



BENTONVILLE CITY COUNCIL AGENDA

**Committee of the Whole
Community Development
Planning Commission Meeting Room**

**Tuesday, September 23, 2014 6:00 p.m.
305 SW "A" Street**

**Regular City Council Meeting
Community Development
Planning Commission Meeting Room**

**Tuesday, September 23, 2014 6:00 p.m.
305 SW "A" Street**

**Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: September 9, 2014**

AGENDA

1. Ozark Regional Transit Update – Joel Gardner, Executive Director.
(Pages 4-7)
2. Planning:
 - 2a. **Glee Revocable Trust (Jeff & Linda Allen): Lot Split, Lots 9 & 10, Replat of Lot 1, Block 3, Twin City Heights, 1109 Southeast 35th Street, Zoned R-1, Single Family Residential.**
(Pages 9-12)
The planning commission voted 7-0 recommending approval

The applicant has submitted a Lot split Application for property located at 1109 Southeast 35th Street. The proposed plat as provided indicates the creation of two lots to be known as Lot 9 (0.23 acres) and Lot 10 (0.21 acres), Block 3, Twin City Heights Subdivision. The proposed plat also shows the dedication of additional right-of-way along Southeast 'K' Street and Southeast 35th Street per the master street plan as well as a 10 feet utility easement along the northern property line and a 20 feet utility easement along the eastern property line.

- 2b. **Jennifer Apolskis: Property Line Adjustment, Lot 114 Stonehenge Subdivision, Stonehenge Drive, Zoned R-1, Single Family Residential.**
(Pages 13-16)
The planning commission voted 7-0 recommending approval.

The applicant has submitted a property line adjustment to create one new lot from two existing lots to be known as Lot 114 (3.08 acres) of the Stonehenge Subdivision Phase 1. As per the plat submitted, the owner will be vacating a portion of an existing 20 feet

access easement that was along the common lot line of the two original lots. The owner will also be dedicating a 20 feet utility easement along Stonehenge Drive.

- 2c. **CHP, LLC: Rezoning, R-1, Single Family Residential to R-C2, Central Residential Moderate Density, 317 Southwest 'F' Street.**
(Pages 17-22)

The planning commission voted 7-0 recommending approval.

The applicant has requested a rezoning from R-1 to R-C2 to allow different setbacks to property and to match zoning with the property already owned and zoned R-C2 surrounding the property.

- 2d. **WPC, LLC: Rezoning, I-2, Heavy Industrial to C-1, Neighborhood Commercial, 1002 Southwest 'I' Street.**
(Pages 23-28)

The planning commission voted 7-0 recommending approval.

The applicant has requested a rezoning from I-2 to C-1, to allow for a child care and private school facility.

- 3a. To approve a waiver of bid for repair work on the Community Development office building roof. (Pages 29-37)
- 3b. To approve a budget adjustment for repair work on the Community Development office building roof. (Pages 38-40)
4. Waiver of Bid to facilitate purchase of trees for Annual Volunteer Tree Planting on October 24, 2014. See memorandum for additional details. (Pages 41-45)
5. Council Approval of a resolution authorizing the Mayor and City Clerk to enter into a professional services contract with Traffic Engineering Consultants for the annual traffic signal timing study and coordination plan at 22 signalized intersections for a lump sum amount not to exceed \$33,000.00. This is a budgeted item. (Pages 46-51)
6. A resolution authorizing the Mayor and City Council to enter into an agreement with Carroll Electric Corporation to acquire electric distribution facilities and 7 electric accounts located along Highway 12 extending from Rainbow Curve to Greenhouse Road in the amount of \$41,610.97. (Pages 52-57)
7. Request for a waiver of bid to enter into an agreement with BBC Electrical Services, Inc. for the installation of 69 kV switches and jumper modifications at Substation "C" in the amount of \$60,004.00. (Pages 58-62)
8. Parks and Recreation Staff seeks City Council approval of change order #1 in the amount of \$169,235.52 for access control and security for the Bentonville Community Center. (Pages 63-66)
9. Parks and Recreation Staff seeks City Council approval of a grant award from the Walton Family Foundation for the promotion and operation of the Slaughter Pen Jam Mountain Bike Festival as well as maintenance improvements to Slaughter Pen Mountain Bike Park. (Pages 67-73)

10. Parks and Recreation Staff seeks City Council approval of a budget adjustment to recognize \$56,771.00 in revenue from the Slaughter Pen Jam and \$46,707.00 in expenses. **(Pages 74-76)**
11. Staff recommends Council award bid No. 2014-43 to Forsgren Inc. in the amount of \$2,178,210.47 for the South Lift Station Renovation and South Force Main Construction project. This project will be funded with sewer capacity fees. **(Pages 77-81)**
12. Approval, by Resolution, to adopt a Library Policy designating Bentonville Public Library as a non-smoking and tobacco free campus. To promote cleanliness of grounds, maintain a healthy environment and model non-smoking behavior to children and teens, prohibited use areas include all programmatic spaces (inside and outside the library). This policy and resolution eliminates the designated smoking area currently provided on the veranda. Cigarette receptacles will no longer be provided on the library's campus. **(Pages 82-85)**



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
X	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: _____

Department _____

Phone _____

ACTION REQUIRED:

Informational - Ozark Regional Transit Update – Joel Gardner, Executive Director.

COST TO CITY:

Cost of this Request: _____

Additional Budget Amount _____

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head _____

Date _____

Staff Attorney _____

Date 9/18/14

Purchasing Agent _____

Date _____

Mayor _____

Date _____

Finance Director _____

Date 9-18-14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

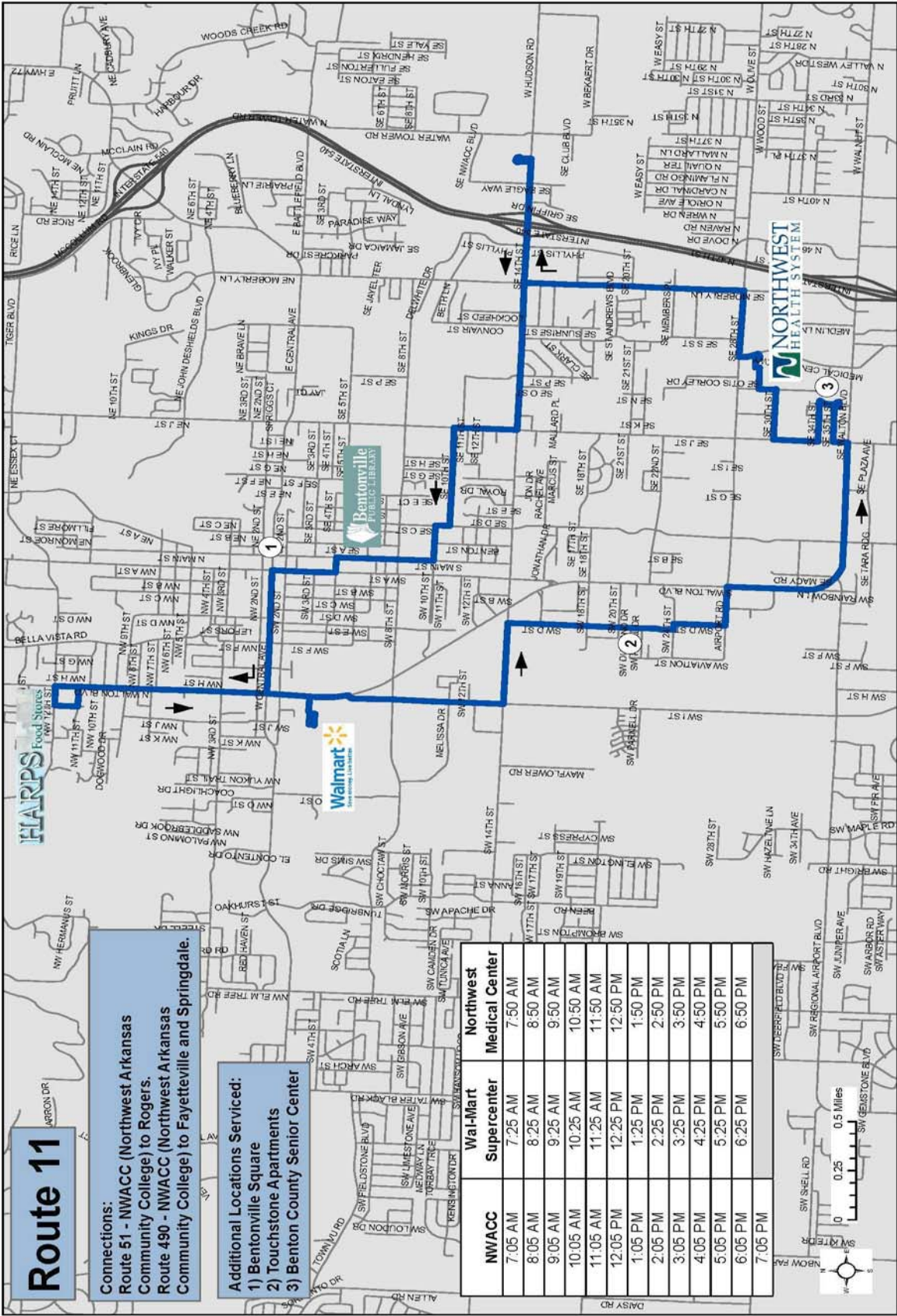
www.bentonvillear.com



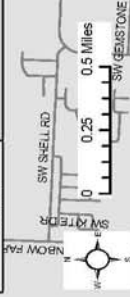
PLEASE RECYCLE



- Bentonville Route 11
- Ridership Numbers
- Wheelchair Numbers
- Summary of the difficulty serving Bentonville adequately with a single route
- Inquiry to the city if the exploration of additional routes is wanted
- Summary of the trolley demonstration route
 - Provision of the demo route map
 - Provision of data collected from demo route
 - Cost analysis
 - Trolley (\$170,000) purchase price vs. Regular bus (\$82,000) purchase price
- Service costs: \$42/service hour; 12 hr day=\$504 and \$128,520 for 255 day-year



NWACC	Walmart Supercenter	Northwest Medical Center
7:05 AM	7:25 AM	7:50 AM
8:05 AM	8:25 AM	8:50 AM
9:05 AM	9:25 AM	9:50 AM
10:05 AM	10:25 AM	10:50 AM
11:05 AM	11:25 AM	11:50 AM
12:05 PM	12:25 PM	12:50 PM
1:05 PM	1:25 PM	1:50 PM
2:05 PM	2:25 PM	2:50 PM
3:05 PM	3:25 PM	3:50 PM
4:05 PM	4:25 PM	4:50 PM
5:05 PM	5:25 PM	5:50 PM
6:05 PM	6:25 PM	6:50 PM
7:05 PM		

