



**Amended Agenda:
Removing items 6e and 9.
Adding items 11 and 12.**

BENTONVILLE CITY COUNCIL AGENDA

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

**Monday, February 11, 2019 6:00 p.m.
305 SW "A" Street**

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

**Tuesday, February 12, 2019 6:00 p.m.
305 SW "A" Street**

**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: January 22, 2019**

AGENDA

1. Court Facility Update – Judge Barry Moehring. **(Monday Night Only)**
2. Utility Board Presentation – Jake Harper and Travis Matlock. **(Monday Night Only)**
3. NACA Update – Mike Bender. **(Monday Night Only)**
4. Recycling Update – Gary Wilson. **(Monday Night Only)**
5. Public Comment Discussion. **(Monday Night Only)**
6. Planning:
- 6a. **Property Line Adjustment: Lots 15 & 16 of W.A. Burks Addition, Hurricane WA, LLC, Fillmore Street, R-1, Single Family Residential.**
(Pages 7-9)
The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of Lots 3, 4, 13, and 14 of W.A. Burks Addition, creating new Lots 15 (+/- .13 acres) and 16 (+/- .48 acres). The plat dedicates a 20-foot utility easement along Fillmore Street.

- 6b. **Property Line Adjustment: Lot 1 of Straube Business Park Phase 3, Vajinder and Jasminder Singh, 5118 SW Runway Drive, C-2, General Commercial.**

(Pages 10-13)

The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of portions of Lots 3-7 of Straube Business Park and Lot 2 of Straube Business Park, Phase II, creating new Lot 1 of Straube Business Park Phase 3 (+/- 5.63 acres). The plat dedicates multiple access and utility easements of varying widths.

- 6c. **Property Line Adjustment: Lot 11 of McAndrew & Jackson Addition and Lot 32 of Pritchard Addition, Brian and Christina Williams, 801 NW 7th Street & 720 NW 6th Street, R-1, Single Family Residential.**

(Pages 14-16)

The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of Lots 22 & 21, McAndrew and Jackson Addition, and Lots 8 and 9, Block 1, of Pritchard Addition, creating new Lot 11 (+/- .52 acres) of McAndrew and Jackson Addition, and new Lot 32 (+/- .30 acres) of Pritchard Addition. The plat dedicates approximately five feet of right-of-way along NW 7th Street.

- 6d. **Property Line Adjustment: Lot 30, Block 3 of Clark's 2nd Addition, SMS Investments, LLC, 202 SW C Street, R-1, Single Family Residential.**

(Pages 17-19)

The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of Lot 1 and 2, Block 3 of Clark's 2nd Addition, creating new Lot 30, Block 3. The plat dedicates a 10-foot front utility easement along SW 2nd Street and SW C Street. In addition, the plat dedicates an additional five feet of right-of-way along SW 2nd Street.

- 6f. **General Plan Amendment: Thomas and Judith Terrell, 1409 Bella Vista Road, From Commercial & Low Density Residential to Mixed Use.**

(Pages 20-23)

The Planning Commission voted 7-0, recommending approval.

According to the applicant's narrative, they wish to pursue the Mixed-Use Land Use to allow for a mix of residential and commercial uses on the subject lots. While they do not plan to develop the lots themselves, their hope is to find a buyer who will. The requested General Plan Amendment is potentially justified due to the property's adjacency to residential and commercial uses. In addition, the site is adjacent to a Collector Street (Bella Vista Road), which would be improved as part of any potential development. However, the site's compatibility with surrounding uses will depend upon the scale and bulk of any future development, which we do not know at this time.

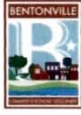
- 6g. **General Plan Amendment: William Oldham, 3308 SW 14th Street, From Residential Estates to Commercial.**

(Pages 24-28)

The Planning Commission voted 7-0, recommending approval.

According to the applicant's narrative, their long-term plans are to develop approximately 10,000 square feet of retail and light industrial lease space on the subject property. The requested General Plan Amendment is potentially justified considering surrounding commercial uses and the site's situation on a large Arterial road. Any future development would require a rezoning (pending annexation) and Large Scale Development approval.

7. A resolution setting a public hearing for February 26, 2019 for an Alley ROW Vacation between Lot 12 Block 3 of Deming's Addition and Lot 12 of Curtis Addition (303 & 305 North Main). **(Pages 29-32)**
8. Recommend awarding the bid for city wide boring services for the 2019 year to Big M Ranch, Inc. per the price breakdown attached. **(Pages 33-35)**
9. **Removed from agenda at Finance Director's request:** Recommend the Mayor and City Council to award the bid to Cues in order to upgrade our existing camera truck in the amount of \$96,191.00 plus tax. This is a budgeted item for 2019. **(Pages 36-38)**
10. Wastewater staff requests City Council and Mayor Orman approve a motion to award bid #IFB-19-04 for purchase and delivery of liquid ammonium sulfate to Chemtrade Chemicals US LLC for the amount of \$ 0.0791 per liquid pound. Chemtrade submitted the only valid bid. **(Pages 39-66)**
11. A resolution supporting Benton County's proposed sales tax for a courts facility. **(Pages 67-68)**
12. A resolution establishing procedures with regard to meetings – 2019. **(Pages 69-71)**
13. State of the City Report – Mayor Stephanie Orman.



City Council Agenda Items

For City Council Meeting of February 12, 2019

From the February 5, 2019 Planning Commission Meeting

Property Line Adjustment: Lots 15 & 16 of W.A. Burks Addition, Hurricane WA, LLC, Fillmore Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of Lots 3, 4, 13, and 14 of W.A. Burks Addition, creating new Lots 15 (+/- .13 acres) and 16 (+/- .48 acres). The plat dedicates a 20-foot utility easement along Fillmore Street.

Property Line Adjustment: Lot 1 of Straube Business Park Phase 3, Vajinder and Jasminder Singh, 5118 SW Runway Drive, C-2, General Commercial.

The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of portions of Lots 3-7 of Straube Business Park and Lot 2 of Straube Business Park, Phase II, creating new Lot 1 of Straube Business Park Phase 3 (+/- 5.63 acres). The plat dedicates multiple access and utility easements of varying widths.

Property Line Adjustment: Lot 11 of McAndrew & Jackson Addition and Lot 32 of Pritchard Addition, Brian and Christina Williams, 801 NW 7th Street & 720 NW 6th Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of Lots 22 & 21, McAndrew and Jackson Addition, and Lots 8 and 9, Block 1, of Pritchard Addition, creating new Lot 11 (+/- .52 acres) of McAndrew and Jackson Addition, and new Lot 32 (+/- .30 acres) of Pritchard Addition. The plat dedicates approximately five feet of right-of-way along NW 7th Street.

Property Line Adjustment: Lot 30, Block 3 of Clark's 2nd Addition, SMS Investments, LLC, 202 SW C Street, R-1, Single Family Residential.

The Planning Commission voted 7-0, recommending approval.

A Property Line Adjustment of Lot 1 and 2, Block 3 of Clark's 2nd Addition, creating new Lot 30, Block 3. The plat dedicates a 10-foot front utility easement along SW 2nd Street and SW C Street. In addition, the plat dedicates an additional five feet of right-of-way along SW 2nd Street.

General Plan Amendment: Thomas and Judith Terrell, 1409 Bella Vista Road, From Commercial & Low Density Residential to Mixed Use.

The Planning Commission voted 7-0, recommending approval.

According to the applicant's narrative, they wish to pursue the Mixed-Use Land Use to allow for a mix of residential and commercial uses on the subject lots. While they do not plan to develop the lots themselves, their hope is to find a buyer who will. The requested General Plan Amendment is potentially justified due to the property's adjacency to residential and commercial uses. In addition, the site is adjacent to a Collector Street (Bella Vista Road), which would be improved as part of any potential development. However, the site's compatibility with surrounding uses will depend upon the scale and bulk of any future development, which we do not know at this time.

General Plan Amendment: William Oldham, 3308 SW 14th Street, From Residential Estates to Commercial.

The Planning Commission voted 7-0, recommending approval.

According to the applicant's narrative, their long-term plans are to develop approximately 10,000 square feet of retail and light industrial lease space on the subject property. The requested General Plan Amendment is potentially justified considering surrounding commercial uses and the site's situation on a large Arterial road. Any future development would require a rezoning (pending annexation) and Large Scale Development approval.



Consent Agenda Items

For Planning Commission meeting of February 5, 2019

Reviewer: Tyler Overstreet, Planner

- ❖ At the Technical Review meeting held on January 29, 2019 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 15 & 16, W.A. Burks Addition, Hurricane WA, LLC, Fillmore Street, R-1, Single-Family Residential & DN-2, Downtown Medium-Density Residential (PLA17-0021)

A Property Line Adjustment of Lots 3, 4, 13, and 14 of W.A. Burks Addition, creating new Lots 15 (+/- .13 acres) and 16 (+/- .48 acres). The plat dedicates a 20-foot utility easement along Fillmore Street.

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

Property Line Adjustment: Lot 1, Straube Business Park Phase 3, Vajinder and Jasminder Singh, 5118 SW Runway Drive, C-2, General Commercial (PLA18-0043)

A Property Line Adjustment of portions of Lots 3-7 of Straube Business Park and Lot 2 of Straube Business Park, Phase II, creating new Lot 1 of Straube Business Park Phase 3 (+/- 5.63 acres). The plat dedicates multiple access and utility easements of varying widths.

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

Property Line Adjustment: Lot 11, McAndrew & Jackson Addition and Lot 32, Prichard Addition, Brian and Christina Williams, 801 NW 7th Street & 720 NW 6th Street, R-1, Single-Family Residential (PLA17-0022)

A Property Line Adjustment of Lots 22 & 21, McAndrew and Jackson Addition, and Lots 8 and 9, Block 1, of Pritchard Addition, creating new Lot 11 (+/- .52 acres) of McAndrew and Jackson Addition, and new Lot 32 (+/- .30 acres) of Pritchard Addition. The plat dedicates approximately 5-feet of right-of-way along NW 7th Street.

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

Property Line Adjustment: Lot 30, Block 3, Clark's 2nd Addition, SMS Investments, LLC, 202 SW C Street, R-1, Single-Family Residential (PLA18-0048)

A Property Line Adjustment of Lot 1 and 2, Block 3 of Clark's 2nd Addition, creating new Lot 30, Block 3. The plat dedicates a 10-foot front utility easement along SW 2nd Street and SW C Street. In addition, the plat dedicates an additional 5-feet of right-of-way along SW 2nd Street.

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



PLA17-0021
 Property Line Adjustment
 1204 Fillmore St.

1 inch = 104 feet



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOTS
15 & 16 OF W.A. BURKS ADDITION TO THE CITY OF BENTONVILLE,
ARKANSAS (PROJECT NUMBER: PLA17-0021).**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lots 15 & 16 of W.A. Burks Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on February 5, 2019; 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 15 & 16 of W.A. Burks Addition 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 _____, 2019.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

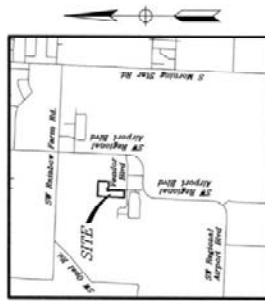


PROPERTY LINE ADJUSTMENT PLAT STRAUBE BUSINESS PARK PHASE 3

CREATING LOT 1

City of Bentonville, Benton County, Arkansas

- NOTES:**
1. Every document of record referenced and considered as a part of this survey is entitled "Survey". Only the documents noted herein were submitted to the City of Bentonville for review and approval.
 2. The plat represents a Plat of Subdivision of the Straube Business Park, Phase 3, as shown in the Survey Book 2005, Page 1588 and Lot 3, as shown in the Survey Book 2005, Page 1589.
 3. The plat represents a Plat of Subdivision of the Straube Business Park, Phase 3, as shown in the Survey Book 2005, Page 1588 and Lot 3, as shown in the Survey Book 2005, Page 1589.
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 20. The plat represents a Plat of Subdivision of the Straube Business Park, Phase 3, as shown in the Survey Book 2005, Page 1588 and Lot 3, as shown in the Survey Book 2005, Page 1589.



Vicinity Map

Parcel Tract Description

Lot 2, S. 1/4, E. 1/4, and 7. The Straube Business Park, as per the Plat of Subdivision of the Straube Business Park, Phase 3, as shown in the Survey Book 2005, Page 1588 and Lot 3, as shown in the Survey Book 2005, Page 1589.

Survey Description

Lot 2, S. 1/4, E. 1/4, and 7. The Straube Business Park, as per the Plat of Subdivision of the Straube Business Park, Phase 3, as shown in the Survey Book 2005, Page 1588 and Lot 3, as shown in the Survey Book 2005, Page 1589.

