

City of Fayetteville Staff Review Form

2017-0109

Legistar File ID

3/7/2017

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

2/16/2017

Utilities Director /
Utilities Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVE A COST SHARE AGREEMENT WITH JMSH, LLC FOR THE INSTALLATION OF WATER AND SEWER MAINS ALONG A PORTION OF NORTH ASSEMBLY DRIVE NORTH OF EAST MAPLE STREET, WITH THE ESTIMATED AMOUNT TO BE PAID BY THE CITY OF FAYETTEVILLE NOT TO EXCEED \$31,800.00, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$6,360.00 FOR A TOTAL OF \$38,160.00.

Budget Impact:

5400.720.5600-5808.00	Water/Sewer																														
Account Number	Fund																														
04039.1	Water/Sewer Impact Fee Cost Sharing Projects																														
Project Number	Project Title																														
<table border="0" style="width: 100%;"> <tr> <td style="width: 15%;">Budgeted Item?</td> <td style="width: 15%;"><u>Yes</u></td> <td style="width: 30%;">Current Budget</td> <td style="width: 10%; text-align: right;">\$</td> <td style="width: 30%; text-align: right;">1,230,231.00</td> </tr> <tr> <td></td> <td></td> <td>Funds Obligated</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">103,665.15</td> </tr> <tr> <td></td> <td></td> <td>Current Balance</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">1,126,565.85</td> </tr> </table>	Budgeted Item?	<u>Yes</u>	Current Budget	\$	1,230,231.00			Funds Obligated	\$	103,665.15			Current Balance	\$	1,126,565.85	<table border="0" style="width: 100%;"> <tr> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 30%;">Item Cost</td> <td style="width: 10%; text-align: right;">\$</td> <td style="width: 30%; text-align: right;">38,160.00</td> </tr> <tr> <td>Does item have a cost?</td> <td><u>Yes</u></td> <td>Budget Adjustment</td> <td></td> <td></td> </tr> <tr> <td>Budget Adjustment Attached?</td> <td><u>No</u></td> <td>Remaining Budget</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">1,088,405.85</td> </tr> </table>			Item Cost	\$	38,160.00	Does item have a cost?	<u>Yes</u>	Budget Adjustment			Budget Adjustment Attached?	<u>No</u>	Remaining Budget	\$	1,088,405.85
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V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:



CITY COUNCIL AGENDA MEMO

MEETING OF MARCH 7, 2017

TO: Mayor and City Council

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

FROM: Tim Nyander, Utilities Director

DATE: February 17, 2017

SUBJECT: Cost Share Agreement with JMSH, LLC

RECOMMENDATION:

Staff recommends approval of a cost share agreement between the City of Fayetteville and JMSH, LLC to share the costs of installing a water and sewer main in North Assembly Drive north of East Maple Street. The estimated total cost of the project is \$63,600.00. The City's portion of the cost share is 50% of the estimated project cost, in the amount of \$31,800.00. A 20% contingency fund (\$6,360.00) will be added to account for unexpected costs, to make the total value of the cost share \$38,160.00.

BACKGROUND:

JMSH, LLC has requested that the City share in the cost of installing an 8-inch water line and an 8-inch sewer line along a portion of Assembly Drive. North of Maple Street, a distance of approximately 160 feet of water line, and 275 feet of sewer line, so that JMHS, LLC may develop the property located near the intersection of Assembly Drive and Vinson Avenue.

DISCUSSION:

Constructing these segments of 8-inch water and sewer main will allow development of these properties and will also provide for ample future capacity which the City recognizes will be necessary for the area that is served by this sewer main.

BUDGET/STAFF IMPACT:

Funds for the City portion of work are available in the Water and Sewer Impact Fee Cost Sharing Project. The final actual cost is based on the bids received by the developer of this project.