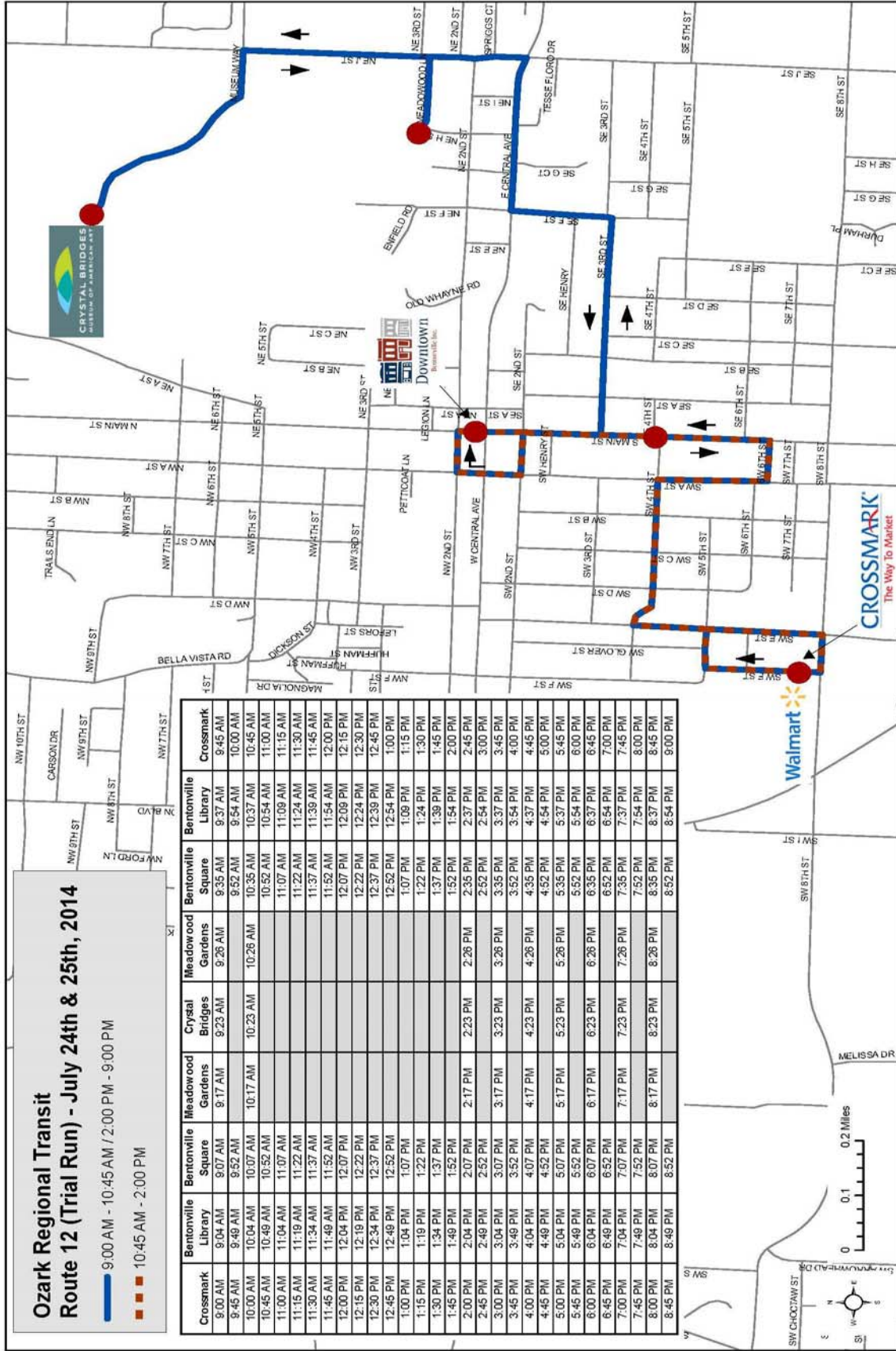


Ozark Regional Transit **Route 12 (Trial Run) - July 24th & 25th, 2014**

9:00 AM - 10:45 AM / 2:00 PM - 9:00 PM

10:45 AM - 2:00 PM

	Bentonville	Bentonville	Crystal	Meadowood	Bentonville	Bentonville	Crossmark
	Library	Square	Gardens	Gardens	Square	Library	Crossmark
9:00 AM	9:04 AM	9:07 AM	9:17 AM	9:23 AM	9:35 AM	9:37 AM	9:45 AM
9:45 AM	9:49 AM	9:52 AM			9:54 AM	9:54 AM	10:00 AM
10:00 AM	10:04 AM	10:07 AM	10:17 AM	10:23 AM	10:35 AM	10:37 AM	10:45 AM
10:45 AM	10:49 AM	10:52 AM			10:54 AM	10:54 AM	11:00 AM
11:00 AM	11:04 AM	11:07 AM			11:09 AM	11:09 AM	11:15 AM
11:15 AM	11:19 AM	11:22 AM			11:24 AM	11:24 AM	11:30 AM
11:30 AM	11:34 AM	11:37 AM			11:39 AM	11:39 AM	11:45 AM
11:45 AM	11:49 AM	11:52 AM			11:54 AM	11:54 AM	12:00 PM
12:00 PM	12:04 PM	12:07 PM			12:09 PM	12:09 PM	12:15 PM
12:15 PM	12:19 PM	12:22 PM			12:24 PM	12:24 PM	12:30 PM
12:30 PM	12:34 PM	12:37 PM			12:39 PM	12:39 PM	12:45 PM
12:45 PM	12:49 PM	12:52 PM			12:54 PM	12:54 PM	1:00 PM
1:00 PM	1:04 PM	1:07 PM			1:09 PM	1:09 PM	1:15 PM
1:15 PM	1:19 PM	1:22 PM			1:24 PM	1:24 PM	1:30 PM
1:30 PM	1:34 PM	1:37 PM			1:39 PM	1:39 PM	1:45 PM
1:45 PM	1:49 PM	1:52 PM			1:54 PM	1:54 PM	2:00 PM
2:00 PM	2:04 PM	2:07 PM	2:17 PM	2:23 PM	2:35 PM	2:37 PM	2:45 PM
2:45 PM	2:49 PM	2:52 PM			2:54 PM	2:54 PM	3:00 PM
3:00 PM	3:04 PM	3:07 PM	3:17 PM	3:23 PM	3:35 PM	3:37 PM	3:45 PM
3:45 PM	3:49 PM	3:52 PM			3:54 PM	3:54 PM	4:00 PM
4:00 PM	4:04 PM	4:07 PM	4:17 PM	4:23 PM	4:35 PM	4:37 PM	4:45 PM
4:45 PM	4:49 PM	4:52 PM			4:54 PM	4:54 PM	5:00 PM
5:00 PM	5:04 PM	5:07 PM	5:17 PM	5:23 PM	5:35 PM	5:37 PM	5:45 PM
5:45 PM	5:49 PM	5:52 PM			5:54 PM	5:54 PM	6:00 PM
6:00 PM	6:04 PM	6:07 PM	6:17 PM	6:23 PM	6:35 PM	6:37 PM	6:45 PM
6:45 PM	6:49 PM	6:52 PM			6:54 PM	6:54 PM	7:00 PM
7:00 PM	7:04 PM	7:07 PM	7:17 PM	7:23 PM	7:35 PM	7:37 PM	7:45 PM
7:45 PM	7:49 PM	7:52 PM			7:54 PM	7:54 PM	8:00 PM
8:00 PM	8:04 PM	8:07 PM	8:17 PM	8:23 PM	8:35 PM	8:37 PM	8:45 PM
8:45 PM	8:49 PM	8:52 PM			8:54 PM	8:54 PM	9:00 PM



**City Council
Agenda
September 23, 2014**

Glee Revocable Trust(Jeff & Linda Allen): Lot Split, Lots 9 & 10, Replat of Lot 1, Block 3, Twin City Heights, 1109 Southeast 35th Street, Zoned R-1, Single Family Residential.

The planning commission voted 7-0 recommending approval

The applicant has submitted a Lot split Application for property located at 1109 Southeast 35th Street. The proposed plat as provided indicates the creation of two lots to be known as Lot 9 (0.23 acres) and Lot 10 (0.21 acres), Block 3, Twin City Heights Subdivision. The proposed plat also shows the dedication of additional right-of-way along Southeast 'K' Street and Southeast 35th Street per the master street plan as well as a 10 feet utility easement along the northern property line and a 20 feet utility easement along the eastern property line.

Jennifer Apolskis: Property Line Adjustment, Lot 114 Stonehenge Subdivision, Stonehenge Drive, Zoned R-1, Single Family Residential.

The planning commission voted 7-0 recommending approval.

The applicant has submitted a property line adjustment to create one new lot from two existing lots to be known as Lot 114 (3.08 acres) of the Stonehenge Subdivision Phase 1. As per the plat submitted, the owner will be vacating a portion of an existing 20 feet access easement that was along the common lot line of the two original lots. The owner will also be dedicating a 20 feet utility easement along Stonehenge Drive.

CHP, LLC: Rezoning, R-1, Single Family Residential to R-C2, Central Residential Moderate Density, 317 Southwest 'F' Street.

The planning commission voted 7-0 recommending approval.

The applicant has requested a rezoning from R-1 to R-C2 to allow different setbacks to property and to match zoning with the property already owned and zoned R-C2 surrounding the property.

WPC, LLC: Rezoning, I-2, Heavy Industrial to C-1, Neighborhood Commercial, 1002 Southwest 'I' Street.

The planning commission voted 7-0 recommending approval.

The applicant has requested a rezoning from I-2 to C-1, to allow for a child care and private school facility.

Planning Commission Staff Report
Lot Split: Lots 9 & 10, Replat of Lot 1, Block 3, Twin City Heights

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Jon Stanley, Planner
PC DATE: September 16, 2014

GENERAL INFORMATION:

Project Number: 14-05000023

Applicant: Glee Revocable Trust (Jeff & Linda Allen)

Representative: G. E. Buescher (Survey 1)

Requested Action: Lot Split Approval

Location: 1109 Southeast 35th Street

Existing Zoning: R-1, Single Family Residential

Land Use Plan: High Density Residential

BACKGROUND:

The applicant has submitted a Lot split Application for property located at 1109 Southeast 35th Street. The proposed plat as provided indicates the creation of two lots to be known as Lot 9 (0.23 acres) and Lot 10 (0.21 acres), Block 3, Twin City Heights Subdivision. The proposed plat also shows the dedication of additional right-of-way along Southeast 'K' Street and Southeast 35th Street per the master street plan as well as a 10 feet utility easement along the northern property line and a 20 feet utility easement along the eastern property line.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	High Density Residential
South	R-1, Single Family Residential	High Density Residential
East	A-1, Agricultural	High Density Residential
West	R-1, Single Family Residential	High Density Residential

STREETS

Direction	Name	Classification
North		
South	Southeast 35 th Street	Local
East	Southeast 'K' Street	Local
West		

TRAFFIC FINDINGS

- (a) Traffic data for the nearest intersections are as follows: No traffic data exists for this location.
- (b) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

- 1. A digital copy of the plat.
- 2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this is the location of an existing single family residential home and a shed within a developed residential subdivision.

Drainage Report: A drainage report is not required for this lot split.

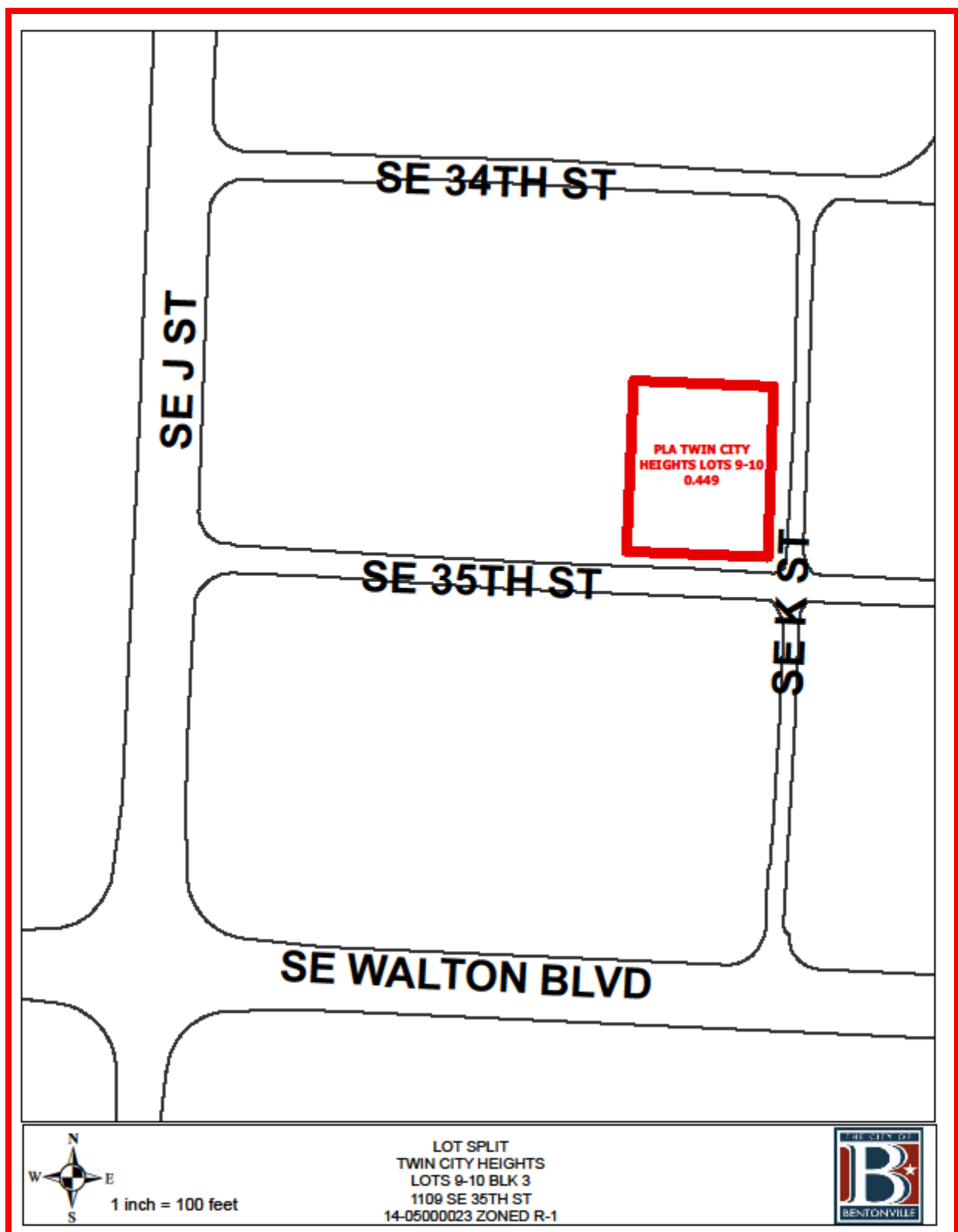
Water / Sewer: Per the G.I.S. site, water is currently in use at this location. Sewer service will be available prior to filing/recording.

Waiver(s): N/A

Analysis / Conclusion: This lot split **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A LOT SPLIT OF LOTS 9 & 10, REPLAT OF LOT 1, BLOCK 3
TWIN CITY HEIGHTS, TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the lot split of Lots 9 & 10, Replat of Lot 1, Block 3 Twin City Heights, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 16th day of September, 2014 and

WHEREAS, said lot split is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said lot split on the date stated and at other times, and voted to recommend the approval of said lot split to the City Council; and

WHEREAS, the lot split of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said lot split should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the lot split of Lots 9 & 10, Replat of Lot 1, Block 3, Twin City Heights, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said lot split by certifying said acceptance on the approved lot split.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014.

ATTEST

APPROVED

City Clerk

Mayor

Planning Commission Staff Report
Property Line Adjustment: Lot 114 Stonehenge Subdivision

TO: Bentonville Planning Commission Members
THRU: Troy Galloway, AICP, Community Development Director
FROM: Beau Thompson, Planner
PC DATE: September 16, 2014

GENERAL INFORMATION:

Project Number: 14-07000026

Applicant/Owner: Jennifer Apolskis

Representative: Eric Heller (Jenkins Surveying)

Requested Action: Property Line Adjustment Approval

Location: Stonehenge Drive

Existing Zoning: R-1, Single Family Residential

Land Use Plan: Low Density Residential

BACKGROUND:

The applicant has submitted a property line adjustment to create one new lot from two existing lots to be known as Lot 114 (3.08 acres) of the Stonehenge Subdivision Phase 1. As per the plat submitted, the owner will be vacating a portion of an existing 20 feet access easement that was along the common lot line of the two original lots. The owner will also be dedicating a 20 feet utility easement along Stonehenge Drive.

SURROUNDING LAND USES AND ZONING:

Direction	Zoning	Land Use
North	R-1, Single Family Residential	Low Density Residential
South	R-1, Single Family Residential	Low Density Residential
East	R-E, Residential Estate	Low Density Residential
West	R-1, Single Family Residential	Low Density Residential

STREETS

Direction	Name	Classification
North	Stonehenge Drive	Local
South		
East		
West		

TRAFFIC FINDINGS

- (c) Traffic data for the nearest intersections are as follows: N/A.
- (d) Traffic summary software predicts the additional traffic for this project is: N/A.

STANDARD CONDITIONS OF APPROVAL

1. A digital copy of the plat.
2. All technical review comments must be addressed before building permits will be issued.

ISSUES / ANALYSIS:

Site Inspection: A site inspection was completed; this site is currently a vacant lot in a developed residential subdivision.

Drainage Report: A drainage report is not required for this property line adjustment.

