

Legistar ID No.: 2016-0407

AGENDA REQUEST FORM

FOR: Council Meeting of September 6, 2016

FROM:

City Council Member Mark Kinion

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:


A RESOLUTION TO APPROVE A 50/50 COST SHARE AGREEMENT WITH FLINTLOCK DEVELOPMENT, LLC FOR CONSTRUCTION OF A SEWER MAIN ALONG A PORTION OF SOUTH STREET BETWEEN SOUTH COLLEGE AVENUE AND EAST HUNTSVILLE ROAD AT A TOTAL COST OF \$28,238.48

APPROVED FOR AGENDA:



City Council Member Mark Kinion

8/30/16
Date



Assistant City Attorney Blake Pennington
(as to form)

8/30/16
Date

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff
Water & Sewer Committee

FROM: Tim Nyander, Utilities Director

DATE: August 30, 2016

SUBJECT: **Cost Share Agreement with Flintlock Development, LLC**

RECOMMENDATION:

Staff recommends approval of a cost-share agreement between the City of Fayetteville and Flintlock Development, LLC, to share the costs of installing a sewer main in South Street between E. College Avenue and E. Huntsville Road. The estimated total cost of the project is \$28,238.48, with a 20% contingency. The cost share for Flintlock is one-half the estimated project cost and contingency, in the amount of \$14,119.24.

BACKGROUND:

Flintlock Development has requested that the City construct and share in the cost of installing an 8-inch sewer main on a portion of South Street between S. College Avenue and E. Huntsville Road, a distance of approximately 390 feet, so that the Flintlock may further develop the property adjacent to South Street.

DISCUSSION:

This cost-share is providing sewer service to an infill project, increasing the population density in this area. This area is not currently provided sewer service. Additionally, the addition of the 8-inch main will also allow for ample future capacity which will be necessary for that area.

BUDGET/STAFF IMPACT:

The Water & Sewer Division will be able to provide the labor and equipment needed without impeding upon the overall mission of the Utilities Department.

Attachments:

Staff Review Form
Cost-Share Agreement
Map of Area

**CONTRACTUAL AGREEMENT FOR
COST SHARE OF SEWER MAIN INSTALLATION COSTS**

This Agreement, made and entered into on this ____ day of September, 2016, by and between the City of Fayetteville, Arkansas (“City”) and Flintlock Development, LLC (“Flintlock”), witnesseth:

WHEREAS, Flintlock has requested that the City construct and share in the cost of constructing an 8-inch sewer main along a portion of South Street between S. College Ave. and E. Huntsville Road, a distance of approximately 390 feet, so that Flintlock may further develop the property adjacent to South St.; and

WHEREAS, constructing this segment of 8-inch main will allow Flintlock to develop the property, and also allow for ample future capacity which the City recognizes will be necessary for the area that is served by this sewer main; and

WHEREAS, § 51.113 of the Fayetteville City Code provides that “the City shall pay the excess material cost of facilities of a size larger than required to service subdivisions when such excess size is specified and required by the water and wastewater director for the general benefit of the sewerage system.”

NOW, THEREFORE, the City of Fayetteville, Arkansas and Flintlock Development, LLC agree as follows:

1. The City of Fayetteville, Arkansas agrees to:
 - A. Furnish the labor, materials, and equipment to install approximately 390 linear feet of 8-inch sewer main on South Street between S. College Ave. and E. Huntsville Rd.
 - B. Bear any costs associated with the sewer main installation that exceed the amount Flintlock agrees to pay below.
2. Flintlock Development, LLC agrees to:
 - A. Reimburse the City for one-half of the cost of the sewer main installation up to a maximum-not-to-exceed amount of **\$14,119.24** which represents one-half of the project cost and one-half of the contingency cost estimated by the City of Fayetteville.
 - B. Make payment to the City of Fayetteville within thirty (30) days after receipt of a valid invoice.

IN AGREEMENT WITH ALL THE TERMS AND CONDITIONS ABOVE, WE SIGN BELOW:

FLINTLOCK DEVELOPMENT, LLC

CITY OF FAYETTEVILLE,
ARKANSAS

By: 
ALLISON THURMOND QUINLAN
Managing Member

By: _____
LIONELD JORDAN, Mayor

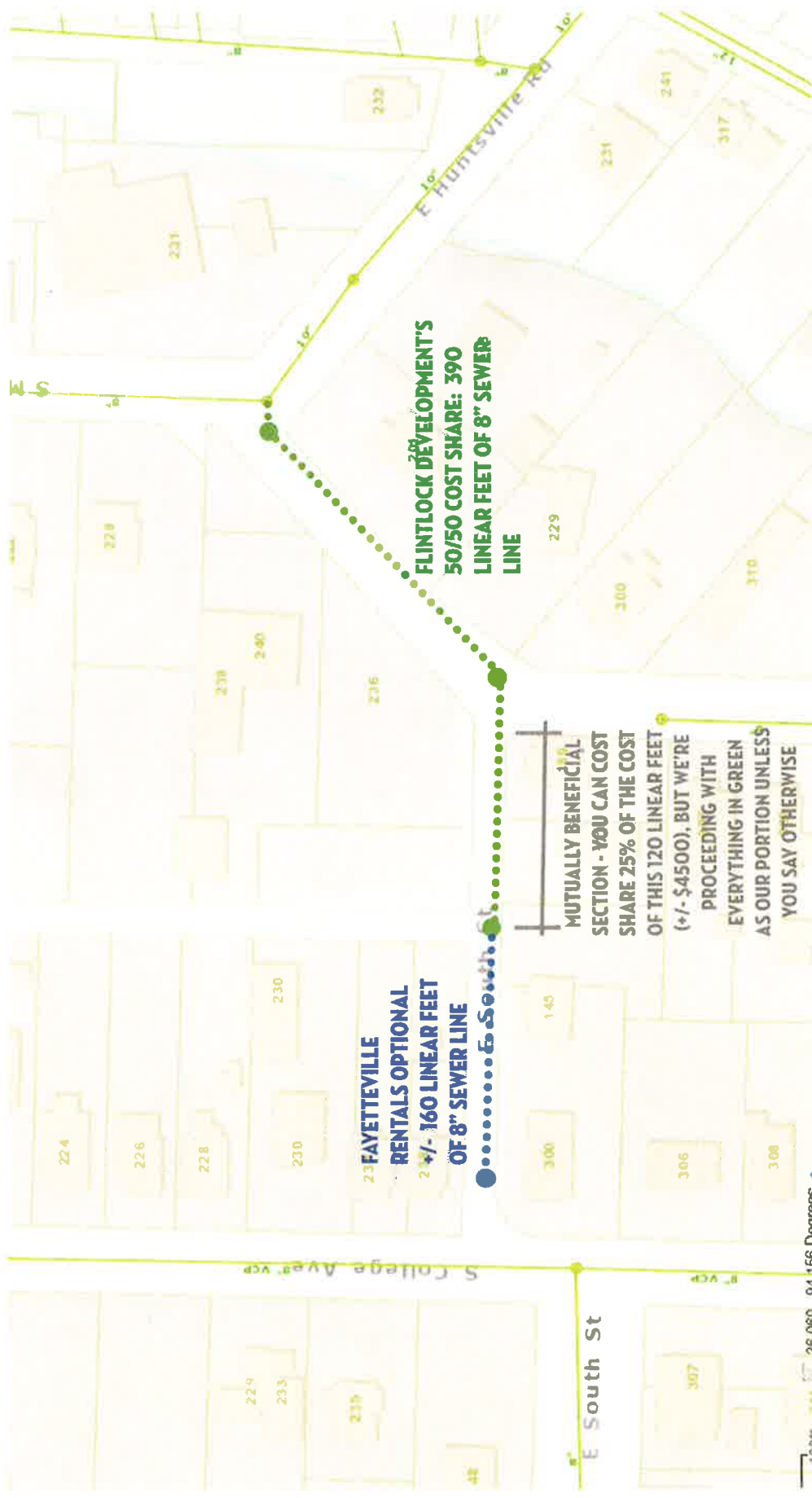
ATTEST:

ATTEST:

By: 

By: _____
SONDRA SMITH, City Clerk





FAYETTEVILLE
RENTALS OPTIONAL
 2 +/- 160 LINEAR FEET
 OF 8" SEWER LINE

FLINTLOCK DEVELOPMENT'S
50/50 COST SHARE: 390
LINEAR FEET OF 8" SEWER
LINE

MUTUALLY BENEFICIAL
SECTION - YOU CAN COST
SHARE 25% OF THE COST
OF THIS 120 LINEAR FEET
(+/- \$4500), BUT WE'RE
PROCEEDING WITH
EVERYTHING IN GREEN
AS OUR PORTION UNLESS
YOU SAY OTHERWISE

100ft 344 36.060 .94156 Degrees