

City of Fayetteville Staff Review Form

2019-0776

Legistar File ID

12/3/2019

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

Tim Nyander

11/13/2019

WATER SEWER (720)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends the approval of a cost share agreement with Boston Mountain Holdings, LLC in an amount not to exceed \$33,229.30 for a waterline extension on West Stone Street, and approval of a project contingency in the amount of \$3,323.00.

Budget Impact:

5400.720.5600-5808.00

Water and Sewer

Account Number

Fund

04039.1

Water/Sewer Impact Fee Cost Sharing

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 1,237,694.00

Funds Obligated \$ 446,740.67

Current Balance \$ 790,953.33

Does item have a cost? Yes

Item Cost \$ 36,552.30

Budget Adjustment Attached? No

Budget Adjustment \$ -

Remaining Budget \$ 754,401.03

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF DECEMBER 3, 2019

TO: Mayor and City Council

THRU: Don Marr, Chief of Staff

FROM: Tim Nyander, Utilities Director

DATE: November 5, 2019

SUBJECT: Cost Share Agreement with Boston Mountain Holdings, LLC for a Waterline Extension on West Stone Street

RECOMMENDATION:

Staff recommends the approval of a cost share agreement with Boston Mountain Holdings, LLC in an amount not to exceed \$33,229.30 for a waterline extension on West Stone Street, and approval of a project contingency in the amount of \$3,323.00

BACKGROUND:

Boston Mountain Holdings, LLC has requested that the City share in the cost of constructing a waterline extension on West Stone Street between South Hill Avenue and South University Avenue.

DISCUSSION:

Property being developed by Boston Mountain Holdings, LLC at 300 South Hill Avenue required 190 linear feet of waterline to be extended along Stone St. from a 6-inch waterline on Hill Ave. This portion of the waterline extension meets the criteria to share 50% of the costs by the City with the developer. Utilities Department staff believe a further extension of 100 linear feet to an existing waterline to the east on Stone St. will create a loop in the water system and improve water quality. The developer has agreed upon a reimbursement percentage of 65% of the total cost of the project, which includes construction and engineering. The waterline extension will be constructed with an 8-inch diameter waterline per the City's standard specifications.

The developer received three bids for construction with Total Site Development, LLC being the lowest bidder at \$47,047.00. Engineering services will be provided by Bates & Associates in the amount of \$4,075.00. Staff recommends approval of a cost share agreement with Boston Mountain Holdings, LLC in the not-to-exceed amount of \$33,229.30 to share 65% of the costs of the waterline extension, and approval of a project contingency in the amount of \$3,323.00.

BUDGET/STAFF IMPACT:

Funds are available in the Water/Sewer Impact Fee Cost Sharing account within the Water and Sewer Fund.

Attachments:

Cost Share Agreement

Exhibit A – Map of Area

Exhibit B – Contractor and Engineer Invoices

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

This Agreement, made and entered into on this ____ day of December, 2019, by and between the City of Fayetteville, Arkansas ("City") and Boston Mountain Holdings, LLC, witnesseth:

WHEREAS, Boston Mountain Holdings, LLC has requested that the City share in the cost of extending an 8-inch water main along a portion of West Stone Street between South Hill Avenue and South University Avenue, a distance of approximately 290 feet; and

WHEREAS, Boston Mountain Holdings, LLC received approval by the City's Planning Department on June 4, 2019 for a lot split for the property located at 300 South Hill Avenue; and

WHEREAS, constructing this segment of 8-inch water main will allow Boston Mountain Holdings, LLC to obtain water service to develop the property located at 300 South Hill Avenue, allow the City to create a loop in the water system to improve water quality, and also allow for ample future capacity which the City recognizes will be necessary for the area that is served by this water main.

NOW, THEREFORE, the City of Fayetteville, Arkansas and Boston Mountain Holdings, LLC agree as follows:


1. The City of Fayetteville, Arkansas agrees to:
 - A. Reimburse Boston Mountain Holdings, LLC for 65% of the cost to install approximately 290 linear feet of 8-inch water main in the area identified in Exhibit "A" up to a maximum-not-to-exceed amount of \$33,229.30, as was estimated by the builder's representatives and shown on Exhibit "B", attached.
 - B. Payments due to Boston Mountain Holdings, LLC, shall be remitted within sixty (60) days after receipt of valid invoices upon completion of the project.
2. Boston Mountain Holdings, LLC agrees to:
 - A. Provide the necessary and normal project management, inspection, and testing as necessary for a complete and acceptable water 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 main upgrades.
- D. Pay for the water main installation (with reimbursement of 65% of the cost by the City of Fayetteville in a not-to-exceed amount of \$33,229.30).