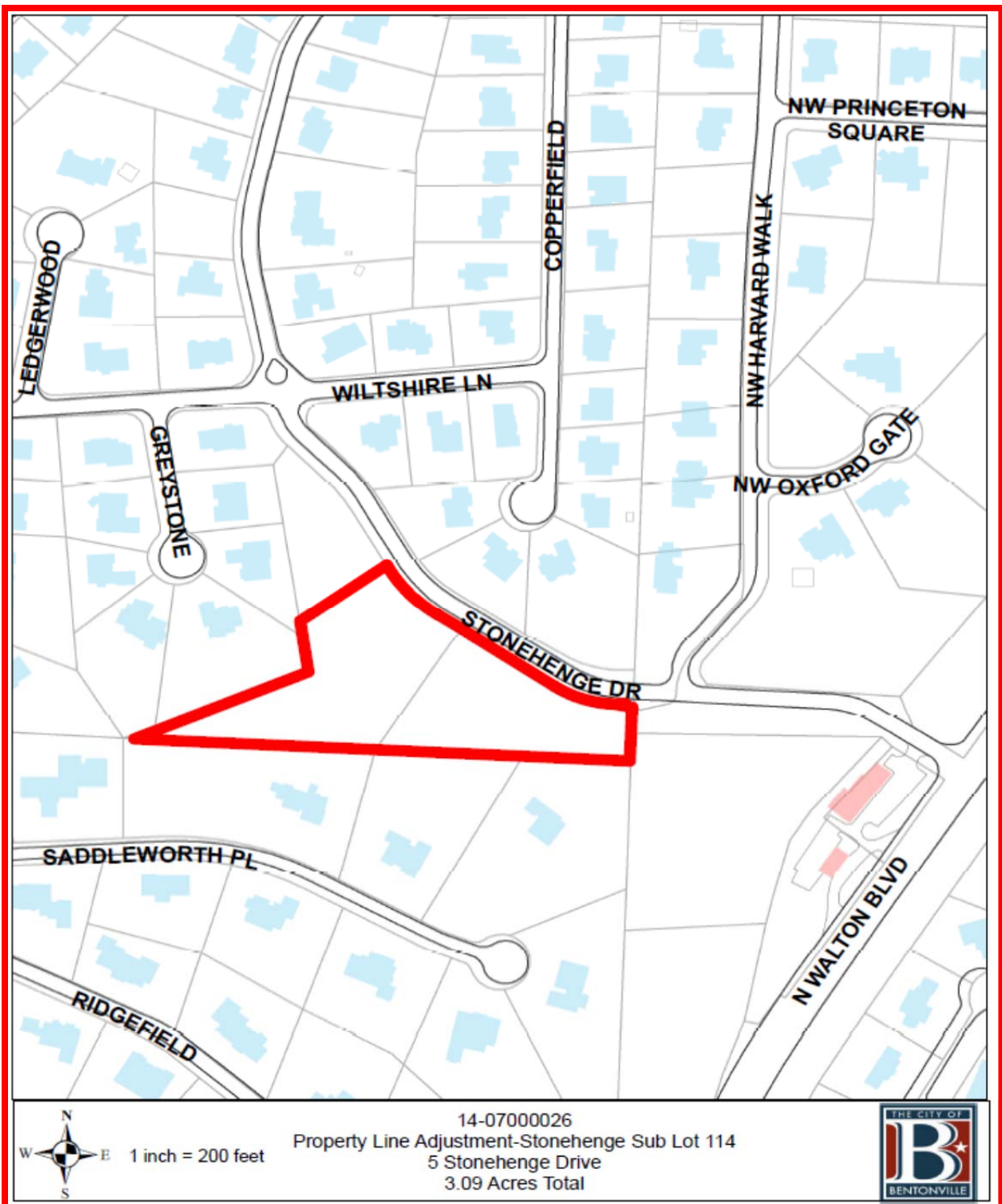
Water / Sewer: Per the G.I.S. site, water and sewer are available to this site.

Waiver(s): N/A

Analysis / Conclusion: This property line adjustment **DOES** meet the minimum requirements of the subdivision regulations.

RECOMMENDATION:

Staff has reviewed this application and recommends **APPROVAL**.



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 114
STONEHENGE SUBDIVISION TO THE CITY OF BENTONVILLE, ARKANSAS.**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 114 Stonehenge Subdivision, to the City of Bentonville, Benton County Arkansas, was submitted to the Bentonville Planning Commission on the 16th day of September, 2014 and

WHEREAS, said plat is attached hereto as Exhibit "A" and

WHEREAS, the Bentonville Planning Commission considered said property line adjustment on the date stated and at other times, and voted to recommend the approval of said property line adjustment to the City Council; and

WHEREAS, the property line adjustment of real property as described herein has been submitted to the City Council of the City of Bentonville, and after consideration and deliberation said Council is of the opinion that said property line adjustment should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the property line adjustment of Lot 114 Stonehenge Subdivision, to the City of Bentonville, Arkansas, should be and the same is hereby accepted and approved for all purposes.

Section 2: That the Mayor and City Clerk be and are hereby authorized and directed to evidence the acceptance of said property line adjustment by certifying said acceptance on the approved property line adjustment.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

ATTEST

APPROVED

CITY CLERK

MAYOR



PC Meeting of: September 16, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: CHP, LLC (R-1, Single Family Residential to R-C2, Central Residential – Moderate Density)

Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: September 16, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000021
Applicant/Current Owner: CHP, LLC
Representative: Terry Ging Services
Requested Action: Rezoning
Location: 317 Southwest 'F' Street
Existing Zoning: R-1, Single Family Residential
Proposed Zoning: R-C2, Central Residential – Moderate Density
Future Land Use Map Designation: Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; the piece of property to be rezoned is currently vacant.

Previous Rezoning Requests for this Property: There are no known rezoning's for this property. The property was part of a deed gap that was settled and quiet titled to CHP, LLC.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Single Family Dwelling	R-1, Single Family Residential	Downtown Mixed Use Residential
South	Single Family Dwelling	R-C2, Central Residential – Moderate Density	Downtown Mixed Use Residential
East	Vacant	R-C2, Central Residential – Moderate Density	Downtown Mixed Use Residential
West	Cemetery	R-1, Single Family Residential	Public

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South			
East			
West	Southwest 'F' Street	Local	2 Lane Asphalt

LEGAL NOTIFICATIONS

Public Notice: On **August 13, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Edition on **August 16, 2014**. In addition, staff posted a notice of public hearing sign on the property on **August 28, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: According to Policy LU-16 Infill Development of the General Plan "The City shall encourage the development of mixed-use and residential projects with in the downtown area to increase the community's housing stock and to enhance the vitality of downtown businesses. Policy LU-23 Housing Types states "the City should encourage the development of a mix of housing types to the meet the needs of residents...". The proposed rezoning will meet the intent of both policies therefore the request is consistent with good land use planning and the general plan.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The proposed rezoning will not create an increase to traffic in the area.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

Finding(s) of Staff: The proposed zoning will not adversely impact the public infrastructure. Water and sewer are available at this location. Emergency services are adequate at this location.

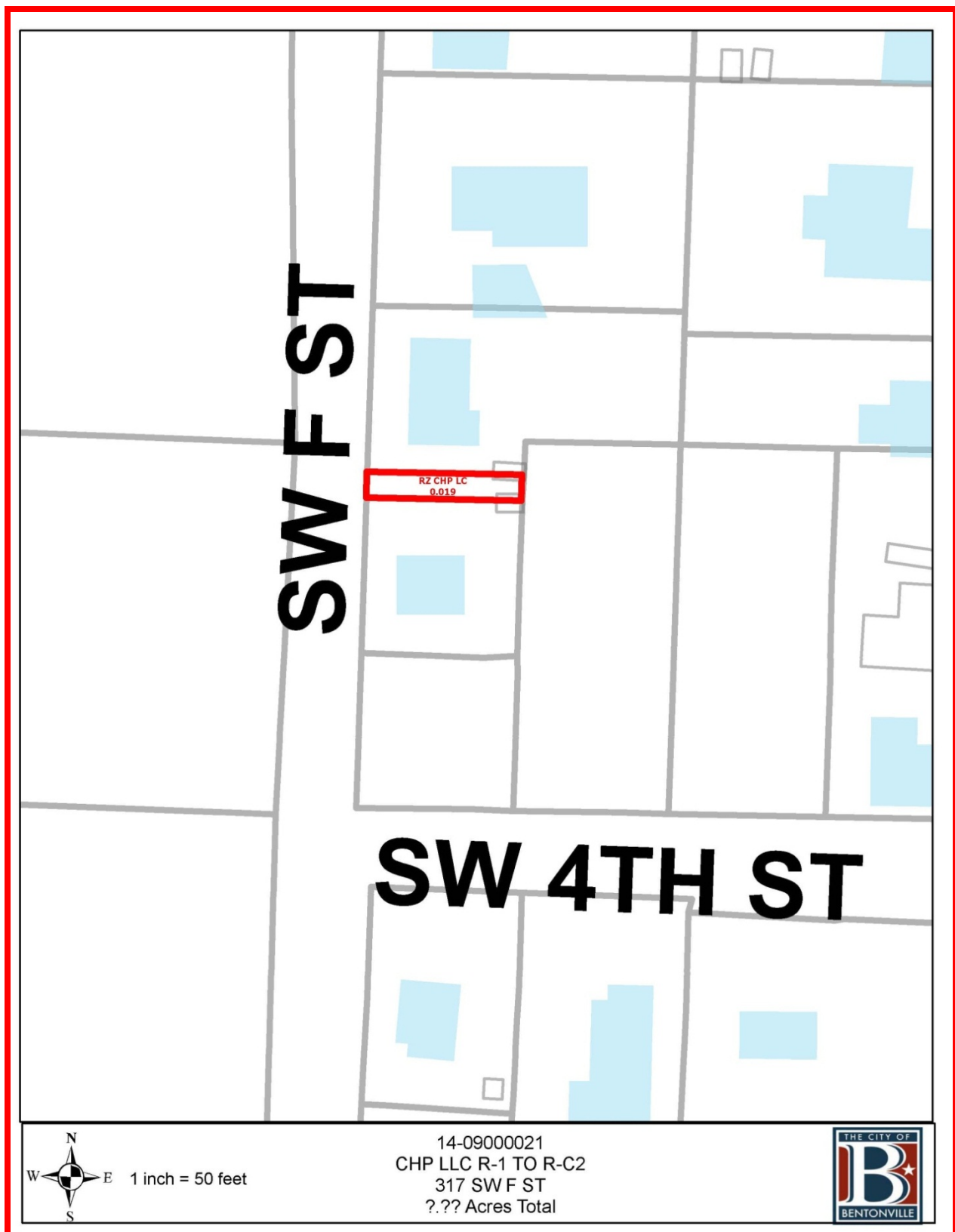
ANALYSIS, CONCLUSION, & SUMMARY

The RC-2 zoning district will increase density to the downtown while providing consistent housing types with adjoining property. The additional density will further increase the validity of downtown businesses without adversely impacting city infrastructure.

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Medium Density Residential.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **R-1, Single Family Residential** to **R-C2, Central Residential – Moderate Density**.



RE-ZONING NARRATIVE
317 Southwest 'F' Street
CHP, LLC

A 11.65 foot wide strip of property at approximately 317 SW 'F' Street that is zoned R-1 residential. The owner would like to change zoning to R-C2 to allow different setbacks to the property and to match zoning with the property already owned and zoned R-C2 surrounding the property.

This property will be added to surrounding property to the South and East, replatted and then built on. I foresee no problems with traffic, appearance, or connections to any utilities in the area.

ORDINANCE _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO R-C2, CENTRAL RESIDENTIAL MODERATE DENSITY

WHEREAS, CHP, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to R-C2 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

A PART OF LOT 6 CLARK'S ADDITION TO THE CITY OF BENTONVILLE, DESCRIBED AS:

BEGINNING AT A POINT 140 FEET NORTH OF THE SW CORNER OF SAID LOT 6, THENCE NORTH 11.65 FEET, THENCE EAST 70 FEET, THENCE SOUTH 11.65 FEET , THENCE WEST 70 FEET TO THE POINT OF BEGINNING.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 16th day of September 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to R-C2 property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to R-C2 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



PC Meeting of: September 16, 2014

The City of Bentonville, Arkansas

305 S.W. "A" Street
Bentonville, AR 72212
Telephone: (479) 271-3126
Fax: (479) 271-5906

REZONING: WPC, LLC (I-2, Heavy Industrial to C-1, Neighborhood Commercial)
Current Planning Division Correspondence: Planning Commission Staff Report

TO: City of Bentonville, Arkansas Planning Commission
FROM: Jon Stanley, Planner
THRU: Troy Galloway, AICP, Community Development Director
DATE: September 16, 2014

GENERAL INFORMATION

H.T.E. Project Number: 14-09000022
Applicant/Current Owner: WPC, LLC
Representative: Earthplan Design Alternative, PA
Requested Action: Rezoning
Location: 1002 Southwest 'I' Street
Existing Zoning: I-2, Heavy Industrial
Proposed Zoning: C-1, Neighborhood Commercial
Future Land Use Map Designation: Commercial

BACKGROUND / HISTORY

Property Description/Site Inspection: A site inspection was completed; this property is currently a vacant parcel of Lot 1, Laurel Acres, in a developed industrial area.

Previous Rezoning Requests for this Property: There are no known rezoning's for this property.

Surrounding Land Uses & Zonings:

Direction	Current Land Use	Existing Zoning	Future Land Use Map Designation
North	Vacant	A-1, Agricultural	Office
South	Vacant	C-2, General Commercial	Commercial
East	Commercial	C-2, General Commercial	Commercial
West	Industrial	I-2, Heavy Industrial	Commercial

Surrounding Streets & Classifications:

Direction	Name	Master Street Plan Classification	Current Condition
North			
South	Melissa Drive	Local	Two lane asphalt with curb and gutter
East	Southwest 'I' Street	Arterial	Two lanes with center turn lane, asphalt, curb and gutter
West			

LEGAL NOTIFICATIONS

Public Notice: On **August 14, 2014**, the property owner and/or representative mailed certified public notices to property owners within a 200 foot radius of the subject site and staff published a legal notice in the Arkansas Democrat-Gazette, Northwest Arkansas Edition on **August 16, 2014**. In addition, staff posted a notice of public hearing sign on the property on **August 28, 2014**. This **DOES** meet legal noticing requirements and are adequate for the scope of this rezoning application.

RELATIONSHIP TO THE GENERAL PLAN AND FUTURE LAND USE MAP

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding(s) of Staff: Southwest 'I' Street is identified as an arterial street per the city's Master Street Plan. This property is designated as commercial per the city's current Land Use Map. The C-1, Neighborhood Commercial designation is recommended for this property as depicted per the city's General Plan.

2. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding(s) of Staff: The impact on traffic conditions will be assessed at the time of development and improvements will be provided as needed to alleviate concerns.

3. A determination as to whether the proposed zoning would significantly alter the population density and thereby undesirably increase the load on public services including schools, emergency services, and water and sewer facilities.

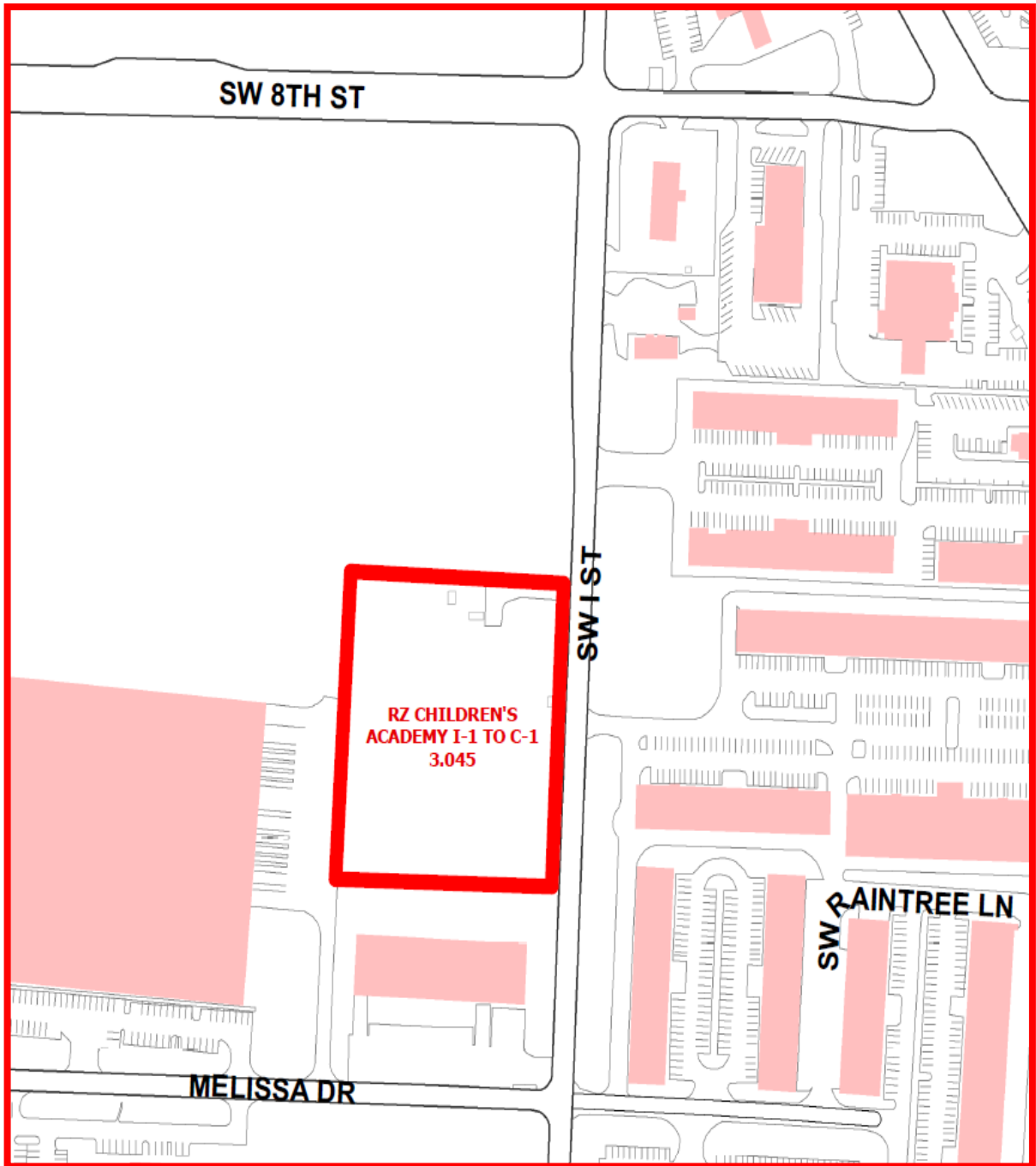
Finding(s) of Staff: Water is available at this location and pressure is adequate for the scope of the project. Sewer is currently not available at this location and will be installed with the development.

ANALYSIS, CONCLUSION, & SUMMARY

The rezoning request **IS** consistent with the City of Bentonville's Future Land Use Map, which depicts this property as Commercial.

STAFF RECOMMENDATION

Staff has reviewed this application and based on the findings presented in this staff report, staff recommends **APPROVAL** of this rezoning from **I-2, Heavy Industrial** to **C-1, Neighborhood Commercial**.



Rezone Request – Children’s Academy

Owner of Property: WPC, LLC. 401 W. Walnut St., Rogers, AR

Proposed Sale: Randy Williams

Current Zoning: I-2 Heavy Industrial

Proposed Zoning: C-1 Neighborhood Commercial

Reason for Zone Change Request: I-2 does not allow for child care uses. Neighborhood Commercial with a SUP allows for the intended use of the Children’s Academy. The Academy is a child care and private school facility for children’s from infants to toddlers and an after school program children from 5 to 12 years old.

Surrounding Properties :– The Rain Tee Center is across I street which includes office spaces, Outdoor Cap corporate offices and manufacturing facilities are to the west and J and B Supply, a hardware store, is directly to the south. The Children’s Academy will serve as a childcare option for employees working at the surrounding manufacturing, retail, and office businesses nearby.

Use: The Children’s Academy is a day care for children from infancy to preschool age and an afterschool program for children up to 12 years of age,

Traffic: The site is on “I” Street, just south of the Wal-Mart on Walton Blvd. Traffic for the Children’s academy is concentrated during drop off times in the morning and during pick up in the afternoon. The site layout allows for ample stacking of cars near the entrance of the building within the parking area off of “I” Street. In addition to the drop off/pick up area, several parking spaces are proposed for parents and for staff.

Signage: A monument sign is to be proposed.

Appearance: The building’s exterior is comprised of stone and stucco materials with a rustic appearance. The facilities include several outdoor amenities including multiple playgrounds, play fields, water spray play areas, and other play apparatus to engage children in outside activities. The Children’s Academy will include landscaping around the building and parking areas and well maintained fenced outdoor play areas.

Availability to Utilities: An 8 inch water line runs adjacent to the property along the west side of “I” Street, a sanitary sewer lines runs east and west along Melissa Dr. A short sewer main extension will be required to serve the property.

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT CLASSIFICATION TO C-1, NEIGHBORHOOD COMMERCIAL.

WHEREAS, WPC, LLC, duly filed a petition with the City Planning Commission requesting that the hereinafter described real property situated in Benton County, Arkansas, be changed from its present classification to C-1 property to be used in accordance with city zoning laws and state laws; which property is described as follows:

PART OF LOT ONE, LAUREL ACRES, BENTON COUNTY, BENTONVILLE, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SW CORNER OF SAID LOT 1, THENCE N 02°51'57"E, 250.00 FEET TO THE POINT OF BEGINNING; THENCE N02°51'57"E 410.21 FEET TO THE NW CORNER OF SAID LOT 1; THENCE S 87°11'18" E, 309.95 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE WEST RIGHT OF WAY OF SW "I" STREET; THENCE ALONG SAID RIGHT OF WAY S02°41'43"W, 405.86 FEET; THENCE N87°59'20"W, 311.19 FEET TO THE POINT OF BEGINNING, CONTAINING 2.91 ACRES AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

WHEREAS, the City Planning Commission duly met and considered the application and duly set the petition for public hearing to be held the 16th day of September 2014 in the Council Room of the City of Bentonville; notice of said hearing having been published in the Benton County Daily Record for the time and in the manner required by law; and

WHEREAS, the City Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification to C-1 property;
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS:

Section 1: That the above described real property is hereby changed from its present classification to C-1 property to be used in accordance with the City zoning laws of the State of Arkansas.

PASSED AND APPROVED this _____ day of _____, 2014

ATTEST

APPROVED

CLERK

MAYOR



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: Troy Galloway

Department: Planning

Phone: 479-271-3122

ACTION REQUIRED:

To approve a waiver of bid for repair work on the Community Development office building roof. See memo.

COST TO CITY:

Cost of this Request:	\$29,732
Additional Budget Amount	\$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	-
Funds Expended to Date		-
Remaining Budget		-
Budget Adjustment		
Remaining After Adjustment	\$	-

[Signature] 9/18/14
Department Head Date

CT 9/18/14
Staff Attorney Date

[Signature] 9-18-14
Purchasing Agent Date

Mayor Date

[Signature] 9-18-14
Finance Director Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



ROOF REPAIR WAIVER OF BID AND BUDGET ADJUSTMENT

TO: MAYOR BOB MCCASLIN
FROM: TROY GALLOWAY, AICP
SUBJECT: ROOF REPAIR
DATE: 9/15/2014
CC: BENTONVILLE CITY COUNCIL

The Community Development Building roof above the city council chamber has leaked for several years. Many efforts to patch and repair have yielded varying degrees of temporary improvement in the condition. This summer we were able to determine that the source of the water intrusion into the building is the parapet walls above the council chamber and that surround the roof top HVAC unit. Wittenburg, Deloney, and Davidson Architects (original building architect) developed comprehensive repair plans and specifications to address the underlying problem (parapet wall not properly sealed during construction).

Subsequently, we advertised the project for bid and did not receive any bidders. Robert's McNutt Incorporated (water proofing / roof repair company) out of Springdale had intended to bid but missed the bid deadline. It should be noted that Robert's McNutt is the only company that attended the mandatory pre-bid meeting to review the project plans and specifications. Robert's McNutt's late bid and bid documents are included in the council information packet.

We recommend that a waiver of bid be approved in order to allow the repairs to be completed this fall and that an associated budget adjustment in the amount of \$29,732.00 be approved in order to fund the necessary repairs. Please contact me at 479-271-6809 if you have questions or need additional information.

Very Respectfully,


Troy D. Galloway, AICP
Community and Economic Development Director
City of Bentonville

REQUEST FOR WAIVER OF BID

Date	<u>9/23/2014</u>		
Requested by:	<u>Troy Galloway</u>		
Department:	<u>Planning</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u>Roof Repair Work</u>		
Year & Model:	<u></u>		
Serial #	<u></u>		
To Be Purchased From:	<u>Roberts McNutt, Inc</u>		
	<u>848 Old Wire Rd, Springdale, AR 72764</u>		
	<u></u>		
Amount:	Base Amount:	\$	<u>29,732.00</u>
	Tax:		<u></u>
	*Other:		<u></u>
	TOTAL	\$	<u>29,732.00</u>
* List all other costs:			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
See Memo			
<u></u> Department Head <u></u> Director of Finance & Administration			
Revised 6-18-99			

Bentonville Technical Services Building
Roofing Repair
Bentonville, Arkansas
WD&D Project No. 14-043

Proposal of:

ROBERTS-McNUTT, INC.

(hereinafter called "Bidder"): (Complete the Following and Strike Out Inapplicable Items)

1. A ARKANSAS Corporation,
2. A Partnership, or
3. An Individual doing business as N/A

Submitted To: City of Bentonville:

Bidder, in compliance with bid solicitation for the renovation and repair of Roofing at the existing Bentonville Technical Services Building having examined plans and specifications with related documents and site of the proposed Work, and being familiar with all local jurisdictions and conditions surrounding proposed project, including availability of materials and labor, hereby proposes to furnish labor, materials, and supplies, and construct project in accordance with Contract Documents, within time set forth therein, and at prices stated below. Prices are to cover all expenses incurred in performing Work required under Contract Documents, of which this proposal is a part.

Bidder acknowledges receipt of the following addenda:

No. Date: N/A No. Date: No. Date:

BASE BID

Bidder agrees to perform all Work described in the Project Manual and shown on the Drawings for the sum of:

\$29,732.⁰⁰

Twenty nine thousand seven hundred and thirty-two Dollars

LIST OF UNIT PRICES

All Unit prices are to include Contractor costs for all materials, labor and work required for the Work indicated, including any General Conditions, overhead and profit, testing agency costs, extensions of time costs or other such costs related to doing business and that the cost indicated is the TOTAL and complete price per unit value. The bidder understands that the Owner reserves the right to review and negotiate unit prices that are deemed to not be in accordance with current market values for the Work proposed.

Unit Price #1: In accordance with Arkansas Code Ann 22-9-212 (Trench Safety) the bidder has included in the Base Bid the sum of:

_____ N/A _____ Dollars

LISTING OF SUBCONTRACTORS

I, the undersigned General Contractor, certify that proposals from the following subcontractors were used in the preparation of my proposal. I agree that if I am the successful bidder, and if the following subcontractors are approved by the Owner, I will not enter into contracts with others for these divisions of the Work without written approval from Architect and the Owner.

ROOFING INSTALLER: ROBERTS-McNUTT, INC.
Name License Number if work is over \$20,000.00

ROOFING PRODUCT/BRAND NAME: DERBIGUM
Name

BID CONDITIONS

Bidder understands that Owner reserves right to reject any or all bids and to waive any informalities in the bidding. Bidder agrees bid shall be good and may not be withdrawn for period of ninety (90) days after scheduled closing time for receiving bids. Upon receipt of written notice of acceptance of bid, Bidder will execute formal contract within ten (10) days and deliver Surety Bond or Bonds as required by Document 00600. Bid security attached in amount of 5% of base bid is to become property of Owner in event above contract and bond are not executed within time set forth above as liquidated damages and additional expenses to Owner.

By: MONTY BOZARTH
(Typed Name)

Date: 9/8/2014

[Redacted Signature]
(Signature)

Contractor License No. 0009161214

V. Pres. Roofing Div.
(Title)

848 OLD WIRE RD.
(Business Address)

SPRINGDALE, AR 72764

(Seal - If bid is by a Corporation)

END OF DOCUMENT 00400



Interchange Corporate Center
450 Plymouth Road, Suite 400
Plymouth Meeting, PA. 19462-1644
Ph. (610) 832-8240

BID BOND

Bond Number: Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Roberts-McNutt, Inc.

