



City of Bentonville
Bentonville Utility Board Meeting
Tuesday, October 1st – 11:30 am
Bentonville City Hall 305 SW “A” St.
City Council Chambers

AGENDA

Call to Order
Pledge of Allegiance
Attendance
Approval of Minutes: September 17th, 2024

New Business

1. Informational – Appointment of Jerry Walls to Benton County Solid Waste District – Gary Wilson/Jerry Walls – (pages 2-3)
2. Resolution – Amendment to CMAR Professional Service Agmt. – WRRF – Chris Earl – (pages 4-6)
3. Informational – Utility Fund Budget Process – Patrick Johndrow
4. Adjournment



City of Bentonville, Arkansas Agenda Item Form

Item Details

Council Meeting Date:		Submitted By:	
Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

Informational	Bid Award	Enter into an Agreement	Change Order
Recognizing Funds	Budget Adjustment	Waiver of Bid	Emergency Clause
Ordinance	Resolution		Informational

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
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Budget Impact

Is this Item Budgeted? YES NO ITEM HAS NO COST OTHER: _____

Budget Adjustment (to be completed by Finance when applicable)

Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund Utility Fund Street Fund Other(s): _____

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

305 SW A Street Bentonville, AR 72712

www.bentonvillear.com

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Benton County Regional Solid Waste Management Board City Delegate Appointment Form

Pursuant to Arkansas Code 8-6-707, any Benton County city with a certified 10-year census population over 2,000 is required to assign a representative to serve on the Board of the Benton County Solid Waste District. The mayor may serve without council approval. However, if the mayor chooses to appoint a replacement designee, city council approval is required.

Arkansas Code Annotated § 8-6-707.

(b) (1) *Each regional solid waste management board shall be composed of representatives of the counties within the district and representatives of all first class cities, of all cities with a population over two thousand (2,000) according to the latest federal decennial census, and of the largest city of each county within the district.*

(2) *The county judge of each county within the district and the mayor of each city entitled to a representative in the district shall serve on the board, unless the county judge or mayor elects instead to appoint a member as follows:*

(A) *The county judge, with confirmation by the quorum court of each county within the district, shall appoint one (1) member to the board; and*

(B) *The mayor, with confirmation by the governing body of each city entitled to a representative in the district, shall appoint one (1) member.*

Mayor's Appointee

I, Stephanie Orman, Mayor of the City of Bentonville,

do hereby appoint Jerry Walls to serve as the City's representative

on the Benton County Regional Solid Waste Management District's Board at any regular or special Board meeting and at any Committee meeting.

This appointment shall continue until the City provides written notice of a replacement delegate or revocation of the appointment in order for the Mayor to begin serving as the City's representative.

Confirmation

Appointment of the above named representative was confirmed by the City Council / City Board

on _____ as attested in the attached executed copy of the minutes from the Council /

Board meeting OR the Resolution approving the appointment.

Mayor's Signature

Date



City of Bentonville, Arkansas Agenda Item Form

Item Details

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Phone:		For Department(s):	
Email:			

Item Type (Check all that apply)

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Recognizing Funds	Budget Adjustment	Waiver of Bid	Emergency Clause
Ordinance	Resolution		Informational

Title, Recommendation & Justification

Title:	
Action Recommendation & Justification:	
Additional Comments for Consideration (Optional):	

Amount for Approval:	\$
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Budget Impact

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Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue
Account Number (ORG-OBJECT)	Account Description	\$	\$
		Expense	Revenue

Fund(s) Impacted

(check all that apply)

General Fund Utility Fund Street Fund Other(s): _____

Budget Impact Notes for Consideration (Optional):

City of Bentonville, Arkansas

City Hall

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AMENDMENT NO. 1 TO ConsensusDocs® 500

STANDARD AGREEMENT AND GENERAL CONDITIONS BETWEEN OWNER AND CONSTRUCTION MANAGER

(Where the Basis of Payment is a Guaranteed Maximum Price with an Option for Preconstruction Services)

Dated September 23, 2024.

Pursuant to Section 3.3 of the Agreement dated June 5, 2024, between the Owner, City of Bentonville and the Contractor, Crossland Heavy Contractors, Inc. for Water Resource Recovery Improvements Project (the Project), the Owner and the Contractor desire to establish a Guaranteed Maximum Price ("GMP") for the Work. Therefore, the Owner and the Contractor agree as follows:

ARTICLE 1 GUARANTEED MAXIMUM PRICE

The Contractor's GMP for the Work, including the Cost of the Work as defined in Article 8 and the Contractor's Fee as set forth in Section 7.3, is ninety-seven million, six hundred fifty-seven thousand and nine hundred sixteen Dollars (\$97,657,916). **This GMP and amendment is contingent upon closing of the loan through ANRC for SRF funds allocated for the Bentonville Water Resource Recovery Improvements Project.**

The GMP is for the performance of the Work in accordance with the exhibits listed below, which are part of this Agreement.

EXHIBIT A Drawings and Specifications, including Addenda, if any, and information furnished by the Owner under Section 4.3.

- Drawings Set Dated April 2024 Volumes 1-3, pages 1-384.
- Specifications Dated April 2024 Volumes 1-2, pages 1-1459
- Specifications Dated April 2024 Volume 1 Addenda DIV 4-7, pages 1-148

EXHIBIT B GMP Proposal, dated September 10, 2024, pages 1-288

ARTICLE 2 DATE OF SUBSTANTIAL COMPLETION

The Date of Substantial Completion of the Work is May 21, 2029.

Substantial Completion is contingent upon completion of pre-construction based on the following timeline.

- Hawkins Weir issues 100% Design Documents on 1/6/2025
- CHC 100% Design Review / Package Development (4 weeks) – Complete on 1/31/2025
- Bid Period (6 weeks) – Complete on 3/14/2025
- CHC De-Scoping & Bidder Recommendations (3 weeks) – Complete on 4/7/2025
- Bentonville Review / NTP Issuance (2 weeks) – Begin Construction 4/21/2025

ARTICLE 3 DATE OF FINAL COMPLETION



The Date of Final Completion of the Work is: Sixty (60) Calendar Days after the Date of Substantial Completion, subject to adjustments as provided for in the Contract Documents.

This Amendment is entered into as of _____.

OWNER ATTEST: _____

OWNER: City of Bentonville

BY: _____

PRINT NAME:

PRINT TITLE:

CONTRACTOR ATTEST: Holy Dn

CONTRACTOR: Crossland Heavy Contractors, Inc.

BY: Mark Sell

PRINT NAME: Mark Sell

PRINT TITLE: Executive Chairman of the Board

END OF DOCUMENT.