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

BOSTON MOUNTAIN HOLDINGS, LLC

**CITY OF FAYETTEVILLE,
ARKANSAS**

By: 
CHRIS HAMAKER,
Manager

By: _____
LIONELD JORDAN, Mayor

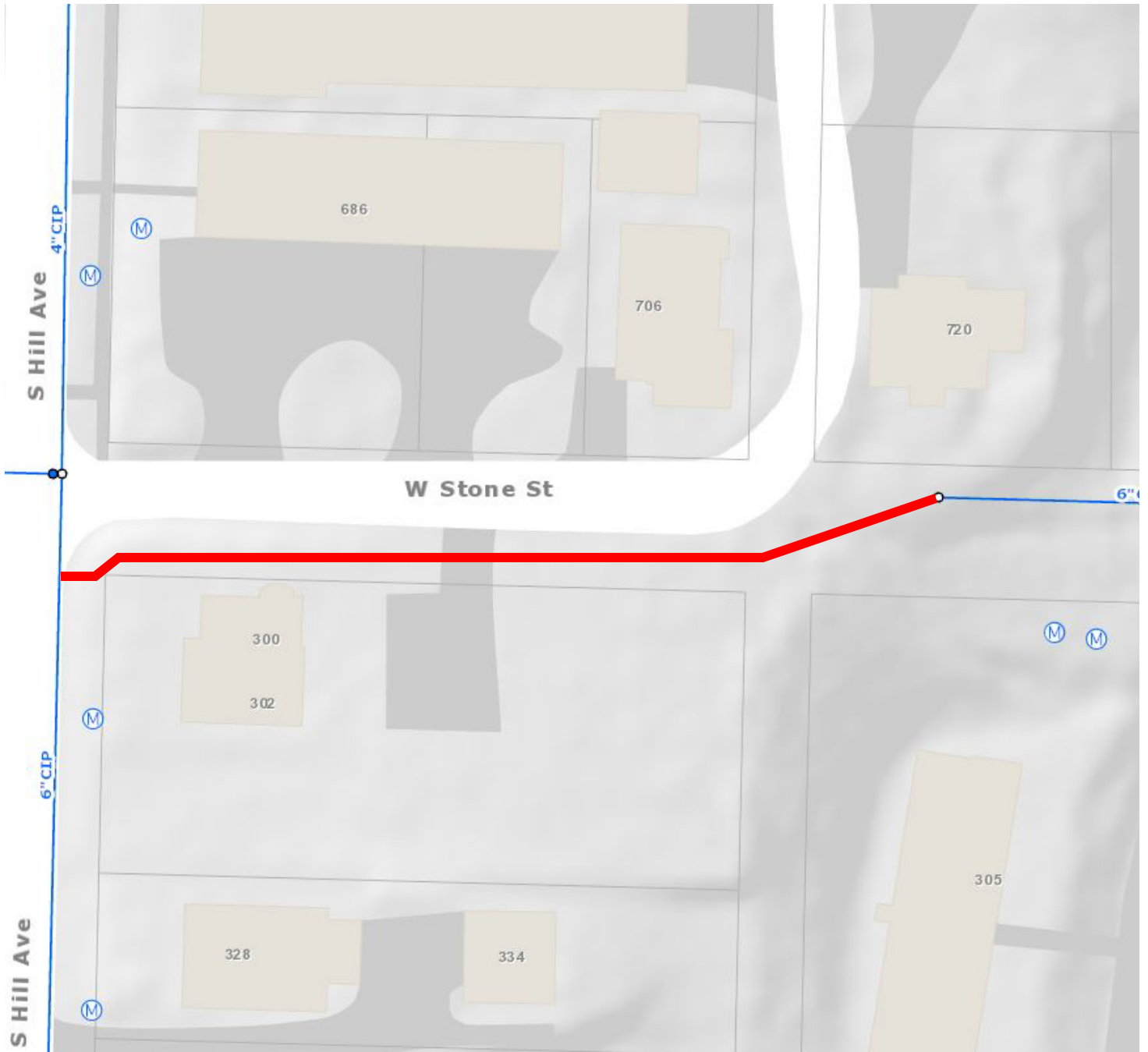
ATTEST:

ATTEST:

By: 

By: _____
LISA BRANSON, Deputy City Clerk

EXHIBIT A



— WATERLINE EXTENSION

EXHIBIT B

Chris Hamaker

Boston Mountain Holdings, LLC

PO Box 722

Fayetteville, AR 72702

479-790-5356

Mr. Tim Nyander, Utilities Director

City of Fayetteville

Fayetteville, AR 72701

I am requesting consideration for a City Cost-Share of the required water line extension along Stone St, east of Hill Ave. I have attached the conditional lot split approval which create three new single-family lots. This development is keeping with the City's stated goals to infill and densification. I have also attached the engineered drawings of the water line extension, as prepared by Bates & Associates. Lastly, I have attached three bids from utility contractors.

Please consider the following costs:

1. Bates & Associates – cost for engineering	\$4,075
2. Total Site Development	\$47,047
Subtotal	\$51,122

I have provided the above breakdown in order to give as much information as you might need to determine which items to include in the cost-share. Bids for item 3 were as follows (copies are attached)

Total Site Development	\$47,047
Mission Contractors	\$72,213
J Johnson Construction	\$80,850

Of the three bids submitted, I have based my City Cost-Share proposal upon the lowest bid which is Total Site Development. I'm proposing that the city pays for 50% of the water extension across the front of the proposed lots and 100% of the costs of the off-site improvements. The 190' is necessary for our development and the eastern remainder is off-site to connect the city water loop. Therefore, I am requesting that the installation of the water line extension be paid by the city of Fayetteville in the amount not to exceed \$33,229 plus contingency.

With the approval of this Cost-Share approval, three single family lots will be created and developed upon once the condition of the lot split approval has been met. The condition of this approval has also been attached.

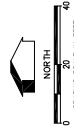
I hope to hear from you soon, so we can determine the viability of proceeding. Please advise at your earliest convenience. Thanks, you for your consideration.

