



BENTONVILLE CITY COUNCIL AGENDA

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

**Tuesday, June 12, 2018 6:00 p.m.
305 SW "A" Street**

**Public Hearing on Annexation of Surrounded Territory
Public Comments on Tonight's Agenda Items (Limited Public Forum)
Questions, Comments and Discussion from City Council Members on Tonight's Agenda
Call to Order
Pledge of Allegiance
Moment of Silence – For our Military Forces
Roll Call
Approval of Minutes: May 22, 2018**

AGENDA

1. Adoption of an ordinance annexing completely surrounded territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards. **(Pages 4-11)**
2. Summary of 2017 Annual Development Report. **(Pages 12-13)**
3. Planning:
 - 3a. **Property Line Adjustment: Lots 84 and 85 of Woods Creek South Phase II, James and Lori Moriarty , 200 NE Lakeview Terrace, R-1, Single Family Residential.**
(Pages 16-17)
The Planning Commission voted 7-0, recommending approval.

The applicant submitted a property line adjustment adjusting the common lot line between Lots 16 and 79 of Woods Creek South Subdivision Phase II, creating new lots 84 and 85. The plat dedicates multiple utility easements of varying widths. Adequate right-of-way exists along Marina Drive, Blue Spruce Avenue, and Lakeview Terrace.
 - 3b. **Rezoning: Robert and Shelly Stoker, 230 SE 7th Street, From R-1, Single Family to DE, Downtown Edge.**
(Pages 18-20)
The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Mixed-Use Residential (DMUR). The DE, Downtown Edge zoning is not a recommended zoning district for this designation. However, the intent of the Downtown Mixed-Use Residential District is to allow for increased neighborhood density and local commerce through the development of multi-family housing and mixed-use structures.

3c. **Rezoning: Newell Holdings, LLC, 217 NW A Street, From R-1, Single Family Residential to DE, Downtown Edge.**

(Pages 21-23)

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Mixed Use (MU). The DE, Downtown Edge zoning is a recommended zoning district for this designation.

4. A public hearing and ordinance vacating a street right-of-way and establishing a utility easement located at Hayes Addition, Lot 1 & 2 by Bates & Associates, to the City of Bentonville, Arkansas, Benton County, Arkansas. **(Pages 24-27)**
5. Please see the attached list for the 2018 Street Striping. The City Council approved \$30,000.00 in the 2018 budget for this. **(Pages 28-29)**
6. Adoption of an ordinance amending the pay plan for certain officials of the City of Bentonville, Arkansas, effective January 1, 2019. **(Pages 30-31)**
7. City Council approval to appoint Jordan Garner to the City of Bentonville's Advertising & Promotion Commission filling Josh Morey's unexpired term. Ms. Garner's term will expire on December 31, 2019. **(Pages 32-35)**
8. Request that the City Council declare certain items as being surplus, namely eight (8) Glock Model 22 .40 caliber handguns. These firearms have been in service for up to 10 years. New Generation 4 models with GNS Sights can be sourced from Cruse Uniforms and Equipment of Springdale (a Federally licensed firearms dealer) for approximately \$357.00 each. Upon being declared surplus, these eight (8) weapons can be traded in for an approximate \$250.00 credit per firearm (\$2,000.00 total trade in credit). This trade-in and replacement program will equip our officers with newer and more reliable handguns at a very minimal cost (\$1,740.00 including tax, rear sights, and trade in credit). In addition to being a responsible disposition of these retired weapons, this action also represents a considerable cost savings to the city. The surplused firearms and their serial numbers include, (1). Glock 22 40 cal. PHX 706, (2). Glock 22 40 cal. WHX 802, (3). Glock 22 40 cal. LPB437, (4). Glock 22 40 cal. LPB438, (5). Glock 22 40 cal. LPB439, (6). Glock 22 40 cal. LYK800, (7). Glock 22 40 cal. LYK799, (8). Glock 22 40 cal. LYK801. **(Pages 36-38)**
9. An ordinance authorizing the Mayor and City Council to enter into an agreement with Bills Electric Inc. for the installation of 4 decorative streetlights on Main St. in the amount of \$42,558.00 and waiving the requirements of competitive bidding. **(Pages 39-43)**

10. Recommend the Mayor and City Council award Bid #IFB-18-019 to Wiese USA for the purchase of one new forklift for the Inventory Control Warehouse in the amount of \$25,126.00. This is a 2018 budgeted item. **(Pages 44-46)**
11. Presentation to City Council regarding nonresident fees for parks and recreation programs beginning January 1, 2019. **(Pages 47-51)**
12. City Council approval of Bid IFB-18-022 in the amount of \$43,889.00 to Diamond C Construction Company to paint and apply anti-graffiti sealer to two tunnels on the Razorback Greenway under N Walton Ave and Interstate 49. **(Pages 52-53)**
- 13a. Wastewater Staff requests a Change Order in the amount of \$37,467.00 for emergency repair of the gears, gearbox and pinion gear on #1 Clarifier. The gear shattered and destroyed gearbox and pinion gear. This unit is now inoperable. The plant cannot operate effectively with one clarifier for an extended period of time. The manufacturer has produced the parts necessary to replace the damaged gearbox. The cost of the gearbox(es) is covered in Bid IFB-18-007. The manufacture of all components for the rebuild will be complete in spring of 2019. This is part of the equipment purchased for the clarifier rebuild, only this part will be installed early due to the emergency condition. In addition, the gears and gearbox for clarifier #2 will be expedited for on-site access should the other old clarifier unit fail before the complete assembly has been manufactured and shipped. The Change Order is necessary to cover the extra installation and start-up fee on Clarifier #1 and the expedited build and shipping for gearbox for Clarifier #2. **(Pages 54-58)**
- 13b. Wastewater Staff requests a Budget Adjustment an amount not to exceed \$37,467.50 for emergency repair of the gears, gearbox and pinion gear on #1 Clarifier. The gear shattered and destroyed gearbox and pinion gear. This unit is now inoperable. The plant cannot operate effectively with one clarifier for an extended period of time. The manufacturer has produced the parts necessary to replace the damaged gearbox. The cost of the gearbox(es) is covered in Bid IFB-18-007. The manufacture of all components for the rebuild will be complete in spring of 2019. This is part of the equipment purchased for the clarifier rebuild; only this part will be installed early due to the emergency condition. In addition, the gears and gearbox for Clarifier #2 will be expedited for on-site access should the other old clarifier unit fail before the complete assembly has been manufactured and shipped. The Budget Adjustment is necessary to cover the extra installation and start-up fee on Clarifier #1 and the expedited build and shipping for gearbox for Clarifier #2. **(Pages 59-61)**
14. Request Council and Mayor award bid to Ozark Mountain Glass in the amount of \$33,975.00. Ozark Mountain Glass was the sole bidder for replacement of 13 door assemblies on various buildings in need of replacement due to age and deterioration. This is a 2018 budgeted item. **(Pages 62-76)**
15. Accounting Department staff is requesting City Council approval to reorganize the Purchasing Office by eliminating the Purchasing Manager position and replace it with two positions: Purchasing Administrator (Grade 33) and Accounting (Purchasing) Specialist II (Grade 17). The Assistant Finance Director will actively manage both positions. **(Pages 77-80)**



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

George Spence

Department

City Attorney

Phone

273-2777

ACTION REQUIRED:

Adoption of an ordinance annexing completely surrounded territory to the City of Bentonville, Arkansas, and making same a part of the City of Bentonville, and assigning same to wards.

COST TO CITY:

Cost of this Request: Minimal*

Additional Budget Amount: None

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	None
Remaining After Adjustment	\$ -

* There are some minor attorney fees related to this, which will be paid out of the budget for professional fees.

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

TO: City Council
FROM: George Spence, City Attorney
CC: Mayor McCaslin, Linda Spence, City Clerk
DATE: May 7, 2018
RE: Ollar annexation

Paul & Sue Ollar have requested the City annex property owned by them. The approximately 40 acres is completely surrounded by the cities of Bentonville and Centerton. We had initiated the process as a 100% annexation, but the Ollars in the past deeded a sliver of the property to the Highway Department. The Highway Department indicated that they do not object to the property being annexed, but does not actually join in annexation proceedings, which eliminated doing it by the 100% method.

We then turned to annexing it by the method allowing a majority of property owners to annex property, but could not use that method as "majority of landowners" means by value and residents, and this is unoccupied pasture, so there are no residents.

Accordingly, we are proposing to annex this property as surrounded property which is another method of annexation. I am not aware of any other occasion that we have annexed property by this method, and we only pursue it in this fashion because the property owners desire annexation and as the other methods have obstacles.

A public hearing is required prior to annexation under this method.

Note that since the property had borders both with Bentonville and Centerton, Bentonville has priority on annexing the property since the length of its border along the property (which is three sides of the more or less square parcel) is longer. Centerton could annex but only with Bentonville's consent. As indicated, the Ollars have requested to come into Bentonville.

NOTICE OF PUBLIC HEARING

A public hearing will be held on June 12, 2018 at 6:00 pm concerning a proposal to annex into the City of Bentonville property located in Benton County, Arkansas, described below which is completely surrounded by the Cities of Bentonville and Centerton. The hearing will take place at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas. Any person wishing to express their views on this proposal may appear and do so.

The SW ¼ of the NW ¼ of Section 11, Township 19N, Range 31W Benton County, Arkansas;

This notice published by the City of Bentonville.

NORTHWEST ARKANSAS Democrat Gazette

AFFIDAVIT OF PUBLICATION

I Cathy Wiles, do solemnly swear that I am the Legal Clerk of the Northwest Arkansas Democrat-Gazette, printed and published in Washington County and Benton County, Arkansas, and of bona fide circulation, that from my own personal knowledge and reference to the files of said publication, the advertisement of:

CLARK & SPENCE

PH. Ollar notice

Was inserted in the Regular Edition on:

May 10, 2018

Publication Charges: \$ 36.40

[Redacted Signature]

Cathy Wiles)

Subscribed and sworn to before me
This 14 day of May, 2018.

[Redacted Signature]

Notary Public

My Commission Expires: 2/12/28



****NOTE****

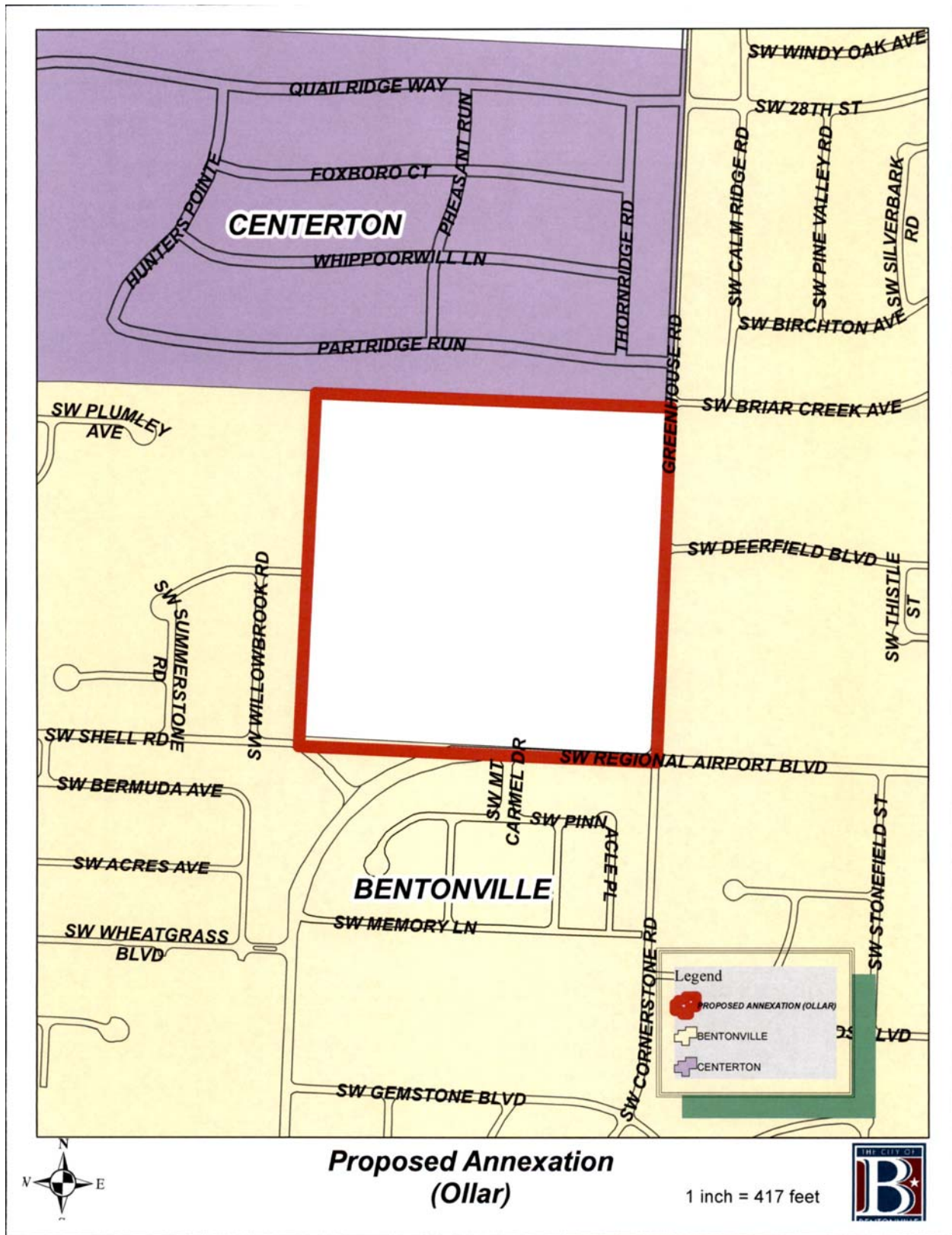
Please do not pay from Affidavit.
Invoice will be sent.