848 Old Wire Road, Springdale, AR 72764, as principal (the "Principal"),
and LIBERTY MUTUAL INSURANCE COMPANY, a Massachusetts stock insurance company, as surety (the
"Surety"), are held and firmly bound unto City of Bentonville
, AR, as obligee (the "Obligee"), in
the penal sum of Five Percent of Amount Bid

Dollars (\$ 5%),
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our
heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for: Bentonville Community Development Bldg. Roofing
Repair City of Bentonville Bid #14-41

NOW, THEREFORE, if the Obligor shall accept the bid of the Principal within the period specified therein, or, if no
period be specified, within sixty (60) days after opening, and the Principal shall enter into a contract with the Obligor
in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or
contract documents, or in the event of the failure of the Principal to enter into such contract and give such bond or
bonds, if the Principal shall pay to the Obligor the difference in money not to exceed the penal sum hereof between
the amount specified in said bid and such larger amount for which the Obligor may in good faith contract with
another party to perform the work covered by said bid, then this obligation shall be null and void; otherwise to remain
in full force and effect. In no event shall the liability hereunder exceed the penal sum thereof.

PROVIDED AND SUBJECT TO THE CONDITION PRECEDENT, that any claim by Obligor under this bond must
be submitted in writing by registered mail, to the attention of the Surety Law Department at the address above,
within 120 days of the date of this bond. Any suit under this bond must be instituted before the expiration of one
(1) year from the date of this bond. If the provisions of this paragraph are void or prohibited by law, the minimum
period of limitation available to sureties as a defense in the jurisdiction of the suit shall apply.

DATED as of this 8th day of September, 2014.

WITNESS / ATTEST

[Redacted Signature]

Roberts-McNutt, Inc.

By: [Redacted Signature] (Seal)
Title: VP Revenue

LIBERTY MUTUAL INSURANCE COMPANY
(Surety)

By: [Redacted Signature] (Seal)
Fact

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6891543

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brenda Smith; Dianne Cowan; Fred B. Stone; James R. Hill; John Gerety; Kelly Childers; Mary K. Swan

all of the city of Little Rock, state of AR each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 28th day of May, 2014.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: _____

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of May, 2014, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized to do so, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: _____

Teresa Pastella, Notary Public

This Power of Attorney is made and executed in full and final authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 8th day of September, 2014.



By: _____

Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-810-832-8240 between 9:00 am and 4:30 pm EST on any business day.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT FOR THE REPAIR OF THE ROOF OF THE BENTONVILLE COMMUNITY DEVELOPMENT BUILDING AND WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement with Roberts McNutt, Inc. for the repair of the roof of the Bentonville Community Development Building in an amount not to exceed \$29,732.00, as per the proposal attached hereto as Exhibit "A".

Section 2: Because of the lack of other contractors willing to perform this type repair to the roof, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

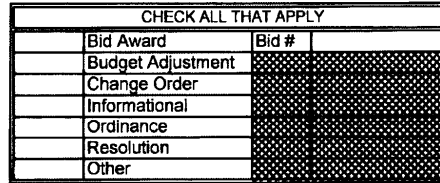
PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: Troy GallowayDepartment

Planning

Phone 479-271-3122

ACTION REQUIRED:

To approve a budget adjustment for repair work on the Community Development office building roof. See memo.

COST TO CITY:

Cost of this Request:	\$29,732
-----------------------	----------

Additional Budget Amount	\$0
--------------------------	-----

☒ One time amount ☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	29,732
Remaining After Adjustment	\$ 29,732

Department Head Date 15 Sep 14

CT 9/18/14
Staff Attorney Date

Purchasing Agent	Date
------------------	------

Mayor	Date
-------	------

Finance Director Date 9/18/18

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



ROOF REPAIR WAIVER OF BID AND BUDGET ADJUSTMENT

TO: MAYOR BOB MCCASLIN
FROM: TROY GALLOWAY, AICP
SUBJECT: ROOF REPAIR
DATE: 9/15/2014
CC: BENTONVILLE CITY COUNCIL

The Community Development Building roof above the city council chamber has leaked for several years. Many efforts to patch and repair have yielded varying degrees of temporary improvement in the condition. This summer we were able to determine that the source of the water intrusion into the building is the parapet walls above the council chamber and that surround the roof top HVAC unit. Wittenburg, Deloney, and Davidson Architects (original building architect) developed comprehensive repair plans and specifications to address the underlying problem (parapet wall not properly sealed during construction).

Subsequently, we advertised the project for bid and did not receive any bidders. Robert's McNutt Incorporated (water proofing / roof repair company) out of Springdale had intended to bid but missed the bid deadline. It should be noted that Robert's McNutt is the only company that attended the mandatory pre-bid meeting to review the project plans and specifications. Robert's McNutt's late bid and bid documents are included in the council information packet.

We recommend that a waiver of bid be approved in order to allow the repairs to be completed this fall and that an associated budget adjustment in the amount of \$29,732.00 be approved in order to fund the necessary repairs. Please contact me at 479-271-6809 if you have questions or need additional information.

Very Respectfully,


Troy B. Galloway, AICP
Community and Economic Development Director
City of Bentonville





CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF: September 23, 2014

Submitted by: Troy Galloway

Department: Planning

Phone: 479-271-6809

ACTION REQUIRED:

Waiver of Bid to facilitate purchase of trees for Annual Volunteer Tree Planting on October 24, 2014. See memorandum for additional details.

COST TO CITY:

Cost of this Request: \$45,379

Additional Budget Amount: \$0

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

TG
Department Head
Date: 9/18/14

CT
Staff Attorney
Date: 9/18/14

DL
Purchasing Agent
Date: 9/18/14

Mayor
Date:

DL
Finance Director
Date: 9/18/14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE • BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



TREE PURCHASE WIAVER OF BID

TO: MAYOR BOB MCCASLIN
FROM: TROY GALLOWAY, AICP
SUBJECT: TREE PURCHASE WAIVER OF BID
DATE: 9/15/2014
CC: BENTONVILLE CITY COUNCIL

We recently advertised bids for the city's annual tree planting event scheduled for October 24, 2014. The total budget for the project is \$50,000 (\$25,000 Wal-Mart gift and \$25,000 budgeted city match). Only one bidder (Frank Sharum Landscape) submitted a bid and that bid was over budget by \$12,000.

We worked with Frank Sharum Landscape to identify tree species and sizes that would allow us to remain within the original bid specifications and meet our budget amount. Unfortunately we were not able to remain within the original specifications regarding species types and total number of trees which invalidates the city's bid requirements. Subsequently, we request a waiver of bid to allow us to purchase trees from Frank Sharum Landscape in the amount of \$45,378.99 (taxes included). The revised estimate from Frank Sharum Landscape reflects acceptable tree types, sizes, and quantities for the project but differs from the original specifications and necessitates a waiver of bid in order to enter into an agreement with Frank Sharum Landscape.

Please contact me at 479-271-6809 if you have questions or need additional information.

Very Respectfully,


Troy D. Galloway, AICP
Community and Economic Development Director
City of Bentonville

REQUEST FOR WAIVER OF BID

Date	<u>September 23, 2014 City Council Agenda</u>		
Requested by:	<u>Troy Galloway, Community and Economic Development Director</u>		
Department:	<u>Community and Economic Development</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u>Tree Purchase (annual tree planting)</u>		
Year & Model:	<u>NA</u>		
Serial #	<u>NA</u>		
To Be Purchased From:	<u>Frank Sharum Landscape</u>		
Amount:	Base Amount:		<u>\$41,442.00</u>
	Tax:	\$	<u>3,936.99</u>
	*Other:		<u> </u>
	TOTAL	\$	<u>45,378.99</u>
* List all other costs:			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
See memorandum			
 Department Head		 Director of Finance & Administration	
Revised 6-18-99			

City of Bentonville Formal Invitation To Bid Bid #14-44

Bid Deadline: 08-29-14 at 2:00 PM
Location: City Hall, 117 West Central, Bentonville, AR
Attn: Katherine N. Bertschy, Purchasing Agent

Submitted By: Frank Sharum Landscape Design
Company: Frank Sharum
Signed: [Redacted]

TREE SPECIES/CULTIVAR to BID	QUANTITY	SIZE	Unit Price
Chinese Pistache — Golden Rain	85 48	15 Gallon	3,204.00
Willow Oak	24 67	15 Gallon	4,288.00
Redbud	41 34	15 Gallon	2,210.00
Legacy Sugar Maple	38 29	15 Gallon	1,885.00
London Planetree	38 29	15 Gallon	1,885.00
Kosa Dogwood	23	15 Gallon	1,495.00
Black Gum 'Red-Striped' or Oak or maple	149 10	15 Gallon	7,150.00
Red-Striped Maple Shantung	407 100	15 Gallon	6,700.00
Glaxo-Elm 'Princeton Sentry' Hybrid Maple	129 83	15 Gallon	5,395.00
Yoshino Cherry	8	15 Gallon	520.00
Tulip Poplar 'Fastigiatum'	85 48	15 Gallon	2,795.00
Amur Maple	9	15 Gallon	585.00
Autumn Brilliance Serviceberry	15 6	15 Gallon	390.00
Bald Cypress	15	15 Gallon	
Japanese Cherry 'Kwanzan' or Snow Goose'	45	15 Gallon	2,880.00
Grand Total	880		

Total
Taxes

\$ 41,442.00
3,936.99
\$ 45,378.99

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR AND
CITY CLERK TO ENTER INTO AN AGREEMENT WITH
FRANK SHARUM LANDSCAPE DESIGN AND WAIVING
THE REQUIREMENT OF COMPETITIVE BIDDING.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and Clerk should be and are hereby authorized to purchase trees from Frank Sharum Landscape Design for the Make A Difference Day tree planting event, in the amount of \$45,378.99 as set forth in the attached Exhibit A.

Section 2: Because the City originally bid this item and Frank Sharum Landscape Design was the single bidder, and because the original bid exceeded the budgeted amount and the City was able to work with the bidder to modify the purchase to fall within budget, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY	
	Bid Award
	Budget Adjustment
	Change Order
	Informational
	Ordinance
X	Resolution
	Other

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: Mike Churchwell

Department: Transportation

Phone: 271-6840

ACTION REQUIRED:

Council approval of a resolution authorizing the Mayor and Clerk to enter into a professional services contract with Traffic Engineering Consultants for the annual traffic signal timing study and coordination plan at 22 signalized intersections for a lump sum amount not to exceed \$33,000. This is a budgeted item. See attached memo and supporting documents.

COST TO CITY:

Cost of this Request: NTE \$33,000

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	33,000
Funds Expended to Date		-
Remaining Budget		33,000
Budget Adjustment		-
Remaining After Adjustment	\$	33,000

MC 9-9-14
Department Head Date

CT 9/18/14
Staff Attorney Date

Purchasing Agent Date

Mayor Date

DL 9-18-14
Finance Director Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



MEMORANDUM

Date: September 9, 2014

To: City Council, Mayor McCaslin

From: Mike Churchwell

RE: Signal Timing Contract w/Traffic Engineering Consultants

This contract is for the annual timing and coordination study done for selected traffic signals in the City. With the rapid growth that Bentonville has experienced and the increased traffic loads that have been experienced, the timing and coordination of signals is important to help manage traffic movement in and around the City. The attached letter outlines more detail of the information that will be collected and how that information will be utilized in the signal timing.



September 3, 2014

Mr. Brad Conley
City of Bentonville
117 W. Central
Bentonville, AR 72712

Dear Brad,

Please accept this letter as a proposal to provide traffic signal timing for 22 traffic signal locations in the City of Bentonville. The signal locations are shown on the attached list. They include the traffic signals on the City's Siemens Tactics system along U.S. 71B (Walton) from Medical Center Drive to Tiger Boulevard and along S.H. 102 (14th Street) from SW I Street to Bekaert Road.

The project includes the retiming of 22 intersections. Traffic counts will be taken at all intersections to include peak hour turning movement counts and 24 hour counts at strategic locations. The attached list summarizes the traffic counts to be taken.

The existing traffic model will be updated using the new counts to determine the best timing plans. The existing plans where available will be reviewed and updated. New timing plans will be implemented at intersections where necessary.

All timing data will be input into the Siemens Tactics system. The timing plans will be downloaded to the signal equipment in the field and adjusted for the traffic patterns. The timing plans will assure the best plans to reduce travel delay.

All collected data and analysis results will be documented in a report provided to the City upon completion of the project. The project should be completed within four months from the initiation of the traffic counts. Traffic counts will not be started until the middle of September to assure school is back in session and the traffic patterns have stabilized.

The cost to complete the retiming of the traffic signals is \$33,000 lump sum. Work completed to date will be invoiced on a monthly basis.

Traffic Engineering Consultants, Inc.

6000 S. Western Avenue, Ste. 300 | Oklahoma City, Oklahoma 73139 | Ph. 405-720-7721
6931 S. 66th E. Avenue, Ste. 100, | Tulsa, Oklahoma 74133 | Ph. 918-481-8484
Website: www.tecok.com

If you agree with these terms, please sign below and return a copy of the letter to us. A signed returned copy will be considered notice to proceed.

Sincerely,

APPROVED



Steven D. Hofener, P.E., PTOE
President

City of Bentonville

SDH/tm

Date

Enclosure

Intersection and Tube Count Locations List

Intersection List

Walton (US-71B) and	Tiger	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	Wal-Mart Transp. Center	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	Central (SH-72)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
	Supercenter	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	SW 8 th Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	SW 8 th Street and I Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	Redbud	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	SW 14 th Street (SH-102)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
	SW 18 th Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	SW 28 th Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
	SH-12 (Rainbow Curve)	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
14 th Street and	SE "I" Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	SE "A" Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	SE "C" Street	(7 a.m.-9 a.m.) (3 p.m.-6 p.m.)
	SE "J" Street	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (3 p.m.-6 p.m.)
	SE "P" Street	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)
	Moberly	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
	I-540 SB Ramps (west side)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
	I-540 NB Ramps (east side)	(7 a.m.-9 a.m.) (11:30 a.m.-1:30 p.m.) (4 p.m.-6 p.m.)
	Bekaert Drive	(7 a.m.-9 a.m.) (4 p.m.-6 p.m.)

