

City of Fayetteville Staff Review Form

2022-0761

Legistar File ID

September, 6th 2022

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

Matt Mihalevich

8/17/2022

ENGINEERING (621)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of a cost share with Old Missouri Land Development, LLC to pay \$58,533.00 for trail improvements along the east side of Old Missouri Rd. near the intersection of Rolling Hills Dr. and approve contingency in the amount of \$6,000.00.

Budget Impact:

4470.800.8820-5809.00

Sales Tax Capital Improvement Fund

Account Number

Fund

02116.1

Cost Share/ROW/Intersection/Street Calming

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 660,742.00

Funds Obligated \$ 298,565.00

Current Balance \$ 362,177.00

Does item have a cost? Yes

Item Cost \$ 64,533.00

Budget Adjustment Attached? No

Budget Adjustment \$ -

Remaining Budget \$ 297,644.00

V20210527

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF SEPTEMBER 6TH, 2022

TO: Mayor and City Council

THRU: Susan Norton, Chief of Staff
Chris Brown, Public Works Director/City Engineer

FROM: Matt Mihalevich, Active Transportation Manager, Engineering Division

DATE: August 16, 2022

SUBJECT: **2022-0761 - Cost Share with Old Missouri Land Development, LLC for trail improvements along Old Missouri Road.**

RECOMMENDATION:

Staff recommends approval of a cost share with Old Missouri Land Development, LLC to pay \$58,533.00 for trail improvements along the east side of Old Missouri Rd. near the intersection of Rolling Hills Dr. and approve contingency in the amount of \$6,000.00.

BACKGROUND:

In May of 2022, the Planning Commission approved LSD-2022-0012: Stage Station. The Active Transportation Plan shows a shared use paved trail to be constructed along the east side of Old Missouri Rd. along the frontage of this development. The developer is required by the Master Street Plan to construct an 8-foot-wide sidewalk along their frontage of Old Missouri Road.

To create the 12-foot wide shared use trail, staff has requested that the developer include an additional 4 feet of concrete to expand the 8-foot-wide sidewalk to 12-foot-wide trail. The cost to widen the sidewalk, include widened crosswalks and additional property totals \$58,533. The trail improvements exceed the rough proportionality of the development project so city funding would be applied by this cost share to close the funding gap and construct the trail.

DISCUSSION:

To work toward completing this important trail connection over time, it is essential that the portion of trail improvements are constructed as adjacent development occurs along the route. With this proposed cost-share, a 12-foot wide shared use paved trail will be constructed to provide safe passage of trail users in pursuit of the City's goals to support users of all ages and all abilities.

BUDGET/STAFF IMPACT:

This cost share is funded by the Sales Tax Capital Improvements Fund for Cost Shares.

Attachments:

Cost Share Agreement with Old Missouri Land Development, LLC
Exhibit "A" Trail Plan
May 5th, 2022 Letter from Jorgenson + Associates

CONTRACTUAL AGREEMENT FOR COST SHARE OF TRAIL IMPROVEMENT COSTS

This Agreement, made and entered into on this 10th day of August 2022, by and between the City of Fayetteville, Arkansas ("City") and Phil Crabtree as agent for owner, Old Missouri Land Development, LLC ("Owner"), witnesseth:

WHEREAS, Owner has proposed a new residential development, approved along Old Missouri Road between Rolling Hills and Old Wire Roads, and

WHEREAS, the Owner is required to construct 8-foot-wide sidewalk on Old Missouri Road's eastern right-of-way valued at \$64,750, and

WHEREAS, the Active Transportation Plan identifies a 12-foot-wide trail be constructed along Old Missouri Road, and

WHEREAS, trail improvements, which exceed the rough proportionality of impact of the project are necessary along the Old Missouri Road property frontage to comply with the Active Transportation Plan.

WHEREAS, Owner has committed to constructing a 12-foot wide trail according to the City standard for trail construction along their Old Missouri Road. property frontage and provide the necessary land property to locate the trail in a location that will save numerous pine trees, and

WHEREAS, the City of Fayetteville Engineering Division recommends the trail improvements, which exceed the rough proportionality of impact from the development be funded by means of a cost share.