NOTICE OF PUBLIC HEARING

A public hearing will be held on June 12, 2018 at 6:00 pm concerning a proposal to annex into the City of Bentonville property located in Benton County, Arkansas, described below which is completely surrounded by the Cities of Bentonville and Centerion. The hearing will take place at the Community Development Building, 305 Southwest A Street, Bentonville, Arkansas. Any person wishing to express their views on this proposal may appear and do so. The SW ¼ of the NW ¼ of Section 11, Township 19N, Range 31W Benton County, Arkansas: This notice published by the City of Bentonville. 74524384 May 10, 2018

SENDER: COMPLETE THIS SECTION ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		COMPLETE THIS SECTION ON DELIVERY [Redacted] ☐ Agent ☐ Addressee B. Received by (Printed Name) [Redacted] C. Date of Delivery [Redacted]	
Paul and Sue Otis 2822 Highland Drive Rogers, AR 72756-3120		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
9590 9402 2876 7069 1650 50		3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)	
2. Article Number (Transfer from service label) 008 0500 0000 1664 7417		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

SENDER: COMPLETE THIS SECTION ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		COMPLETE THIS SECTION ON DELIVERY [Redacted] ☐ Agent ☒ Addressee B. Received by (Printed Name) Jordan Holman C. Date of Delivery 5/18/18	
1. Article Addressed to: Scott E. Bennett, P.E., Director Arkansas Department of Transportation P.O. Box 2261 Little Rock, AR 72203		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
9590 9402 2876 7069 1651 35		3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)	
2. Article Number (Transfer from service label) 008 0500 0000 1664 7387		☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	



ORDINANCE NO. _____

AN ORDINANCE ANNEXING COMPLETELY SURROUNDED TERRITORY TO THE CITY OF BENTONVILLE, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF BENTONVILLE, AND ASSIGNING SAME TO WARDS.

WHEREAS, Paul Ollar and Sue Ollar have requested that the City of Bentonville annex certain property, described as follows:

The SW ¼ of the NW ¼ of Section 11, Township 19N, Range 31W Benton County, Arkansas;

WHEREAS, the Ollars own most of the described property, but a sliver of it is owned by the Arkansas Department of Transportation, which has indicated it has no objection to its annexation;

WHEREAS, the described property is completely surrounded by the cities of Bentonville and Centerton, with the City of Bentonville having a greater distance of city limits adjoining the property's perimeter, and

WHEREAS, prior to consideration of this ordinance, a public hearing was held allowing any interested party to appear and present their views on the proposal, and

WHEREAS, the described public hearing was held within the last sixty days, and

WHEREAS, at least fifteen days prior to the public hearing, the City of Bentonville published notice of the hearing as required by § 14-40-502 of the Arkansas Code,

WHEREAS, at least fifteen days prior to the public hearing, the City of Bentonville notified all the property owners within the area proposed to be annexed by certified mail as required by § 14-40-502 of the Arkansas Code,

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

Section 1. That the territory described above is hereby accepted as part of and annexed to and made a part of the City of Bentonville.

Section 2. That the above described territory shall be annexed to and made a part of Ward ____ of the City of Bentonville, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3. That the above described territory shall be zoned A-1, to be used in accordance with City zoning laws and the laws of the State of Arkansas.

Section 4: That this ordinance shall become effective 30 days from its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF JUNE, 2018.

APPROVED: _____
HON. BOB McCASLIN, Mayor

ATTEST: _____
HON. LINDA SPENCE, City Clerk



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Shelli Kerr

Department

Planning Services

Phone

271-6822

ACTION REQUIRED:

Summary of 2017 Annual Development Report.

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	\$ -

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: Mayor Bob McCaslin, City Council
From: Shelli Kerr, AICP, Interim Community Development Director
CC Date: June 9, 2018
Re: 2017 Annual Development Report



Since 2010, Community Development has published an annual report of the activities within the department. The annual report contains annual data and compares it to the previous year, including:

Building Inspections

- Building permits (starts)
- Demotion permits
- Inspections
- Certificates of occupancy (completion)
- Permit value
- Fee collection

Planning

- Large scale developments
- Lot Splits
- Preliminary Plats
- Final Plats
- Rezoning
- Conditional Uses
- Variances

The report also summarizes the department's community enhancement initiatives, including tree plantings and giveaways, street clean-ups, transportation assistance, public meetings and workshops, and public art.

Highlights from 2017:

Building Inspections

- Population estimated at 47,645, up 5%.
- 1,562 building permits, up 7%.
- 18,279 inspections, up 9%.
- Building permits valued at \$395 million.
- 715 certificates of occupancy issued, up 8%.
- 903 residential units permitted, up 3%.
- 459 single family units completed, down 22%.
- Average single-family permit valued at \$291,564.
- 178 commercial permits, up 9%.
- Commercial permits valued at \$204 million.

Planning

- 350 planning projects, up 24%.
- 69 rezonings, up 77%.
- 573,812 sf commercial approved.
- 1.6 million sf industrial approved.
- 1,170 trees planted and given away.
- 24 miles of roadway cleaned by volunteers.
- Four neighborhood meetings.
- Five code amendments.
- \$27,340 in transportation assistance to the elderly and low-income.

The 2017 Annual Development report is available online at <http://www.bentonvillear.com/253/Data>. Staff will provide City Council members a paper copy of the report.



City Council Agenda Items
For City Council Meeting of June 12, 2018
From the June 5, 2018 Planning Commission Meeting

Property Line Adjustment: Lots 84 and 85 of Woods Creek South Phase II, James and Lori Moriarty , 200 NE Lakeview Terrace, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

The applicant submitted a property line adjustment adjusting the common lot line between Lots 16 and 79 of Woods Creek South Subdivision Phase II, creating new lots 84 and 85. The plat dedicates multiple utility easements of varying widths. Adequate right-of-way exists along Marina Drive, Blue Spruce Avenue, and Lakeview Terrace.

Rezoning: Robert and Shelly Stoker, 230 SE 7th Street, From R-1, Single Family to DE, Downtown Edge.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR). The DE, Downtown Edge zoning is not a recommended zoning district for this designation. However, the intent of the Downtown Mixed-Use Residential District is to allow for increased neighborhood density and local commerce through the development of multi-family housing and mixed-use structures.

Rezoning: Newell Holdings, LLC, 217 NW A Street, From R-1, Single Family Residential to DE, Downtown Edge.

The Planning Commission voted 7-0, recommending approval.

The Future Land Use Plan depicts this property as Mixed Use (MU). The DE, Downtown Edge zoning is a recommended zoning district for this designation.



Consent Agenda Items

For Planning Commission meeting of June 5, 2018

Reviewer: Tyler Overstreet, Planner

- ❖ At the Technical Review meeting held on May 29, 2018 the Planning Commission requested these items be placed on the Consent agenda. The descriptions below shall serve as the staff report for each of the consent agenda items.

Property Line Adjustment: Lots 84 and 85 Woods Creek South Subdivision Phase II, James and Lori Moriarty, 200 NE Lakeview Terrace, R-1, Single-Family Residential, (PLA18-0015)

The applicant submitted a property line adjustment adjusting the common lot line between Lots 16 and 79 of Woods Creek South Subdivision Phase II, creating new lots 84 and 85. The plat dedicates multiple utility easements of varying widths. Adequate right-of-way exists along Marina Drive, Blue Spruce Avenue, and Lakeview Terrace.

(Please click on this link to access the vicinity map for this item: <http://geo.bentonvillear.com/mgweb/PZpending/>)

PROPERTY LINE ADJUSTMENT WOODS CREEK SOUTH SUBDIVISION PHASE 2 CREATING LOTS 84 AND 85



Recording Block

Utility Notes

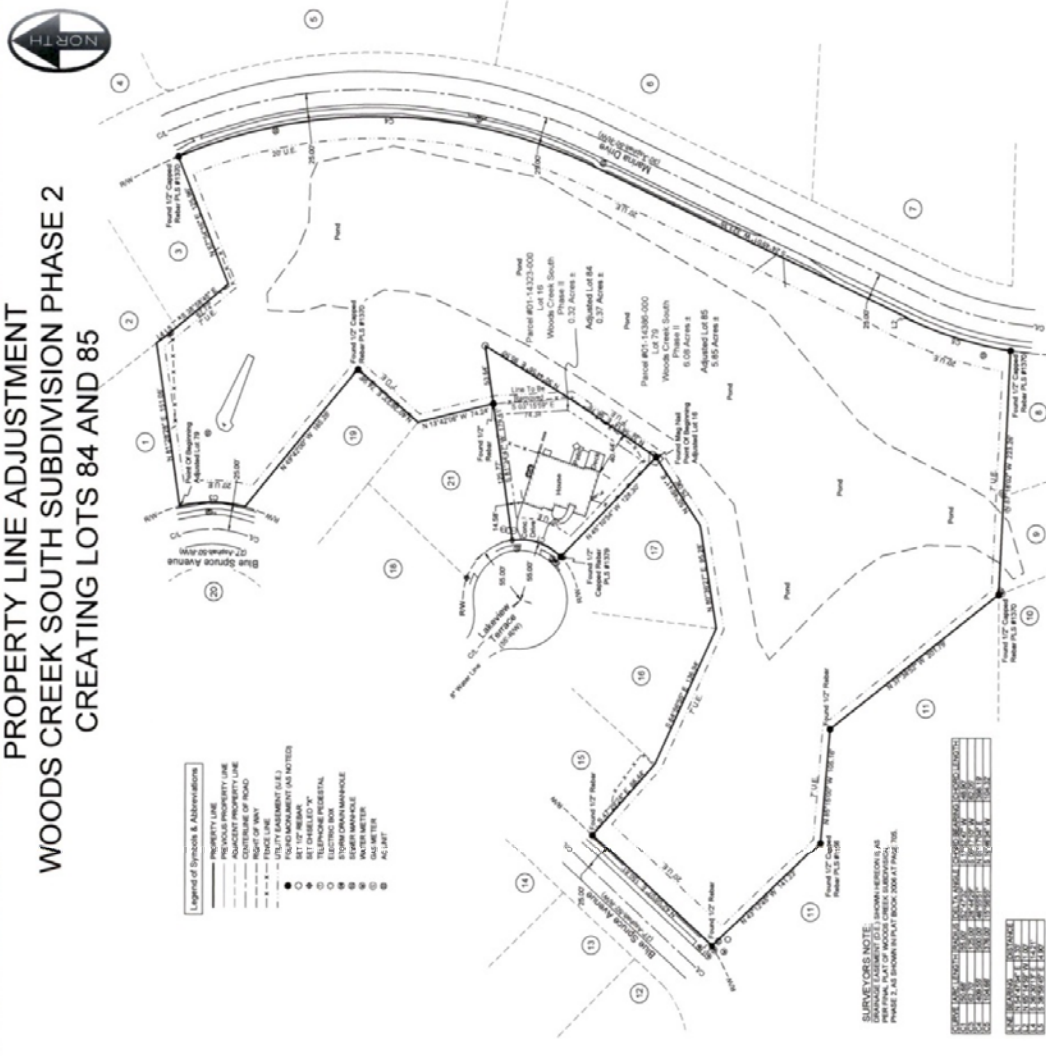
THE LOCATION OF UTILITIES SHOWN HEREIN IS BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE GROUND AND APPEARANCES ONLY. THE LOCATION OF UTILITIES SHOWN HEREIN IS NOT A GUARANTEE OF THE LOCATION OF ANY UTILITIES. THE SURVEYOR DOES NOT WARRANT THE LOCATION OF ANY UTILITIES. THE SURVEYOR DOES NOT WARRANT THE LOCATION OF ANY UTILITIES.