Engineering Associates, Inc.

Professional Engineer
Arkansas License No. 12345

City of Bentonville Project #1418-0048

ATLAS PAGE 523

Arkansas * California * Minnesota * Pennsylvania * Texas

10/17/10 10:00 AM 10/17/10 10:00 AM

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10/17/10 10:00 AM

ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 1
OF STRAUBE BUSINESS PARK PHASE 3 TO THE CITY OF BENTONVILLE,
ARKANSAS (PROJECT NUMBER: PLA18-0043).**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 1 of Straube Business Park Phase 3 of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on February 5, 2019; 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 Lot 1 of Straube Business Park Phase 3 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.

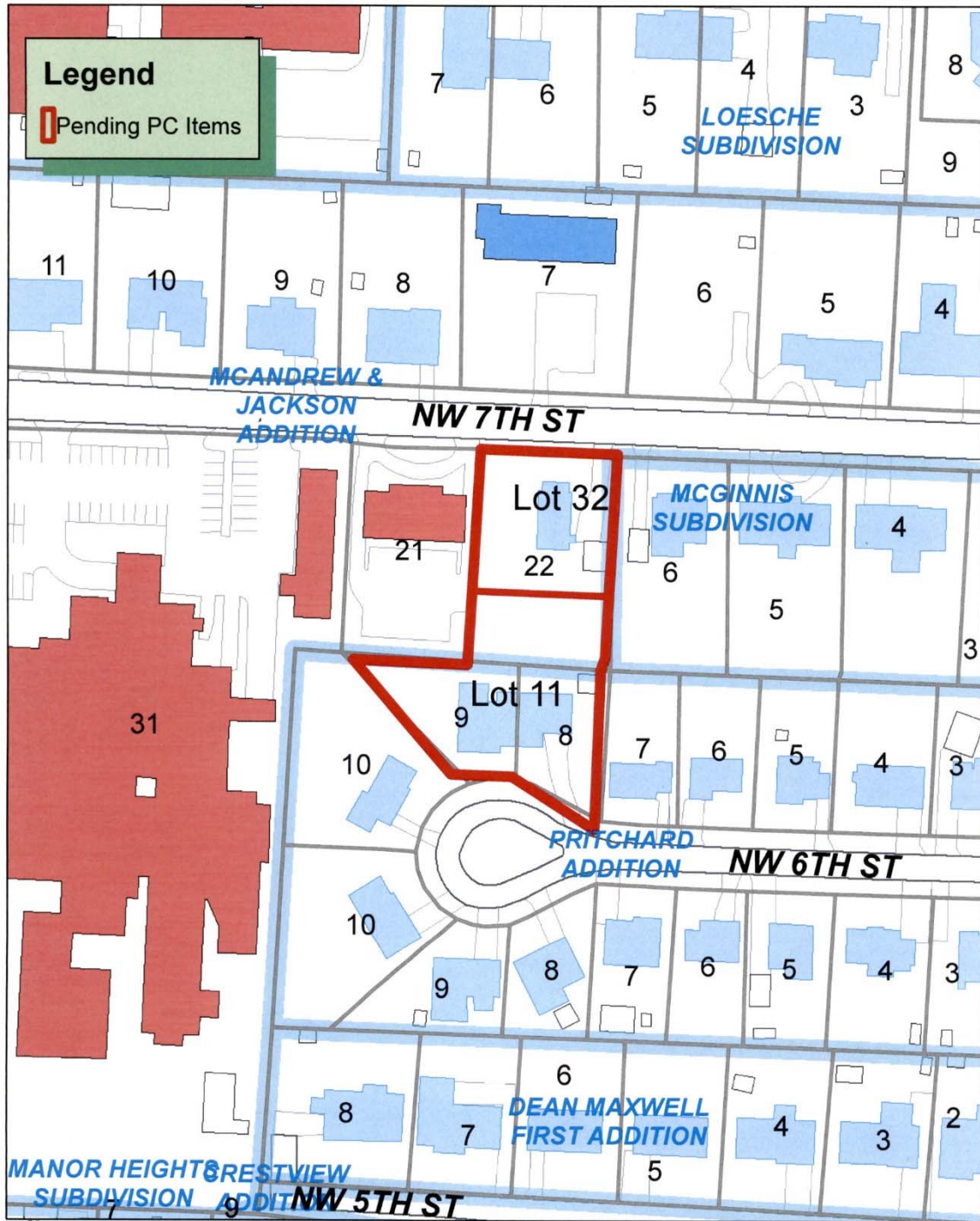
PASSED AND APPROVED this _____ day of _____, 2019.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



PLA17-0022
 720 NW 6th St & 801 NW 7th St
 Creating Lot 32 McAndrew Jackson Addt Lot 11 Bk 1 Prichard 1 inch = 100 feet



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT 11
OF MCANDREW & JACKSON ADDITION AND LOT 32 OF PRITCHARD
ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS (PROJECT
NUMBER: PLA17-0022).**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 11 of McAndrew & Jackson Addition and Lot 32 of Pritchard Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on February 5, 2019; 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 Lot 11 of McAndrew & Jackson Addition and Lot 32 of Pritchard Addition 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.

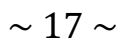
PASSED AND APPROVED this _____ day of _____, 2019.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



ORDINANCE NO. _____

**AN ORDINANCE ACCEPTING A PROPERTY LINE ADJUSTMENT OF LOT
30, BLOCK 3 OF CLARK'S 2ND ADDITION TO THE CITY OF BENTONVILLE,
ARKANSAS (PROJECT NUMBER: PLA18-0048).**

WHEREAS, pursuant to the provisions of Title 15 of the Bentonville Municipal Code, the property line adjustment of Lot 30, Block 3 of Clark's 2nd Addition of the City of Bentonville, Benton County, Arkansas was submitted to the Bentonville Planning Commission on February 5, 2019; 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 Lot 30, Block 3 of Clark's 2nd Addition 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 _____, 2019.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

GENERAL PLAN AMENDMENT STAFF REPORT



Terrell

1409 Bella Vista Road

PC Date: 2/5/2019

Reviewer: Tyler Overstreet, Planner

Project Number	GPA18-0006
Applicant/ Current Owner	Thomas and Judith Terrell PO Box 390 Bentonville, AR 72712
Site Area	+/- 1.9 acres
Current Zoning	R-1, Single Family Residential
Current Future Land Use Map Designation	Commercial (C) & Low-Density Residential
Requested Future Land Use Map Designation	Mixed Use (MU)

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

Location Map



Property Description

The property is located southwest of the intersection of NW 15th Street and Bella Vista Road. Adjacent zonings are R-1 to the north, east, and south, and C-2 to the west. Adjacent land uses are Low-Density Residential to the north, east, and south, and General Commercial to the west.

Projected Traffic Impact

The proposed land use designation does have the potential to impact traffic in the area. However, mixed-use development, by its very nature, encourages reductions in vehicle traffic and increases in pedestrian activity.

Relationship to the General Plan

According to the applicant's narrative, they wish to pursue the Mixed-Use Land Use to allow for a mix of residential and commercial uses on the subject lots. While they do not plan to develop the lots themselves, their hope is to find a buyer who will.

Analysis

The requested General Plan Amendment is potentially justified due to the property's adjacency to residential and commercial uses. In addition, the site is adjacent to a Collector Street (Bella Vista Road), which would be improved as part of any potential development. However, the site's compatibility with surrounding uses will depend upon the scale and bulk of any future development, which we do not know at this time.

NARRATIVE:

1. Reasons for initiation of this proposal. Has information become available that was not available at the time of adoption of the Future Land Use Map? Or, since the adoption of the map has land use in the area changed?

See Map attached: Three lots are designated on the future land use map as Low Density Residential with a total of 1.23 acres and are currently zoned R-1. One single lot adjacent, and in the middle of the other lots is designated on the future land use map as General Commercial with a total size of .67 acres and is currently zoned R-1.

The Future Land Use map designates one of the property owner's parcels (adjacent and the middle of others that he owns) as having one use while the others have another. He wants to sell the properties as a single offering, The intention is to have the option to sell them to a single buyer, if we find one. It would be simpler if the future use is the same for all of them.

2. How will this change impact the land use and character of the property in question and surrounding areas?

This change will impact the land use by allowing a mixed use of commercial and residential development. A Walmart neighborhood market is behind the property and there are other Offices across from and near the land in question. The addition of other commercial offerings will help the community to get goods and services closer to their homes, avoiding having to drive everywhere. The land currently is servicing three homes and a duplex. The expectation is that a developer would want to use the land with a higher density which would provide more affordable housing to more people.

3. How is the property more suitable for the proposed land use designation than for the current land use classification presented on the Future Land Use Map?

The property is on an well-travelled road and accessible road and has a mix of single-family residential, multi-family residential and offices. It would be a good location for higher density and for commercial offerings to support the growing community.

We believe that the street and neighborhood would benefit from a Mixed Use land use allowing for residential a mix of commercial offerings which would serve the community and neighborhood.

4. Would the uses permitted by the proposed change be detrimental in any way to the surrounding property?

The permitted uses would not be detrimental in any way to the surrounding property.

5. What are the alternative courses of action if the proposed land use change is not approved?

The intention is to have the option to sell them to a single buyer, if we find one. It would be simpler if the future use is the same for all of them.

We might have to sell them individually. The commercial lot without the presence of any homes and to a developer interested in building homes on the other three lots that conform to the existing future land use map which is low density residential.

6. What are your plans for the property if the proposed land use change is approved?

To sell the land so that it can be developed and put to its best use.

7. What alternatives other than changing the land use designation have been discussed?

None

8. Additional information that is pertinent to support this request.

None that I can think of.

RESOLUTION NO. _____

**AN RESOLUTION ADOPTING REVISIONS TO THE FUTURE LAND USE MAP OF
THE CITY OF BENTONVILLE TO CHANGE REAL ESTATE FROM ITS PRESENT
LAND USE CLASSIFICATION OF COMMERCIAL & LOW DENSITY RESIDENTIAL
TO MIXED-USE (PROJECT NUMBER: GPA18-0006).**

WHEREAS, Thomas and Judith Terrell duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of Commercial & Low Density Residential to Mixed-Use on the City of Bentonville Future Land Use Map, which property is described as follows:

LOT 4A, BLOCK 1 HARBIN POINTE ADDITION PHASE 2 TO BENTONVILLE, BENTON COUNTY, AR AS SHOWN ON PLAT RECORD BOOK 13, PAGE 58. LOT 5D, BLOCK 1, AS SHOWN ON PLAT RECORD BOOK 7, PAGE 4, LOTS 13 & 14, BLOCK 1 AS SHOWN ON PLAT RECORD BOOK 2014, PAGE'S 579-581, ALL IN HARBIN POINTE ADDITION PHASE 2 AND RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held February 5, 2019 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 future land use classification as presented on the property be changed.

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 land use classification of Commercial & Low Density Residential to Mixed-Use on the Future Land Use Map.

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

PASSED AND APPROVED this _____ day of _____, 2019.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

GENERAL PLAN AMENDMENT STAFF REPORT



Oldham

3308 SW 14th Street

PC Date: 2/5/2019

Reviewer: Tyler Overstreet, Planner

Project Number	GPA18-0007
Applicant/ Current Owner	Suite Spaces, LLC 910 NW 7 th Street, Suite 6 Bentonville, AR 72712
Site Area	+/- 1.5 acres
Current Zoning	Benton County
Current Future Land Use Map Designation	Residential Estates (RE)
Requested Future Land Use Map Designation	Commercial (C)

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

Location Map



Property Description

The property is located northwest of the intersection of SW 14th Street and SW Elm Tree Road. Adjacent zonings are A-1 to the north and east, and Benton County to the south and west; adjacent land uses are Residential Estate to the north and west, and General Commercial to the east and south.

Projected Traffic Impact

The proposed land use designation does have the potential to impact traffic in the area. However, the site's proximity to two arterial streets, and any potential development's adherence to the City's Access Management standards, should accommodate any increases in traffic.

Relationship to the General Plan

According to the applicant's narrative, their long-term plans are to develop approximately 10,000 square feet of retail and light industrial lease space on the subject property.

Analysis

The requested General Plan Amendment is potentially justified considering surrounding commercial uses and the site's situation on a large Arterial road. Any future development would require a rezoning (pending annexation) and Large Scale Development approval.

GENERAL PLAN AMENDMENT

3308 SW 14th Street
Bentonville, AR 72712

William D. Oldham, Mgr., Suite Spaces, LLC
910 NW 7th Street
Bentonville, AR 72712
479-957-4576
bill@ncicare.com

Reasons for Initiation of this proposal:

1. The current use plan for this parcel is Residential Estate. The land was purchased by Suite Spaces, LLC on November 1, 2018 for the purpose of developing approximately 10,000sf of retail and light industrial rental space.
2. The land is on SW 14th Street and is situated between and among commercial properties on both sides and across the street.
3. Due to the rate of traffic on 14th Street is less suited to residential use than commercial.