NOW, THEREFORE, the City of Fayetteville, Arkansas and Owner agree as follows:

1. The City of Fayetteville, Arkansas agrees to:

- A. Reimburse Owner for \$58,533 which represents the cost for land and 4 additional feet of concrete to install approximately 985 linear feet of 12-foot concrete trail according to the City trail standard detail, including erosion control, excavation, 2' of select fill with 1 foot overbuild on each side, 4" class 7 base with 1 foot overbuild on each side, 4" concrete trail with fiber reinforcement, fine grading, sod mow strip, conduit, colored concrete crosswalk, signage and thermoplastic for crosswalk along Old Missouri Road. as shown in Exhibit "A", attached.
- B. Payments due to Owner, shall be remitted within sixty (60) days after receipt of valid invoices, and pending successful inspection and acceptance of the completed work by the City of Fayetteville Engineering Division.

2. **Owner** agrees to:

- A. Provide the necessary and normal project management, inspection, and testing as necessary to complete the work shown on Exhibit "A", in accordance with the City of Fayetteville Minimum Street Standards, and City Standard Details, both of which are available at <http://www.fayetteville-ar.gov/445/Engineering-Specs-Details>
 - B. Provide a copy of the invoices from the Contractor upon completion and City approval of the trail improvements described in Exhibit "A".
 - C. Pay for the trail improvements with a not to exceed reimbursement of \$58,533 of the cost by the City of Fayetteville.
3. It is further understood that the contract for construction is between **Owner** and their Contractor and that the City has no contractual obligation with either the Contractor or any agent for **Owner**. The City's only obligation shall be to participate in a contractual agreement with a not-to-exceed amount of \$58,533 for the associated trail improvements.

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

PO BOX 8878
Fayetteville, AR 72703
Old Missouri Land Development, LLC

By: 
Old Missouri Land Development LLC, President

CITY OF FAYETTEVILLE,
ARKANSAS

By: _____
LIONELD JORDAN, Mayor

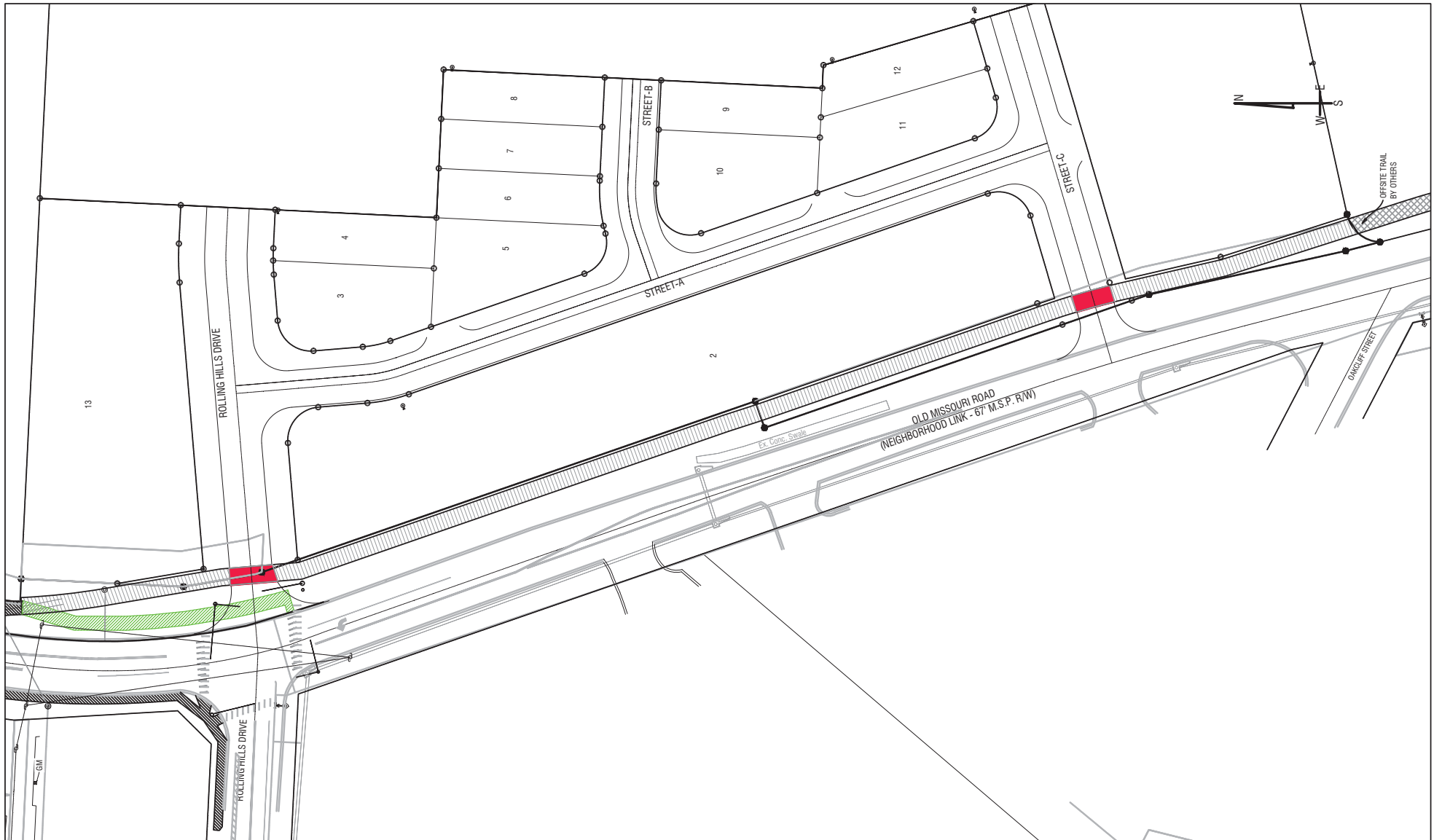
ATTEST:

s
By: 

Clay Morton, 8/10/22

ATTEST:

By: _____
Kara Paxton, City Clerk



**JORGENSEN
+ ASSOCIATES**
Civil Engineering + Surveying

124 W Sunbridge Drive, Suite 5
Fayetteville, AR 72703
Office: 479.442.9127
www.jorgensenassoc.com
Established 1985

PROJECT TITLE: STAGE STATION
LOCATION: FAYETTEVILLE, AR
SHEET TITLE: COST SHARE AGREEMENT EXHIBIT 'A'
DRAWN BY: BWJ
SHEET SCALE: NTS
DATE: 8.15.22
PROJECT FILE: Z:\Subdivisions\2021161 - Stage\dwg\Stage-LSD.dwg

SHEET # 1



JORGENSEN
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May 5, 2022

City of Fayetteville
Development Services
113 West Mountain Street
Fayetteville, AR 72703

CoF Job # 2022-0012
J+A Job #2021161

Attn: Planning
Re: Stage Station LSD-Trail Cost Share

To whom it may concern;

In regards to the Stage Station multi-use trail, we are kindly seeking a cost share for this project. This collaboration would bring a much needed trail along Old Missouri and by participating in the cost share, we will be able to move the trail outside the right-of-way, donate some land, and save numerous pine trees. Our proposal is to build the 12' trail with this project, wherein we would normally have to build an 8' sidewalk as per the MPS, and we are asking the city contribute 4' of extra sidewalk along with signage/stripping and the donated ROW.

Our estimate for this work is as follows:


Developer's responsibility:
8' wide trail, 985 LF = 875 SY x \$74/SY = \$64,750

City's responsibility:
4' wide cost share, 985 lf = 437 SY x \$74/SY = \$32,338
8,217 SF (0.188 ac) of land donated for the trail @ \$86,146/ac = \$16,195
Thermoplastic, Colored Concrete and Signage: \$10,000
Total: \$58,533

Total amount we are requesting the city to cost share = \$58,533

We look forward to working with the city to make this a successful project.

Sincerely;



Blake Jorgensen, P.E.