1"=80' 0"

PRELIMINARY

BLFW & ASSOCIATES, PA
CIVIL ENGINEERS AND LAND SURVEYORS
524 W. SYCAMORE ST. SUITE 4
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479-434-4556
FAX: 479-434-4557
www.blfw.com

Professional Engineer
JAMES & LORI MORIARTY
200 E. 200 LAKEVIEW TERRACE, BENTONVILLE, AR
BENTONVILLE, AR 72713
18-1079



- Adjacent Land Owners**
- 1. PARCELS 80-1-100-000
WALLA PARRISH
1800 E. 10TH AVE
BENTONVILLE, AR 72713
 - 2. PARCELS 80-1-100-000
WALLA PARRISH
1800 E. 10TH AVE
BENTONVILLE, AR 72713
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BENTONVILLE, AR 72713
 - 24. PARCELS 80-1-100-000
WALLA PARRISH
1800 E. 10TH AVE
BENTONVILLE, AR 72713

SURVEYOR'S NOTE:
ALL ADJACENT PROPERTIES ARE ZONED AS R-1.

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOTS
84 AND 85 OF WOODS CREEK SOUTH PHASE II TO THE CITY OF
BENTONVILLE, ARKANSAS (PROJECT NUMBER: PLA18-0015).**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lots 84 and 85 of Woods Creek South Phase II of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on June 5, 2018; and,

WHEREAS, said property line adjustment 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 for 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 Lots 84 and 85 of Woods Creek South Phase II 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 _____, 2018.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

REZONING STAFF REPORT



Stoker

230 SE 7th Street
PC Date: 6/5/2018

Reviewer: Jon Stanley, Planner

Project Number	RZ18-0019
Applicant / Current Owner	Robert & Shelly Stoker 302 SE 2 nd Street Bentonville, AR 72712
Site Area	0.22+/- acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DE, Downtown Edge
Future Land Use Map Designation	Downtown Mixed Use Residential (DMUR)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of a vacant single-family lot in a Downtown Mixed Use Residential neighborhood where infill and redevelopment is beginning to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is located within the downtown area where the existing street grid network will provide adequate options for ingress and egress.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Downtown Mixed Use Residential (DMUR). The DE, Downtown Edge zoning is not a recommended zoning district for this designation. However, the intent of the Downtown Mixed-Use Residential District is to allow for increased neighborhood density and local commerce through the development of multi-family housing and mixed-use structures.

Conclusion

The General Plan does not recommend the DE, Downtown Edge as an appropriate zoning district for the Downtown Mixed Use Residential (DMUR) land use designation. However, the DE, Downtown Edge zoning classification is compatible with existing adjacent uses. It will create an area of transition between the future five-lane arterial street to the south and the single-family residences to the north while adding density to the downtown area where existing infrastructure is adequate, therefore helping to retain current and promote new commercial and residential development in the downtown area.

JACOBS GROUP

Specializing in Downtown Housing

April 30, 2018

City of Bentonville
305 SW A Street
Bentonville, Arkansas 72712

RE: Property at 230 SE 7th Street – Rezoning Request

Dear Mr. Stanley,

We are requesting that the property located at 230 SE 7th Street, which is currently zoned R-1, to be rezoned to Downtown Edge. This zoning change will allow for new housing to be built on this property. The properties directly abutting this parcel are already zoned DE and we believe it best to keep the surrounding zonings consistent.

The property will only be used for residential purposes, and will be rear loaded to limit the impact vehicles can have along the streetscape. Minimal traffic increase is expected and no signage is proposed for the infill housing. The new housing will be served by existing water and sewer lines which run along the length of SE 7th street.

Sincerely,



Todd Jacobs

ORDINANCE NO. _____

AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE, ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, SINGLE FAMILY RESIDENTIAL TO DE, DOWNTOWN EDGE (PROJECT NUMBER: RZ18-0019).

WHEREAS, Robert & Shelly Stoker duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, Single Family Residential to DE, Downtown Edge to be used in accordance with city zoning laws and state laws, which property is described as follows:

LOT 10, SOUTHSIDE SUBDIVISION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON PLAT RECORD C AT PAGE 206.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 5, 2018 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public 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 Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, Single Family Residential to DE, Downtown Edge.

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 zoning classification of R-1, Single Family Residential to DE, Downtown Edge to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

REZONING STAFF REPORT



Newell Holdings, LLC

217 NW A Street
PC Date: 6/5/2018

Reviewer: Jon Stanley, Planner

Project Number	RZ18-0020
Applicant / Current Owner	Newell Holdings, LLC 300 SW 5 th Street Bentonville, AR 72712
Site Area	0.22+/- acres
Current Zoning	R-1, Single Family Residential
Requested Zoning	DE, Downtown Edge
Future Land Use Map Designation	Mixed Use (MU)

<http://geo.bentonvillear.com/mgweb/PZpending/>

Location Map



Property Description

This property is the location of a single-family lot in a Downtown Mixed Use Residential neighborhood where infill and redevelopment is beginning to occur.

Projected Traffic Impact

The proposed zoning designation will not adversely impact traffic in the area. The property is located within the downtown area where the existing street grid network will provide adequate options for ingress and egress.

Relationship to the General Plan

The Future Land Use Plan depicts this property as Mixed Use (MU). The DE, Downtown Edge zoning is a recommended zoning district for this designation.

Conclusion

The General Plan recommends the DE, Downtown Edge as an appropriate zoning district for the Mixed Use (MU) land use designation. The DE, Downtown Edge zoning classification is compatible with existing adjacent uses. It will create an area of transition between the commercial uses to the east and the lower intensity uses to the west.

To: Planning Staff and Planning Commission

Re: Re Zone at 217 NW A

Newell Development seeks to rezone the property at 217 NW A to Downtown Edge. The current zoning is R-1. The current land use designation is mixed use. The Downtown Edge zoning matches up with the land use more appropriately. Newell Development is planning to build single family housing on the site that fits into form and scale of existing residential development of NW A. Parking for each unit will be provided on site. Utilities are available.

Jake Newell

Newell Development

479 225 3997

ORDINANCE NO. _____

**AN ORDINANCE CHANGING REAL ESTATE IN THE CITY OF BENTONVILLE,
ARKANSAS, FROM ITS PRESENT ZONING CLASSIFICATION OF R-1, SINGLE FAMILY
RESIDENTIAL TO DE, DOWNTOWN EDGE (PROJECT NUMBER: RZ18-0020).**

WHEREAS, Newell Holdings, LLC duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present zoning classification of R-1, Single Family Residential to DE, Downtown Edge to be used in accordance with city zoning laws and state laws, which property is described as follows:

PART OF LOT 3, CLAYPOOL BLOCK, AN ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID LOT 3; RUN THENCE WEST 110 FEET AND SOUTH 86.5 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE EAST 110 FEET; THENCE NORTH 86.5 FEET TO THE PLACE OF BEGINNING.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held June 5, 2018 in the Council Chambers of the City of Bentonville; and,

WHEREAS, public 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 Planning Commission voted to recommend to the City Council that the petition be approved and that said property be rezoned from its present classification of R-1, Single Family Residential to DE, Downtown Edge.

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 zoning classification of R-1, Single Family Residential to DE, Downtown Edge to be used in accordance with the city zoning laws and state laws.

PASSED AND APPROVED this _____ day of _____, 2018.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Ellen Norvell

Department

Administration

Phone

271-3191

ACTION REQUIRED:

A public hearing and ordinance vacating a street right-of-way and establishing a utility easement located at Hayes Addition, Lot 1 & 2 by Bates & Associates, to the City of Bentonville, Arkansas, Benton County, Arkansas.

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	\$ -

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

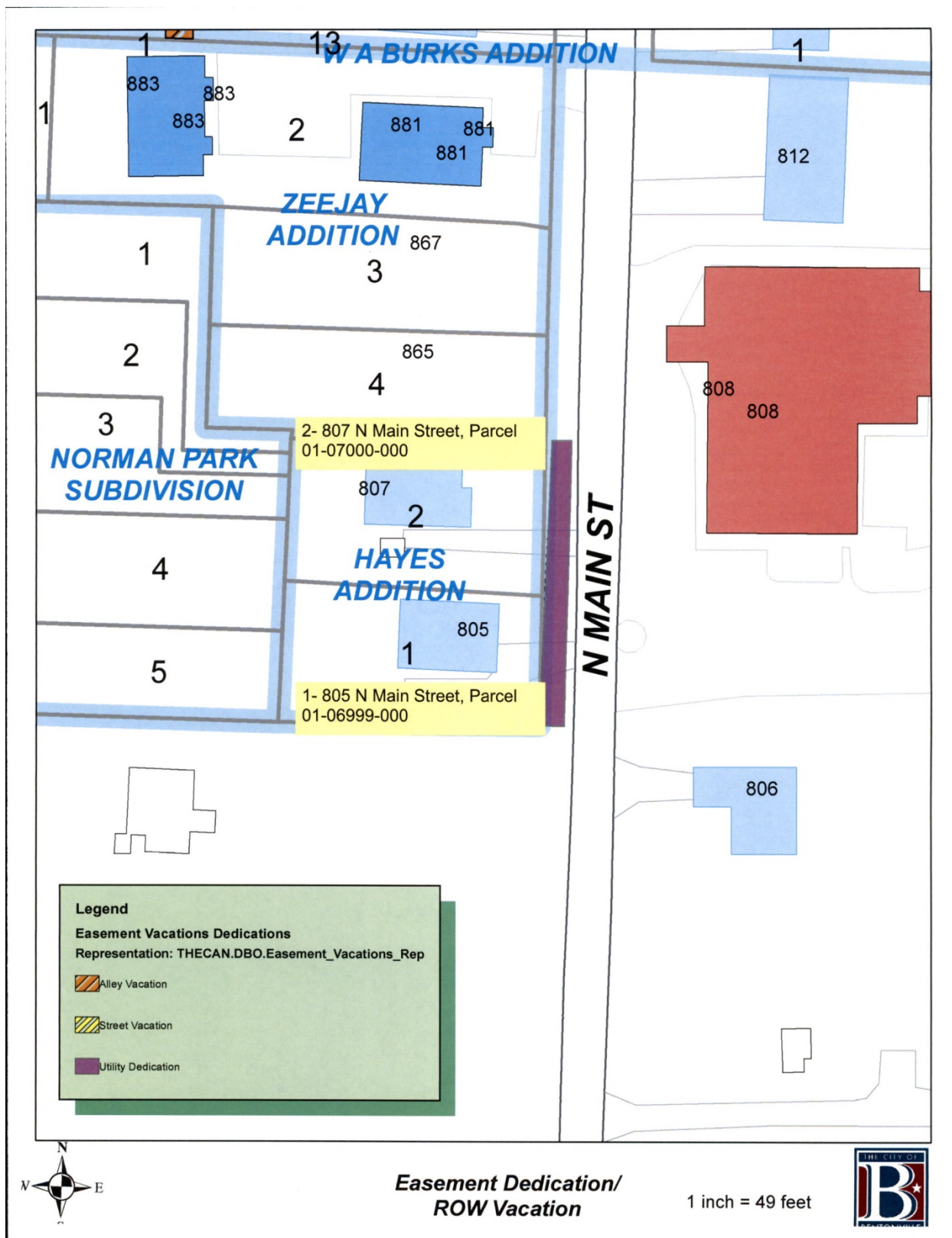
117 WEST CENTRAL AVENUE * BENTONVILLE, AR 72712

www.bentonvillear.com



PLEASE RECYCLE





ORDINANCE NO. _____

ORDINANCE VACATING RIGHT OF WAY AND ESTABLISHING A UTILITY EASEMENT LOCATED IN HAYES ADDITION, LOT 1 AND 2, TO THE CITY OF BENTONVILLE, ARKANSAS, BENTON COUNTY ARKANSAS.