How will the change impact the land use and character of the property in question and surrounding area?

Commercial use of this land will be congruent with current use of surrounding properties and the larger 14th Street corridor in West Bentonville.

How is the property more suitable for the proposed land use designation than the current use classification?

1. Traffic rates are very high on 14th Street.
2. Noise levels on 14th Street higher than desired for residential and more suited to commercial development.
3. The adjacent commercial properties already existing on three sides of the property make it more suitable to commercial development than mixed residential in a predominately commercial area.
4. There is a vacant home on the premises. The long vacancy implies that it is not a suitable residence.

Would the proposed change be detrimental in any way?

There are no foreseeable detrimental impacts to the area should this proposed land use change be approved.

What are the alternative courses of action if the proposed land use change is not approved?

As it appears not to be desirable for residential purposes for reasons stated above, there is no other foreseeable use for the land except commercial.

GENERAL PLAN AMENDMENT

3308 SW 14th Street
Bentonville, AR 72712

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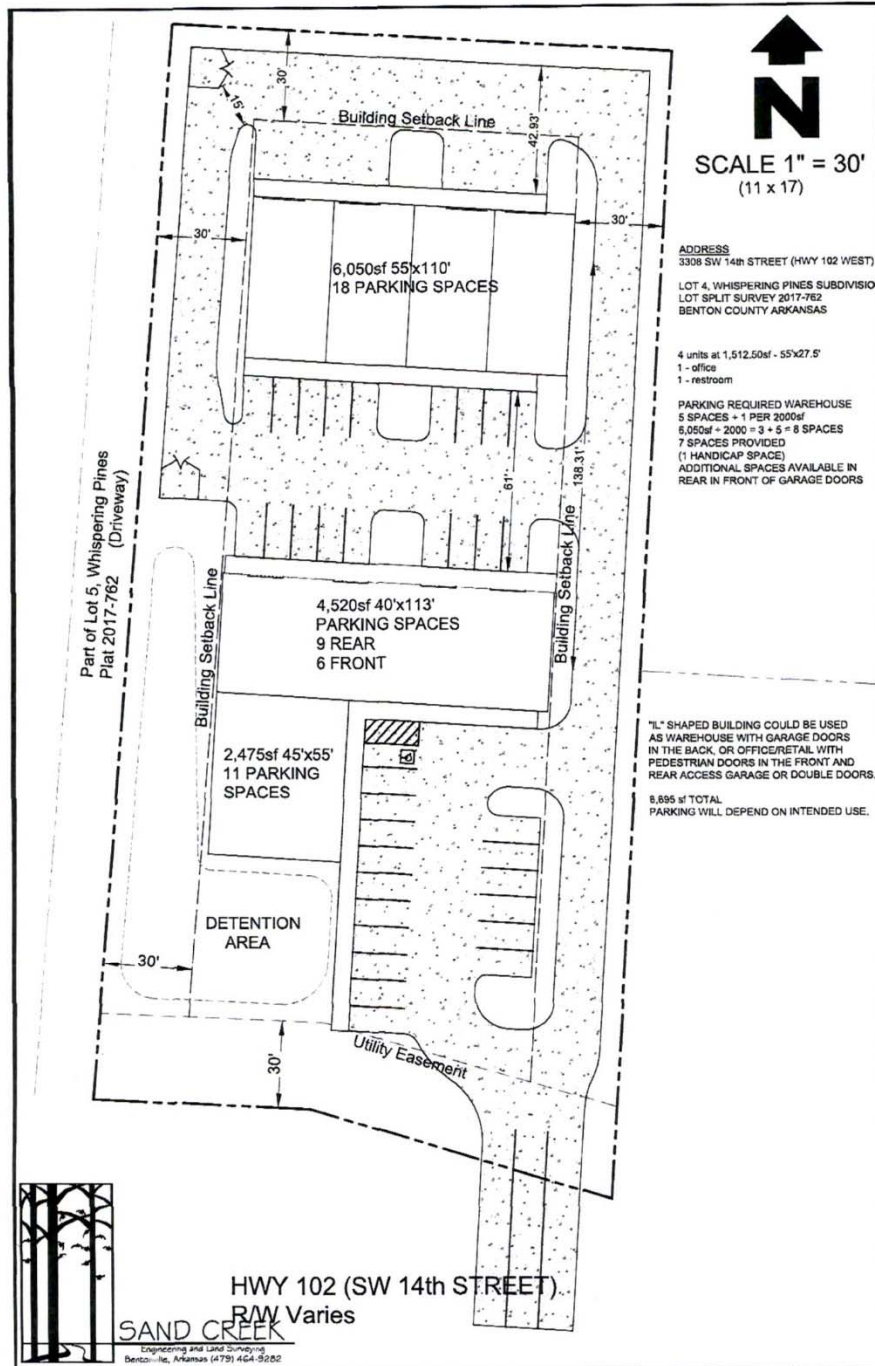
What are your plans for the property?

The property is planned for more than 10,000sf of retail and light industrial or commercial business space. See Exhibit C attached.

What alternatives other than changing the land use designation have been discussed?

No other viable land uses have been discovered to date.

EXHIBIT C.



RESOLUTION NO. _____

**AN RESOLUTION ADOPTING REVISIONS TO THE FUTURE LAND USE MAP OF
THE CITY OF BENTONVILLE TO CHANGE REAL ESTATE FROM ITS PRESENT
LAND USE CLASSIFICATION OF RESIDENTIAL ESTATES TO COMMERCIAL
(PROJECT NUMBER: GPA18-0007).**

WHEREAS, William Oldham duly filed a petition with the Planning Commission requesting that the hereinafter described property situated in Benton County, Arkansas, be changed from its present land use classification of Residential Estates to Commercial on the City of Bentonville Future Land Use Map, which property is described as follows:

LOT 4 MARGARET'S WHISPERING PINES SUBDIVISION TO BENTONVILLE, BENTON COUNTY, AR AS SHOWN ON PLAT RECORD BOOK 2017 PAGE 762, RECORDED IN THE BENTON COUNTY CLERK'S OFFICE, BENTONVILLE, ARKANSAS.; and,

WHEREAS, the Planning Commission duly met and considered the application and duly set the petition for public hearing to be held February 5, 2019 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 future land use classification as presented on the property be changed.

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 land use classification of Residential Estates to Commercial on the Future Land Use Map.

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

PASSED AND APPROVED this _____ day of _____, 2019.

APPROVED:

ATTEST:

MAYOR

CITY CLERK



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 12, 2019

Submitted by:

Ellen Norvell

Department

Engineering

Phone

271-3191

ACTION REQUIRED:

A resolution setting a public hearing for February 26, 2019 for an Alley ROW Vacation between Lot 12 Block 3 of Deming's Addition and Lot 12 of Curtis Addition (303 & 305 North Main).

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	\$ -

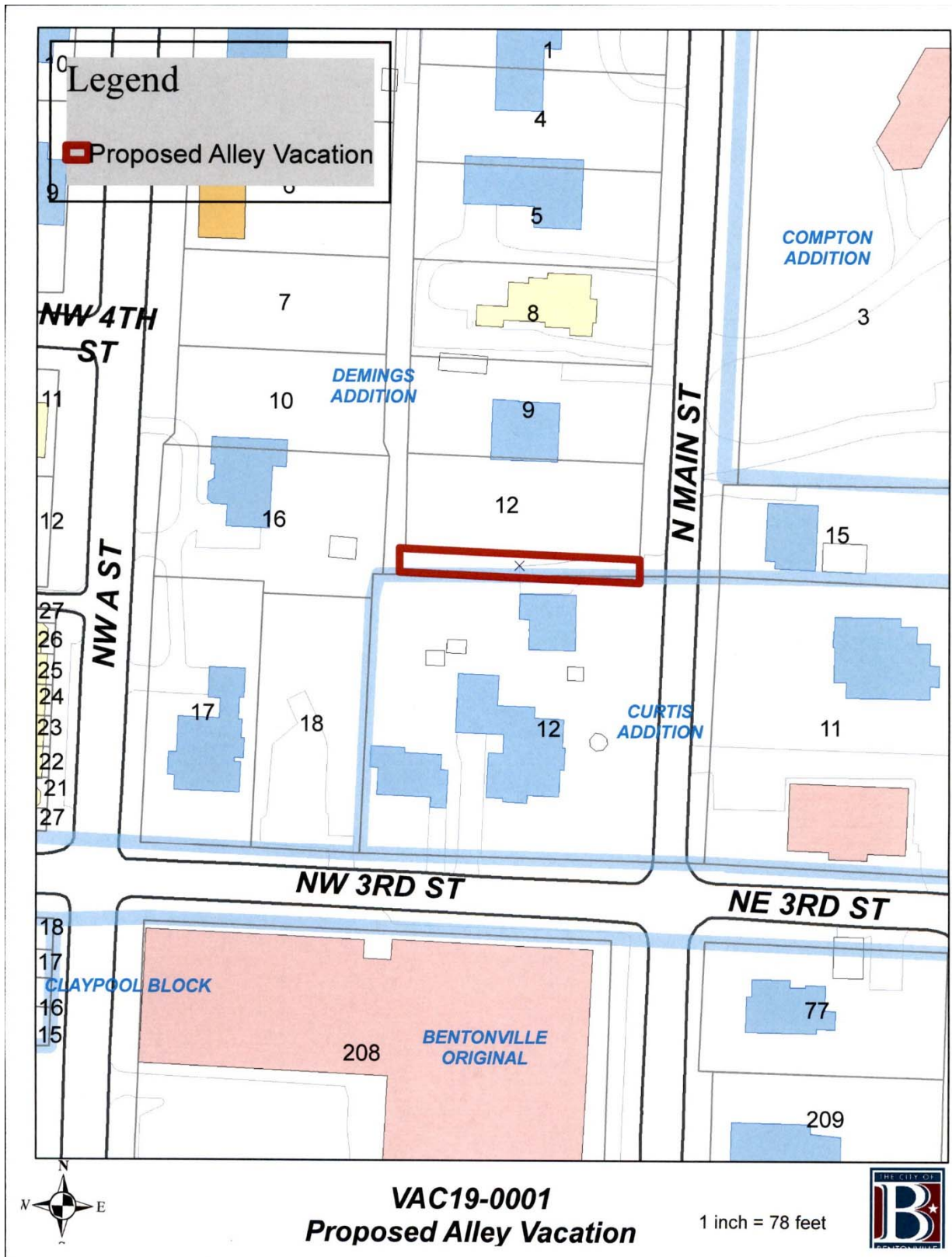
This form must be turned into the Mayor's office 7 days prior to the scheduled City Council meeting.

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



PLEASE RECYCLE





VAC19-0001
Proposed Alley Vacation

1 inch = 78 feet



OWNER
EMERALD ISLE HOLDINGS, LLC
P.O. BOX 129
CENTERTON, AR. 72719

LOT SURVEY
SOUTH 50' LOT 12 BLOCK 3
DEMING'S ADDITION
BENTONVILLE, ARKANSAS.

LEGEND

③	PF	FOUND REBAR
④	PS	SET REBAR
		PROPERTY LINE
		CURB
		FENCE
		UTILITY EASMENT / SETBACK

DATE OF LAST REVISION: 08-29-2018

MICHAEL D. MILLION
LAND SURVEYOR

12 HUFFWOOD LANE
BELLA VISTA, AR 72715
PHONE: (479) 571-0654
CHUCK BELL

PHONE (479) 365-0640	SCALE: 1" = 30'
DRAWN BY: CEB	DATE: AUG 29, 2018
FIELD CHECKED BY: CEB/JM	DATE: 11/13/2018
CHECKED BY: MOW/CEB	DATE: 11/13/2018

DOCUMENTS USE FOR THIS SURVEY:

1. SURVEY PLAT BY RDOUT FILED AT BK 2007 PG 493.
2. DEMINGS ADDITION FILED AT BK G PG 183.
3. SURVEY PLAT BY COCHRAN FILED AT BK 2006 PG 998.
4. SPECIAL WARRANTY DEED UIC08714.

1. I am a member of the following organization(s):

SURVEY DESCRIPTION:
ALL OF THE SOUTH 50.00 FEET, LOT 12 BLOCK 3 IN DEHINK'S ADDITION, AS RECORDED IN PLAT BOOK 6 PAGE 163 IN BENTON COUNTY RECORDS TO THE CITY OF BENTONVILLE, COUNTY OF BENTON, STATE OF ARKANSAS, SUBJECT TO ANY EASEMENT, RIGHTS-OF-WAY OR RESTRICTIONS OF RECORD OR FACT.

FLOOD CERTIFICATION

FLOOD CERTIFICATION
NO PART OF THIS PROPERTY LIES IN ZONE "A" OR
"AE" FLOOD ZONE AS SHOWN ON THE FIRM/FEMA
FLOOD PANEL NO 05007C0090 J, EFFECTIVE
DATE SEPTEMBER 28, 2007.

[illegible]

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE ABOVE DESCRIBED PROPERTY AND THAT THE PROPERTY LINES AND CORNER MONUMENTS ARE IN THE BEST OF MY BELIEF ACCORDING TO THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF [COUNTY] AND THE STATE OF [STATE].

THE STATE OF

1000

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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SECRET

~ 31 ~

RESOLUTION NO. _____

IN THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS

WHEREAS, a petition was duly filed with the City Council of Bentonville, Arkansas requesting Alley Right-of-Way Vacation within the City of Bentonville, Arkansas be vacated, which said alley right of way is described as follows:

A PLATTED BUT NON-EXISTENT ALLEY RUNNING EAST AND WEST BETWEEN THE SOUTH 50 FEET OF LOT 12, BLOCK 3 DEMING'S ADDITION AS SHOWN IN PLAT G AT PAGE 163 AND A PART OF LOT 12 CURTIS ADDITION AS SHOWN ON THE FINAL PLAT, FURTHER BEING DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 3 DEMING'S ADDITION THENCE N87 DEGREES 26' 44"W 164.42 FEET, THENCE SOUTH 16.2 FEET TO THE NORTH BOUNDARY LINE OF LOT 12 CURTIS ADDITION, THENCE S87 DEGREES 26' 44"E 164.42 FEET TO THE NORTHEAST CORNER OF LOT 12 CURTIS ADDITION, THENCE NORTH 16.2 FEET TO THE POINT OF BEGINNING.

WHEREAS, Ark. Code Ann. Section 14-301-302(c) provides that the City Council shall by resolution fix a day for the hearing of the petition and shall direct the City Clerk and Recorder to give notice of the meeting, by publication, once per week for two (2) consecutive weeks in some newspaper published in and having general circulation in Bentonville, Benton County, Arkansas.

NOW, THEREFORE, BE IT RESOLVED, by the City of Bentonville, Arkansas, that the petition to vacate the above described Alley Right-of-Way is set for a hearing February 26, 2019 at 6:00 p.m. in the City Council Room of the City of Bentonville, Arkansas, and the Bentonville City Clerk and Recorder is directed to give notice of this meeting by publication as set forth by Ark. Code Ann. Section 14-301-302(c).

The above and foregoing resolution was passed, approved, and adopted the _____ day of _____ 2019 at a regular meeting of the City Council of the City of Bentonville, Arkansas.

Linda Spence, City Clerk
Bentonville, Arkansas

Stephanie Orman, Mayor
City of Bentonville, Arkansas



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	18-068
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

February 12, 2019

Submitted by:

Travis Matlock

Department

Electric

Phone

271-5941

ACTION REQUIRED:

Recommend awarding the bid for city wide boring services for the 2019 year to Big M Ranch, Inc. per the price breakdown attached.

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



M E M O R A N D U M

DATE: February 12, 2019

TO: **City Council, Mayor Orman**

FROM: Travis Matlock, Engineer Director

RE: Bid Award – City Wide Boring Services

The Electric Department recommends awarding the citywide boring services to Big "M" Ranch, Inc. per the attached pricing sheet.

Multiple departments within the city require boring services from time to time. This bid award allows the independent departments to know the costs and have the contractor "on-call" during the 2019 calendar year.



CORRECTED BID TABULATION : IFB-18-068 - Boring & Trenching Services

Bid Opening: January 4, 2019 at 10:00 A.M.

Bidder Company Name:			Forsgren Inc.				Big M Ranch Inc.				Hickman Trenching Co.			
Item	Est. Quantity	Unit	Price		Extended Price		Price		Extended Price		Price		Extended Price	
			Dirt	Rock	Dirt	Rock	Dirt	Rock	Dirt	Rock	Dirt	Rock		
Trenching (per linear FT)														
2"	10	LF	\$25.00	\$40.00	\$250.00	\$400.00	\$15.14	\$29.14	\$151.40	\$291.40				
3"	10	LF	\$30.00	\$45.00	\$300.00	\$450.00	\$16.18	\$30.18	\$161.80	\$301.80				
4"	10	LF	\$35.00	\$50.00	\$350.00	\$500.00	\$17.01	\$31.01	\$170.10	\$310.10				
5"	10	LF	\$40.00	\$55.00	\$400.00	\$550.00	\$21.40	\$39.40	\$214.00	\$394.00				
6"	10	LF	\$45.00	\$60.00	\$450.00	\$600.00	\$22.32	\$40.32	\$223.20	\$403.20				
Trenching Multiple Conduit Installation														
2"	10	LF	\$12.00	\$20.00	\$120.00	\$200.00	\$11.14	\$21.14	\$111.40	\$211.40				
3"	10	LF	\$15.00	\$22.00	\$150.00	\$220.00	\$12.18	\$22.18	\$121.80	\$221.80				
4"	10	LF	\$18.00	\$25.00	\$180.00	\$250.00	\$13.01	\$23.01	\$130.10	\$230.10				
5"	10	LF	\$20.00	\$28.00	\$200.00	\$280.00	\$17.40	\$31.40	\$174.00	\$314.00				
6"	10	LF	\$22.00	\$30.00	\$220.00	\$300.00	\$18.32	\$32.32	\$183.20	\$323.20				
Trenching (w/o Conduit Installation) (per linear FT)														
12"	10	LF	\$20.00	\$35.00	\$200.00	\$350.00	\$14.00	\$28.00	\$140.00	\$280.00				
24"	10	LF	\$25.00	\$40.00	\$250.00	\$400.00	\$18.00	\$36.00	\$180.00	\$360.00				
36"	10	LF	\$30.00	\$45.00	\$300.00	\$450.00	\$25.00	\$50.00	\$250.00	\$500.00				
Directional Boring (per linear FT)														
1.5" CIC (Conductor in Conduit)	10	LF	\$35.00	\$50.00	\$350.00	\$500.00	\$20.00	\$40.00	\$200.00	\$400.00				
2"	10	LF	\$40.00	\$55.00	\$400.00	\$550.00	\$21.14	\$41.14	\$211.40	\$411.40				
3"	10	LF	\$45.00	\$60.00	\$450.00	\$600.00	\$22.18	\$42.18	\$221.80	\$421.80				
4"	10	LF	\$50.00	\$65.00	\$500.00	\$650.00	\$23.01	\$43.01	\$230.10	\$430.10				
5"	10	LF	\$55.00	\$70.00	\$550.00	\$700.00	\$23.40	\$43.40	\$234.00	\$434.00				
6"	10	LF	\$60.00	\$75.00	\$600.00	\$750.00	\$24.32	\$44.32	\$243.20	\$443.20				
Water Main (per linear FT)														
16" (.219 Wall Thickness)	10	LF	\$235.00	\$360.00	\$2,350.00	\$3,600.00	\$100.00	\$180.00	\$1,000.00	\$1,800.00				
20" (.281 Wall Thickness)	10	LF	\$285.00	\$410.00	\$2,850.00	\$4,100.00	\$130.00	\$230.00	\$1,300.00	\$2,300.00				
24" (.344 Wall Thickness)	10	LF	\$335.00	\$460.00	\$3,350.00	\$4,600.00	\$153.00	\$273.00	\$1,530.00	\$2,730.00				
30" (.406 Wall Thickness)	10	LF	\$385.00	\$510.00	\$3,850.00	\$5,100.00	\$210.00	\$360.00	\$2,100.00	\$3,600.00				
36" (.50 Wall Thickness)	10	LF	\$435.00	\$560.00	\$4,350.00	\$5,600.00	\$250.00	\$430.00	\$2,500.00	\$4,300.00				
Sewer Main (per linear FT)														
16" (.219 Wall Thickness)	10	LF	\$260.00	\$385.00	\$2,600.00	\$3,850.00	\$100.00	\$180.00	\$1,000.00	\$1,800.00				
20" (.281 Wall Thickness)	10	LF	\$310.00	\$435.00	\$3,100.00	\$4,350.00	\$130.00	\$230.00	\$1,300.00	\$2,300.00				
24" (.344 Wall Thickness)	10	LF	\$360.00	\$485.00	\$3,600.00	\$4,850.00	\$153.00	\$273.00	\$1,530.00	\$2,730.00				
30" (.406 Wall Thickness)	10	LF	\$410.00	\$535.00	\$4,100.00	\$5,350.00	\$210.00	\$360.00	\$2,100.00	\$3,600.00				
36" (.50 Wall Thickness)	10	LF	\$460.00	\$585.00	\$4,600.00	\$5,850.00	\$250.00	\$430.00	\$2,500.00	\$4,300.00				
Bore Pit (per vertical FT)														
Depth more than 8'	1	Vertical Ft	\$800.00	\$1,600.00	\$800.00	\$1,600.00	\$1,500.00	\$3,000.00	\$1,500.00	\$3,000.00				
Miscellaneous														
Vactron - 8" hose (price per hour of use)	1	Per Hour	\$450.00	\$450.00	\$450.00	\$450.00	\$150.00	\$150.00	\$150.00	\$150.00				
Installing 1,250-lb mule tape & secure on ea end	10	LF	\$3.50	\$3.50	\$35.00	\$35.00	\$2.35	\$2.35	\$23.50	\$23.50				
Placing SWGR Vaults	10	Each	\$2,000.00	\$3,000.00	\$20,000.00	\$30,000.00	\$4,000.00	\$4,000.00	\$40,000.00	\$40,000.00				
Placing Comcast (fiberglass) JB	10	Each	\$400.00	\$600.00	\$4,000.00	\$6,000.00	\$350.00	\$700.00	\$3,500.00	\$7,000.00				
Placing Single Phase Transformer Pads	10	Each	\$350.00	\$350.00	\$3,500.00	\$3,500.00	\$200.00	\$200.00	\$2,000.00	\$2,000.00				
Placing Secondary Pedestals	10	Each	\$250.00	\$250.00	\$2,500.00	\$2,500.00	\$100.00	\$100.00	\$1,000.00	\$1,000.00				
8" Direction Bore	10	LF	\$100.00	\$175.00	\$1,000.00	\$1,750.00	\$70.00	\$130.00	\$700.00	\$1,300.00				
Furnish & Install 2" Short Sweep	10	Each	\$195.00	\$195.00	\$1,950.00	\$1,950.00	\$21.84	\$21.84	\$218.40	\$218.40				
Furnish & Install 2" Long Sweep	10	Each	\$200.00	\$200.00	\$2,000.00	\$2,000.00	\$35.10	\$35.10	\$351.00	\$351.00				
Furnish & Install 3" Short Sweep	10	Each	\$205.00	\$205.00	\$2,050.00	\$2,050.00	\$25.32	\$25.32	\$253.20	\$253.20				
Furnish & Install 3" Long Sweep	10	Each	\$210.00	\$210.00	\$2,100.00	\$2,100.00	\$44.11	\$44.11	\$441.10	\$441.10				
Furnish & Install 4" Short Sweep	10	Each	\$225.00	\$225.00	\$2,250.00	\$2,250.00	\$49.77	\$49.77	\$497.70	\$497.70				
Furnish & Install 4" Long Sweep	10	Each	\$250.00	\$250.00	\$2,500.00	\$2,500.00	\$79.78	\$79.78	\$797.80	\$797.80				
Furnish & Install 5" Long Sweep	10	Each	\$275.00	\$275.00	\$2,750.00	\$2,750.00	\$163.78	\$163.78	\$1,637.80	\$1,637.80				
Furnish & Install 6" Long Sweep	10	Each	\$300.00	\$300.00	\$3,000.00	\$3,000.00	\$178.40	\$178.40	\$1,784.00	\$1,784.00				
Furnish & Install Couplings (1.5" 2", 2.5")	10	Each	\$25.00	\$25.00	\$250.00	\$250.00	\$5.29	\$5.29	\$52.90	\$52.90				
Furnish & Install Couplings (3" & 4")	10	Each	\$35.00	\$35.00	\$350.00	\$350.00	\$7.10	\$7.10	\$71.00	\$71.00				
Furnish & Install Couplings (5" & 6")	10	Each	\$45.00	\$45.00	\$450.00	\$450.00	\$10.29	\$10.29	\$102.90	\$102.90				
Furnish & Install Locator Tape	10	LF	\$3.50	\$3.50	\$35.00	\$35.00	\$1.00	\$1.00	\$10.00	\$10.00				
Sawcut, Remove/Replace Concrete (4"-6")	10	SF	\$25.00	\$25.00	\$250.00	\$250.00	\$20.00	\$20.00	\$200.00	\$200.00				
Sawcut, Remove/Replace Asphalt (2"-3")	10	SF	\$25.00	\$25.00	\$250.00	\$250.00	\$20.00	\$20.00	\$200.00	\$200.00				
Compacted Class 7 Base	10	SF	\$80.00	\$80.00	\$800.00	\$800.00	\$200.00	\$200.00	\$2,000.00	\$2,000.00				
Solid Sod w/ 4" Topsoil	10	SF	\$18.00	\$18.00	\$180.00	\$180.00	\$5.00	\$5.00	\$50.00	\$50.00				
Hydro-Mulching	10	SF	\$6.00	\$6.00	\$60.00	\$60.00	\$2.50	\$2.50	\$25.00	\$25.00				
Seed & Straw	10	SF	\$5.00	\$5.00	\$50.00	\$50.00	\$2.50	\$2.50	\$25.00	\$25.00				
DIRT - Subtotal of Extended Price					\$94,530.00		DIRT - Subtotal of Extended Price		\$79,002.80					
ROCK - Subtotal of Extended Price					\$123,060.00		ROCK - Subtotal of Extended Price		\$101,332.80					
Forsgren Inc. Total Bid Price:					\$217,590.00		Big M Ranch Inc. Total Bid Price (corrected):		\$180,335.60					
Highlighted lines represent lines where mathematical irregularities were corrected.														