Sincerely,



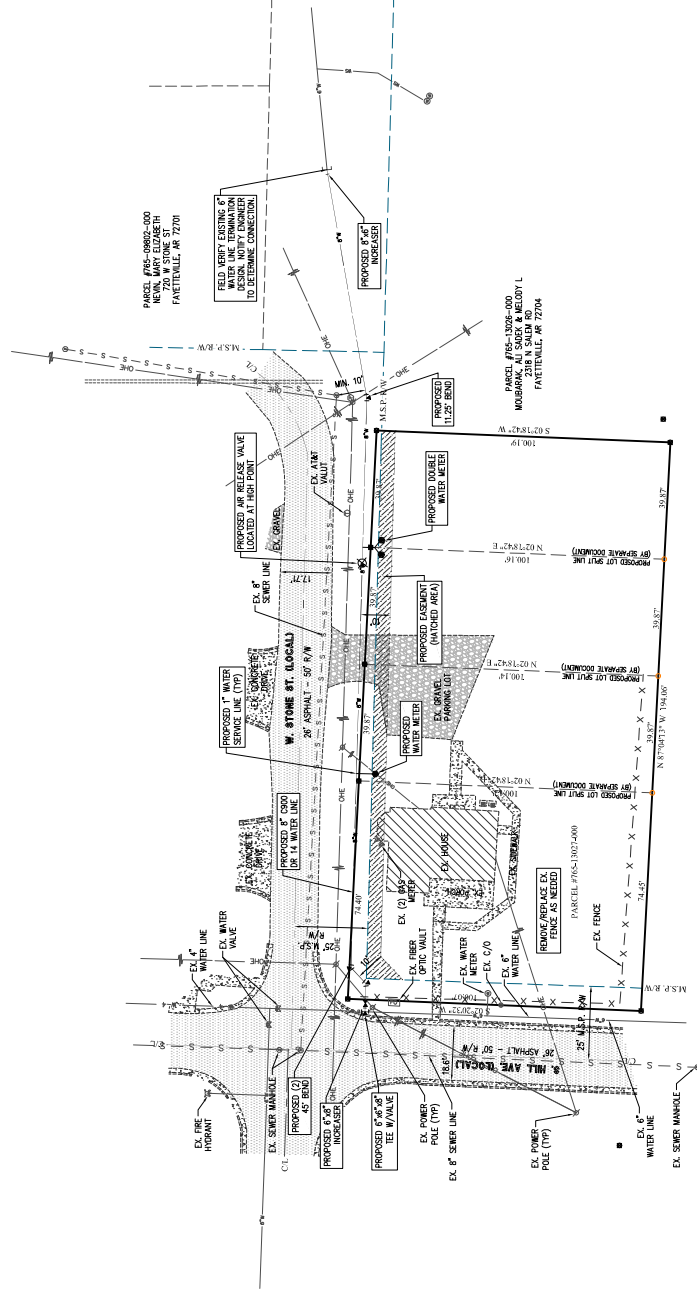
Chris Hamaker

Boston Mountain Holdings, LLC



1. IT IS THE NEW POLICY OF THE CITY OF FAVETTAVILLE WATER & SEWER DIVISION THAT ALL STREND REPAIRS DUE TO THE COMPLETION OF THE WATER/SEWER TAP CONNECTION FEES AS ACCORDANCE WITH THE CITY'S STANDARD 1-PATCH DETAIL AND SHALL OCCUR WITHIN 14 CALENDAR DAYS OF THE COMPLETION OF THE WATER/SEWER TAP CONNECTION FEES AS PUBLISHED WILL NOT CHANGE, HOWEVER, THE CITY WILL NOT CHARGE FOR A "STREET REPAIR" UNDER THIS NEW POLICY.
2. ALL WATER USE, FIRE LINE AND SEWER LINE DESIGN AND CONSTRUCTION ASSOCIATED WITH THIS PROJECT SHALL BE IN ACCORDANCE WITH THE CITY OF FAVETTAVILLE'S STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION OF WATER LINES AND SEWER LINES, 2017 EDITION AS AMENDED BY ORDINANCE 6148 ON FEBRUARY 5TH, 2019 AND AVAILABLE ONLINE AT [HTTP://WWW.FAVETTAVILLE-GEORGIA.GOV/DOCUMENTCENTER/VIEW/14625](http://www.favettaville-georgia.gov/documentcenter/view/14625).
3. PRIOR TO OBTAINING A TEMPORARY WATER METER FOR TESTING OR SERVICE OFF OF A CONTRACTOR INSTALLED NEW TAP, THE FOLLOWING ITEMS MUST BE PERFORMED OR PROVIDED TO THE SATISFACTION OF THE ENGINEER:
 - THERE ARE NO OUTSTANDING ISSUES WITH SITE REQUIREMENTS OR OUTSTANDING EROSION CONTROL VIOLATIONS.
 - THE WATER MAIN MUST BE INSTALLED AND A FINAL INSPECTION PERFORMED BY THE PUBLIC WORKS INSPECTOR, WATER DEPARTMENT, AND DESIGN ENGINEER AND THE ITEMS ON THE FINAL PUNCH LIST COMPLETED.
 - THE STRUCTURE MUST BE CONNECTED TO PUBLIC SANITARY SEWER, IF A NEW MAIN, THE SANITARY SEWER MAIN MUST BE INSTALLED AND A FINAL INSPECTION PERFORMED BY THE PUBLIC WORKS INSPECTOR, AND DESIGN ENGINEER AND THE ITEMS ON THE FINAL PUNCH LIST COMPLETED.
 - ONE SET AS-BUILT MUST BE PROVIDED TO THE FINAL PUNCH LIST, CONTROLLED COPY AND IN PDF FORMAT.
 - IF THE SEWER TO THE CITY IS NOT READY FOR ACCEPTANCE, PROVIDE A UNIT PRICE CONSTRUCTION COSTS AND A MAINTENANCE BOND IN THE AMOUNT OF 100% OF THE PUBLIC UTILITY IMPROVEMENTS (WATER AND SEWER) TO THE CITY. THIS BOND WILL BE REPLACED WITH A PROJECT PRICE WHEN THE PROJECT IS COMPLETE AND ACCEPTED. (SEE BELOW)
 - CERTIFICATION THAT THE WATER MAIN, FIRE LINE, AND SEWER LINES, IF NOT INSTALLED PER APPROVED PLANS AND CITY OF FAVETTAVILLE REQUIREMENTS.
 - THE PROJECT IS READY FOR TEMPORARY CERTIFICATE OF OCCUPANCY (TCO). IF NOT, THE METER WILL BE INSTALLED TO ALLOW FOR TESTING ONLY AND TURNED OFF UNTIL THE TCO IS ISSUED.
4. SERVICE TAPS ON EXISTING MAINS SHALL BE MADE BY THE CITY, AND FEES PAID BY OWNER.
5. IN GENERAL, THE WATER VALVES, MANHOLES, AND FIRE HYDRANTS SHOULD BE PLACED TO AVOID BEING LOCATED WITHIN THE FUTURE SIDEWALK.
6. ALLER LOOKS AND EROSION PREVENTION FOR THE FIRE SPRINKLER SYSTEMS MUST BE APPROVED BY DON OSBURN OF THE CITY OF FAVETTAVILLE METER OPERATIONS DIVISION. (575-8384)
7. PLANS FOR THE WATER USE MUST BE SUBMITTED TO ENGINEERING AND THE HEALTH DEPARTMENT FOR REVIEW AND APPROVAL. (AS-BUILTS ARE REQUIRED)
8. METER LOOPS LARGER THAN 1 INCH THROUGH 2 INCH SHALL BE TESTED BY THE CITY OF FAVETTAVILLE METER OPERATIONS DIVISION PRIOR TO CONTRACTOR INSTALLATION. CONTACT DON OSBURN 575-8384 AND BRING TO METER SHOP.

- THERE ARE NO OUTSTANDING ISSUES WITH SITE REQUIREMENTS OR OUTSTANDING EROSION CONTROL VIOLATIONS.
- THE WATER MAIN MUST BE INSTALLED AND A FINAL INSPECTION PERFORMED BY THE PUBLIC WORKS INSPECTOR, AND DESIGN ENGINEER AND THE ITEMS ON THE FINAL PUNCH LIST COMPLETED.
- THE STRUCTURE MUST BE CONNECTED TO PUBLIC SANITARY SEWER, IF A NEW MAIN, THE SANITARY SEWER MAIN MUST BE INSTALLED AND A FINAL INSPECTION PERFORMED BY THE PUBLIC WORKS INSPECTOR, AND DESIGN ENGINEER AND THE ITEMS ON THE FINAL PUNCH LIST COMPLETED
- ONE (1) SET OF AS-BUILT DRAWINGS OF THE INSTALLED UTILITIES AS A HARD COPY AND IN PDF FORMAT;
- IF THE ENRER PROJECT IS NOT READY FOR ACCEPTANCE, PROVIDE A UNIT PRICE CONSTRUCTION COSTS AND A MAINTENANCE BOND IN THE AMOUNT OF 100% OF THE PUBLIC UTILITY IMPROVEMENTS (WATER AND SEWER) TO THE CITY. THIS BOND WILL BE REPLACED WHEN THE PROJECT IS COMPLETE AND ACCEPTED. (SEE BELOW)
- THE PROJECT IS READY FOR TEMPORARY (SEPARATE) OF OCCUPANCY, IF NOT, THE CITY WILL BE REQUIRED TO PROVIDE TEMPORARY ENCLOSURES.
- THE PROJECT IS READY FOR TEMPORARY (SEPARATE) OF OCCUPANCY, IF NOT, THE CITY WILL BE REQUIRED TO PROVIDE TEMPORARY ENCLOSURES.
- THE TAPS ON EXISTING MAINS SHALL BE MADE BY THE CITY, AND FEES PAID BY OWNER.
- GENERAL, THE WATER VALVES, MANHOLES, AND FIRE HYDRANTS SHOULD BE PLACED TO AVOID BEING LOCATED WITHIN THE FUTURE SIDEWALK.
- GENERAL, THE LOCATIONS AND BACKFLOW PREVENTION FOR THE FIRE SPRINKLER SYSTEMS MUST BE APPROVED BY DON OSBURN, THE CITY OF FAYETTEVILLE WATER OPERATIONS DIVISION. (575-8384)
- FOR THE WATER LINE MUST BE SUBMITTED TO ENGINEERING AND THE HEALTH DEPARTMENT FOR REVIEW AND APPROVAL. (AS-BUILTS ARE REQUIRED)
- LOOPS LARGER THAN 1 INCH THROUGH 2 INCH SHALL BE TESTED BY THE CITY OF FAYETTEVILLE WATER OPERATIONS DIVISION PRIOR TO CONTRACTOR INSTALLATION. CONTACT DON OSBURN 3384 AND BRING TO METER SHOP.



S. HILL AVE.
WATER MAIN EXTENSION
SITE PLAN
FAYETTEVILLE, ARKANSAS

 **Bates & Associates, Inc.**
Civil Engineering & Surveying
www.batesinc.com
7230 S. Pleasant Ridge Dr.,
Fayetteville, AR 72704
479-521-0350
479-521-0350

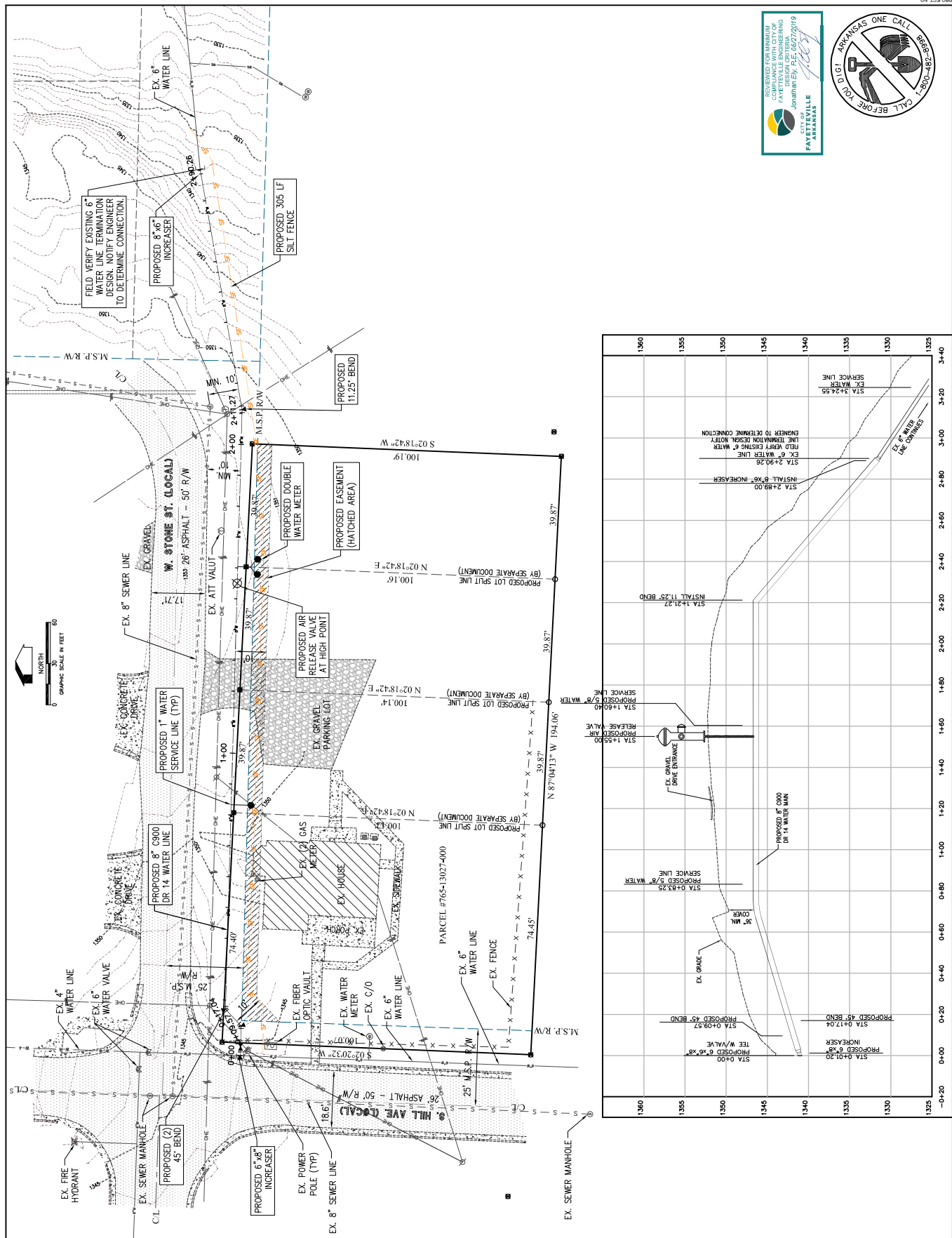
DRAWING NO
02





Bates & Associates, Inc.
Civil Engineering & Surveying
www.batesma.com
7230 S. Pleasant Ridge Dr., Fayetteville, AR 72704
479-521-9350 479-442-9350

S. HILL AVE.
WATER MAIN EXTENSION
WATER LINE PLAN & PROFILE
FAYETTEVILLE, ARKANSAS

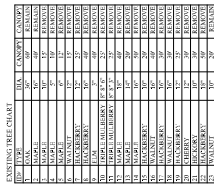
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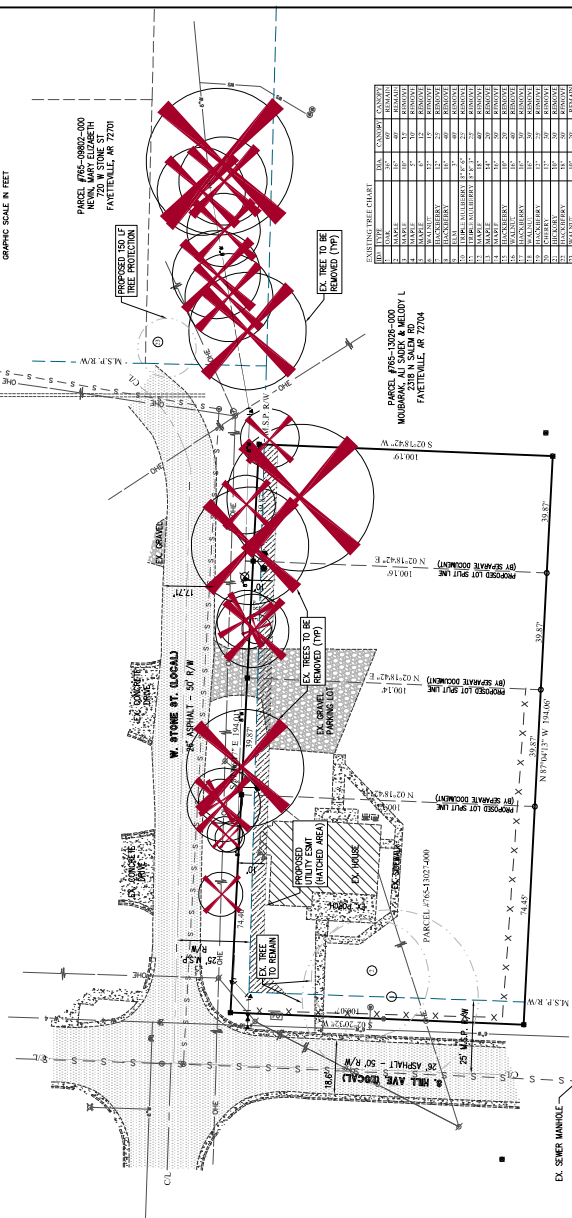
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ROOFTOPBALL - ROOF COLLAR SHALL BE VISIBLE REMOVE EXCESS SOIL FROM TOP OF BALL IF NEEDED SET TOP OF BALL 1" TO 2" ABOVE FINISHED GRADE TO ALLOW FOR SETTILING. AFTER FINISHING BALL IN PLANTING HOLE, CUT AWAY OR REMOVE THE ENTIRE NEST BASKET, CUT OR REMOVE ALL ROOTS OR THINE FROM BALL. CUT AWAY OR REMOVE BURLAP. IF ROOFTOPBALL BEGINS FALLING APART



ALL PROPOSED TREES TO BE PLANTED AFTER ANY FUTURE BUILDINGS ARE BUILT. TREES TO BE DISTRIBUTED EQUALLY FOR EACH PROPOSED LOT.





- [illegible]



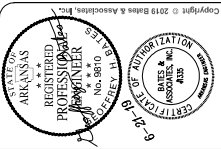


Bates & Associates, Inc.
Civil Engineering & Surveying
www.batesinc.com
7205 S. 19th Avenue, Suite 100
Fayetteville, AR 72704
479-631-4350

S. HILL AVE.
WATER MAIN EXTENSION
DETAILS

FAYETTEVILLE, ARKANSAS

REVISIONS	DATE
1ST SUBMITTAL	06/21/19
DESIGNER'S APPROVAL	06/21/19
REVISIONS PER ENGINEERING	06/21/19
REVISIONS PER CONSTRUCTION APPROVAL	06/21/19