WHEREAS, a petition was filed by Bates & Associates, with the City Council of the City of Bentonville, Arkansas, asking the City Council to vacate a Right of way and establish a public utility easement located in the City of Bentonville, Benton County, Arkansas, which portion is more particularly described as follows:

1 - PARCEL #01-06999-000 (MAC SHAFER - PROPERTY OWNER):
LOT 1, HAYES ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS,
AS SHOWN IN PLAT RECORD 18 AT PAGE 80. SUBJECT TO ALL EASEMENTS AND RIGHTS-
OF-WAY OF RECORD.

2 - PARCEL #01-07000-000 (CHRISTINA CARSON - PROPERTY OWNER):
LOT 2, HAYES ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS,
AS SHOWN IN PLAT RECORD 18 AT PAGE 80. SUBJECT TO ALL EASEMENTS AND RIGHTS-
OF-WAY OF RECORD.

WHEREAS, after due notice as required by law, the Council has at the time and place mentioned the notice, heard all persons desiring to be heard on the question; that all the owners of the property abutting the easement to be vacated have joined in the petition or consented to the granting of the petition; and the public interest and welfare will not be adversely affected by the abandonment of the above described right of way.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bentonville, Arkansas:

Section 1: The City of Bentonville Arkansas releases, vacates and abandons all of its rights together with the rights of the public generally, in and to right of way subject to the condition that the public utility easement is reserved for the city designated as follows:

1 - PARCEL #01-06999-000 (MAC SHAFER - PROPERTY OWNER):
LOT 1, HAYES ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS,
AS SHOWN IN PLAT RECORD 18 AT PAGE 80. SUBJECT TO ALL EASEMENTS AND RIGHTS-
OF-WAY OF RECORD.

2 - PARCEL #01-07000-000 (CHRISTINA CARSON - PROPERTY OWNER):
LOT 2, HAYES ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS,
AS SHOWN IN PLAT RECORD 18 AT PAGE 80. SUBJECT TO ALL EASEMENTS AND RIGHTS-
OF-WAY OF RECORD.

Section 2: Concurrently, The City of Bentonville Arkansas establishes a permanent utility easement to lay, construct, remove, relay, enlarge, maintain, inspect, repair and operate all municipally owned and franchised/permitted utilities including but not limited to water and sewer line or lines, manholes, sewer force main, fire hydrants, poles, electric lines and other appurtenances thereto, with right of ingress and egress to and from the same, on over, across and under the following described real estate to-wit:

1 - PARCEL #01-06999-000 (MAC SHAFER - PROPERTY OWNER):

LOT 1, HAYES ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD 18 AT PAGE 80. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

2 - PARCEL #01-07000-000 (CHRISTINA CARSON - PROPERTY OWNER):

LOT 2, HAYES ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT RECORD 18 AT PAGE 80. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

Section 3: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the Office of the Recorder of Benton County, Arkansas and recorded in the deed records of the County.

Section 4: This Ordinance shall take effect and be in force from and after its passage. The above and foregoing Ordinance was passed, approved, and adopted the _____ day of _____, 2018, at a regular meeting of the City Council of the City of Bentonville, Arkansas.

**LINDA SPENCE, City Clerk and
Recorder for the City of Bentonville,
Arkansas**

**BOB MCCASLIN, Mayor
City of Bentonville, Arkansas**



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Tony Davis

Department

Street

Phone

271-3130

ACTION REQUIRED:

Please see the attached list for the 2018 Street Striping. The City Council approved \$30,000 in the 2018 budget for this.

COST TO CITY:

Cost of this Request: \$30,000

Additional Budget Amount

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$	30,000
Funds Expended to Date		
Remaining Budget		30,000
Budget Adjustment		-
Remaining After Adjustment	\$	30,000

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



2018 THERMOPLASTIC STRIPING (Old Asphalt)

<u>Street</u>	<u>Start</u>	<u>End</u>	<u>Double Yellow</u>	<u>White</u>
NW 12th	N. Walton	County	2400' (x2)	2400' (x2)
Med.Center	SE.Walton	SE.Riviara	900' (x2.5)	60'
SE J	SE 14 th	SE Walton	7000' (x2.5)	3900'
SE C	SE 14 th	SE 22 nd	3000'(x2)	150'
SW I	HWY 12	150' North	150'(x2)	
John DeShields	NE J	MLK	2400'(x2)	
SW Bright	HWY 12	SW Hampton	3250'(x2)	

PAVEMENT MARKINGS

"ONLY" (X2) Medical Center Parkway



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

George Spence

Department

City Attorney

Phone

273-2777

ACTION REQUIRED:

Adoption of an ordinance amending the pay plan for certain officials of the City of Bentonville, Arkansas, effective January 1, 2019.

COST TO CITY:

Cost of this Request: \$16,120

Additional Budget Amount: None *

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$
Funds Expended to Date	
Remaining Budget	-
Budget Adjustment	None *
Remaining After Adjustment	\$ -

* This is prospective only beginning January 1, 2019, so it will be adopted as part of the 2019 budget.

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



ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE PAY PLAN FOR CERTAIN
OFFICIALS OF THE CITY OF BENTONVILLE, ARKANSAS,
EFFECTIVE JANUARY 1, 2019.**

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

Section 1: That the Pay Plan for the City of Bentonville, Arkansas, should be, and the
same is hereby amended so that the pay for certain officials should be as follows, beginning
January 1, 2019: City Clerk to \$13,762.00 and Planning Commission members to \$500.00 per
month.

Section 2: That the pay for other officials of the City shall increase only based on
whatever COLA is approved for City employees by the Council for transition from 2018 to 2019.

PASSED and APPROVED this _____ day of _____, 2018.

APPROVED:

BOB McCASLIN, MAYOR

ATTEST:

CITY CLERK



May 25, 2018

Mayor Bob McCaslin
City of Bentonville
117 West Central
Bentonville, Arkansas 72712

Dear Mayor:

On May 24, 2018, the Bentonville Advertising & Promotion Commission voted to submit to the City Council for their approval:

The appointment of **Jordan Garner** as a meeting rental representative on the commission. She would be filling the seat left open by Josh Morey.

The term for this seat is January 2016 through December 2019.

For your convenience, we are enclosing a copy of her application and Commission terms summary.

Please let me know, if you have any questions.

Sincerely,



Kalene Griffith
President

Attachments

104 E. Central Ave. · Bentonville, Arkansas 72712 · (479) 271-9153 · toll free (800) 410-2535



June 7, 2018

To: City Council Members & City Clerk
From: Mayor Bob McCaslin
Subject: Appointment of Jordan Garner to Bentonville's Advertising and Promotion Commission.

I recommend Jordan Garner for appointment to Bentonville's Advertising and Promotion Commission. Ms. Garner's term expires on December 31, 2019.


Bob McCaslin



BENTONVILLE
ADVERTISING & PROMOTION COMMISSION
COMMISSIONER APPLICATION

NAME: Jordan Garner

DATE: 5-21-18

RESIDENCE ADDRESS: [REDACTED]

length of residency in Bentonville 3 yrs

MAILING ADDRESS (if different): _____

EMAIL ADDRESS: _____

PHONE NUMBERS: (H) _____

Name of Bentonville Advertising & Promotion tax collecting entity or tourism business with which you are associated:

Ropeswing Hospitality Group

Your role: Sales Manager

REFERENCES:

NAME: Rob Apple, Ropeswing

NAME: Kalene Griffith

PHONE: _____

PHONE: _____

EMAIL: [REDACTED]

What are your qualifications for serving on this commission? Include education and expertise in the tourism industry.

I have been an integral part in building and operating Ropeswing Hospitality restaurants (Pressroom, The Preacher's Son, Holler (Summer 2018), event spaces (Record, Magnolia Gardens (Springdale), and soon to open membership club, since 2013. I also have a history of working with large scale events and event organizations in Bentonville to further promote tourism such as Bentonville Film Festival (2014 consultant and local advisor), Downtown Bentonville Inc (current board member), Greater Bentonville Chamber -Small Business Advisory Board (2017-), Crystal Bridges Art Infusion Advisory Board Member (2014-2018). My current role as Sales Manager at Ropeswing Hospitality invokes daily recruitment of organizations, companies, non-profits and tours to Bentonville area businesses whether offering Ropeswing concerts OR Why would you like to be considered for a position on the Bentonville Advertising & Promotion Commission?

I would like to continue serving the Bentonville area by helping recruit and grow tourism in Bentonville, especially tourism and convention-like opportunities that link the outdoors, biking, art and food with great forward thinking companies and organizations.

I am an owner or manager of a Bentonville Advertising & Promotion tax collecting entity or a business in the tourism industry and meet all requirements for serving on this commission.

Signature: [REDACTED]

Please print name:

Email: _____

Mail: **Bentonville A&P Commission 104 East Central Avenue Bentonville, AR 72712**

No term limits on City Council members - appointed by Mayor C:\Users\janiceh\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\ON8MW73K\APterms.xlsx



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Jon Simpson

Department

Police

Phone

271-3172

ACTION REQUIRED:

Request that the City Council declare certain items as being surplus, namely eight (8) Glock Model 22 .40 caliber handguns. These firearms have been in service for up to 10 years. New Generation 4 models with GNS Sights can be sourced from Cruse Uniforms and Equipment of Springdale (a Federally licensed firearms dealer) for approximately \$357.00 each. Upon being declared surplus, these eight (8) weapons can be traded in for an approximate \$250.00 credit per firearm (\$2,000.00 total trade in credit). This trade-in and replacement program will equip our officers with newer and more reliable handguns at a very minimal cost (\$1,740.00 including tax, rear sights, and trade in credit). In addition to being a responsible disposition of these retired weapons, this action also represents a considerable cost savings to the city. The surplus firearms and their serial numbers include, (1). Glock 22 40 cal. PHX 706, (2). Glock 22 40 cal. WHX 802, (3). Glock 22 40 cal. LPB437, (4). Glock 22 40 cal. LPB438, (5). Glock 22 40 cal. LPB439, (6). Glock 22 40 cal. LYK800, (7). Glock 22 40 cal. LYK799, (8). Glock 22 40 cal. LYK801.

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	\$ -

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



CRUSE UNIFORMS & EQPT.-SPDL.
1048 S. 48TH STREET - SUITE C
SPRINGDALE, AR 72762
(479) 756-8182 Fax #: 756-1225

05/29/18

GUN TRADE
BENTONVILLE POLICE DEPARTMENT
ATTN: TRAVIS SCANTLING
908 SE 14TH ST.
BENTONVILLE AR 72712
479-271-3173

Dear Sirs:

Please accept this correspondence as our quote on the following:

QUOTE #701532

-- ITEM #	----- DESCRIPTION	----- QTY.	- UNIT PRICE	- EXTENSION -
1 PG22502	GLOCK 22 GEN 4 FIXED SIGHTS	8	357.00	2,856.00
2 NR17G24	REAR SIGHT 17,19,22,23,26,27	8	70.00	560.00
3 UGUN-250TAX	USED GUN TRADE IN	-8	250.00	-2,000.00

Comment: GLOCK 22

Total of lines with quantities only:	16	3,416.00
Estimated Sales Tax on lines with quantities only: (070/.095)		324.52
Thank you for allowing us this opportunity to serve you.		3,740.52
Trade Value:		(2,000.00)

Invoice Total:	1,740.52
----------------	----------

Sincerely,

Stephanie Niccum
Store Manager
CRUSE UNIFORMS & EQUIPMENT INC.

RESOLUTION NO. _____

**A RESOLUTION DECLARING CERTAIN PROPERTY
BELONGING TO THE CITY OF BENTONVILLE POLICE
DEPARTMENT AS SURPLUS PROPERTY.**

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

Section 1: That certain property of the City of Bentonville Police Department, more particularly described in the attached agenda form, is hereby declared to be surplus and the Police Department is authorized to dispose of or exchange such property as authorized by law and more particularly described therein.

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 _____, 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Travis Matlock

Department

Electric

Phone

271-5941

ACTION REQUIRED:

An ordinance authorizing the Mayor and City Council to enter into an agreement with Bills Electric Inc. for the installation of 4 decorative street lights on Main St. in the amount of \$42,558.00 and waiving the requirements of competitive bidding.