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

AGENDA FORM

CITY COUNCIL MEETING OF:

February 12, 2019

Submitted by:

Preston Newbill

Department

Water/Sewer

Phone

271-3142

ACTION REQUIRED:

Recommend the Mayor and City Council to award the bid to Cues in order to upgrade our existing camera truck in the amount of \$96,191.00 plus tax. This is a budgeted item for 2019.

COST TO CITY:

Cost of this Request: \$96,191

Additional Budget Amount

☐ One time amount

☐ Continuing O and M

Previously Budgeted	\$	120,000
Funds Expended to Date		
Remaining Budget		120,000
Budget Adjustment		-
Remaining After Adjustment	\$	120,000

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



M E M O R A N D U M

DATE: January 29, 2019

TO: **City Council, Mayor Orman**

FROM: Preston Newbill, Water Utilities Manager

RE: **Bid award upgrading our existing Camera Truck**

The Water Utilities Department request Council to award the bid upgrading our existing camera truck to Cues in an amount of \$96,191.00 plus tax. Our existing camera truck is a 2007 model and the camera, camera transporter, cabinetry, computer hardware and software is in need of replacement due to age and becoming unsupported. This is a 2019 budgeted item in the amount of \$120,000.

HGACBuy		CONTRACT PRICING WORKSHEET For Standard Equipment Purchases		Contract No.:	SCO1-18	Date Prepared:	1/11/2019
This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.							
Buying Agency:	Bentonville, AR			Contractor:	Elxsi dba CUES		
Contact Person:				Prepared By:	Jamie Arnold		
Phone:				Phone:	800-327-7791		
Fax:				Fax:			
Email:				Email:			
Product Code:			Description:				
A. Product Item Base Unit Price Per Contractor's H-GAC Contract:							\$0.00
B. Published Options - Itemize below - Attach additional sheet if necessary - Include Option Code in description if applicable (Note: Published Options are options which were submitted and priced in Contractor's bid.)							
Description		Cost	Description		Cost		
MZ300 Zoom Camera		\$23,896.00	MD924-2 Reel upgrade to Summit		\$2,736.00		
CZ308 Sonde		\$2,408.00	GNETCMP Computer		\$4,100.00		
CZ303 LED lights		\$2,000.00	GN550 GXP to GNET		\$1,600.00		
TX361 WTR Transporter		\$13,354.00	SEE Safe Entry Bumper		\$2,500.00		
TX911 18-24" Extenders		\$1,455.00	FACS015 Training \$703 per day		\$2,109.00		
TX902 Track conversion		\$4,173.00	HRLABOR \$120 per hour		\$4,100.00		
MD320 Auto Payout		\$3,772.00					
MD380-1 Summit system		\$6,313.00					
Md604 Wired controller		\$193.00					
MD603 Wireless controller		\$482.00					
					Subtotal From Additional Sheet(s):		
					Subtotal B:		75191
C. Unpublished Options - Itemize below - Attach additional sheet if necessary (Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)							
Description		Cost	Description		Cost		
7.5 QD Generator		\$18,000.00					
					Subtotal From Additional Sheet(s):		
					Subtotal C:		18000
Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).				For this transaction the percentage is:		24%	
D. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B+C)							
Quantity Ordered:		1	X Subtotal of A + B + C:		93191	=	Subtotal D: 93191
E. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges							
Description		Cost	Description		Cost		
Pick up and delivery		\$3,000.00					
					Subtotal E:		3000
Delivery Date:		90-120 days		in lieu		96191	



CHECK ALL THAT APPLY			
X	Bid Award	Bid #	IFB-19-04
	Budget Adjustment		
	Change Order		
	Informational		
	Ordinance		
	Resolution		
	Other		

AGENDA FORM

CITY COUNCIL MEETING OF:

February 12, 2019

Submitted by:

Nancy Busen

Department

Wastewater

Phone

271-3161

ACTION REQUIRED:

Wastewater staff requests City Council and Mayor Orman approve a motion to award bid #IFB-19-04 for purchase and delivery of liquid ammonium sulfate to Chemtrade Chemicals US LLC for the amount of \$ 0.0791 per liquid pound. Chemtrade submitted the only valid bid.

COST TO CITY:

Cost of this Request: \$127,000

Additional Budget Amount

☐ One time amount

☒ Continuing O and M

Previously Budgeted	\$	127,000
Funds Expended to Date		-
Remaining Budget		127,000
Budget Adjustment		-
Remaining After Adjustment	\$	127,000

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 Orman

From: Nancy Busen, Wastewater Utilities

CC: Mike Bender

Date: 2/12/2019

RE: Bid Award for Liquid Aluminum Sulfate for Wastewater Treatment

.....

Staff requests Mayor and City Council approve a motion to accept Bid # FIB-19-04 for Aqueous Aluminum Sulfate as stated in specifications, to Chemtrade Chemicals US LLC for the delivered price of \$0.0791 per liquid pound. There was one "No Bid" and one bid that arrived after the time and date deadline.

Aluminum Sulfate is used to assist in phosphorous removal in wastewater treatment.

Thank you for your consideration of this request.



BID TABULATION:
BULK LIQUID ALUMINUM SULFATE
IFB-19-04
BID OPENING:
JANUARY 25, 2019
10:00 A.M.

BIDDER NAME	BID COMPLETE	PRICE PER POUND
CHEMTRADE CHEMICALS US, LLC	YES	\$0.0791/ LIQUID POUND

PURCHASING RECOMMENDED AWARD:	CHEMTRADE CHEMICALS US, LLC
--------------------------------------	-----------------------------



January 16, 2019

City of Bentonville, AR
Purchasing Office
117 West Central Avenue
1st Floor, City Hall
Bentonville, AR 72712

RE: IFB-19-04 Liquid Aluminum Sulfate

Dear Purchasing Agent,

Thank you for giving USALCO Baltimore Plant, LLC the opportunity to bid on your chemical requirements. Unfortunately, we are unable to offer our services as a potential supplier at this time. Please accept our reply of no bid.

We anticipate in the future, that we will be either manufacturing and/or distributing the chemicals you require. Therefore, please retain our company on your bid list for future consideration and continue to send us the annual bid results.

Please direct all future correspondence to my attention at the address below. If you should have any questions, please do not hesitate to call me directly at (800) 882-3883.

Best regards,



Melanie Rock
Customer Account Coordinator

2601 Cannery Avenue • Baltimore, MD 21226 • 410-918-2230 • FAX: 410-918-2240

Notice to Bidders
Liquid Aluminum Sulfate
IFB-19-04

The City of Bentonville is accepting formal bids for the purchase of approximately 85,000 gallons of Liquid Aluminum Sulfate for the City of Bentonville Wastewater Facility. This quantity will be an annual total to be delivered as needed for the 2019 year. Specifications and the required bid packet may be obtained by emailing purchasing@bentonvillear.com, by calling 479-271-3115 or from the Purchasing Office located at the address below. Sealed bids will be received until 10:00 A.M., Friday, January 25, 2019, at the Purchasing Office on the first floor of City Hall located at 117 West Central Avenue, Bentonville, Arkansas 72712. Late submittals will not be accepted.



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

INVITATION FOR BID
IFB-19-04

Date of Issuance: **January 6, 2019**

Bid Number: **IFB-19-04**

Bid Opening Date: **January 25, 2019**

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

Questions regarding this bid should be directed to the Purchasing Department at purchasing@bentonvillear.com.
All questions must be submitted prior to 4:30 P.M., January 21, 2019.

All bids must be received by the Purchasing Department prior to **10:00 A.M., January 25, 2019** in a sealed envelope, clearly marked on the outside with **BID # IFB-19-04**. Bids which must be opened to be identified may 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.

Pre-bid consultation for this invitation will not be held at the Purchasing Department, please review pre-bid information above

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:	CHEMTRADE CHEMICALS US LLC	PHONE NUMBER:	800-441-2659	FAX NUMBER:	973-515-4461
BUSINESS ADDRESS, STREETS:	90 EAST HALSEY ROAD, SUITE 200	CITY:	PARTSTPPANY	STATE:	NJ
				ZIP	07054
SIGNATURE OF AUTHORIZED PERSON:				DATE:	JANUARY 23, 2019
PRINTED OR TYPED NAME:	ELIZABETH RYNO			TITLE:	MARKETING SPECIALIST

ARKANSAS SALES OR USE TAX NUMBER: 00263697-SLS

STATE CONTRACTORS LICENSE NUMBER: N/A

FED ID: 74-3104940

INTENT

The intent of this Invitation for Bid is for the purchase and delivery of Liquid Aluminum Sulfate in bulk to the City of Bentonville Wastewater Treatment for a period of one (1) year.

RESPONSE DOCUMENTS & PRE-BID REQUIREMENTS

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

- IFB document, all response fields complete.
- Proof that bidder has liability insurance.

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

CONTRACT TERM:

The awarded bidder will receive purchase orders for approximately 45,000 pounds per load of Liquid Aluminum Sulfate throughout a period of one (1) year (2019/2020), for a total estimated quantity of 85,000 gallons. Upon mutual written consent, this agreement may be extended for an additional two (2) years, renewable in one (1) year increments for a maximum total of three (3) years. All terms, specifications and quoted pricing shall remain the same for the initial term and any subsequent renewal period.

SCOPE

The City of Bentonville, Arkansas is soliciting bids for the purchase and delivery of Liquid Aluminum Sulfate in bulk, as specified herein, to the City of Bentonville Wastewater Treatment for a period of one (1) year.

DELIVERY

The City of Bentonville Wastewater Department will coordinate with the awarded bidder after the Notice of Award has been issued. Deliveries must be made to the specified location within 72 hours of receiving the City's purchase order. Failure to state a delivery window obligates bidder to complete delivery within the City's requested delivery time line. Extended delivery dates may be considered when in the best interest of the City.

Delivery Window after Receipt of Purchase Order: 2 - 3 DAYS

EQUIVALENT

Whenever these specifications mention an item by name and use specific descriptions as reference 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.

INVOICING

Bidder shall provide all invoices to:

*City of Bentonville
ATTN: Accounts Payable
117 West Central Ave.
Bentonville, AR 72712*

Invoices are paid within fourteen (14) days of receipt. Failure to submit an invoice to the address above may cause a delay in payment.

PAYMENT TERMS

☒

Net 30 days

☐

Other: _____

Registered with the Secretary of State's Office to Conduct Business in the State of Arkansas:

☒ Yes ☐ No

Contractor/Vendor Disclosure

Company Name: CHEMTRADE CHEMICALS US LLC

Identify each employee of the City Of Bentonville to whom you, any of your Employees owning more that 5% interest in your Company, or are a Director/Executive/Decision Maker of your Company are immediately related.

Immediate Relation includes:

- Spouse/Domestic Partner
- Parents-Natural or Legal/Step/In Laws
- Children/Step, Siblings-Whole/Half/Step/ In Laws
- Grandchildren/Step, Great Grandchildren.

NONE

Failure to disclose shall be considered a material breach and grounds for immediate termination of this contract/agreement. **Note: Any change in circumstances resulting in a conflict or appearance of a conflict shall be reported in 30 days of change of circumstance.** ER Initials

**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 department 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 office, 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 Assistant Finance Director 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 Department 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 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 Department 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 Department 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 Department any proposed increase is found unacceptable, the Purchasing Department 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 Department on the mailing lists for such publications so the Purchasing Department 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.