24-Hour Tube List

Walton	Between Supercenter & Central (directional)
Walton	Between Redbud and 14 th St. (directional)
Walton	South of 28 th St. (directional)
14 th St.	West of Walton (directional)
14 th St.	Between Walton and "A" Street (directional)
14 th St.	East of "J" St. (directional)
14 th St.	Between Moberly and I-540 (directional)
I-540 NB off ramp	at Hwy 102
I-540 SB off ramp	at Hwy 102

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO ENTER INTO AN AGREEMENT WITH
TRAFFIC ENGINEERING CONSULTANTS FOR A
TRAFFIC SIGNAL TIMING STUDY AND
COORDINATION PLAN.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and Clerk be and are hereby authorized to enter into an agreement with Traffic Engineering Consultants for the annual traffic signal timing study and coordination plan at 22 signalized intersections for a lump sum amount of \$33,000.00 as per the proposal attached hereto as Exhibit "A".

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
x	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: Travis Matlock

Department: Engineering

Phone: 271-3168

ACTION REQUIRED:

A resolution authorizing the Mayor and City Council to enter into an agreement with Carroll Electric Corporation to acquire electric distribution facilities and 7 electric accounts located along Hwy 12 extending from Rainbow Curve to Greenhouse Road in the amount of \$41,610.97.

COST TO CITY:

Cost of this Request: \$41,611

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	-
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

9/15/14
Date

Staff Attorney

CT
9/18/14
Date

Purchasing Agent

Date

Mayor

Date

Finance Director

9-18-14
Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712
www.bentonvillear.com



PLEASE RECYCLE



M E M O R A N D U M

DATE: September 15, 2014

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineering Director

**RE: Purchase of Carroll Electric distribution facilities
and accounts along Hwy 12 from Rainbow Curve
to Greenhouse Road**

The City of Bentonville recommends entering into an agreement with Carroll Electric Corporation to purchase the electric distribution facilities and 7 accounts located along Hwy 12 from Rainbow Curve to Greenhouse Road in the amount of \$41,610.97. The rebuild of Hwy 12 is now complete and will allow the City Of Bentonville Electric Department to take over the accounts that are located along the new line. This is a 2014 budgeted item.



**Carroll Electric
Cooperative Corporation**

800-432-9720
www.carrollecc.com

Your Local Energy Partner

RECEIVED MAY 08 2014

May 6, 2014

The Honorable Bob McCaslin
MAYOR, CITY OF BENTONVILLE
117 W. Central
Bentonville, AR 72712

Re: Sale of facilities

Dear Mr. McCaslin:

We have completed our inventory and appraisal of the cooperative properties for the facilities currently serving nine consumers in Southwest Bentonville, per the letter dated February 11, 2013 stating your intent to provide service to this area. For practical purposes we have designated this cutover project as Highway 12. Pursuant to Arkansas law and the Mediation Settlement Agreement dated September 13, 2010, the following amounts have been determined as the proper valuation.

Present-day reproduction cost, new, of the properties and facilities being acquired,	
less depreciation computed on a straight-line basis	\$ 6,750.94
Cost of construction of necessary facilities to reintegrate the system after detaching the portion to be sold	0.00
Stranded Costs	2,354.61
Transformer removal	215.00
Meter Removal	150.00
Three hundred fifty-five percent (355%) of gross revenues less gross receipts taxes received for the 12-month period.	25,332.40
Administrative, engineering and accounting expenses associated with establishing valuation	3,026.00
Demand Cost	<u>3,782.02</u>
Total	\$ 41,610.97

Bentonville
707 SE Walton Blvd.
PO Box 329
Bentonville, AR 72712
(479) 273-2421

Berryville
920 Hwy. 62 Spur
PO Box 4000
Berryville, AR 72616
(870) 423-2161

Huntsville
5056 Hwy. 412 B
PO Box 280
Huntsville, AR 72740
(479) 738-2217

Jasper
511 E Court St.
PO Box 389
Jasper, AR 72641
(870) 446-5114

City of Bentonville
Page 2

A billing statement and tabulations are included for you convenience.

Complete inventories and records of all the above area are available for city inspection at your convenience.

After receipt of payment in full, please contact Mr. Mike Dodge, Vice President of our Bentonville District to coordinate this cutover. All Carroll Electric facilities in the area are included in the above amounts with the exception of transformers and meters.

Carroll Electric Cooperative is in full agreement of the release of these facilities and account to the City of Bentonville and will coordinate the exchange of this service with your personnel in order to cause minimum inconvenience. Please contact me concerning this information should any questions arise.

Sincerely,



Rob Boaz
President, CEO

RB/jg

cc: Mike Dodge, Bentonville District
Derek Thurman, Bentonville District
Travis Matlock, City of Bentonville

707 SE Walton Blvd.
PO Box 329
Bentonville, AR 72712

Fax: (479)273-1231

Statement 2132288

Date: May 6, 2014

Bill To: City of Bentonville
608 SE Third St.
Bentonville, AR 72712

Date	Type	Description	Amount	Payment	Balance
5/6/2014	Cost	Highway 12	41,610.97		41,610.97
				Total	\$ 41,610.97

Terms: Balance due in 30 days.

REMITTANCE	
Customer Name:	City of Bentonville
Customer ID:	
Statement #:	2132288
Date:	
Amount Due:	41,610.97
Amount Enclosed:	

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE MAYOR AND
CLERK TO PURCHASE CERTAIN CUSTOMERS AND
FACILITIES FROM CARROLL ELECTRIC
COOPERATIVE CORPORATION.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That the Mayor and Clerk be and are hereby authorized to purchase certain customers and facilities in the vicinity of Highway 12 (Rainbow Curve to Greenhouse Road) from Carroll Electric Cooperative Corporation as set forth in the attached documentation pursuant to the settlement agreement reached between the parties.

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY	
	Bid Award
	Budget Adjustment
	Change Order
	Informational
X	Ordinance
	Resolution
	Other

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: Travis Matlock

Department: Electric

Phone: 271-3135

ACTION REQUIRED:

Request for a waiver of bid to enter into an agreement with BBC Electrical Services, Inc. for the installation of 69 kV switches and jumper modifications at Substation "C" in the amount of \$60,004.00.

COST TO CITY:

Cost of this Request: \$60,004

Additional Budget Amount:

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

T.M. 9/18/14
Department Head Date

CT 9/18/14
Staff Attorney Date

Purchasing Agent Date

Mayor Date

DL 9-18-14
Finance Director Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

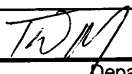
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www.bentonvillear.com



PLEASE RECYCLE



REQUEST FOR WAIVER OF BID

Date	<u>9/15/2014</u>		
Requested by:	<u>Travis Matlock</u>		
Department:	<u>Electric</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u>C-sub Switch Installation & Jumper Modification</u>		
Year & Model:	<u></u>		
Serial #	<u></u>		
To Be Purchased From:	<u>BBC Electrical Services, Inc.</u>		
	<u>5467 Hwy 43</u>		
	<u>Joplin, MO 64804</u>		
Amount:	Base Amount:	\$	<u>60,004.00</u>
	Tax:		<u></u>
	*Other:		<u></u>
	TOTAL	\$	<u>60,004.00</u>
* List all other costs:			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
In 2013 BBC preformed the expansion of Substation "C" by adding a second transformer. The upgrading of the 20+ year old 69 kV switches are a continuation of the upgrade of the substation. The modification of the jumpers will make switching within the substation smoother. BBC is familiar with the site and all previous construction within the last year.			
 _____ Department Head		 _____ Director of Finance & Administration	
Revised 6-18-99			

M E M O R A N D U M

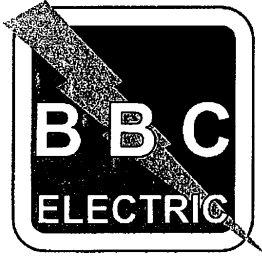
DATE: September 15, 2014

TO: **City Council, Mayor McCaslin**

FROM: Travis Matlock, Engineering Director

**RE: Bid waiver for upgrading of 69 kV Switches for
Substation "C"**

The City of Bentonville recommends entering an agreement with BBC Electrical Services for the installation of (4) 69 kV GOAB switches and modification of some existing jumpers in the amount of \$60,004.00. With the expansion of "C" Sub, we are updating 20+ year old switches to Bentonville's new standard. The switch upgrade of "C" Sub 2014 budgeted item.



BBC ELECTRICAL SERVICES, INC.

5467 Hwy 43 Joplin, MO 64804

Phone: 417-206-4047 --- Fax: 417-206-4336

BEUD Substation C Switch Replacement and Jumper Redesign Proposal

Below Line Items include labor and material to complete listed tasks. Any work outside of the scope provided by BEUD will be billed on an hourly time and equipment rate, for which BBC will provide standard rates upon request. BBC Electrical will work with BEUD on an agreeable time frame for work to start, closer to end of summer 2014, once shipping dates for equipment have been finalized. BBC reserves the right to plan work around possible needs of our customers in hurricane zones across the US during the hurricane season 2014. We will not leave any work unfinished that will affect the operations of BEUD facilities.

1. Switch Upgrade: \$37,340: work will begin on 69 kv switches and take appr. 2 weeks
2. Jumper Modification: \$12,196: jumper work will begin after completion of switch work and take appr. 1 week

Material Listed on BEUD provided BOM, excluding items 7-0, 7-1, 7-2, 7-3, and 10-8 will be billed as a separate line item. Any additional material items not listed on the BOM (this includes any additional items where a specific quantity was given) will be billed back to BEUD at cost plus 5%.

3. Switch Material: \$8,786
4. Jumper Material: \$1,682

Lump Sum Total: \$60,004.00

Acceptance:

 VP
BBC Electrical Services, Inc.

City of Bentonville, AR

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ENTER INTO AN AGREEMENT WITH BBC ELECTRICAL SERVICES, INC. FOR THE INSTALLATION OF 69 KV SWITCHES AND JUMPER MODIFICATIONS AT SUBSTATION C OF THE CITY OF BENTONVILLE ELECTRIC DEPARTMENT AND WAIVING THE REQUIREMENT OF COMPETITIVE BIDDING.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS.

Section 1: That the Mayor and City Clerk be and are hereby authorized to enter into an agreement with BBC Electrical Services, Inc. for the installation of 69kV switches and jumper modifications at Substation "C" in the amount of \$60,004.00 as per the Proposal attached hereto as Exhibit A.

Section 2: Because this provider performed the expansion of Substation "C" last year, and is familiar with the site and construction to smoothly continue with the upgrade of this station, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this ____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
x	Change Order	
	Informational	
	Ordinance	
	Resolution	
	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: David Wright

Department: Parks & Recreation

Phone: (479) 464-7275

ACTION REQUIRED:

Parks and Recreation Staff seeks City Council approval of change order #1, in the amount of \$169,235.52, for access control and security for the Bentonville Community Center.

COST TO CITY:

Cost of this Request: \$169,236.00

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$ \$1,400,000.00
Funds Expended to Date	\$77,972.00
Remaining Budget	\$1,322,028.00
Budget Adjustment	\$0.00
Remaining After Adjustment	\$ \$1,322,028.00

Department Head

9-15-2015

Date

Staff Attorney

9/18/14

Date

Purchasing Agent

Date

Mayor

Date

Finance Director

Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: September 15, 2014
Re: Change Order #1 for Bentonville Community Center

Parks and Recreation is requesting City Council approval of Change Order #1, in the amount of \$169,236, for the Bentonville Community Center.

Traditionally with City of Bentonville buildings, City Staff has entered the project at the appropriate time, to install conduit, data cable, access control, hardware and electrical for security equipment. This includes equipment for door strikes, alarm systems and video cameras. These security measures are absolutely necessary in our public recreation facilities. They prevent loss and theft. In addition, the equipment enables our police make arrests on people who have broken into or vandalized assets.

In August, when Information Technology began to prepare to bid the work for this project, Parks and Recreation Staff asked Crossland to provide a cost to add this to their scope of work. Jonathan Rogers, IT Manager, projected the project would cost approximately \$250,000. However, with Crossland already being on site, and many of the subcontractors mobilized at the site, we suspected it may benefit the City to do this as a change order. In fact, Crossland submitted a change order price of \$169,235.52.

As part of the project budget, City Council approved a 1.4mm budget adjustment on June 24. A portion of the 1.4mm FF&E was allocated for this project.

If you have any questions regarding this item, please call me at 464.7275 or email dwright@bentonvillear.com.

Attachments:

Change Order #1 Request

CROSSLAND
CONSTRUCTION COMPANY, INC.

1800 S. 52nd Street, Suite 300

Rogers, Arkansas 72758

tel 479.464.7077

fax 479.464.7050

September 11, 2014

David Wright
Parks and Rec Director
City of Bentonville
215 SW "A" Street
Bentonville, Arkansas 72712

Re: Bentonville Community Center
IT Request for Pricing

David,

Per the request of the City of Bentonville's IT department, we have priced out the following work on their behalf.

To provide the power, conduit and changes to the doors, hardware and electrical to accommodate the access control system for the entire building, the wireless access point system, the video camera cabling, and all low voltage cabling throughout the building, we offer a price of \$169,236.00.

We are ready to commence that work once we receive the approval from you. Please let me know if you have any questions.

Respectfully Submitted,



Patrick Carroll
Project Manager
Crossland Construction Company, Inc.

www.crosslandconstruction.com

Job Name:	Bentonville Community Center	<i>Requested Days</i>	_____	<i>Price Good For</i>	_____	<i>Days</i>
Change Order Request #	16					
Date:	7/23/14					
Description of Request:	IT revisions for Access Control and Low Voltage					

Description Material & Labor	Quantity	Unit	Cost	Unit	Material Cost	Hours	Type of Crew	Manhour Cost
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
	0	\$	-	\$	-	0 hr	hr	\$ -
MATERIAL SUBTOTAL		\$	-				LABOR SUBTOTAL	\$ -
TAX AS APPLICABLE 0.00%		\$	-				LABOR BURDEN 0%	\$ -
CCCs' MATERIAL TOTAL		\$	-				LABOR TOTAL	\$ -

SUBCONTRACTORS	Description	Sub Pricing
Wesche	New Door Hardware	\$ 5,046.00
BEI	Power changes needed to operate the Access Controls	\$ 22,683.00
Trim Tech	Labor to modify door frames to accommodate electronic door strikes	\$ 1,600.00
Quality Glass	Provide / install VonDuprin Electronic panic devices in alum. Frames	\$ 26,500.00
BEI	Provide WAP, conduits for Camers, Access Control and Data Cabling	\$ 104,911.00
		\$ -
Subcontractor Total		\$ 160,740.00

CREW BREAKDOWN			
Quantity	Type	Cost / Hr	
Operator w/ Equipment	A	\$	50.00
(2) Carpenters	B	\$	60.00
Carpenter or Operator	C	\$	30.00
Laborer	D	\$	20.00

[illegible]

CCC Material Total		\$	-
CCC's Labor Total		\$	-
CCC Direct Cost Total		\$	162.00
Subcontract Total		\$	160,740.00
SUBTOTAL		\$	160,902.00
CCC's Builders Risk @	0.65%	\$	1,045.86
CCC's Bond @	0.00%	\$	-
CCC Overhead @	0.00%	\$	-
CCC's Fee @	4.50%	\$	7,287.65
CROSSLAND TOTAL FOR CHANGE		\$	169,235.52

Clarifications to Change:

Owner's Signature: _____



CHECK ALL THAT APPLY		
	Bid Award	Bid #
	Budget Adjustment	
	Change Order	
	Informational	
	Ordinance	
	Resolution	
x	Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: David Wright

Department

Parks & Recreation

Phone

(479) 464-7275

ACTION REQUIRED:

Parks and Recreation Staff seeks City Council approval of a grant award from the Walton Family Foundation for the promotion and operation of the Slaughter Pen Jam Mountain Bike Festival as well as maintenance improvements to Slaughter Pen Mountain Bike Park.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	\$0.00
Budget Adjustment	\$0.00
Remaining After Adjustment	\$ \$0.00

DW

Department Head

Date

CT

Staff Attorney

Date

9/18/14

Purchasing Agent

Date

Mayor

Date

Finance Director

Date

9-18-14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: September 18, 2014
Re: Council approval of a grant award from the Walton Family Foundation, in the amount of \$29,500 for the Slaughter Pen Jam Mountain Bike Festival.

Parks and Recreation is City Council's approval of a grant award from the Walton Family Foundation in the amount of \$29,500 for the Slaughter Pen Jam Mountain Bike Festival.

In the spring, Parks and Recreation staff learned that Friends at Slaughter Pen Jam Trails (FAST) was considering not hosting the annual Slaughter Pen Jam Mountain Bike Festival. This popular community event has become part of our community's culture and our department, along with the Bentonville Convention and Visitors Bureau wanted to make sure it continued. As we began meeting with FAST and the Bentonville CVB, representatives from the Walton Family Foundation approached our department and pledged to assist with funding so the event could continue.

After review budgets and working with City Staff, the Walton Family Foundation awarded Parks and Recreation a grant in the amount of \$29,500. The grant is separated into two components. First, it included \$20,000 for the community bike event. Next, up to \$9,500 was pledged to match the City's investment in improving the Free Ride component of the Slaughter Pen Bike Trails. The 2014 operational budget included funds for bike trail maintenance and improvements at Slaughter Pen. We were able to leverage these funds to match this grant and make this an even better enhancement. This enhancement not improved the participant's experience at this event, but the improvements remain permanent at Slaughter Pen for our citizens to enjoy today and beyond.

If you have any questions regarding this item, please call me at 464.7275 or email dwright@bentonvillear.com.

Attachments:
Grant Agreement

The
WALTON FAMILY
F O U N D A T I O N

| P.O. Box 2030 | Bentonville | AR 72712-2030

September 9, 2014

Mayor Bob McCaslin
City of Bentonville
117 West Central Boulevard
Bentonville, AR 72712

RECEIVED SEP 12 2014

RE: Grant #2014-1173

Dear Mayor McCaslin,

It is my pleasure to inform you that The Walton Family Foundation, Inc. ("WFF" - the "Foundation") has approved a grant in the amount of up to \$29,500.00 to the City of Bentonville (the "Grantee"). This grant is subject to the following terms and conditions:

- Purpose:** The purpose of the grant is to support the Slaughter Pen Jam Festival as well as much needed improvements to the free ride park located at the Slaughter Pen Trail System. This grant is more fully described in Grantee's proposal dated August 5, 2014. Grantee agrees to use all grant funds exclusively for the grant's purposes. Any changes in these purposes must be authorized in advance by the Foundation in writing.
- Amount: Up to Twenty-Nine Thousand, Five Hundred Dollars (\$29,500.00).**

Grant payments will be made as follows:

Installment	Amount	Date
#1	\$20,000.00	Upon completion of a signed grant agreement
#2	\$9,500.00	10/15/2014

- Payable:** Initial installment of \$20,000.00 shall be payable upon receipt of a copy of this letter from Grantee acknowledging the terms and conditions set forth herein.

The second installment shall be eligible for payment on a reimbursement basis upon completion of the improvements at the free ride park. The City will provide evidence of paid invoices to contractor and, upon inspection and approval of improvements, WFF will reimburse the City up to 50% of the paid invoices, not to exceed \$9,500.00. All payment requests must be received by no later than December 1, 2014, to be eligible for payment.

All payments are contingent upon the Foundation's approval of the Grantee's activities of the grant as evidenced by the reports described in paragraph 5) below and other information the Foundation may gather.

P. 479.464.1570 | F. 479.464.1580 | www.waltonfamilyfoundation.org

4. **Accounting:** (a) The Foundation encourages, whenever feasible, the deposit of grant funds in an interest-bearing account. For purposes of this letter, the term "grant funds" includes the grant and any income earned thereon.

(b) Grantee will maintain records of receipts and expenditures made in connection with the grant funds and will keep these records during the period covered by the Grantee's reporting obligations specified in paragraph 5 and for at least four years thereafter ("Maintenance Period"). Grantee will make its books and records in connection with the grant funds available for inspection by the Foundation during normal business hours as the Foundation may request at any time during the Maintenance Period.

5. **Reporting and Evaluation:** Grantee will provide the Foundation with financial and narrative reports by the due dates listed in the report schedule below. Each report shall include an account of expenditures of grant funds, and a brief narrative of what was accomplished (including a description of progress made in fulfilling the purposes of the grant and a confirmation of Grantee's compliance with the terms of the grant).

Report Date	Report Type
12/15/2015	Final report - end of grant

Success will be measured against the outputs and outcomes described in Appendix A.

All reports will be sent electronically to HomeRegion@wffmail.com. Please reference Grant #2014-1173 on all reports submitted.

6. **Representations:** Grantee represents and warrants to the Foundation that:

(a) Grantee is an organization in good standing, is either an organization described in section 501(c)(3) of the Internal Revenue Code ("Code") or a governmental unit, and is not a "private foundation" described in section 509(a) of the Code. Grantee will promptly notify the Foundation of any change in Grantee's tax status under the Code.

(b) In no event will Grantee use any grant funds:

(i) to carry on propaganda, or otherwise to attempt, to influence legislation;

(ii) to influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive; or

(iii) to undertake any activity other than for a charitable, educational or other exempt purpose specified in section 170(c)(2)(B) of the Code.

(c) Grantee will comply with all applicable laws and regulations.

7. **Repayment:** Grantee agrees to repay to the Foundation any portion of the grant funds not used for the grant's purposes. In addition, the Foundation may discontinue any further payments to Grantee, and may direct Grantee to repay any unexpended grant funds to the Foundation, if any of the following events occurs:

- above;
- (i) Grantee ceases to maintain its tax-exempt status as described in paragraph 6(a)
 - (ii) Grantee fails to comply with the terms of this letter; or
 - (iii) There is a material change in Grantee's key personnel that in the sole opinion of the Foundation adversely affects Grantee's management of the grant.

8. **Release and Indemnity:** Unless prohibited by law, Grantee shall release, indemnify, defend and hold harmless the Foundation and its directors, officers, employees and agents from and against any and all claims, actions, suits, demands, damages, losses, expenses and liabilities, arising out of or related in any way to the actions or omissions of Grantee (or its directors, officers, employees, agents or contractors) in connection with the Grant and the project funded by the Grant, except to the extent caused by the Foundation's (or its directors', officers', employees' or agents') negligent actions or omissions. Grantee further agrees to carry insurance in such forms and amounts as are commercially reasonable and appropriate to cover Grantee's operations and to enable Grantee to indemnify and defend the Foundation as provided hereunder.

9. **Grant Publicity:** Grant publicity related to this grant consistent with Grantee's normal practice is permitted, subject to the following provisions. The Foundation expects any announcements and other publicity to focus on Grantee's work and the project or issue funded by the grant. Recognition of the Foundation's role in funding the project is permitted, provided that the timing, content and strategic focus of such publicity should be approved by the Foundation contact listed in paragraph 11. Publicizing the grant and the Foundation in Grantee's publications and communications in a manner consistent with similar grants obtained by Grantee is permitted.

The Foundation may ask Grantee to provide illustrations, photographs, videos, recordings, information or other materials related to the grant (collectively "Grant Work Product") for use in Foundation communications including the Foundation's website, annual report, newsletters, board materials, presentations, communications and other publications. Grantee agrees to provide the Foundation with such items upon the Foundation's reasonable request and hereby grants to the Foundation and anyone acting under the authority of the Foundation a fully paid-up, world-wide, right and license to use, reproduce, display and distribute the Grant Work Product in connection with the Foundation's charitable operations and activities. In connection therewith, Grantee shall be responsible for obtaining all necessary rights and permissions from third parties for the Foundation to use the Grant Work Product for these purposes. By signing this Agreement, Grantee also acknowledges and agrees to use by the Foundation of historical, programmatic and other information relating to Grantee and the grant hereunder.

10. **Gratuities:** The Foundation desires that all of Grantee's resources be dedicated to accomplishing its philanthropic purposes. Therefore, Grantee agrees that it will not furnish the Foundation or its Board of Directors, officers, staff or affiliates with any type of benefit related to this grant including tickets, tables, memberships, commemorative items, recognition items, or any other benefit or gratuity of any kind.

11. **Contact:** For all communications regarding this grant, please contact the Foundation by email at HomeRegion@wffmail.com. Please reference Grant #2014-1173 in your communication.

We have enclosed two original grant letters. Please sign one copy as Grantee's acknowledgment of the terms and conditions herein stated and return it to me in the enclosed self-addressed envelope. If the signed acknowledgment of this letter is not received in the Foundation's office by September 30, 2014, the Foundation will consider the Grantee to have declined the grant.

On behalf of the Foundation, I extend every good wish for the success of your organization's endeavors.

Sincerely,



Buddy D. Philpot
Executive Director

ACKNOWLEDGED AND AGREED



By: Mayor Bob McCaslin (Date)
City of Bentonville

**Appendix A: City of Bentonville
Slaughter Pen Jam 2014**

Who is doing what?	By When?	Measured By?
Goal: Conduct the Slaughter Pen Jam Mountain Bike Festival		
Outputs		
The City of Bentonville will host a minimum of 25 cycling and/or SPJ-related events.	September 7, 2014	Program records
A qualified and experienced contractor hired by the City of Bentonville will complete all improvements including, but not limited to, resurfacing and grooming of all features as well as the enhancement of specific features at the free ride park at Slaughter Pen.	September 7, 2014	Signed contract
Outcomes		
The SPJ will have attendance of a minimum of 1,500 participants. Attendance in 2013 was estimated at 500.	September 7, 2014	Information cards and tickets will be issued and collected for participants and spectators at events.



CHECK ALL THAT APPLY			
	Bid Award	Bid #	
x	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: David Wright

Department Parks & Recreation

Phone (479) 464-7275

ACTION REQUIRED:

Parks and Recreation Staff seeks City Council approval of a budget adjustment to recognize \$56,771 in revenue from the Slaughter Pen Jam and \$46,707 in expenses.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	\$0.00
Budget Adjustment	\$0.00
Remaining After Adjustment	\$ \$0.00

DW

Department Head

Date

CT

Staff Attorney

Date

9/18/14

Purchasing Agent

Date

Mayor

Date

M

Finance Director

Date

9-18-14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: David Wright, Parks and Recreation Director
Date: September 18, 2014
Re: Budget Adjustment for Slaughter Pen Jam

Earlier in 2014, Bentonville Parks and Recreation and Bentonville Convention and Visitors Bureau learned that the Friends at Slaughter Pen Trails (FAST) was considering not hosting the annual Slaughter Pen Jam. This would have meant that this popular community event would no longer occur. FAST was founded to serve as trail maintenance organization, and the event was pulling them away from their mission. Bentonville Parks and Recreation and the Bentonville CVB quickly met and created a plan that ensured the three organizations could work together so the Slaughter Pen Jam could continue as a family friendly bike festival and a tourism driven event.

On September 4 – 7, 2014, Bentonville Parks and Recreation hosted the event that resulted in a huge success. In fact, it was the largest mountain bike race held in Arkansas to date. More than 350 racers participated with more than 1,000 spectators at Slaughter Pen on race day. In addition, professional riders were sponsored and brought in to perform for the public. More than 1,200 children were able to watch the performance at Sugar Creek Elementary and Thomas Jefferson Elementary on Thursday and more than 1,500 participants were able to watch the performances at First Friday. The event was an overwhelming success and all signs point towards large growth of this event in the future.

This event was not an event that was included in the 2014 operational budget. As stated earlier, City Staff and leaders from the Convention and Visitors Bureau felt it was important that the event continue. Like all recreation programs, it was done with a zero sum balance, meaning that the program must cover its expenses. This program produced \$56,771 of revenue and 46,707 of expenses. Parks and Recreation is requesting a budget adjustment in this amount.

If you have any questions regarding this item, please call me at 464.7275 or email dwright@bentonvillear.com.





CHECK ALL THAT APPLY			
X	Bid Award	Bid #	14-43
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: Mike Bender

Department: Public Works Director

Phone: 271-6720

ACTION REQUIRED:

Staff recommends Council award bid No. 2014-43 to Forsgren, Inc. in the amount of \$2,178,210.47 for the South Lift Station Renovation and South Force Main Construction project. This project will be funded with sewer capacity fees.

COST TO CITY:

Cost of this Request: \$2,178,210

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

 9/15/14
Department Head Date

CT 9/18/14
Staff Attorney Date

Purchasing Agent Date

Mayor Date

 9-18-14
Finance Director Date

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



Memo



To: City Council, Mayor McCaslin
From: Mike Bender 
CC:
Date: September 15, 2014
Re: Bid Award to Forsgren, Inc. for South Lift Station Renovation and South Force Main Construction Project

Staff recommends awarding bid No. 2014-43 to Forsgren, Inc. in the amount of \$2,178,210.47 for the South Lift Station Renovation and South Force Main Construction Project. The 16" force main extends approximately 3 miles from South Lift Station on SE Riviera to Bright Road.

South Lift Station has had capacity issues for some time which has resulted in several overflows. In 2010, the City analyzed the lift station performance and concluded that upgrades were needed to meet the current demand on the station, primarily upsizing the force main. In 2010, the total project was estimated at \$2,100,000.00 including engineering, easement acquisition, and construction. The most recent engineer's construction estimate was \$1,881,700.00. Since the project addresses a capacity issue due to growth and has such a large price tag, staff has planned to use sewer capacity fees to fund the project. Using capacity fees also helped to keep the sewer rate increase as low as possible with the last rate analysis/adjustment in 2012. ADEQ is well aware of the situation with the lift station and has been closely monitoring our efforts including requiring the City to submit quarterly reports to ADEQ summarizing our progress.

Attached is a letter of recommendation from McClelland Consulting Engineers, Inc. including a detailed bid tab.

Thank you for your consideration of this request.

Mike Bender

From: Robert White <rwhite@mcclelland-engrs.com>
Sent: Friday, August 29, 2014 10:09 AM
To: Mike Bender
Cc: Kathy Bertschy; Preston Newbill; reception@mcclelland-engrs.com
Subject: South Force Main Bid Tabulation (FY102126)
Attachments: FY102126 Bentonville South Force Main Bid Tab.pdf

Mr. Bender,

Attached is the Bid Tabulation for the South Lift Station Renovation and South Force Main Construction. Bids were received at 2:00 PM, Wednesday, August 27, 2014. Six bids were received. All six bids are in order and we presume that their Bid Bonds are in order. The low bidder is Forsgren, Inc. of Fort Smith, AR. This firm has been in business for several decades and has completed numerous similar projects. Their bid total of \$2,178,210.47 exceeded our engineer's estimate of \$1,881,700, however the other bids would indicate that this is an appropriate bid total. Award of this contract to Forsgren, Inc. of Fort Smith is therefore recommended.

Regards,
Robert White
Project Engineer



1810 N. College Ave. | Fayetteville, AR 72703
P.O. Box 1229 | Fayetteville, AR 72702
479.443.2377 x 18 office | 479.443.9241 fax
rwhite@mcclelland-engrs.com
www.mcclelland-engrs.com



BASE BID SCHEDULE
Description

Item #	Qty.	Units	Forrester, Inc.	Goodwin & Goodwin	Carstensen Contracting, Inc.
			Unit Cost	Unit Cost	Unit Cost
1	1	LS	\$100,000.00	\$100,000.00	\$18,215.00
2	12,843	LF	\$67.23	\$870,415.73	\$867,181.00
3	2,219	LF	\$63.68	\$141,443.72	\$139,000.00
4	1	EA	\$8,500.00	\$8,500.00	\$8,500.00
5	1	EA	\$16,000.00	\$16,000.00	\$16,470.00
6	1	EA	\$1,000.00	\$1,000.00	\$2,392.00
7	1	EA	\$1,900.00	\$1,900.00	\$2,123.00
8	415	LF	\$415.00	\$172,225.00	\$172,225.00
9	172	LF	\$180.00	\$30,960.00	\$30,960.00
10	170	LF	\$25.00	\$4,250.00	\$4,250.00
11	1	EA	\$3,300.00	\$3,300.00	\$3,888.00
12	2	EA	\$6,600.00	\$13,200.00	\$15,408.00
13	4	EA	\$4,200.00	\$16,800.00	\$17,747.00
14	2	EA	\$700.00	\$1,400.00	\$1,500.00
15	3,600	LB	\$12.85	\$46,320.00	\$46,320.00
16	64	EA	\$200.00	\$12,800.00	\$12,800.00
17	2	EA	\$3,800.00	\$7,600.00	\$8,988.00
18	1,850	SY	\$27.00	\$50,150.00	\$50,150.00
19	10	SY	\$95.00	\$950.00	\$950.00
20	285	SY	\$48.00	\$13,725.00	\$13,725.00
21	100	SY	\$95.00	\$9,500.00	\$9,500.00
22	1,220	LF	\$32.00	\$39,040.00	\$39,040.00
23	2,800	LF	\$20.00	\$56,000.00	\$56,000.00
24	40	TON	\$25.00	\$1,000.00	\$1,000.00
25	280	TON	\$42.00	\$11,760.00	\$11,760.00
26	1	LS	\$46,000.00	\$46,000.00	\$46,000.00
27	1	LS	\$304,000.00	\$304,000.00	\$304,000.00
28	1	LS	\$31,000.00	\$31,000.00	\$31,000.00
29	1	LS	\$8,500.00	\$8,500.00	\$8,500.00
TOTAL BASE BID			\$2,178,210.47	\$2,320,479.00	\$2,324,888.30

Signature: _____
Date: 8/28/2014

BASE BID SCHEDULE
Description

Item #	Qty	Units	S&J Construction Co. Unit Cost	Extended	Saven Valley's Cons. Co. Unit Cost	Extended	L.E. Davis Construction Unit Cost	Extended
1 Act 291, 1993 Trench & Excavation Safety System	1	LS	\$80,000.00	\$80,000.00	\$210,000.00	\$210,000.00	\$10,000.00	\$10,000.00
2 16-inch PVC, C-905, DR-18 Force Main	12,943	LF	\$80.12	\$1,038,863.16	\$76.00	\$983,688.00	\$80.00	\$1,035,470.00
3 16-inch PVC, C-905, DR-18 Restrained Joint Force Main	2,219	LF	\$105.08	\$233,172.52	\$84.00	\$209,586.00	\$115.00	\$255,165.00
4 10" x 10" Tapping Tee, 10" Tapping Valve w/ Box	1	EA	\$4,859.98	\$4,859.98	\$4,865.00	\$4,865.00	\$5,000.00	\$5,000.00
5 10-inch Insertion Valve on Existing Force Main	1	EA	\$13,475.04	\$13,475.04	\$13,817.60	\$13,817.60	\$25,000.00	\$25,000.00
6 10" x 2" Tap, 2" Corporation Stop and 2" Drain Tubing on Existing 10-inch Force Main	1	EA	\$2,574.01	\$2,574.01	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00
7 Cut and Cap Existing 10" Force Main	1	EA	\$2,275.45	\$2,275.45	\$3,650.00	\$3,650.00	\$2,500.00	\$2,500.00
8 30-inch Bored Steel Casing	415	LF	\$254.26	\$105,717.86	\$244,850.00	\$101,820.00	\$245,000.00	\$101,820.00
9 30-inch Direct Bury Steel Casing	172	LF	\$245.97	\$42,104.84	\$198.00	\$34,056.00	\$80.00	\$13,760.00
10 Install 16" Force Main Through Existing 24-inch Steel Casing	170	LF	\$50.82	\$8,639.40	\$70.00	\$11,900.00	\$15,300.00	\$2,600.00
11 Connect 16" Force Main to Existing Manhole	1	EA	\$3,775.23	\$3,775.23	\$5,000.00	\$5,000.00	\$2,000.00	\$2,000.00
12 3-inch Combination Air Valve Assembly	2	EA	\$5,483.00	\$10,966.00	\$5,800.00	\$11,600.00	\$7,500.00	\$15,000.00
13 2-inch Combination Air Valve Assembly	4	EA	\$5,278.08	\$21,112.32	\$4,800.00	\$19,200.00	\$5,000.00	\$20,000.00
14 Remove Air Release Valve Assembly on Existing Force Main	2	EA	\$1,700.00	\$3,400.00	\$8,000.00	\$16,000.00	\$2,000.00	\$4,000.00
15 Epoxy Lined Ductile Iron Fittings	9,800	LB	\$11.72	\$114,856.00	\$17.00	\$166,600.00	\$12.00	\$117,600.00
16 Force Main Trace Wire Access Port	64	EA	\$127.44	\$8,156.16	\$200.00	\$12,800.00	\$100.00	\$6,400.00
17 Remove and Reinstall Segmented Block Retaining Wall at Designated Locations	2	EA	\$8,500.00	\$17,000.00	\$3,000.00	\$6,000.00	\$2,500.00	\$5,000.00
18 Asphalt Surface Restoration	1,650	SY	\$41.86	\$69,079.00	\$60.00	\$99,000.00	\$80.00	\$132,000.00
19 Asphalt Highway Restoration	10	SY	\$285.06	\$2,850.60	\$150.00	\$1,500.00	\$300.00	\$3,000.00
20 Concrete Surface Restoration	285	SY	\$63.95	\$18,425.75	\$70.00	\$19,950.00	\$75.00	\$21,375.00
21 Concrete Sidewalk Restoration	100	SY	\$47.20	\$4,720.00	\$52.00	\$5,200.00	\$50.00	\$5,000.00
22 Gully and Gutter Restoration	1,220	LF	\$51.91	\$63,330.20	\$18.00	\$21,960.00	\$25.00	\$30,500.00
23 Granular Fill Trench Backfill	2,500	LF	\$18.63	\$46,575.00	\$45.00	\$112,500.00	\$30.00	\$75,000.00
24 Trench Stabilization Material	40	TON	\$28.63	\$1,145.20	\$35.00	\$1,400.00	\$30.00	\$1,200.00
25 Rip Rap at Creek Crossing and Existing Rip Rap Areas	260	TON	\$50.81	\$13,210.60	\$90.00	\$23,400.00	\$50.00	\$13,000.00
26 Erosion Control	1	LS	\$15,000.00	\$15,000.00	\$82,000.00	\$82,000.00	\$50,000.00	\$50,000.00
27 South Lift Station Renovation, including Removal of 3 Existing Pumps and Providing and Installing 3 New Pumps, Complete with Valves, Fittings and Concrete Bases	1	LS	\$298,606.81	\$298,606.81	\$775,625.00	\$775,625.00	\$475,000.00	\$475,000.00
28 Provide One Uninstalled Pump in the Pump Room	1	LS	\$39,548.81	\$39,548.81	\$40,215.00	\$40,215.00	\$35,000.00	\$35,000.00
29 Provide and Install Lift Station Flow Meter	1	LS	\$20,576.02	\$20,576.02	\$8,504.00	\$8,504.00	\$15,000.00	\$15,000.00
TOTAL BASE BID				\$2,413,682.95	\$2,685,546.00	\$2,743,930.00		

Signature: _____

Date: 8/28/2014



CHECK ALL THAT APPLY	
Bid Award	Bid #
Budget Adjustment	
Change Order	
Informational	
Ordinance	
x Resolution	
Other	

AGENDA FORM

CITY COUNCIL MEETING OF:

September 23, 2014

Submitted by: Hadi Dudley

Department: Library

Phone: 479-271-3194

ACTION REQUIRED:

Approval, by Resolution, to adopt a Library Policy designating Bentonville Public Library as a non-smoking and tobacco free campus. To promote cleanliness of grounds, maintain a healthy environment and model non-smoking behavior to children and teens, prohibited use areas include all programmatic spaces (inside and outside the library). This policy and resolution eliminates the designated smoking area currently provided on the veranda. Cigarette receptacles will no longer be provided on the library's campus.

COST TO CITY:

Cost of this Request:

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$ -
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	-
Remaining After Adjustment	\$ -

Department Head

Date

9/15/14

Staff Attorney

Date

Purchasing Agent

Date

Mayor

Date

Finance Director

Date

6-18-14

This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE



TO: City Council
FROM: Hadi Dudley, Library Director
SUBJECT: Library Policy Additions
DATE: September 15, 2014
CC: Mayor Bob McCaslin, Camille Thompson and Library Advisory Board

Bentonville Public Library (BPL) is a destination place for several thousand children, teens and families annually. To promote cleanliness of grounds, maintain a healthy environment and model non-smoking behavior to youth, BPL seeks to become a non-smoking and tobacco-free campus. To formally adopt this policy, a Resolution from City Council is required.

"Non-smoking and tobacco-free" is defined as prohibited use of cigarettes, pipes, cigars, smokeless tobacco, eCigarettes, vapor devices or other simulated tobacco products.

The library "campus" is defined as any location that may be considered a programmatic space, inside and outside the library. This includes, but is not limited to: inside the facility, on the exterior porches and surrounding grounds, such as the front lawn, brick courtyard, rain garden, other natural spaces and areas which are highly visible from the library's programmatic areas.

Because the existing designated smoking area is highly visible from meeting spaces for children's and teen programs hosted by the library on a regular and ongoing basis, this policy will eliminate the smoking area currently provided on the veranda. The entire library veranda is considered a programmatic space. Cigarette receptacles will no longer be provided on the library's campus.

The policy change is recommended by the Library Director and was approved by the Library Advisory Board in September.

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OLD POLICY

Policy 2- Patron Responsibility / General Customer Prohibitions

Smoking or using tobacco products anywhere in the building. Smoking is only allowed in designated area(s) outside the library. Examples of prohibited use at the library include, but are not limited to: cigarettes, pipes, cigars and smokeless tobacco ("chewing" or "dipping").

NEW / PROPOSED POLICY

Policy 2- Patron Responsibility / General Customer Prohibitions

Bentonville Public Library is a non-smoking and tobacco-free campus. Smoking or using tobacco products (including simulated tobacco products) in the building, on exterior porches, or on surrounding library grounds is prohibited.

Examples of prohibited use at the library include, but are not limited to: cigarettes, pipes, cigars, smokeless tobacco, eCigarettes or vapor devices.

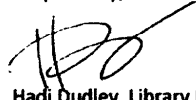
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Peer institutions with similar non-smoking or tobacco-free policies include:

- Bentonville Parks & Recreation (all facilities and outdoor spaces)
- Bentonville Public Schools
- Northwest Arkansas Community College
- Rogers Public Library
- Fayetteville Public Library.

Upon approval of the Resolution, appropriate information will be included in the library policy manual, public documents and facility signage to communicate BPL's updated policy to our patrons.

Respectfully,



Hadi Dudley, Library Director
Bentonville Public Library

RESOLUTION NO. _____

**A RESOLUTION ADOPTING CERTAIN REVISIONS TO
THE POLICY MANUAL FOR THE BENTONVILLE
PUBLIC LIBRARY.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE
CITY OF BENTONVILLE, ARKANSAS.**

Section 1: That certain revisions to the Policy Manual for the Bentonville Public Library, pertaining to the Library Smoking Policy, attached hereto as Exhibit A, should be and the same is hereby adopted.

Section 2: This resolution shall be in full force and effect from and after the date of its passage.

PASSED and APPROVED this _____ day of _____, 2014.

APPROVED:

MAYOR

ATTEST:

CITY CLERK