COST TO CITY:

Cost of this Request: \$42,558

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

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



REQUEST FOR WAIVER OF BID

Date	<u>6/12/2018</u>		
Requested by:	<u>Travis Matlock</u>		
Department:	<u>Electric</u>		
DESCRIPTION OF REQUEST:			
Type of Equipment:	<u></u>		
Year & Model:	<u></u>		
Serial #	<u></u>		
To Be Purchased From:	<u>Bill's Electric</u>		
	<u>PO Box 707</u>		
	<u>Webb City, MO 64870</u>		
Amount:	Base Amount:	\$	<u>42,558.00</u>
	Tax:		<u></u>
	*Other:		<u></u>
	TOTAL	\$	<u>42,558.00</u>
* List all other costs:			
JUSTIFICATION FOR REQUEST FOR WAIVER OF BID:			
Bill's Electric is currently under contract to install City Of Bentonville's decorative streetlights. However, the installation of these streetlight will require asphalt removal/replacement that is currently not covered under the streetlight installation contract. Because of this extra work, a separate agreement needs to be instituted.			
<u>Department Head</u>		<u>Director of Finance & Administration</u>	
Revised 6-18-99			

M E M O R A N D U M

DATE: June 12, 2018

TO: **City Council, Mayor McCaslin**

FROM: Travis Matlock, Engineer Director

**RE: BEI Agreement – Main St. Street Light
installation**

Staff recommends entering into an agreement with Bill's Electric Inc. (BEI) to install four (4) decorative streetlights along Main St. in the amount of \$42,558.00.

In association with the construction of the First Security Bank on South Main St., BEUD will be removing the spun aluminum streetlights from SW 2nd St. to Central and replacing them the Bentonville standard decorative street light. BEI will install the conduit across Main St., pour new foundations, and place the light. The cost covers not only the street light placements, but also the asphalt removal/replacement and sidewalk removal replacement.



Electrical Contractors

BILL'S ELECTRIC, INC.

Employee Owned

City of Bentonville

608 SE 3rd St
Bentonville, AR 72712
P:479-271-3135
F:479-271-5994

5/25/18

RE: First Security-S Main St Lights

Travis Matlock,

BEI is pleased to provide the following Pricing for the project listed above. Per drawing dated 10/30/17

\$42,558.00 Forty-Two Thousand Five Hundred Fifty-Eight dollars and 00/100.

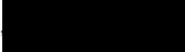
Inclusions

- Saw Cut and trench across Main St
- Cold pack asphalt
- Install (1) 17"x30"x12" Quazite box
- Provide Traffic control
- Provide Traffic plates
- Provide soil compaction
- Repair concrete on side walks
- Install 4 pole bases for street lights. (detail DS-1415)
- Demo old poles (2)
- Arkansas license # 0077850418

Exclusions

- Pole Lights
- Large Boulder removal
- Finished asphalt or concrete on Main St.
-

If you have any questions, please do not hesitate to call @ 479-877-0639

Sincerely,  Eli Llanes

If these terms are acceptable, please sign. _____

This quotation is valid for thirty (30) days. Thank you for the opportunity to serve your electrical needs.

Corporate:

P.O. Box 707
1716 Falcon Street
Webb City, MO 64870
Ph. (417) 624-6660
Fax (417) 624-6966
bei@beijoplin.com

Lowell Office:

P.O. Box 1395
313 S. Lincoln Street
Lowell, AR 72745
Ph. (479) 770-5300
Fax (479) 770-5301

Springfield Office:

732 N. Miller Ave.
Springfield, MO 65802
Ph. (417) 865-2455
Fax (417) 865-2425

Claremore Office:

9554 Alawhe Drive
Claremore, OK 74019
Ph. (918) 341-4414
Fax (918) 341-1414

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR
AND CLERK TO ENTER INTO AN AGREEMENT
WITH BILL'S ELECTRIC INC. FOR CERTAIN
STREET LIGHT INSTALLATION 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 Bill's Electric Inc. for the installation of 4 decorative street lights on Main Street in the amount of \$42,558.00 as set forth in the Proposal attached as Exhibit "A".

Section 2: Because this contractor currently holds the blanket bid for most street light installations, but this particular item falls outside the scope of that bid, and because utilizing the current contractor makes for more orderly, safe and efficient installation in this location, it would be neither practical nor feasible to advertise for competitive bidding, and that requirement is herein waived.

PASSED and APPROVED this _____ day of _____, 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	IFB-18-019
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Travis Matlock

Department

Electric

Phone

271-5941

ACTION REQUIRED:

Recommend the Mayor and City Council award Bid #IFB-18-019 to Wiese USA for the purchase of one new forklift for the Inventory Control Warehouse in the amount of \$25,126.00. This is a 2018 budgeted item.

COST TO CITY:

Cost of this Request: \$25,126

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

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: June 12, 2018

TO: City Council, Mayor McCaslin

FROM: Travis Matlock, Engineer Director

RE: Bid award #IFB-18-019

The 2018 City Inventory Department budget included \$35,000 for the purchase of an additional material handling forklift. Formal bids were received from the following dealers:

Briggs Equipment	Hyster	\$27,387.70
Briggs Equipment	Hyster	\$27,217.55
Wiese USA	Cat	\$27,516.00
Wiese USA	Cat	\$26,006.00
Wiese USA	Mit.	\$23,139.00
Wiese USA	Mit.	\$25,126.00

The Purchasing office recommends award of Bid #IFB-18-019 for the purchase of one (1) Mitsubishi forklift to second lowest bidder, Wiese Equipment in the amount of \$25,126.00. The delivery time for the lowest bidder is 112 days, and the second lowest bidder has the equipment in stock.

IFB-18-019
FORKLIFT
BID TABULATION

[illegible]



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

INFORMATIONAL ITEM - Presentation to City Council regarding non resident fees for parks and recreation programs beginning January 1, 2019.

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	\$ -

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: May 7, 2018
Re: Parks and Recreation presentation regarding non-resident fees for 2019 recreation programs.

In 2017, the Play Bentonville Plan identified issues with the number of non-residents who rely on Bentonville Parks and Recreation (BPR) to serve as the primary provider for their leisure time services. Specifically, the plan identified that 48% of the participants of BPR organized sport - recreation programs do not reside in the Bentonville corporate limits. While some may claim this as an impressive number, we must consider the number of facilities required of BPR to host these programs. These facilities come with a cost of construction, daily operations and long-term maintenance.

As park planning consultants analyzed the number of participants in these programs, the initial response was a need for additional facilities. But as you look closer at who the actual participants are, you realize that Bentonville taxpayers are assuming an expense because neighboring communities may not be providing like services. The quantity of non-residents places a high demand on BPR and forces us to provide services to non-resident participants. In turn, the result is underserved residents in certain areas of our community who lack access to public greenspace and recreational amenities.

As the Play Bentonville plan was presented to the Parks and Recreation Advisory Board (PRAB) and the City Council, both groups requested our department to research non-resident fees. Council asked again in January for staff present ideas to City Council this year. In March, the Parks and Recreation Advisory Board began working to draft a plan to recover expenses that occur because of non-resident participation.

In 2017, BPR can identify \$155,317 in direct expenses based on non-resident participation. These expenses include maintenance costs for sports fields and facilities. BPR Staff and PRAB did not seek out to recover maintenance costs of everyday expenses that are conducted regardless of the non-resident participation rate. For example, mowing the grass on soccer fields is an expense we incur regardless of the number of participants. However, when you begin to look at the direct services, such as the BPR administered soccer league, it creates an extra maintenance costs. The additional 1,685 participants in the soccer league requires an additional 17 fields to be created at Memorial Park. Each of these fields must have goals and nets with proper safety protocol that must be checked

daily and fields that are lined / painted weekly. Similar to soccer, programs such as baseball, softball, football, lacrosse and others have similar formulas when determining expenses.

After identifying total expenses, BPR and PRAB benchmarked thirteen (13) communities nation-wide to identify how this issue is addressed. We learned policies are determined based on a case by case basis. Some communities set fees that may be considered "extreme", because their goal was to prevent participants from crossing the line between communities or districts. Others are minimal. Our philosophy is not intended to be punitive. Instead, it is only to recover the additional costs incurred by our residents.

PRAB identified two basic reasons for establishing such fees. First, BPR's vision is to construct new recreation facilities, particularly west of Walton Boulevard. However, we are hesitant to move forward without resources to maintain new parks at the professional level provided at current facilities. We recognize we are currently spend more than \$155,000 annually on non-residents. PRAB's goal is to recover these funds from non-residents allowing the City to redirect taxpayer dollars to providing services to Bentonville residents. Next, as the population of our overall region continues to grow, we continue to hear from those requesting additional sports field. However, when you look at the number of sports fields in our community, Bentonville has an adequate number to serve our resident base. It is only after you add participants who live in neighboring communities, that we have the need for increased facilities.

The proposed fee is a sliding scale. It proposes requiring non-resident participants to pay an additional \$25 when the program costs \$75 or less. Programs costing \$76 or more will add a \$40 fee for non-residents. This proposed fee structure has a 100% recovery rate for all direct expenses from non-resident participants. The attached worksheet also explains the cost of programs for residents and non-residents for 2019. It also explains increases in the non-resident fees at the Bentonville Community Center. The BCC has included non-resident fees since opening in 2015. At this time, there is no plan for a fee increase for residents.

If Council agrees with the direction proposed by PRAB and BPR, we will include this in all budgeting and pricing information as part of the 2019 operational budget. Additionally, the fees will be included with the annual approval of fees for Parks and Recreation Department. Fees will become effective January 1, 2019. By knowing that council agrees with this direction now, our team is allowed the opportunity to inform and educate all participants about this future process.

If you have additional questions regarding this proposed fee structure, please call 479.271.6813 or email dwright@bentonvillear.com.

Attachments:

*2017 Recreation Report – Non Resident %
Resident vs Non Resident Analysis*



**Bentonville Parks and Recreation
Non-Resident Program Participation**

Program/ Event	Participants	Non-Residents	Non-Resident %
Adult Tennis	431	156	36.19%
Camp Adventure	120	52	43.33%
Camp Archery	25	12	48.00%
Camp Lacrosse	21	12	57.14%
Camp Lifeguard	20	9	45.00%
Camp Memorial	120	34	28.33%
Camp Mountain Bike	29	13	44.83%
Camp Soccer	362	133	36.74%
Camp Tennis	86	33	38.37%
Camp Triathlon	27	7	25.93%
Tennis Lessons	1,304	569	43.63%
Youth Baseball	1,202	574	47.75%
Youth Football	454	318	70.04%
Youth Soccer	4,237	1,685	39.77%
Youth Softball	935	480	51.34%
Youth Tennis	3,433	2,046	59.60%
TOTALS	12,806	6,133	48%



2017 Operations and Maintenance

2017	
NR Fee Revenue	\$0
Maintenance Costs	\$155,317
<i>Difference</i>	<i>-\$155,317</i>

Proposed Non-Resident Fee Structure

Sliding Scale Non-Resident Fees	
Programs with \$0 - \$75 Registration Fee	Additional \$25 NR Fee
Programs with \$76+ Registration Fee	Additional \$40 NR Fee

Effect on Bentonville Parks and Recreation

	0% Non-Resident Reduction	30% Non-Resident Reduction	50% Non-Resident Reduction
NR Fee Revenue	\$156,655	\$109,659	\$78,328
Maintenance Costs	\$155,317	\$109,378	\$77,658
<i>Difference</i>	<i>\$1,338</i>	<i>\$281</i>	<i>\$670</i>

What does it look like to the Customer?

Program Pricing			
Programs	Resident Price	Non-Resident Price	Non-Resident Fee Increase
Adult Tennis	\$80	\$120	\$40
Camp Adventure	\$95	\$135	\$40
Camp Archery	\$95	\$135	\$40
Camp Lacrosse	\$75	\$115	\$40
Camp Lifeguard	\$50	\$75	\$25
Camp Memorial	\$85	\$125	\$40
Camp Mountain Bike	\$70	\$95	\$25
Camp Soccer	\$150	\$190	\$40
Camp Tennis	\$125	\$165	\$40
Camp Triathlon	\$60	\$85	\$25
Tennis Lessons	\$55	\$80	\$25
Youth Baseball	\$85	\$125	\$40
Youth Football	\$70	\$95	\$25
Youth Lacrosse	\$85	\$125	\$40
Youth Soccer	\$85	\$125	\$40
Youth Softball	\$80	\$120	\$40
Youth Tennis	\$95	\$135	\$40
Average	\$85	\$120	



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	IFB-18-022
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

David Wright

Department

Parks and Rec

Phone

271-6813

ACTION REQUIRED:

City Council approval of Bid IFB-18-022 in the amount of \$43,889.00 to Diamond C Construction Company to paint and apply anti-graffiti sealer to two tunnels on the Razorback Greenway under N Walton Ave and Interstate 49.