SPECIFICATIONS

Bidder must indicate, "AS SPECIFIED", by placing an "X" in the designated space following specifications. Bidder must also provide additional information where indicated.

Chemical Specifications		Indicate if "AS SPECIFIED" by placing an "X" in this column.
Specific Gravity	70° - 1.335	x
PH	2.0-2.4	x
Aluminum	Al % -4.2-4.4	x
Delivery Specifications		
Liquid Aluminum Sulfate shall be delivered to the City of Bentonville Wastewater Treatment Plant in accordance with all Federal and DOT regulations and guidelines.		x
Deliveries shall be made during regular business hours, which are: Monday through Friday from 7:30 A.M. to 4:00 P.M.		x
The Liquid Aluminum Sulfate shall be delivered within 72 hours of receiving the City's purchase order.		x
The delivering drivers shall be responsible for providing all necessary PPE, safety equipment and for following all safety procedures associated with the delivery of this material to the City's Wastewater Treatment Plant.		x
The delivering drivers shall be responsible for the containment of the material under all hose connections.		x
The delivering drivers shall be responsible for any and all spills and the cleanup of any spills or accidental discharge during delivery. The cleanup of any spills or accidental discharge shall be done in accordance with all applicable laws and regulations.		x

Detail Notes

(Optional): _____

PRICING SHEET

Bid prices shall include all costs, including but not limited to: tax, fuel surcharge and delivery fees to the City of Bentonville, Arkansas.

Bid prices for Liquid Aluminum Sulfate shall be conveyed in cost per pound only.

The Bid Award will be made based on the most responsible and lowest cost per pound.

Approximate Quantity	Description	Price Per Pound
85,000 pounds	Liquid Aluminum Sulfate Delivered as Required	*\$0.0791/LIQUID LB \$

*FOR CONVERSION PURPOSE ONLY, PRICE EQUATES TO \$0.163/DRY LB OR \$326.00/DRY TON.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/18/2019

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 Marsh USA, Inc. 9830 Colonnade Blvd, Suite 400 San Antonio, TX 78230	CONTACT NAME: PHONE: (A/C, No, Ext): FAX: (A/C, No): E-MAIL: ADDRESS:
CN102200184-STND-GAWUL-18-19	INSURER(S) AFFORDING COVERAGE INSURER A : Allianz Global Risks US Insurance Company INSURER B : Liberty Mutual Insurance Company INSURER C : N/A INSURER D : INSURER E : INSURER F :
INSURED Chemtrade Holdco US Inc 90 E Halsey Road Parsippany, NJ 07054	NAIC # 23043 N/A

COVERAGES

CERTIFICATE NUMBER:

HOU-003475333-01

REVISION NUMBER: 3

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 SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☒ OCCUR ☒ SIR - \$100,000 GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:		USL00049318	05/01/2018	05/01/2019	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY		AS1-B71-072790-068 AS1-B71-072790-078	05/01/2018 05/01/2018	05/01/2019 05/01/2019	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 \$					EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	WA2-B7D-072790-088 WC2-B71-072790-018	05/01/2018 05/01/2018	05/01/2019 05/01/2019	☒ PER STATUTE ☐ OTHER 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 HOLDER**CANCELLATION**

City of Bentonville 117 West Central Avenue Bentonville, AR 72712	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 REPRESENTATIVE of Marsh USA Inc. Manashi Mukherjee
---	---

ACORD 25 (2016/03)

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DELEGATION OF AUTHORITY

I, Mark Davis, President and Chief Executive Officer of Chemtrade Chemicals US LLC, a Delaware limited liability company ("Chemtrade"), do hereby delegate and appoint the following agents of Chemtrade to execute all municipal contracts and instruments, including bids, proposals and quotations, which in the ordinary course of business are processed by the Marketing Group of the company:

Parul Kachhia-Patel	Lisa Brownlee	Paul Peters	Elizabeth Ryno
Leilina Gossa	Ann Hopler	Andrew Hoffman	Michele Schroeder

Set forth below is a certified copy of the resolution of Chemtrade authorizing such action.

Dated as of the 31st day of January, 2016.


Mark Davis
President and Chief Executive Officer

CERTIFICATE OF SECRETARY

I, Susan Paré, hereby certify that I am the Corporate Secretary of Chemtrade Chemicals US LLC ("Chemtrade") and that set forth below is a true and correct copy of the resolution of the Board of Managers of Chemtrade, adopted by unanimous written consent as of the 10th day of November, 2003 and that the same has not been modified or revoked and is on the date hereof in full force and effect:

RESOLVED that any officer of the Company be, and he hereby is, authorized to delegate, with the right of further delegation, to any other officer, employee or agent of the Company, all or any part of the authority granted to them by the Board of Managers; and that any such delegations may be general or specific and subject to such limitations and restrictions as the delegating officer shall determine.

I FURTHER CERTIFY that Mark Davis is the duly elected President and Chief Executive Officer of Chemtrade and holds such offices on the date hereof, that Mr. Davis, in his capacity as President and Chief Executive Officer is authorized to represent and bind Chemtrade in all matters including, but not limited to, contracts and that set forth below is the genuine signature of such officer.


Mark Davis
President and Chief Executive Officer

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the seal of the Company to be affixed effective this 31st day of January, 2016.

Seal


Susan Paré
Corporate Secretary

90 East Halsey Road
Parsippany, NJ 07054
Tel: 800-441-2659



Water Treatment Group

90 East Halsey Road
Parsippany, NJ 07054
Tel: 1-800-441-2653
Fax: (973) 515-4461
www.chemtradelogistics.com

PRODUCT CERTIFICATION

Chemtrade Chemicals certifies that all grades of Aluminum Sulfate as produced by our manufacturing locations will meet National Sanitation Foundation Standard 60 and ANSI/AWWA B 403-16 standard in every respect.

Safety Data Sheet, NSF Certification and related technical information is attached for review.

Elizabeth Ryno
Marketing Specialist

AWWA Alum.docx

**CHEMTRADE**<http://www.chemtradelogistics.com>

Liquid Alum PRODUCT DATA SHEET

CHARACTERISTICS

Liquid Alum is a clear, light green, slight yellow, brown, amber or orange-like tinted solution. It is a cationic inorganic coagulant and flocculant suitable for industrial and municipal water and wastewater treatment applications.

NSF/ANSI Standard 60: Drinking Water Chemicals - Health Effects; Certified

TYPICAL PROPERTIES

Formula:	Aqueous solution of aluminum sulfate	
C.A.S.	10043-01-3 (Aluminum sulfate)	
pH (neat)		1.4 - 2.6
Specific Gravity @ 21°C (70°F)		1.30 - 1.35
Freezing Point		-16°C (4°F)
Density, lbs./gal., US		10.8 - 11.3
Aluminum as Al, %		4.2 - 4.5
Aluminum as Al ₂ O ₃ , %		8.0 - 8.4
Aluminum as Al ₂ (SO ₄) ₃ •14H ₂ O (Dry Alum), %		46 - 49

PRODUCT USES

Municipal and industrial water and wastewater treatment for the removal of turbidity, color, suspended solids and phosphorus. Sludge compaction and volume reduction. Lagoon treatment. Oily wastewater clarification and dissolved air flotation. Emulsion breaking. Fixing rosin sizes on paper fibers. Paper machine drainage and retention aid. Paper machine pitch control.

SHIPPING CONTAINERS

Bulk transport	Bulk car	275 US gal. one way container	55 US gal. plastic drum
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SHIPPING REGULATIONS (US DOT / TDG)

Proper Shipping Name: Corrosive Liquid, Acidic, Inorganic, N.O.S. (Contains Aluminum Sulfate)
Hazard Class: 8 ID Number: UN3264 Packing Group: III
The US EPA reportable quantity (RQ) for aluminum sulfate is 5,000 lbs.

PRODUCT SAFETY INFORMATION

Causes serious eye damage. Do not breathe vapors, mist or spray. Wash hands, forearms, and other exposed areas thoroughly after handling. Wear eye protection, protective clothing, and protective gloves. Anyone procuring, using or disposing of these products or their containers must be familiar with the appropriate safety and handling precautions. Such information may be found in the **Safety Data Sheets (SDS)** for these products or you may contact Chemtrade at 416-496-5856. In the event of an emergency with these products, call the 24 hour **Emergency Number: USA (CHEMTREC) 800-424-9300 or Canada (CANUTEC) 613-996-6666**. For additional information contact:

Syracuse Technical Center
315-478-2323 or 800-255-7589

Water Treatment Chemicals
Customer Service 844-204-9675

CHE-5001P-1

Revision Date: October 27, 2015

All information, statements, data, advice and/or recommendations, including, without limitation, those relating to storage, loading/unloading, piping and transportation (collectively referred to herein as "information") are believed to be accurate and reliable. However, no representation or warranty, express or implied, is made as to its completeness, accuracy, fitness for a particular purpose or any other matter, including, without limitation, that the practice or application of any such information is free of patent infringement or other intellectual property misappropriation. Chemtrade Logistics Inc. and its affiliates (collectively, "Chemtrade") are not engaged in the business of providing technical, operational, engineering or safety information for a fee, and, therefore, any such information provided herein has been furnished as an accommodation and without charge. All information provided herein is intended for use by persons having requisite knowledge, skill and experience in the chemical industry. Chemtrade shall not be responsible or liable for the use, application or implementation of the information provided herein, and all such information is to be used at the risk, and in the sole judgment and discretion, of such persons, their employees, advisors and agents.



Liquid Alum

Safety Data Sheet

According to U.S. Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules And Regulations and according to Canada's Hazardous Products Regulation, February 11, 2015.

Revision Date: 11/02/2018

Date of Issue: 05/01/2015

Version: 8.0

SECTION 1: IDENTIFICATION

Product Identifier

Product Form: Mixture

Product Name: Liquid Alum

Intended Use of the Product

Alum is used as a coagulating agent in municipal and industrial water and wastewater treatment and as an additive in papermaking.

Name, Address, and Telephone of the Responsible Party

Manufacturer

CHEMTRADE LOGISTICS INC.

155 Gordon Baker Road

Suite 300

Toronto, Ontario M2H 3N5

For SDS Info: (416) 496-5856

www.chemtradelogistics.com

Emergency Telephone Number

Emergency Number :

Canada: CANUTEC +1-613-996-6666 / US: CHEMTREC +1-800-424-9300

INTERNATIONAL: +1-703-741-5970

Chemtrade Emergency Contact: (866) 416-4404

For Chemical Emergency, Spill, Leak, Fire, Exposure, or Accident, call CHEMTREC – Day or Night

SECTION 2: HAZARDS IDENTIFICATION

Classification of the Substance or Mixture

GHS Classification

Met. Corr. 1 H290

Eye Dam. 1 H318

Aquatic Acute 3 H402

Full text of hazard classes and H-statements : see section 16

Label Elements

GHS Labeling

Hazard Pictograms



Signal Word

: Danger

Hazard Statements

: H290 - May be corrosive to metals.

H318 - Causes serious eye damage.

H402 - Harmful to aquatic life.

Precautionary Statements

: P234 - Keep only in original container.

P260 - Do not breathe vapors, mist, or spray.

P264 - Wash hands, forearms, and other exposed areas thoroughly after handling.

P273 - Avoid release to the environment.

P280 - Wear protective gloves, protective clothing, and eye protection.

P301+P330+P331 - IF SWALLOWED: Rinse mouth. Do NOT induce vomiting.

P303+P361+P353 - IF ON SKIN (or hair): Take off immediately all contaminated clothing. Rinse skin with water.

P304+P340 - IF INHALED: Remove person to fresh air and keep comfortable for breathing.

P305+P351+P338 - IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing.

P310 - Immediately call a POISON CENTER or doctor.

Liquid Alum

Safety Data Sheet

According to U.S. Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules And Regulations and according to Canada's Hazardous Products Regulation, February 11, 2015.

P321 - Specific treatment (see section 4 on this SDS).
P363 - Wash contaminated clothing before reuse.
P390 - Absorb spillage to prevent material damage.
P405 - Store locked up.
P406 - Store in corrosive resistant container with a resistant inner liner.
P501 - Dispose of contents/container in accordance with local, regional, national, provincial, territorial and international regulations.

Other Hazards

Exposure may aggravate pre-existing eye, skin, or respiratory conditions.