EC6
EROSION CONTROL DETAILS

SEE EROSION CONTROL SHEET

SEE EROSION CONTROL SHEET

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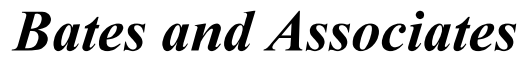
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Invoice

Phone #	Fax #
479-442-9350	479-521-9350

South Hill Water Main Extension

Estimate



Mission Contractors LLC

PO Box 8878

Fayetteville, AR 72703

Phone: 479.957.6566

Date: August 27, 2019

Project: South Hill Water Main Extension

Attention: Christian McGuire - Bates and Associates

Requested Services

Description	Unit	Estimated Quantity	Unit Price	Total
8" Water Main	LF	300	\$ 85.00	\$ 25,500.00
Air Release Valve	EA	1	\$ 3,633.00	\$ 3,633.00
Clearing & Grubbing	LS	1	\$12,000.00	\$ 12,000.00
Construction Staking	LS	1	\$ 1,200.00	\$ 1,200.00
Imports (Class 67)	LDS	8	\$ 375.00	\$ 3,000.00
Exports	LDS	8	\$ 110.00	\$ 880.00
Insurance and Bonding	LS	1	\$ 2,500.00	\$ 2,500.00
Trench Safety	LS	1	\$ 1,500.00	\$ 1,500.00
Rock Excavation	CY	0	\$ 275.00	\$ -
Erosion Control	LS	1	\$ 2,500.00	\$ 2,500.00
Tree Protection	LS	1	\$ 1,000.00	\$ 1,000.00
Mobilization	LS	1	\$15,000.00	\$ 15,000.00
Site Restoration	LS	1	\$ 3,500.00	\$ 3,500.00

Total	\$ 72,213.00
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Exclusions: Rock excavation, compaction testing, furnishing or installing new trees

Thank you for the opportunity to serve you!

Total Site Development LLC

P.O. Box 199

Goshen, AR 72735

Quote

Date	Quote #
8/16/2019	TSD-1045

Name / Address
Boston Mt Holdings LLC

Project
S. Hill Water Ext.

[illegible]

Phone #
479-530-9687

Signature

ESTIMATE

Geoff Bates

J. Johnson Construction

1300 Morsani Dr

Rogers, AR 72758

Phone: (479) 841-1664

Email: kris-s-scates@prodigy.net

Estimate #

011129

Date

09/09/2019

[illegible]

Geoff Bates



**CITY OF
FAYETTEVILLE
ARKANSAS**

June 12, 2019

Jose Rios
Bates and Associates
7230 S. Pleasant Ridge Dr.
Fayetteville, AR 72704

VIA EMAIL: jose@batesnwa.com

Re: Lot Split Approval: LSP 19-6698 (300 S. Hill Ave./Boston Mountain Holdings)

Dear Mr. Rios:

This letter documents that City Staff has completed the review of and administratively approved the subject lot split at 300 S. Hill Ave. (LSP 19-6698). The official administrative approval date will be June 24, 2019. This approval is subject to the following conditions of approval:

Conditions of Approval:

1. Right-of-way dedication is required in the amount of 25 feet from centerline along S. Hill Ave. (Local Street) and W. Stone St. (Local Street).
2. Parks fees in the amount of \$3,267.00 for the new residential lot shall be paid prior to the City stamping approval of the lot split.
3. Impact fees for water, sewer, police and fire shall be paid in accordance with City ordinance.
4. Plat Review comments (to include written staff comments provided to the applicant or his representative, and all comments from utility representatives - AR Western Gas, SWBT, Ozarks, SWEPCO, Cox Communications) including:
 - a. A water main extension is required to be permitted and constructed as specified by the city's engineering division to provide access to lots 2, 3, and 4 prior to lot split approval.
 - b. The existing gravel driveway and parking lot shall be removed and replaced with compliant access and parking on the same lot as the existing house.
5. This lot split must be filed of record within one year from the date of approval or the approval is rendered null and void.
6. Prior to staff stamping approval on the lot split, email City Planning staff the AutoCAD file for input into the City's GIS database.
7. Email staff a recorded copy of the lot split for our digital records.

If you have any questions, please feel free to contact me at (479) 718-7625.

Sincerely,

A handwritten signature in black ink, appearing to read 'Willie Benson', with a long horizontal line extending to the right.

Willie Benson
Planning Technician