COST TO CITY:

Cost of this Request: \$43,889

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

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
Thru: David Wright, Parks and Recreation Director
From: Crant Osborne, Parks Operations Manager
Date: June 4, 2018
Re: City Council approval of Bid IFB-18-022 in the amount of \$43,889 to Diamond C Construction Company to paint and apply anti-graffiti sealer to two tunnels on the Razorback Greenway.

Parks and Recreation Staff is requesting City Council's approval to award bid IFB-18-022 to Diamond C Construction Company to paint and apply anti-graffiti sealer to two tunnels on the Razorback Greenway under N Walton Ave and Interstate 49 in the amount of \$43,889.

This project is funded via the Greenway Improvement grant from the Walton Family Foundation. This is one of approximately 20 jobs that will improve the quality and safety of the overall Greenway experience in Bentonville. The new paint, when combined with the recently installed tunnel lights, will brighten the tunnels to create a safer environment for our patrons. Additionally, the coat of sealant will provide easy removal of graffiti.

If you have any questions regarding this item, please let me know. Please call me at 271-3190, or email cosborne@bentonvillear.com.

Attachments:

Bid Tabulation



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Nancy Busen

Department

Wastewater

Phone

271-3161

ACTION REQUIRED:

Wastewater Staff requests a Change Order in the amount of \$37,467.00 for emergency repair of the gears, gearbox and pinion gear on #1 Clarifier. The gear shattered and destroyed gearbox and pinion gear. This unit is now inoperable. The plant cannot operate effectively with one clarifier for an extended period of time. The manufacturer has produced the parts necessary to replace the damaged gearbox. The cost of the gearbox(es) is covered in Bid IFB-18-007. The manufacture of all components for the rebuild will be complete in spring of 2019. This is part of the equipment purchased for the clarifier rebuild, only this part will be installed early due to the emergency condition. In addition, the gears and gearbox for clarifier #2 will be expedited for on-site access should the other old clarifier unit fail before the complete assembly has been manufactured and shipped. The Change Order is necessary to cover the extra installation and start-up fee on Clarifier #1 and the expedited build and shipping for gearbox for Clarifier #2.

COST TO CITY:

Cost of this Request: \$37,467

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

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: Mayor McCaslin
CC: Mike Bender
From: Nancy Busen, Wastewater Utilities
Date: June 12, 2018
Re: Change Order, Clarifier Gear Box Repair

Wastewater Effluent Clarifier #1 gearbox shattered and destroyed the pinion gear. This unit is now inoperable. The plant cannot operate effectively with one clarifier for an extended period of time, prompt installation due to the emergency condition, must transpire.

The Change Order of \$ 37,467 is necessary to cover the extra installation and start-up fee for this repair and expedited build and shipping for the gearbox for Clarifier #2. We request expedited delivery for clarifier #2 gearbox for on-site access, should the other old clarifier unit fail before the complete assembly has been manufactured and shipped. Cost of the parts are covered in Bid # IFB-18-007.

Thank you.



Scope of work for change order:

After approval from City Council to award bid for clarifier refurbish to Seven Valley's Construction, one of our existing clarifier drive gear boxes shattered the gear box and destroyed a pinion gear. We have declared this an emergency so that it can be repaired and get the department back up and running. This plant will not be able to handle running with one clarifier for 9 months, while the new clarifier mechanisms are being produced.

Seven Valley's will install a new Walker gearbox and drive to our existing clarifier sweep mechanism with some fabrication so that we can put the clarifier back in operation. Seven Valley's will remove the faulty gear box and drive, remove the bridge to the drive, install the new drive and then place the bridge back. I have also attached the total cost for the gearbox replacement including the cost of gearbox, labor and start-up.

Chris Earl

Operations Supervisor

City of Bentonville WWTP

479-696-0273

cearl@bentonvillear.com



Letter of Intent

City of Bentonville, Wastewater Utilities
1901 NE "A" Street, Bentonville, AR 72712

To: Seven Valleys Concrete, LLC
PO Box 88
Cassville, MO 65625

This letter is to inform Seven Valleys Concrete of the City of Bentonville Wastewater Utilities intent to pre-purchase the second Walker Gear Drive assembly for Bid number IFB-18-007. The City of Bentonville understands that there will be an \$1800.00 fee to have this drive expedited and delivered. The City of Bentonville will follow all required storage, lubrication and equipment exercises for this material while it is in storage. Please order the second gear drive assembly for emergency backup should the second decades old unit experience a catastrophic failure before the entire rebuild of the clarifiers are completed. Additional costs associated with this item are contingent upon City Council approval on June 12, 2018.

Thank you,

Nancy Busen
Wastewater Utilities Manager
City of Bentonville
479-271-6749
nbusen@bentonvillear.com

Seven Valleys Concrete, LLC

PO Box 88

Cassville, MO 65625

Bid

Date	Bid #
5/7/2018	247

Name / Address
BWWTP *Gear Box Replacement*

			Project
Description	Qty	Rate	Total
Installation of Gear Box Replacement	1	31,100.00	31,100.00
Purchase of Gear Box	1	44,543.28	44,543.28
Start Up Fee	1	4,567.50	4,567.50
		Total	\$80,210.78



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Nancy Busen

Department

Wastewater

Phone

271-3161

ACTION REQUIRED:

Wastewater Staff requests a Budget Adjustment an amount not to exceed \$37,467.50 for emergency repair of the gears, gearbox and pinion gear on #1 Clarifier. The gear shattered and destroyed gearbox and pinion gear. This unit is now inoperable. The plant cannot operate effectively with one clarifier for an extended period of time. The manufacturer has produced the parts necessary to replace the damaged gearbox. The cost of the gearbox(es) is covered in Bid IFB-18-007. The manufacture of all components for the rebuild will be complete in spring of 2019. This is part of the equipment purchased for the clarifier rebuild; only this part will be installed early due to the emergency condition. In addition, the gears and gearbox for Clarifier #2 will be expedited for on-site access should the other old clarifier unit fail before the complete assembly has been manufactured and shipped. The Budget Adjustment is necessary to cover the extra installation and start-up fee on Clarifier #1 and the expedited build and shipping for gearbox for Clarifier #2.

COST TO CITY:

Cost of this Request: \$37,467

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

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

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: Mayor McCaslin
CC: Mike Bender
From: Nancy Busen, Wastewater Utilities
Date: June 5, 2018
Re: Budget Adjustment

Wastewater Effluent Clarifier #1 gearbox shattered and destroyed the pinion gear. This unit is now inoperable. The plant cannot operate effectively with one clarifier for an extended period of time, prompt installation due to the emergency condition, must transpire.

Wastewater Staff requests a budget adjustment in an amount not to exceed \$37,467.50 for equipment set up, installation and start-up fee to repair wastewater Clarifier #1's failed Gearbox and Pinion gear, and the expedited build and shipping for gearbox for Clarifier #2. Cost of the parts are covered in Bid # IFB-18-007.

Thank you for your consideration of this request.



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	IFB-18-023
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Nancy Busen

Department

Wastewater

Phone

271-3161

ACTION REQUIRED:

Request Council and Mayor award bid to Ozark Mountain Glass in the amount of \$33,975.00. Ozark mountain Glass was the sole bidder for replacement of 13 door assemblies on various buildings in need of replacement due to age and deterioration. This is a 2018 budgeted item.

COST TO CITY:

Cost of this Request: \$35,000

Additional Budget Amount

☒ One time amount

☐ Continuing O and M

Previously Budgeted	\$	35,000
Funds Expended to Date		-
Remaining Budget		35,000
Budget Adjustment		-
Remaining After Adjustment	\$	35,000

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: Nancy Busen, Wastewater Utilities

CC: Mike Bender

Date: June 12, 2018

RE: Bid Award: Replacement for 13 doors on Wastewater plant buildings.

Staff requests Mayor and City Council approval of bid # IFB-18-023 in the amount of, \$33,975.00, to Ozark Mountain Glass for replacement of 13 doors on various buildings at the wastewater plant. Replacement is necessary due to age and deterioration.

Thank you for your consideration of this request.

Bid Specifications Metal Door Replacement

Contractor Responsibilities

- All existing doors and doorframes shall be removed and new doors, doorframes and hardware installed.
- Newly installed doors shall be caulked around the frame on the interior and exterior of the doorframe.
- Contractor shall be responsible for daily clean-up of work area.
- Contractor shall give a minimum of 12 month warranty on product and craftsmanship of installation.
- No work will be permissible on Weekends or Holidays. (Saturday-Sunday).
- Work hours shall be Mon-Fri 6:30a-4:00p at 1901 NE A Street, Bentonville, AR 72712.

Product Description

- **Thirteen (13) EFCO door assemblies total.**
Eight (8) door assemblies will be 3'x7' aluminum doorframe and hardware, narrow style door with 4" mid panel, ¼" clear tempered glass on top, ¼" double faced bottom panel, standard MS1850 hook bolt locking mechanism, standard push/pull continuous hinge, 7400 closer, bottom door sweep, and threshold. All doors shall be aluminum anodized.

Three (3) doors with the same description as above description add Rim Panic locking #3700 Series Device.

One (1) door same description as above 6'x7' pair standard locking.

One (1) door same description as above 5'x7' pair standard locking.

Owner Responsibilities

- Owner shall be responsible for the disposal of existing doors and doorframes.

Metal Door Specification – No alternates will be accepted

PRICING SHEET

(Bid price shall include all costs of performing this contract, but shall exclude taxes for evaluation purposes)

Total turn-key price:

\$ 33,975⁰⁰

Project Completion Days:

90 Day After KOC /days
Contract

Note; IF Performance Bonded.
Price 25.00 Per 1000 - By Federated Ins.
Included in this Bid Proposal



CITY OF BENTONVILLE, ARKANSAS
PURCHASING DEPARTMENT
CITY HALL
117 W. CENTRAL AVE
BENTONVILLE, ARKANSAS 72712

INVITATION FOR BID
Metal Door Replacement – Amendment #1

Date of Issuance: **May 14, 2018**

Bid Number: **IFB-18-023**

Bid Opening Date: **May 30, 2018**

Bid Opening Time **10:00 A.M.**

CONTRACT TERM:

The term of this award shall be for a turn-key time frame of ~~30~~ 90 days from date of award. All prices must remain firm for the entire project. Any change order must be pre-authorized by the City Of Bentonville prior to execution.

Vendor must acknowledge, and submit this amendment with their bid or bid may be rejected.

Vendor Signature:

Dave McHugh Contract Mgr
Name/Title



SighCITY OF BENTONVILLE, ARKANSAS
PURCHASING DEPARMENT
CITY HALL
117 W. CENTRAL AVE
BENTONVILLE, ARKANSAS 72712

INVITATION FOR BID
Metal Door Replacement

Date of Issuance: **May 14, 2018**

Bid Number: **IFB-18-023**

Bid Opening Date: **May 30, 2018**

Bid Opening Time **10:00 A.M.**

Questions regarding this bid should be directed to the Purchasing Manager at screed@bentonvillear.com.
All questions must be submitted prior to 10:00 A.M., May 23, 2018.

Bids must be received by the Purchasing Department prior to 10:00 A.M., May 30, 2018 in a sealed envelope, clearly marked on the outside with bid # IFB-18-023. Bids which must be opened to be identified will be rejected. Late bids will be rejected.

Bids will be publicly opened at City Hall, first floor, Purchasing Department, 117 West Central Ave, Bentonville, AR 72712.

- For a site visit please contact Robert Burkett or Chris Earl at 479-271-3161.

☒ Supplier is submitting a firm bid which is not revocable for ninety (90) days.

☐ Supplier is not submitting a bid because, _____

EXECUTION OF BID

Upon signing this Bid, the bidder certifies that he/she has read and agrees to the requirements set forth in this bid proposal including specifications, conditions and pertinent information regarding the articles being bid on, and agrees to furnish these articles at the prices stated. Unsigned bids will be rejected - no exceptions.