Unknown acute toxicity

No data available

SECTION 3: COMPOSITION/INFORMATION ON INGREDIENTS

Mixture

Name	Product Identifier	%*	GHS Ingredient Classification
Water	(CAS No) 7732-18-5	30 - 55	Not classified
Sulfuric acid, aluminum salt (3:2)**	(CAS No) 10043-01-3	45 - 70*	Met. Corr. 1, H290 Eye Dam. 1, H318 Aquatic Acute 3, H402

Full text of H-phrases: see section 16

**As $\text{Al}_2(\text{SO}_4)_3 \cdot 14\text{H}_2\text{O}$ (Dry Aluminum Sulfate).

*Percentages are listed in weight percentage (w/w%) for liquid and solid ingredients. Gas ingredients are listed in volume by volume percentage (v/v%).

*The actual concentration of the ingredient(s) is withheld as a trade secret in accordance with the Hazardous Products Regulations (HPR) SOR/2015-17 and 29 CFR 1910.1200.

SECTION 4: FIRST AID MEASURES

Description of First-aid Measures

General: Never give anything by mouth to an unconscious person. If you feel unwell, seek medical advice (show the label where possible).

Inhalation: Remove to fresh air and keep at rest in a position comfortable for breathing. Immediately call a POISON CENTER or doctor/physician.

Skin Contact: Remove contaminated clothing. Immediately flush skin with plenty of water for at least 30 minutes. Wash contaminated clothing before reuse. Immediately call a POISON CENTER or doctor.

Eye Contact: Rinse cautiously with water for at least 30 minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Get immediate medical advice/attention.

Ingestion: Rinse mouth. Do NOT induce vomiting. Obtain emergency medical attention.

Most Important Symptoms and Effects Both Acute and Delayed

General: May cause skin irritation and eye damage.

Inhalation: May be corrosive to the respiratory tract.

Skin Contact: May cause irritation.

Eye Contact: Causes permanent damage to the cornea, iris, or conjunctiva.

Ingestion: May cause burns or irritation of the linings of the mouth, throat, and gastrointestinal tract.

Chronic Symptoms: None expected under normal conditions of use.

Indication of Any Immediate Medical Attention and Special Treatment Needed

If exposed or concerned, get medical advice and attention. If medical advice is needed, have product container or label at hand.

SECTION 5: FIRE-FIGHTING MEASURES

Extinguishing Media

Suitable Extinguishing Media: Water spray, dry chemical, foam, carbon dioxide.

Unsuitable Extinguishing Media: Do not use a heavy water stream. Use of heavy stream of water may spread fire.

Special Hazards Arising From the Substance or Mixture

Fire Hazard: Not considered flammable but may burn at high temperatures.

Liquid Alum

Safety Data Sheet

According to U.S. Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules And Regulations and according to Canada's Hazardous Products Regulation, February 11, 2015.

Explosion Hazard: Contact with metallic substances may release flammable hydrogen gas.

Reactivity: May be corrosive to metals. Contact with metals may evolve flammable hydrogen gas. May react exothermically with water releasing heat. Adding an acid to a base or base to an acid may cause a violent reaction.

Advice for Firefighters

Precautionary Measures Fire: Exercise caution when fighting any chemical fire.

Firefighting Instructions: Use water spray or fog for cooling exposed containers.

Protection During Firefighting: Do not enter fire area without proper protective equipment, including respiratory protection.

Hazardous Combustion Products: Can liberate toxic and corrosive fumes of SO₂ and SO₃ under extreme conditions when boiled to dryness or heated above 600 °C (1112 °F).

Other Information: Do not allow run-off from fire fighting to enter drains or water courses.

Reference to Other Sections

Refer to Section 9 for flammability properties.

SECTION 6: ACCIDENTAL RELEASE MEASURES

Personal Precautions, Protective Equipment and Emergency Procedures

General Measures: Do not get in eyes, on skin, or on clothing. Do not breathe vapor, mist or spray.

For Non-Emergency Personnel

Protective Equipment: Use appropriate personal protective equipment (PPE).

Emergency Procedures: Evacuate unnecessary personnel.

For Emergency Personnel

Protective Equipment: Equip cleanup crew with proper protection.

Emergency Procedures: Upon arrival at the scene, a first responder is expected to recognize the presence of dangerous goods, protect oneself and the public, secure the area, and call for the assistance of trained personnel as soon as conditions permit. Ventilate area.

Environmental Precautions

Prevent entry to sewers and public waters. Avoid release to the environment.

Methods and Materials for Containment and Cleaning Up

For Containment: Contain any spills with dikes or absorbents to prevent migration and entry into sewers or streams. As an immediate precautionary measure, isolate spill or leak area in all directions.

Methods for Cleaning Up: Clean up spills immediately and dispose of waste safely. Transfer spilled material to a suitable container for disposal. Contact competent authorities after a spill. Absorb spillage to prevent material damage. Cautiously neutralize spilled liquid.

Reference to Other Sections

See Section 8 for exposure controls and personal protection and Section 13 for disposal considerations.

SECTION 7: HANDLING AND STORAGE

Precautions for Safe Handling

Additional Hazards When Processed: May be corrosive to metals. May release corrosive vapors.

Precautions for Safe Handling: Wash hands and other exposed areas with mild soap and water before eating, drinking or smoking and when leaving work. Handle empty containers with care because they may still present a hazard. Do not get in eyes, on skin, or on clothing. Do not breathe vapors, mist, and spray.

Hygiene Measures: Handle in accordance with good industrial hygiene and safety procedures.

Conditions for Safe Storage, Including Any Incompatibilities

Technical Measures: Comply with applicable regulations.

Storage Conditions: Keep container closed when not in use. Store in a dry, cool place. Keep/Store away from extremely high or low temperatures and incompatible materials. Store in corrosive resistant container with a resistant inner liner. Store in original container or corrosive resistant and/or lined container.

Incompatible Materials: Non acid-proof metals (such as aluminum, copper and iron), bases, unalloyed steel, galvanized surfaces.

Specific End Use(s)

Alum is used as a coagulating agent in municipal and industrial water and wastewater treatment and as an additive in papermaking.

Liquid Alum

Safety Data Sheet

According to U.S. Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules And Regulations and according to Canada's Hazardous Products Regulation, February 11, 2015.

Chemical Stability: Stable under recommended handling and storage conditions (see section 7).

Possibility of Hazardous Reactions: Hazardous polymerization will not occur.

Conditions to Avoid: Extremely high or low temperatures and incompatible materials.

Incompatible Materials: Non acid-proof metals (such as aluminum, copper and iron), bases, unalloyed steel, galvanized surfaces.

Hazardous Decomposition Products: None expected under normal conditions of use.

SECTION 11: TOXICOLOGICAL INFORMATION

Information on Toxicological Effects - Product

Acute Toxicity (Oral): Not classified

Acute Toxicity (Dermal): Not classified

Acute Toxicity (Inhalation): Not classified

LD50 and LC50 Data: Not available

Skin Corrosion/Irritation: May causes skin irritation and eye damage.

pH: 1.4 - 2.6

Eye Damage/Irritation: Causes serious eye damage.

pH: 1.4 - 2.6

Respiratory or Skin Sensitization: Not classified

Germ Cell Mutagenicity: Not classified

Carcinogenicity: Not classified

Specific Target Organ Toxicity (Repeated Exposure): Not classified

Reproductive Toxicity: Not classified

Specific Target Organ Toxicity (Single Exposure): Not classified

Aspiration Hazard: Not classified

Symptoms/Effects After Inhalation: May be corrosive to the respiratory tract.

Symptoms/Effects After Skin Contact: May cause skin irritation.

Symptoms/Effects After Eye Contact: Causes permanent damage to the cornea, iris, or conjunctiva.

Symptoms/Effects After Ingestion: May cause burns or irritation of the linings of the mouth, throat, and gastrointestinal tract.

Information on Toxicological Effects - Ingredient(s)

LD50 and LC50 Data:

Water (7732-18-5)	
LD50 Oral Rat	> 90000 mg/kg

SECTION 12: ECOLOGICAL INFORMATION

Toxicity

Ecology - General: Harmful to aquatic life.

Persistence and Degradability

Liquid Alum	
Persistence and Degradability	Not established.

Bioaccumulative Potential

Liquid Alum	
Bioaccumulative Potential	Not established.

Mobility in Soil

Not available

Other Adverse Effects

Other Information: Avoid release to the environment.

SECTION 13: DISPOSAL CONSIDERATIONS

Waste Disposal Recommendations: Dispose of waste material in accordance with all local, regional, national, provincial, territorial and international regulations.

Additional Information: Container may remain hazardous when empty. Continue to observe all precautions.

Ecology - Waste Materials: Avoid release to the environment. This material is hazardous to the aquatic environment. Keep out of sewers and waterways.

Liquid Alum

Safety Data Sheet

According to U.S. Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules And Regulations and according to Canada's Hazardous Products Regulation, February 11, 2015.

SECTION 14: TRANSPORT INFORMATION

The shipping description(s) stated herein were prepared in accordance with certain assumptions at the time the SDS was authored, and can vary based on a number of variables that may or may not have been known at the time the SDS was issued.

TRANSPORTATION CLASSIFICATION	DOT	TDG	IMDG	IATA
Identification Number	UN3264	UN3264	UN3264	UN3264
Proper Shipping Name	CORROSIVE LIQUID, ACIDIC, INORGANIC, N.O.S., (CONTAINS ALUMINUM SULFATE)	CORROSIVE LIQUID, ACIDIC, INORGANIC, N.O.S., (CONTAINS ALUMINUM SULFATE)	CORROSIVE LIQUID, ACIDIC, INORGANIC, N.O.S., (CONTAINS ALUMINUM SULFATE)	CORROSIVE LIQUID, ACIDIC, INORGANIC, N.O.S., (CONTAINS ALUMINUM SULFATE)
Transport Hazard Class(es)	8	8	8	8
				
Packing Group	III	III	III	III
Environmental Hazards	Marine Pollutant : No	Marine Pollutant : No	Marine Pollutant : No	Marine Pollutant: N/A
Emergency Response	ERG Number : 154	ERAP Index: Not applicable	EMS: F-A, S-B	ERG code (IATA): 8L
Additional Information	Not applicable	Not applicable	Not applicable	Not applicable

SECTION 15: REGULATORY INFORMATION

US Federal Regulations

Chemical Name (CAS No.)	CERCLA RQ	EPCRA 304 RQ	SARA 302 TPQ	SARA 313
Sulfuric acid, aluminum salt (3:2) (10043-01-3)	5000 lb	Not present	Not present	No

SARA 311/312

Liquid Alum
Immediate (acute) health hazard

US TSCA Flags

Not present

US State Regulations

California Proposition 65

Chemical Name (CAS No.)	Carcinogenicity	Developmental Toxicity	Female Reproductive Toxicity	Male Reproductive Toxicity
Sulfuric acid, aluminum salt (3:2) (10043-01-3)	No	No	No	No

State Right-To-Know Lists

Sulfuric acid, aluminum salt (3:2) (10043-01-3)
U.S. - Massachusetts - Right To Know List - Yes
U.S. - New Jersey - Right to Know Hazardous Substance List - Yes
U.S. - Pennsylvania - RTK (Right to Know) - Environmental Hazard List - Yes
U.S. - Pennsylvania - RTK (Right to Know) - Special Hazardous Substances - No
U.S. - Pennsylvania - RTK (Right to Know) List - Yes

Canadian Regulations

Liquid Alum

Safety Data Sheet

According to U.S. Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules And Regulations and according to Canada's Hazardous Products Regulation, February 11, 2015.

Sulfuric acid, aluminum salt (3:2) (10043-01-3)
Listed on the Canadian DSL (Domestic Substances List)
Not listed on the Canadian NDSL (Non-Domestic Substances List)

International Inventories/Lists

Chemical Name (CAS No.)	Australia AICS	Turkey CICR	Korea ECL	EU EINECS	EU ELINCS	EU SVHC	EU NLP	Mexico INSQ
Sulfuric acid, aluminum salt (3:2) (10043-01-3)	Yes	Yes	Yes	Yes	No	No	No	Yes
Chemical Name (CAS No.)	China IECSC	Japan ENCS	Japan ISHL	Japan PDSC	Japan PRTR	Philippines PICCS	New Zealand NZIOC	US TSCA
Sulfuric acid, aluminum salt (3:2) (10043-01-3)	Yes	Yes	No	No	No	Yes	Yes	Yes

SECTION 16: OTHER INFORMATION, INCLUDING DATE OF PREPARATION OR LAST REVISION

Revision Date : 11/02/2018

Revision Summary

Section	Change	Date Changed
2	Hazard statement update	11/02/2018
4	Text update	11/02/2018
11	Text update	11/02/2018

Other Information : This document has been prepared in accordance with the SDS requirements of the OSHA Hazard Communication Standard 29 CFR 1910.1200 and Canada's Hazardous Products Regulations (HPR).

GHS Full Text Phrases:

Aquatic Acute 3	Hazardous to the aquatic environment - Acute Hazard Category 3
Eye Dam. 1	Serious eye damage/eye irritation Category 1
Met. Corr. 1	Corrosive to metals Category 1
Skin Corr. 1A	Skin corrosion/irritation Category 1A
H290	May be corrosive to metals
H318	Causes serious eye damage
H402	Harmful to aquatic life

NFPA 704

NFPA Health Hazard : 2
NFPA Fire Hazard : 0
NFPA Reactivity Hazard : 1

HMIS Rating

Health : 2
Flammability : 0
Physical : 1
PPE : See Section 8

Abbreviations and Acronyms

AICS - Australian Inventory of Chemical Substances
ACGIH - American Conference of Governmental Industrial Hygienists
AIHA - American Industrial Hygiene Association
ATE - Acute Toxicity Estimate
BCF - Bioconcentration factor
BEI - Biological Exposure Indices (BEI)
CAS No. - Chemical Abstracts Service number
CERCLA RQ - Comprehensive Environmental Response, Compensation, and Liability Act - Reportable Quantity
CICR - Turkish Inventory and Control of Chemicals
DOT - 49 CFR - US Department of Transportation - Code of Federal Regulations Title 49 - Transportation.

LC50 - Median Lethal Concentration
LD50 - Median Lethal Dose
LOAEL - Lowest Observed Adverse Effect Level
LOEC - Lowest-observed-effect Concentration
Log Pow - Octanol/water Partition Coefficient
NFPA 704 - National Fire Protection Association - Standard System for the Identification of the Hazards of Materials for Emergency Response
NIOSH - National Institute for Occupational Safety and Health
NLP - Europe No Longer Polymers List
NOAEL - No-Observed Adverse Effect Level
NOEC - No-Observed Effect Concentration
NZIOC - New Zealand Inventory of Chemicals

11/02/2018

EN (English US)

SDSH: CHE-50015

7/8

Liquid Alum

Safety Data Sheet

According to U.S. Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules And Regulations and according to Canada's Hazardous Products Regulation, February 11, 2015.

EC50 - Median effective concentration	OEL - Occupational Exposure Limits
ECL - Korea Existing Chemicals List	OSHA - Occupational Safety and Health Administration
EINECS - European Inventory of Existing Commercial Chemical Substances	PEL - Permissible Exposure Limits
ELINCS - European List of Notified Chemical Substances	PICCS - Philippine Inventory of Chemicals and Chemical Substances
EmS - IMDG Emergency Schedule Fire & Spillage	PDSC - Japan Poisonous and Deleterious Substances Control Law
ENCS - Japanese Existing and New Chemical Substances Inventory	PPE - Personal Protective Equipment
EPA - Environmental Protection Agency	PRTR - Japan Pollutant Release and Transfer Register
EPCRA 304 RQ - EPCRA 304 Extremely Hazardous Substance Emergency	REL - Recommended Exposure Limit
Planning and Community Right-to-Know-Act - Reportable Quantity	SADT - Self Accelerating Decomposition Temperature
ERAP Index - Emergency Response Assistance Plan Quantity Limit	SARA - Superfund Amendments and Reauthorization Act
ERC50 - EC50 in Terms of Reduction Growth Rate	SARA 302 - Section 302, 40 CFR Part 355
ERG code (IATA) - Emergency Response Drill Code as found in the International Civil Aviation Organization (ICAO)	SARA 311/312 - Sections 311 and 312, 40 CFR Part 370 Hazard Categories
ERG No. - Emergency Response Guide Number	SARA 313 - Section 313, 40 CFR Part 372
HCCL - Hazard Communication Carcinogen List	SRCL - Specifically Regulated Carcinogen List
HMIS - Hazardous Materials Information System	STEL - Short Term Exposure Limit
IARC - International Agency for Research on Cancer	SVHC - European Candidate List of Substance of Very High Concern
IATA - International Air Transport Association - Dangerous Goods Regulations	TDG - Transport Canada Transport of Dangerous Goods Regulations
IDLH - Immediately Dangerous to Life or Health	TLM - Median Tolerance Limit
IECSC - Inventory of Existing Chemical Substances Produced or Imported in China	TLV - Threshold Limit Value
IMDG - International Maritime Dangerous Goods Code	TPQ - Threshold Planning Quantity
INSQ - Mexican National Inventory of Chemical Substances	TSCA - United States Toxic Substances Control Act
ISHL - Japan Industrial Safety and Health Law	TWA - Time Weighted Average
	WEEL - Workplace Environmental Exposure Levels

Handle product with due care and avoid unnecessary contact. This information is supplied under U.S. OSHA'S "Right to Know" (29 CFR 1910.1200) and Canada's WHMIS regulations. Although certain hazards are described herein, we cannot guarantee these are the only hazards that exist. The information contained herein is based on data available to us and is believed to be true and accurate but it is not offered as a product specification. No warranty, expressed or implied, regarding the accuracy of this data, the hazards connected with the use of the product, or the results to be obtained from the use thereof, is made and Chemtrade and its affiliates assume no responsibility. Chemtrade is a member of the CIAC (Chemistry Industry Association of Canada) and adheres to the codes and principles of Responsible Care™.



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The Public Health and Safety Organization

NSF Product and Service Listings

These NSF Official Listings are current as of **Thursday, January 17, 2019** at 12:15 a.m. Eastern Time. Please [contact NSF](#) to confirm the status of any Listing, report errors, or make suggestions.

Alert: NSF is concerned about fraudulent downloading and manipulation of website text. Always confirm this information by clicking on the below link for the most accurate information:

<http://info.nsf.org/Certified/PwsChemicals/Listings.asp?>

[CompanyName=chemtrade&TradeName=alum&PlantState=Arkansas+AR&](http://info.nsf.org/Certified/PwsChemicals/Listings.asp?CompanyName=chemtrade&TradeName=alum&PlantState=Arkansas+AR&)

NSF/ANSI 60 Drinking Water Treatment Chemicals - Health Effects

Chemtrade Solutions LLC (formerly General Chemical LLC)

1421 Willis Avenue

Syracuse, NY 13204

United States

315-478-2323

[Visit this company's website](#)

(<http://www.chemtradelogistics.com/main/>)

Facility : Ashdown, AR

Aluminum Sulfate[AL]

Trade Designation

Alum

Aluminum Sulfate

Liquid Alum

Liquid Alum Acidized 0.5 - 10.0%

Product Function

Coagulation & Flocculation

Coagulation & Flocculation

Coagulation & Flocculation

Coagulation & Flocculation

Max Use

400mg/L

400mg/L

400mg/L

400mg/L

[AL] Based on an evaluation of health effects data, the level of aluminum in the finished drinking water shall not exceed 2 mg/L.

[CP] The finished drinking water shall be monitored to ensure that levels of copper do

not exceed 1.3 mg/L.

<http://info.nsf.org/Certified/PwsChemicals/Listings.asp?CompanyName=chemtrade&Trad...> 1/17/2019

Facility : Pine Bluff, AR**Aluminum Sulfate[AL]**

<i>Trade Designation</i>	<i>Product Function</i>	<i>Max Use</i>
Alum	Coagulation & Flocculation	400 mg/L
Aluminum Sulfate	Coagulation & Flocculation	400 mg/L
Liquid Alum	Coagulation & Flocculation	400mg/L

[AL] Based on an evaluation of health effects data, the level of aluminum in the finished drinking water shall not exceed 2 mg/L.

Number of matching Manufacturers is 1

Number of matching Products is 7

Processing time was 0 seconds

RESOLUTION NO. _____

**A RESOLUTION SUPPORTING BENTON COUNTY'S
PROPOSED SALES TAX FOR A COURTS FACILITY.**

WHEREAS, the City of Bentonville recognizes the need for a safe, secure and modern circuit court facility in Benton County, and

WHEREAS, the City of Bentonville supports the efforts of Benton County to fulfill that need with the construction of new courts facility in downtown Bentonville, and

WHEREAS, the City of Bentonville recognizes that constructing a new courts facility in downtown Bentonville will allow Benton County to continue to preserve and use the existing buildings as a part of an overall circuit court campus, and

WHEREAS, the proposed courts facility has substantial third-party support including a grant of land from the Walton Family Foundation for the location of the new facility and a \$2 Million grant toward to construction of the facility, and

WHEREAS, accompanying the construction of the facility will be a 400-space parking deck provided by the Downtown Bentonville Parking District for the public at no expense to taxpayers thus helping to alleviate downtown Bentonville parking concerns, and

WHEREAS, the proposed facility will provide for the protection of the public, space for the appropriate detention of inmates and secure space for the Circuit Court Judges and their staff, and

WHEREAS, the funding for the proposed facility will be provided from a combination of existing Benton County funds and a sales tax to be approved by the voters of Benton County, and

WHEREAS, the sales tax will be 1/8 of a cent, the lowest increment allowed by law and the equivalent of only 12.5 cents per \$100.00 of spending, and

WHEREAS, the tax will be levied for a strict 54 months and will sunset at that time.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BENTONVILLE, ARKANSAS that City Council supports the construction of the facility and the preservation of the historic buildings in downtown Bentonville and encourages citizens to become familiar with the proposal put forth by the Benton County Quorum Court and to support the proposed sales tax at the March 14, 2019 election.

PASSED AND APPROVED, this ____ day of _____, 2019.

Stephanie Orman, Mayor

ATTEST:

Linda Spence, City Clerk

RESOLUTION NO. _____

**A RESOLUTION ESTABLISHING PROCEDURES WITH
REGARD TO MEETINGS – 2019.**

WHEREAS, the City Council has determined it would be appropriate to set forth desired procedures with respect to meetings,

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

The City Council shall have the following regular meetings:

Sec. 1. Committee of the Whole Meetings:

- A. The Council shall meet as a Committee of the Whole at approximately 6:00 p.m. on six dates dispersed through the year, as scheduled by the Mayor after consultation with the Council. These meetings shall be to allow the Council to meet and informally discuss matters related to the governing of the City. These meetings may also include opportunities to visit and receive education concerning current or planned city facilities.**
- B. The Council may meet from time to time as a Committee of the Whole as called by the Mayor to discuss specific matters related to the governing of the City.**
- C. If the Mayor determines that a previously scheduled Committee of the Whole meeting is not necessary, the Mayor should state such to the Council and thereafter, the Council may cancel such meeting by a majority vote of the whole Council.**

Sec. 2. Council Meetings:

- A. Council meetings shall begin at approximately 6:00 p.m. on the second and fourth Tuesdays of each month and shall generally have the following agenda:**
 - 1. Public Comments concerning the Business Items for this Meeting**
 - 2. Council Questions/Discussion concerning the Business Items for this Meeting**
 - 3. Call Meeting to Order**
 - 4. Pledge of Allegiance and Moment of Silence**
 - 5. Roll Call**

6. Consideration of the Minutes
7. Consideration of the City's Business
8. Other Business/Announcements/Comments
9. Adjournment
10. Public Comments concerning matters of City-related business

B. Meeting Agenda – The Mayor shall place items on the agenda concerning the City's business such as to promote the orderly administration of the City. Items may be added to future agendas by a majority vote of the Alderman present at a council meeting.

C. Public Comments –

1. **Limited Purpose Public Forum - The Council shall hear public comments before the meeting is called to order only concerning items on that night's agenda. After the meeting is adjourned, the Council shall hear public comments concerning any item of City-related business. Any interested party is invited to make comments before a meeting on matters included in that night's agenda, but the comment period after the meeting is adjourned is limited to residents of the City of Bentonville.**
2. **The Council shall hear comments for up to thirty minutes before each Council meeting and for up to thirty minutes after each Council meeting. Each speaker shall be limited to a total of three minutes. No speaker shall speak twice on the same subject at a single meeting.**
3. **Speakers will be courteous in their language and presentation.**
4. **A person wishing to make a public comment shall sign up in advance providing their name, address, and the subject they plan to address in their comment. The sign-up sheet will be available for approximately twenty minutes before the meeting and an announcement will be made shortly before public comments begin at the beginning of the meeting to remind those wishing to make comments that they need to sign up to do so.**
5. **Those wishing to comment will be called in the order in which they have signed up.**
6. **Those making public comments shall do so from the podium.**
7. **Public comments shall be made to the Council as a whole.**
8. **Public comments are just that and a speaker's time is not to be used to attempt to ask questions of the Council, the Mayor, or other persons associated with City government.**

9. Speakers should not expect an immediate response to their comments and Council members should not ask questions of those making public comments without seeking permission from the Chair.
10. Those wishing to comment concerning an item for which a public hearing will be held during the business portion of the meeting should do so when the public hearing is opened rather than doing so during the public comment period.

PASSED AND APPROVED, this ____ day of _____, 2019.

Stephanie Orman, Mayor

ATTEST:

Linda Spence, City Clerk