Attachments:

Staff Review Form
Cost-Share Agreement
Exhibit A - Map of Area
Exhibit B - Project Quote

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

This Agreement, made and entered into on this ____ day of March, 2017, by and between the City of Fayetteville, Arkansas (“City”) and JMSH, LLC, witnesseth:

WHEREAS, JMSH, LLC has requested that the City share in the cost of constructing approximately 160 feet of 8-inch water main and approximately 275 feet of 8-inch sewer main along a portion of North Assembly Drive north of East Maple Street so that JMSH, LLC may develop the property located near the intersection of North Assembly Drive and North Vinson Avenue; and

WHEREAS, constructing this segment of 8-inch water main and 8-inch sewer main will allow development of this property, will extend water and sewer service to an area of the City that has never been served before, and will also provide for ample future capacity which the City recognizes will be necessary for the area that is served by the water and sewer mains; and

WHEREAS, § 51.112 of the Fayetteville City Code provides that “the City shall pay the excess material cost of facilities of a size that is larger than required to serve subdivisions when such excess size is specified and required by the water and wastewater director for the general benefit of the water system.”

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 JMSH, LLC agree as follows:

1. The City of Fayetteville, Arkansas agrees to:
 - A. Reimburse JMSH, LLC for 50% of the cost to install approximately 160 linear feet of 8-inch water main, and approximately 275 linear feet of 8-inch sewer main in the area identified in Exhibit “A” up to a maximum-not-to-exceed amount of **\$31,800.00** with a contingency fund not-to-exceed **\$6,360.00**, as was estimated by the builder’s representative and shown on Exhibit “B”, attached.
 - B. Payments due to JMSH, LLC, shall be remitted within sixty (60) days after receipt of valid invoices upon completion of the project.

2. JMSH, LLC agrees to:

- A. Provide the necessary and normal project management, inspection, and testing as necessary for a complete and acceptable water and sewer main installation, including submittal of plans and specifications to the City's Engineering Department, per their standard procedures.
- B. Submit all required plans and specifications to the City and receive approval from the City's Engineering and Utilities Departments prior to commencing work on the project.
- C. Provide a copy of the invoices from the Contractor upon City approval of the water and sewer main upgrades.
- D. Pay for the water and sewer main installation (with reimbursement of 50% of the cost by the City of Fayetteville in a not-to-exceed amount of \$31,800.00 with a contingency fund not-to-exceed \$6,360.00).

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

JMSH, LLC

**CITY OF FAYETTEVILLE,
ARKANSAS**

By: _____

STERLING HAMILTON,
Managing Member

By: _____

LIONELD JORDAN, Mayor

ATTEST/WITNESS:

ATTEST:

By: _____

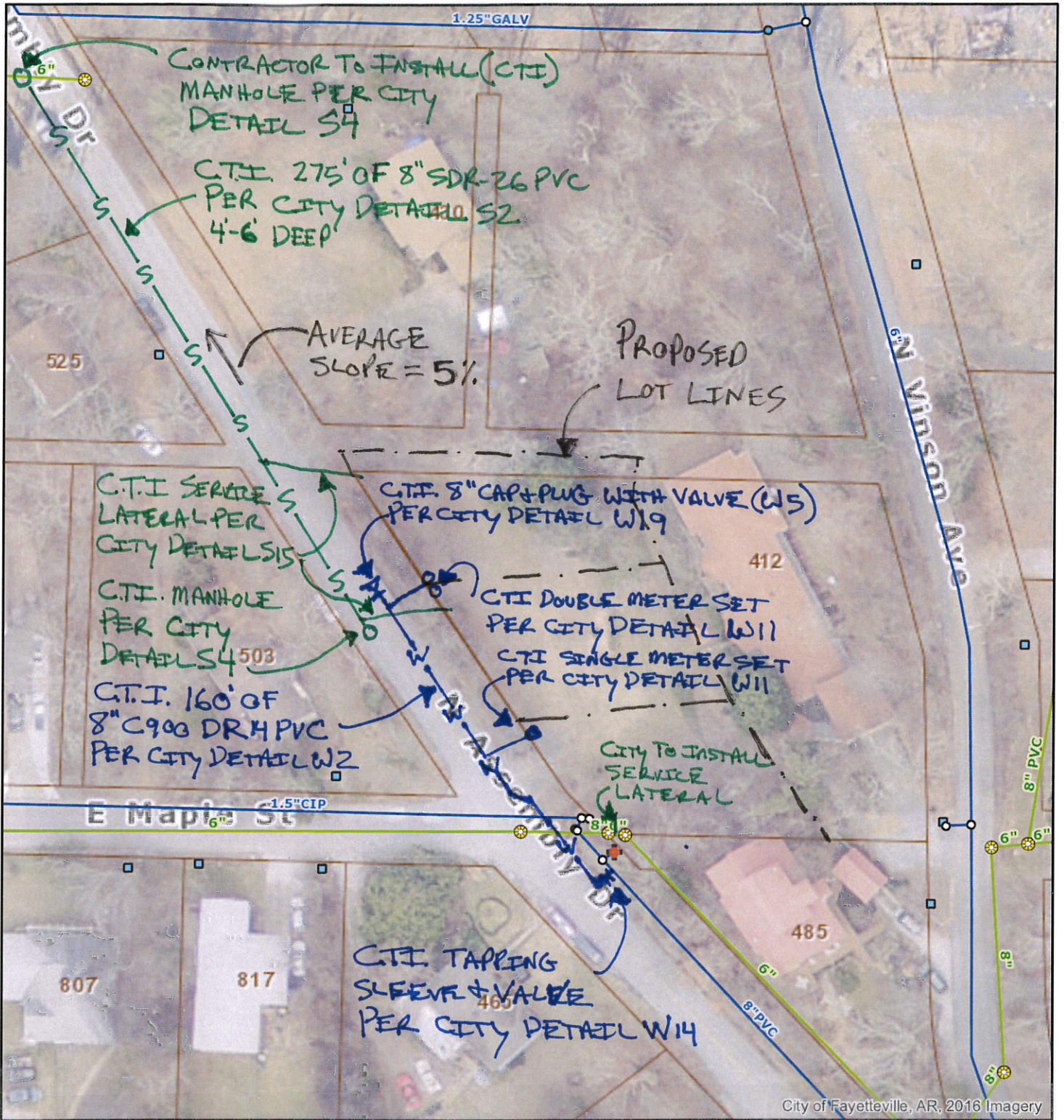
Michael Louden

By: _____

SONDRA SMITH, City Clerk



EXHIBIT A



WATER AND SEWER IMPROVEMENT CONCEPT PLAN

412 NORTH ASSEMBLY DRIVE - FAYETTEVILLE, ARKANSAS

ALL IMPROVEMENTS TO BE IN ACCORDANCE WITH CITY OF FAYETTEVILLE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER LINES AND SEWER LINES.

SCALE 1" = 60'

1/31/17

EXHIBIT B

S&K Dirtworks, LLC
 Rogers, Arkansas 72758

Project Quote

Date	Quote#
2/8/2017	016-113

Name / Address
Baumann & Crosno

Project
412 N. Assembly Wa...

Description	Qty	Cost	Total
Tap 8" PVC water main per city detail W14 with pavement repair	1	5,600.00	5,600.00
8" C-900 DR 14 PVC per city detail W2	160	100.00	16,000.00
8" Gate valve per city detail W5	2	2,000.00	4,000.00
8" Cap and plug per city detail W19	2	800.00	1,600.00
New service and double meter box per city detail W11	1	1,050.00	1,050.00
New service and single meter box per city detail W11	1	950.00	950.00
Testing	1	3,000.00	3,000.00
8" SDR-26 PVC per city detail S2 (4'-6' depth)	275	72.00	19,800.00
4' diameter sanitary sewer manhole per city detail S4	2	3,000.00	6,000.00
Service lateral per city detail S15	2	1,000.00	2,000.00
Testing	1	3,600.00	3,600.00
NOTE: Baumnn & Crosno will be responsible for all staking and layout.			
		Total	\$63,600.00

Signature _____

Phone #
479-631-7400