NAME OF FIRM:	PHONE NUMBER:	FAX NUMBER:
OZARK MT GLASS		
BUSINESS ADDRESS, STREETS:	CITY:	STATE: ZIP
2231 N. Lowell Rd Suite B-1	Greenbriar	AR 72714
SIGNATURE OF AUTHORIZED P	5/24/18	
PRINTED OR TYPED NAME:	TITLE:	
DAVE METTIS	CONTRACT MGR	

ARKANSAS SALES OR USE TAX NUMBER: 45-2426724

STATE CONTRACTORS LICENSE NUMBER: 0242140518

IFB-18-023
Metal Door Replacements
May 30, 2018 @ 10:00 AM

[illegible]

INTENT

The intent of this solicitation is to establish a contract for the removal and replacement of metal doors for the Bentonville Wastewater Treatment Plant located at 1901 N.E. "A" Street, Bentonville, AR 72712.

RESPONSE DOCUMENTS

The following documents must be complete to provide a complete bid response package:

- IFB document, all response fields complete.

All pricing must be entered on pricing sheet ("no bid" is an acceptable entry).

CONTRACT TERM:

The term of this award shall be for a turn-key time frame of 30 days from date of award. All prices must remain firm for the entire project. Any change order must be pre-authorized by the City Of Bentonville prior to execution.

SCOPE

Bidder shall be responsible for and agrees to furnish all labor, equipment to remove existing and install new Series D200 Narrow Stile aluminum Swing Doors with all doorframes and mounting hardware to the City of Bentonville Wastewater Treatment Facility located at 1901 N.E. "A" Street, Bentonville, AR 72712.

BID BOND

Bidders shall include a bid guarantee in the form of a bid bond, certified check, cashier's check in the amount of five percent (5%) of the base bid, payable without condition to the City of Bentonville. Personal or company checks are not acceptable. The bid bond shall be accompanied by a power of attorney showing the authority of the person executing the bond on behalf of the surety company. Failure to include a bid bond or bid guarantee request with your bid submittal may be cause for rejection of your bid. Bid guarantees (submitted by certified or cashier's checks) will be returned to unsuccessful bidders when the successful bidder is determined and the contract is executed. **Arkansas Code Annotated Section 22-9-203.**

EQUIVALENT

Whenever these specifications mention an item by name and use specific descriptions as refers thereto, it is intended to convey to the bidder an understanding of the standard of excellence required. Items of equal type, quality, and size that will conform substantially to the standard of excellence established to provide equivalent merit, strength, durability, and to perform the required function in accordance with these specifications may be offered. City of Bentonville shall have the final approval of whether a substitute item is equal to the item specified. **The bidder should submit detailed description for equivalent equipment.**

INVOICING

Bidder shall provide an invoice to the City of Bentonville, 117 W Central Ave., Bentonville, AR 72712.

PAYMENT TERMS

☐ Net 30 days

☐ Other: _____

INSURANCE REQUIREMENTS

All proposals must contain a letter of intent from an insurance company authorized to do business in the State of Arkansas stating its willingness to insure the Company pursuant to the terms of any contract resulting from this Invitation to Bid. The Company shall procure and maintain, at the Company's expense, the following insurance coverage for the period of the Contract. Certificates evidencing the effective dates and amounts of such insurance must be provided to the City of Bentonville:

- a) Workers Compensation: As required by the State of Arkansas.
- b) Comprehensive General Liability (Broad Form) coverage in amounts specified under the contract for work at the facility prior to the signing of the contract.

Rest of page intentionally left blank



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/24/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER FEDERATED MUTUAL INSURANCE COMPANY HOME OFFICE: P.O. BOX 328 OWATONNA, MN 55080		CONTACT NAME: CLIENT CONTACT CENTER PHONE (A/C, No, Ext): 888-333-4949 FAX (A/C, No): 507-446-4664 E-MAIL ADDRESS: CLIENTCONTACTCENTER@FEDINS.COM	
INSURED OZARK MOUNTAIN GLASS INC 2231 N LOWELL RD STE B1 SPRINGDALE, AR 72764-1854		INSURER(S) AFFORDING COVERAGE INSURER A: FEDERATED MUTUAL INSURANCE COMPANY INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 13935

COVERAGES

CERTIFICATE NUMBER: 62

REVISION NUMBER: 0

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	N	N	6051578	10/13/2017	10/13/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) EXCLUDED PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPI/OP AGO \$2,000,000
	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	N	N	6051578	10/13/2017	10/13/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION	N	N	6050842	10/13/2017	10/13/2018	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000
	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	N	6051579	10/13/2017	10/13/2018	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER387-243-9
CITY OF BENTONVILLE ARKANSAS
117 W CENTRAL AVE
BENTONVILLE, AR 72712-5256**CANCELLATION**62 0
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED

**CITY OF BENTONVILLE, ARKANSAS
PURCHASING DEPARTMENT**

INSTRUCTIONS TO BIDDERS

1. **SCOPE:** These instructions to bidders and general conditions apply to solicitations for material, equipment, supplies or services with an estimated single or combined cost of \$20,000 or more. These conditions shall be in force unless otherwise modified by the City in this bid document. Bidders shall be advised that the City of Bentonville is not responsible for the content of any bid package received through any 3rd party bid service. It is the sole responsibility of the vendor to ensure the completeness of the documents received from any 3rd party source other than hand delivered.

2. **DEFINITIONS (AS USED HEREIN):**

- a. The term "Invitation For Bid" means a solicitation of formal sealed bids with a combined or single unit value \$20,000 and over. The acronym "IFB" means Invitation for Bid.
- b. The term "bid" means the offer by the bidder.
- c. The term "bidder" means the person or organization responding to the solicitation.
- d. The term "contractor" means a person or organization who is the successful bidder and who enters into a contract with the City.
- e. The term "change order" means a written order from the Purchasing Manager directing the contractor to make changes to a contract.
- f. The term "City" means the City of Bentonville, Arkansas.
- g. The term "City Council" means the governing body of the City of Bentonville, Arkansas.

3. **PREPARATION OF BIDS:** Bidders shall review the specifications, drawings, and all special and general conditions. Failure to do so will be at the bidder's risk.

Each bidder shall furnish the information required in the solicitation. The bidder shall provide their name, address, e-mail address, and telephone number where indicated in the solicitation documents. The affidavit must be signed by an officer or employee having the authority to bind the company or organization by his/her signature and included with the bid response.

Unit price for each unit offered must be provided. The unit price will be presumed correct.

The bidder must state a definite time for delivery of supplies or performance of services.

4. **SUBMITTING A BID:** Bids must be received by the City of Bentonville Purchasing Office **BEFORE** the time of opening indicated in the solicitation. All references to time shall be Bentonville, Arkansas time (Central time zone). Late bids will be rejected. Any exceptions or additional information required on a solicitation will be noted in the bid documents. Failure to provide any requested information or to follow these procedures may result in the rejection of your bid.

5. **BID DOCUMENT MISTAKES:** The bidder shall not be allowed to modify or correct mistakes in the bid document after the opening of the bid. Failure to complete the entire bid accurately may result in declaring the bid as non-responsive and the bid may be rejected.

Bids may not be withdrawn after the bid opening time and date if a bid mistake is based upon an error in judgment. If a nonjudgmental mistake, such as a math error, is suspected by the City or the bidder, the bidder shall respond within two (2) business days of the bid opening with a request for the City to consider verification of the mistake. Once a bid has been verified, it shall be considered submitted, as verified. The City shall permit a bidder to withdraw its bid without penalty or forfeiture of bid security if: (a) a nonjudgmental mistake is evident on the face of the bid, or (b) the bidder establishes by clear and convincing evidence that a nonjudgmental mistake was made.

If multiple bids are received from the same vendor, the City will either consider only one of the bids from that vendor, or reject all bids from the vendor, at the sole discretion of the City.

6. **ACCEPTANCE OF OFFER:** The submitted bid is considered an offer on the part of the bidder; such offer is deemed accepted upon issuance by the City of a Purchase Order or other contractual document.

7. **FIRM PRICES:** By submitting the bid, bidder signifies that the prices, terms and conditions quoted in their bid will be firm for acceptance for a period of not less than ninety (90) days from the bid opening date unless otherwise specified in the solicitation. Prices quoted must remain firm for the period of performance of any resulting purchase order or contract to be performed over a specified period of time as indicated in the solicitation.

8. **CONTRACT RENEWAL:** The City reserves the right to renew any contract resulting from this solicitation at the same prices, specifications, terms and conditions, upon mutual agreement between the City and the contractor.

-
9. **ESTIMATED QUANTITIES:** Whenever a bid requests prices to be firm for a period of performance, the quantities or usages shown are estimated only with no guarantee made by the City. The quantities are for the bidder's information only, and the City will be bound only for actual quantities ordered.
10. **DISCOUNTS:** Cash discounts will be considered in determining the award. Unless otherwise indicated in the IFB, discounts offering 10 days or more will be taken by the City's Accounts Payable Division, with payment made on the nearest pay period after receipt, inspection and acceptance of articles, and receipt of correct invoice(s).
11. **SAMPLES:** Samples of items, when required, must be submitted within the time specified at no expense to the City. If not destroyed by testing, samples may be returned at the bidder's expense unless otherwise indicated in the solicitation.
12. **AWARD:** Award will be made to the lowest most responsive and responsible bidder, which will be judged on the basis of price, conformance to specifications, quality, delivery time, references, payment terms, and in the best interest of the City of Bentonville, all factors being considered.
- The City reserves the right to accept or reject any or all bids or part of bids, to waive irregularities and technicalities, and to request rebids on the material described in the solicitation.
- The City reserves the right to award the contract on a split-order basis, lump-sum or individual-item basis, or any other combination that is in the best interest of the City unless otherwise specified.
- Conditional bids are subject to rejection in whole or in part at the sole discretion of the City.
- In the event of two or more identical low bids, Arkansas code Annotated Section 14-22-11 shall apply
- No order or contract resulting from this solicitation may be assigned, transferred, or delegated to another party without written approval of the Procurement Manager of the City.
13. **BRAND NAMES:** If brand names, make, name of any manufacturer, trade name, or vendor catalog number are specified in these bid documents, it is for the purpose of establishing a grade or quality of material only. When the City does not wish to rule out other brands or makes, the phrase OR EQUAL is added. However, if a product other than that specified is bid, it is the bidder's responsibility to identify such product in their bid and prove to the City that the product is equal to or better than the product specified. Unless otherwise indicated, evidence in the form of samples may be requested if the proposed brand is other than that specified by the City. Such samples are to be furnished as specified in the solicitation or upon request of the City. Any samples requested by the City must be received by the City no later than four (4) days after formal request is made.
14. **VARIATIONS OF SPECIFICATIONS:** For purposes of evaluation, bidder must indicate any variances from any provision, specification, or condition stated in this solicitation, no matter how slight. If bidder does not indicate any variations, it will be assumed that the product or service fully complies with the provisions, specifications, or conditions as stated. If satisfactory bids are not received, the City reserves the right to consider alternate bids containing deviations from stated specifications.
15. **QUALITY:** Unless otherwise identified in the solicitation, all materials used in the manufacture or construction of supplies, materials or equipment covered by this solicitation shall be new. The items bid must be the latest make or model in current production, as offered to commercial trade, and of the highest quality material and workmanship. Used, shopworn, demonstrator, prototype, or discontinued models are not acceptable.
16. **ECO-FRIENDLY (GREEN) PRODUCTS:** The City of Bentonville supports the use of products that are ecologically friendly to the environment. Bidders are urged to include information with their bid submittal that describes the human health and environmental impact of products proposed. This eco-friendly approach takes into account, but is not limited to, waste production, energy and water use, greenhouse gas emissions, indoor air quality, recycled and reused content and packaging, and the presences of hazardous substances. Consideration may be given to these eco-friendly products when compared to mainstream products in cost and packaging.
17. **MATERIAL SAFETY DATA SHEET (MSDS):** It is mandatory for a manufacturer, supplier, or distributor of hazardous material to supply an MSDS as required by 29CFR 1910.1200 with the first shipment. Any time the content of an MSDS is revised, the vendor is required to provide a new MSDS to the City.
18. **ACCEPTANCE OF MATERIAL:** The material delivered under this bid shall remain the property of the seller until a physical inspection and actual usage of this material and/or service is made and is accepted by the City. It must comply with the terms of this IFB, and fully comply with specifications, and be of the highest quality. In the event the material and/or services supplied to the City is found to be defective or does not conform to specifications, the City reserves the right to cancel the order upon written notice to the contractor and return product to contractor at the contractor's expense.
19. **CODES AND REGULATIONS:** All products supplied and work performed within the scope of this request shall be supplied by the successful bidder to all applicable current prevailing City, State and Federal codes and regulations.

