service boundaries; and

WHEREAS, the City of Cave Springs and the City of Bentonville provide water service to common areas in or near their authorized service boundaries, and both cities desire to release a portion of the Cave Springs water service area into the Bentonville water service area.; and

WHEREAS, the City Council for the City of Cave Springs desires that the Mayor be authorized to enter into an Agreement with the City of Bentonville as the City Council finds that a service boundary agreement would be in the best interest of the citizens of the City of Cave Springs.

NOW, THEREFORE, BE IT RESOLVED, the Mayor of Cave Springs, Arkansas, on behalf of the City of Cave Springs, Arkansas, is authorized to enter into an Agreement for water service boundaries attached hereto as Exhibit "A" with the City of Bentonville and to take all other action required hereto.

PASSED and APPROVED this 22 day of March, 2022.

APPROVED:


RANDALL J. NOBLETT, Mayor

ATTEST:

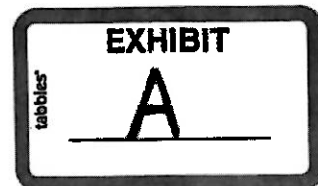

KIMBERLY HUTCHESON, City Clerk-Treasurer



FILED FOR RECORD
AT 12:29 O'CLOCK P.M.

MAR 23 2022

CITY OF CAVE SPRINGS, AR
CITY CLERK



AGREEMENT

THIS AGREEMENT acknowledging water service boundaries is made and entered into this _____ day of _____, 2019, by and between the **CITY OF BENTONVILLE, ARKANSAS**, hereinafter referred to as "Bentonville", and the **CITY OF CAVE SPRINGS, ARKANSAS**, hereinafter referred to as "Cave Springs". Bentonville and Cave Springs are each referred to herein individually as a "Party" and collectively as the "Parties" to this agreement.

WITNESSETH:

WHEREAS, the Parties, in their respective governmental capacities, own and operate potable water distribution systems; and

WHEREAS, the Parties currently provide water service and/or are capable of providing water service to common areas in or near their respective corporate limits or authorized service boundaries. The Parties find it desirable that a designated portion of the Cave Springs water service area be released into the Bentonville water service area;

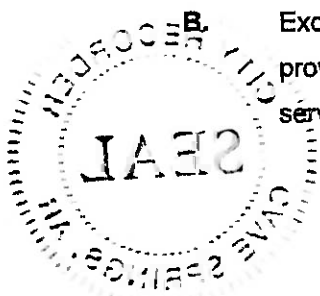
WHEREAS, the Parties desire to memorialize this release by Cave Springs and acceptance by Bentonville; and

NOW THEREFORE, in consideration of the premises above and the mutual covenants and conditions hereinafter set forth and other valuable considerations, the receipt of which is hereby acknowledged, Bentonville and Cave Springs hereby agree as follows:

Section I: Release of Portion of Water Service Area by Cave Springs

- A.** The area on the attached Exhibit A identified as "Subject Property", (said exhibit is incorporated herein as though set out word for word) shall be released by Cave Springs and accepted into the water service area for Bentonville.

B. Except as may be agreed upon from time to time, the Parties shall have exclusive right to provide potable water service to customers within their respective designated water service area, and each Party hereby releases and relinquishes any and all right they may



otherwise have to provide potable water service within the other Party's designated water service area.

- C. Water transmission lines belonging to or controlled by either Party, whether now existing or laid and installed after the effective date of this Agreement and located within the water service area of the other Party, shall be permissible provided such lines are located within proper easements and no water service is provided to customers within the water service area of the other Party, except upon agreement in writing between the Parties.

Section II: Communication and Cooperation

The Parties agree to communicate and cooperate with one another in good faith and agree to share information as it relates to development and construction within their respective water service areas. The Parties further agree to meet annually to discuss shared information as it relates to growth and development.

Section III: Execution Authority

The person(s) executing this Agreement on behalf of the representative Parties covenant that they have been authorized to do so by ordinance or resolution duly adopted by the governing body of such Party.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year first set out above.

CITY OF BENTONVILLE, ARKANSAS
A Municipal Corporation

BY: _____
Mayor

ATTEST:
BY: _____
City Clerk

CITY OF CAVE SPRINGS, ARKANSAS
A Municipal Corporation

BY: Randall J. Noble
Mayor

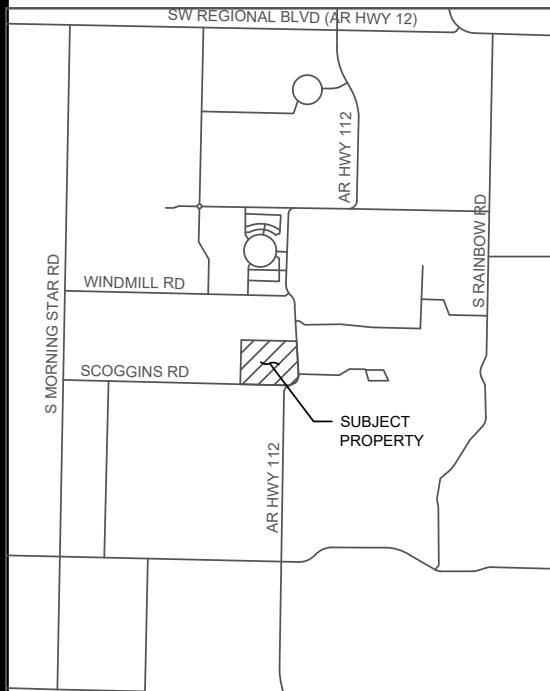
ATTEST:
BY: Himbury Hutcherson
Recorder/Treasurer





N.T.S.

EXHIBIT A



VICINITY MAP