20. **DELIVERY:** Bidders must indicate the number of calendar days required to make delivery after receipt of a purchase order. Delivery time may be considered in making an award. The City reserves the right to cancel any order, or any part of that order, without obligation if delivery is not made within the time(s) specified on the bid form.
- The City may grant additional time for delivery if the City is satisfied the delay is beyond the control of the vendor. Any request for time extension must be in writing and approved by the City's authorized representative.
- All deliveries shall be FOB Destination to the location listed on the purchase order or price agreement unless otherwise specified. Bidders may be requested to provide separate pricing for delivery of all items in this solicitation.
21. **THIRD PARTY FREIGHT SERVICE:** The City of Bentonville may, at its discretion, use a third party freight service to arrange for delivery of the goods ordered as a result of this solicitation. In this case, the freight terms will be FOB Destination/Third Party Prepaid.
22. **PRICE CHANGES ON CONTRACTS:** If this solicitation is for an estimated quantity of supplies, consideration in awarding bid for yearly contracts will be given:
- First to bidder offering firm prices for full contract period; and
 - Second to bidder offering firm prices subject to market price adjustment.
23. **COPYRIGHT OR PATENT RIGHTS:** By submitting the bid, bidder signifies that there has been no violation of copyrights or patent rights in manufacturing, producing or selling the goods shipped or ordered as a result of the bid, and bidder agrees to hold the City harmless from any and all liability, loss, or expense caused by any such violation.
24. **CONFLICT OF INTEREST:** The contractor, by signing the bid form in the solicitation or by acceptance of any purchase order resulting from this solicitation, certifies that to the best of their knowledge or belief, no elected or appointed official of the City is financially interested, directly or indirectly, in the purchase of the goods or services specified on this order or in the contract.
25. **TAXES:** The City of Bentonville is not tax exempt from any taxes imposed by the State and/or Federal Government. Applicable taxes should be included on all vendor invoices.
26. **MANUFACTURER'S CERTIFICATION:** The City reserves the right to request from bidders a separate manufacturer certification of all statements made in the bid. Failure to provide any requested certification may result in rejection of bid or termination of contract for which the bidder must bear full liability.
27. **TERMINATION:** Subject to the following provisions, any contract resulting from this solicitation may be terminated by either party upon thirty (30) days advance written notice to the other party; but if any work or service is in progress but not completed as of the date of termination, then said contract may be extended upon written approval of the City until said work or services are completed and accepted. Types of termination include:
1. Termination for Convenience
In the event that the contract is terminated or cancelled upon request and for the convenience of the City, without the required thirty (30) days advance written notice, then the City shall negotiate reasonable termination costs, if applicable.
 2. Termination for Cause
Termination by the City for cause, default or negligence on the part of the contractor shall be excluded from the foregoing provision; termination costs, if any, shall not apply. The thirty (30) days advance notice requirement is waived in the event of termination for cause.
 3. Termination Due to Unavailability of Funds
When funds are not appropriated or otherwise made available to support continuation of performance, the contract shall be cancelled at the discretion of the City.
28. **W-9 REQUIREMENT:** The City of Bentonville requires a Form W-9 (Request for Taxpayer Identification Number and Certification), updated annually, from all contractors that do business with the City of Bentonville. The Form W-9 verifies the Tax Identification Number of the contractor so the City can correctly report to the IRS all funds paid to the contractor.
29. **DEFAULT OF CONTRACT:** In case of default by the contractor, the City may procure the items or services from other sources and hold the contractor responsible for any excess costs caused by such procurement. Failure of a bidder to furnish the equipment, supplies, material, and/or services as specified is cause for elimination of the bidder from the active bidder's list for the products or services concerned.
30. **BID BOND:** If required in this solicitation, bidders shall include a bid guarantee in the form of a bid bond, certified check, cashier's check in the amount of five percent (5%) of the base bid, payable without condition to the City of Bentonville. Personal or company checks are not acceptable. The bid bond shall be accompanied by a power of attorney showing the authority of the person executing the bond on behalf of the surety company. Failure to include a bid bond or bid guarantee request with your bid submittal may be

cause for rejection of your bid. Bid guarantees (submitted by certified or cashier's checks) will be returned to unsuccessful bidders when the successful bidder is determined and the contract is executed. **When noted, a certified check or bid bond in the amount of 5% of the total bid shall accompany bid if bid exceeds \$35,000.00 [pursuant to Arkansas Code Annotated Section 22-9-203].**

31. **PERFORMANCE BOND:** At the discretion of the City, a performance bond may be required under the contract resulting from this solicitation. Such bond must be of a type and amount suitable for the nature of the commodity or services purchased and the dollar amount of the contract as indicated in this solicitation. The performance bond shall be for the duration of the contract, guaranteeing the faithful performance of the contract, and otherwise conditioned as required by law. Performance bond shall be accompanied by a power of attorney showing the authority of the person executing the bond on behalf of the surety company. Bond forms must be executed with a surety company licensed to do business in the State of Arkansas. The cost of the bond shall be included in the bidder's offer.
32. **MODIFICATIONS FOR CHANGES:** No agreement or understanding to modify this solicitation and resultant purchase orders or contract shall be binding upon the City unless made in writing by the Purchasing Manager of the City of Bentonville.
33. **ORDER OF PRECEDENCE:** In the event of an inconsistency between provisions of the solicitation, the inconsistency will be resolved in the following order: (a) the schedule; (b) Instructions to Bidders and General Conditions; (c) special provisions; (d) other provisions of the contract, whether incorporated by reference or otherwise; and, (e) the specifications.
34. **WARRANTY:** Supplies or services furnished as a result of this solicitation shall be covered by the most favorable commercial warranties, expressed or implied, that the bidder and/or manufacturer gives to any customer. The rights and remedies provided herein are in addition to and do not limit any rights afforded to the City by any other clause of this bid. The City reserves the right to request from bidders a separate manufacturer certification of all statements made in the bid.
35. **PAYMENT:** Payment for materials or services received under this contract will be made upon completion of delivery for each purchase order and submission of invoice to the Accounts Payable Department, 117 West Central, Bentonville, AR 72712. Normal pay periods for the City are every other Friday.
38. **GOVERNING LAW:** Any agreement resulting from this solicitation shall be interpreted under and governed by the laws of the State of Arkansas.
39. **ESCALATION/DE-ESCALATION CLAUSE:** In the event prevailing market conditions warrant an adjustment in contract pricing, the following escalation/de-escalation clause shall be the only clause acceptable to the City:
 1. Contractor shall give written notice to the Purchasing Manager of any proposed changes from contract prices not less than fifteen (15) calendar days prior to the effective date of price changes.
 2. Such notice must be accompanied by a copy of the supplier's notification to the contractor of a justifiable price change.
 3. No price escalation will be authorized in excess of the amount of the increase indicated on the supplier's notice.
 4. The approved price change shall be honored for all orders received by the contractor after the effective date of such price change.
 5. Approved price changes are not applicable to orders already issued and in process at time of price change.
 6. The City reserves the right to audit and/or examine any pertinent books, documents, papers, records, or invoice relating directly to the price increase after reasonable notice and during normal business hours.
 7. The Purchasing Manager retains the right to determine whether or not such proposed price changes are in the best interests of the City.
 8. If in the opinion of the Procurement Manager any proposed increase is found unacceptable, the Purchasing Manager reserves the right to cancel the contract upon fifteen (15) calendar days' written notice.
 9. Contractors must tie any price change clause to an industry-wide or otherwise nationally recognized index or some other form of verifiable document. Contractor will put the Procurement Manager on the mailing lists for such publications so the Purchasing Manager can monitor said changes. Such membership will be at no cost to the City.
 10. If parties to the contract cannot agree on renewal terms, it is understood that the contract will be cancelled and a new contract will be solicited.
40. **ADDITIONAL INFORMATION:** Additional information may be obtained from the Purchasing Office at (479) 271-3115.



Jackson
805 S. Wheatley, Suite 310
Ridgeland, Mississippi 39157
+1 (601) 956-0081 Fax: +1 (866) 548-7538

Notice of Cancellation and/or Termination

11/16/2017

CITY OF BENTONVILLE
1901 NE A STREET
BENTONVILLE, Arkansas 72712

Certified Receipt Number:

Bond Number: LSF201886
Cross Reference: 5014222
Principal: Big M Ranch Inc.
Present Penal Sum: 5,000 USD
Bond Description: All Contractors License - Compliance
Original Effective Date: 01/22/2008
Cancellation Date: 01/22/2018

We hereby cancel the above referenced bond in accordance with the cancellation/termination provisions contained in the bond. If, for any reason, the effective date of this Notice does not fully comply with the cancellation/termination provisions contained in the bond, then this Notice shall be deemed amended to contain the earliest effective date which is in compliance with the provisions of the bond.

Reason: Producer / Agent Lost Account

Cancellation Reason Comments:

Reply to:

Jackson
805 S. Wheatley, Suite 310
Ridgeland, Mississippi 39157
+1 (601) 956-0081 Fax: +1 (866) 548-7538

The Ohio Casualty Insurance Company



Big M Ranch Inc.
15206 E Hwy 62
Garfield, Arkansas 72732

COPY

- ☐ Obligee
- ☐ Principal
- ☐ Producer
- ☐ Home Office
- ☐ Underwriting Office

LMIC-3200



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

AGENDA FORM

CITY COUNCIL MEETING OF:

June 12, 2018

Submitted by:

Jake Harper

Department

Accounting

Phone

271-6781

ACTION REQUIRED:

Accounting Department staff is requesting City Council approval to reorganize the Purchasing Office by eliminating the Purchasing Manager position and replace it with two positions: Purchasing Administrator (Grade 33) and Accounting (Purchasing) Specialist II (Grade 17). The Assistant Finance Director will actively manage both positions.

COST TO CITY:

Cost of this Request: \$0

Additional Budget Amount \$0

☐ One time amount

☐ Continuing O and M

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

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: MAYOR MCCASLIN, CITY COUNCIL
FROM: JAKE HARPER, ACCOUNTING DEPARTMENT
SUBJECT: PURCHASING OFFICE REORGANIZATION
DATE: 6/5/2018

With no change in budget for 2018, we would like to eliminate the Purchasing Manager position and replace it with two positions: Purchasing Administrator (Grade 33) and Accounting (Purchasing) Specialist II (Grade 17). The Assistant Finance Director will actively manage both positions.

The Accounts Payable position is temporarily performing purchasing duties to maintain workflow. By removing the manager position and replacing it with two positions that are more specialized, we feel we can best serve the departments and vendors of the City.

Reallocated Roles:

Purchasing Administrator

1. Communicate with departments about purchasing and the best way to utilize quotes, bids, and cooperative contracts
2. Communicate with vendors regarding purchasing through the City of Bentonville and following up with questions on quotes/bids
3. Writing Bid Documents
4. Communicating with departments, vendors, and the newspaper regarding Bids
5. Attend Pre-Construction and Pre-Bid Meetings
6. Host public Bid Openings
7. Prepare Contracts (including coordinating Legal department approval, mayor signature and contractor signature)
8. Recommend for approval and arranges for disposal of surplus items (administers the City Auction or online auction process)
9. Coordinates and maintains property insurance coverage for the entire City
10. Approve requisitions according to city policy
11. Serves as backup to the Purchasing Specialist
12. Other duties as assigned

Purchasing Specialist

1. Process of requisition requests into purchasing orders
2. Approve requisitions according to city policy (below a specified amount)
3. Amend or change Purchase Orders upon request and according to city policy
4. Maintain city vehicle files which includes:
 - a. Prepare all correspondence to secure titles and registration on all vehicles acquired.
 - b. Maintain current insurance policy information on all vehicles
5. Mail Sorting
6. WEX Card Program Maintenance
7. Purchasing Card Program Auditing/Maintenance
8. Serves as backup to the Purchasing Administrator in terms of being able to fill in for bid openings or other tasks
9. Help to administer the City Auction or online auction process
10. Other duties as assigned

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE PAY PLAN FOR THE
CITY OF BENTONVILLE, ARKANSAS TO ELIMINATE
AND ADD POSITIONS.**

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

Section 1: That the position of Purchasing Manager should be and the same is hereby
eliminated from the City of Bentonville Pay Plan.

Section 2: That the following positions should be and the same are hereby added to
the City of Bentonville Pay Plan:

Purchasing Administrator (Grade 33)

Accounting (Purchasing) Specialist (Grade 17)

PASSED and APPROVED this _____ day of _____, 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK