

AGENDA

**FORT SMITH BOARD OF DIRECTORS
REGULAR MEETING**

JANUARY 18, 2011 ~ 6:00 P.M.

**FORT SMITH PUBLIC SCHOOLS
SERVICE CENTER
3205 JENNY LIND ROAD**

THIS MEETING IS BEING TELECAST LIVE ON THE CITY CABLE ACCESS CHANNEL 6

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

**PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS
OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING**

(Section 2-37 of Ordinance No. 24-10)

**APPROVE MINUTES OF THE JANUARY 4, 2011 REGULAR MEETING AND
JANUARY 11, 2011 SPECIAL MEETING**

ITEMS OF BUSINESS:

1. Presentation
 - Mount Magazine Girl Scout Council
2. Consent Agenda
 - A. Resolution authorizing payment to the Arkansas State Highway and Transportation Department for the Highway 45 Widening Project between Phoenix Avenue and Zero Street, Project No. 08-01-A, AHTD Job No. 040238, 2011 Sales Tax Program (\$5,034,342.31)
 - B. Resolution accepting completion of and authorizing final payment for construction of Street Overlays/Reconstruction, Project No. 10-03-E (\$139,639.23)

- C. Resolution authorizing a time extension and assessing liquidated damages for the construction of Street Overlays/Reconstruction, Project No. 09-03-A (\$13,500.00)
- D. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays/Reconstruction, Project No. 09-03-A (\$42,691.10)
- E. Resolution accepting completion of and authorizing final payment for landfill construction of phase 5 landfill disposal area expansion at the Fort Smith Landfill (\$127,044.64)
- F. Resolution authorizing a contract amendment with RSR Design & Reconstruction for the remodel of the Department of Sanitation administration office building (\$23,364.75)
- G. Resolution accepting completion of and authorizing final payment for the remodel of the Department of Sanitation administration office building (\$11,141.39)
- H. Resolution authorizing the purchase of computer software for use in mobile data terminals in the River Valley Mobile Data System Project (\$82,932.00)
- I. Resolution authorizing the purchase of network equipment and installation for use in the River Valley Mobile Data System Project (\$57,872.95)
- J. Resolution authorizing partial payment to Crossland Heavy Contractors, Inc. for construction of the Lake Fort Smith Water Treatment Plant – Contract 3 (\$644,793.06)
- K. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Neighborhood Water System Improvements – North 66th Street, Old Greenwood Lane and Duncan Road (\$57,752.39)
- L. Resolution authorizing Change Order Number One with T-N-T, Inc. for the Hurricane Creek Water Line Relocation (\$31,926.08)
- M. Resolution accepting the project as complete and authorizing final payment to T-N-T, Inc. for the Hurricane Creek Water Line Relocation (\$50,827.13)

- N. Resolution accepting the project as complete and authorizing final payment to T-N-T, Inc. for the Lake Fort Smith Water Transmission Line Easement Clearing and Location Project (\$11,504.44)

**OFFICIALS FORUM ~ presentation of information requiring no official action
(Section 2-36 of Ordinance No. 24-10)**

- A. Mayor
B. Directors
C. City Administrator

EXECUTIVE SESSION

Appointments: Convention Center Commission (1), Fort Smith Housing Authority (1), Planning Commission (1) and Sebastian County Regional Solid Waste Management Board (1)

CITIZENS FORUM ~ presentation of information by citizen ~ an opportunity for citizens to present matters to the Mayor and Board of Directors which involve the city government and are not directly related to items considered on the agenda for this meeting. Presentations are limited to 2 minutes for each citizen (Section 2-44(b) of Ordinance No. 24-10)

ADJOURN

RESOLUTION _____

A RESOLUTION AUTHORIZING PAYMENT TO THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE HIGHWAY 45 WIDENING PROJECT BETWEEN PHOENIX AVENUE AND ZERO STREET PROJECT NO. 08-01-A, AHTD JOB NO. 040238
2011 SALES TAX PROGRAM

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: Payment in the amount of \$5,034,342.31 to the Arkansas State Highway and Transportation Department is hereby approved for the Highway 45 Widening Project between Phoenix Avenue and Zero Street, Project No. 08-01-A, AHTD Job No. 040238.

SECTION 2: Payment authorized in section 1 is hereby authorized from the Sales Tax Fund (1105).

This resolution adopted this _____ day of January, 2011.

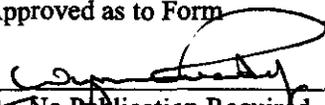
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



 No Publication Required
 Publish ___ Times

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering *SS*

DATE: January 11, 2011

SUBJECT: Highway 45 Widening Improvements - Phoenix Avenue to Zero Street
Project No. 08-01-A, AHTD Job No. 040238

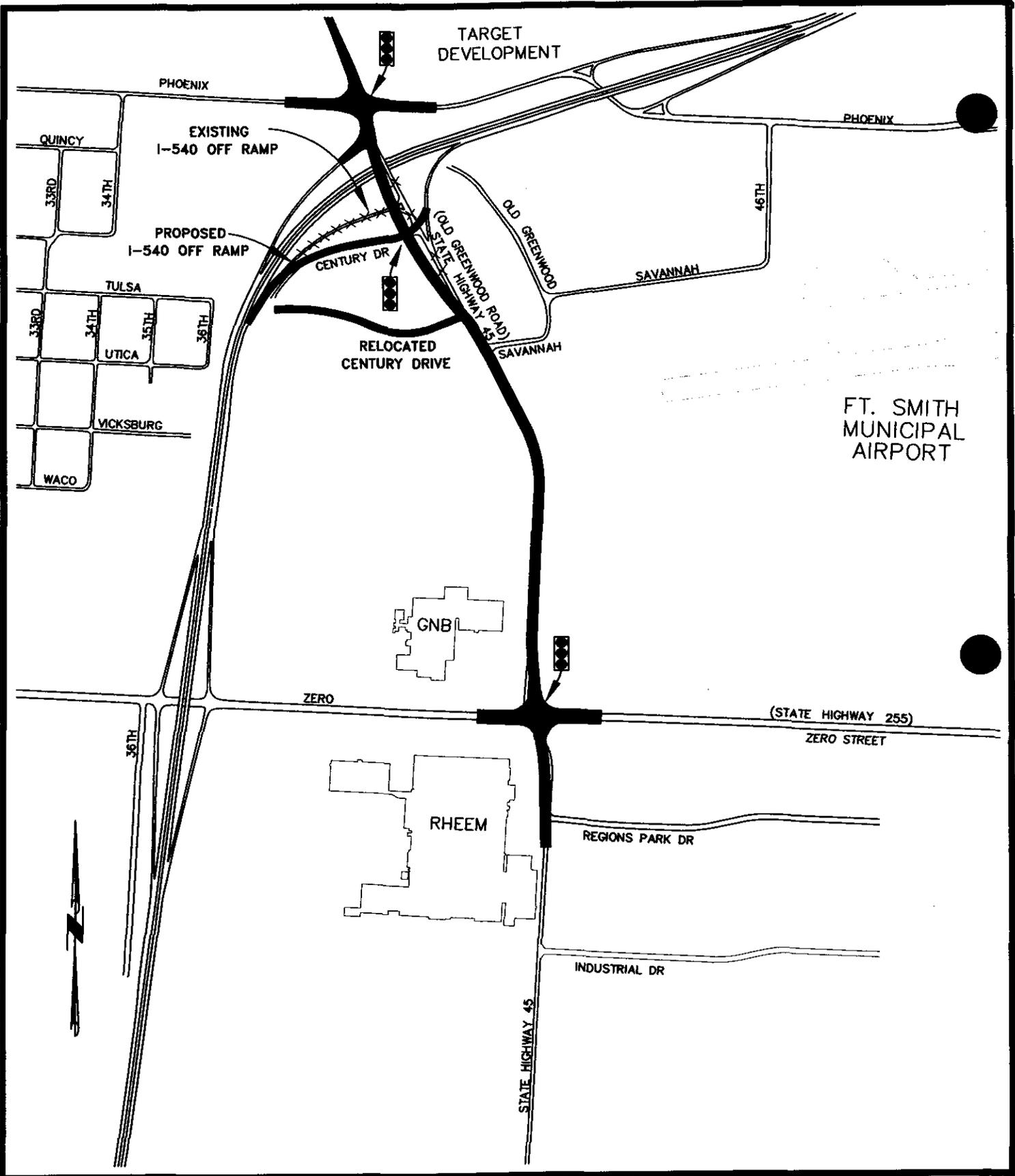
This project consists of the widening along Highway 45 from the Phoenix Avenue intersection to just south of the Zero Street intersection as shown on the attached exhibit. This includes replacement of the two lane bridge over I-540 with a new five lane bridge. The design and construction inspection for the project are being handled by the Arkansas State Highway and Transportation Department (AHTD).

Resolution R-82-06 (attached), approved May 16, 2006, authorized the City to a 50-50 cost share partnership with the AHTD for the project. In April 2009, the City paid the AHTD \$1,851,250.00 which was estimated to be 50% of the costs for the right of way acquisition and reimbursable utility adjustments.

The AHTD opened bids for the project on January 6, 2011. Forsgren, Inc. of Fort Smith submitted the low bid of \$9,948,601.28. The City's remaining share towards the project is estimated to be \$5,034,342.31 as detailed on the attached letter from the AHTD. The construction is expected to begin in March of this year and be completed in August 2012.

A Resolution authorizing the payment to the AHTD is attached. I recommend that this payment be approved. Funds are available in the Sales Tax Fund (1105).

G:\RRay\Engineering\Snodgrass\Century Drive Relocate3.dwg 01/13/11-16:38 MJL EXHIBIT



2011 CAPITAL IMPROVEMENTS PROGRAM
 AHTD PROJECT 040238
 ARKANSAS HWY 45
 FORT SMITH, ARKANSAS



Project:	08-01-A
Date:	JAN. 2011
Scale:	NONE
Drawn By:	MJL

PROJECT RESOLUTION
RESOLUTION NO. R-82-06

5E

A RESOLUTION AUTHORIZING AGREEMENT WITH THE ARKANSAS STATE
HIGHWAY AND TRANSPORTATION DEPARTMENT FOR
HIGHWAY 45 WIDENING FROM HIGHWAY 255 (ZERO STREET)
TO PHOENIX AVENUE

WHEREAS, the City of Fort Smith and the Arkansas State Highway and Transportation Department have determined that widening of Highway 45 from Highway 255 (Zero Street) to Phoenix Avenue is needed; and

WHEREAS, the Arkansas State Highway and Transportation Department is agreeable to a 50-50 partnership for the project costs eligible for reimbursement with Federal-aid highway funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION I: The City will participate in accordance with its designated responsibilities in this project.

SECTION II: The Mayor, his signature being attested by the City Clerk, is hereby authorized and directed to execute all approved contracts necessary for this project. The City Administrator, or his designee, is hereby authorized and directed to take all administrative actions and to execute all documents necessary to expedite the implementation of this project.

SECTION III: The City pledges its full support and hereby authorizes the Arkansas State Highway and Transportation Department to initiate action to implement this project.

THIS RESOLUTION adopted this 16th day of May, 2006.



Mayor





Cindy Remler

*Approved for
JL
No publication required*

ARKANSAS STATE HIGHWAY
AND
TRANSPORTATION DEPARTMENT

Dan Flowers
Director
Phone (501) 569-2000 Fax (501) 569-2400



P.O. Box 2261
Little Rock, Arkansas 72203-2261
WWW.ARKANSASHIGHWAYS.COM

January 10, 2011

Mr. Ray Gosack
Acting City Administrator of Fort Smith
P.O. Box 1908
Fort Smith, AR 72902

Re: Job 040238
F.A.P. STP-9150(20) & STP-HPP-1523(3)
Hwy. 255-Phoenix Ave. (Widening)
(Ft. Smith) (S)
Sebastian County

Dear Mr. Gosack:

Forsgren, Inc. of Fort Smith submitted the low bid of \$9,948,601.28 for the referenced project at the Department's January 6, 2011 letting.

As previously agreed, the City is responsible for 50% of the cost of this project. Below is a tabulation of project costs and the City's estimated share.

	<u>Total Cost</u>
Preliminary Engineering	\$ 573,361.44
Right-of-Way	1,037,439.79
Utilities	1,240,983.98
Construction	9,948,601.28
Construction Engineering	<u>994,860.13</u>
Total	\$ 13,795,246.62
City's Share (50%)	6,897,623.31
Less Remaining HPP Funds	12,031.00
Less Deposit Received	<u>1,851,250.00</u>
City Share Remaining	\$ 5,034,342.31

Your check for \$5,034,342.31 (made payable to the Arkansas State Highway and Transportation Department) should be forwarded to this office as soon as possible. Submittal of these funds to the Department will be considered as your concurrence in the award of this contract.

Mr. Ray Gosack
January 10, 2011
Page Two

Upon completion of the project, a statement will be prepared reflecting the final cost and respective matching shares. At that time, the City will be returned funds remaining over the deposit or billed for additional funds required.

We look forward to working with the City to complete the proposed improvements. Should you have any questions or comments, please advise.

Sincerely,



Frank Vozel
Deputy Director and
Chief Engineer

c: Assistant Chief Engineer-Planning
Programs and Contracts
Fiscal Services (2)
Planning and Research
District 4
Job 040238 'C' File
Stan Snodgrass, Fort Smith City Engineer

RESOLUTION _____

**A RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF
STREET OVERLAYS/RECONSTRUCTION
PROJECT NO. 10-03-E**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of Street Overlays/Reconstruction, Project No. 10-03-E, as complete.

SECTION 2: Final Payment is hereby authorized in the amount of \$139,639.23 to the contractor, Forsgren Inc., for the above captioned project.

This resolution adopted this _____ day of January, 2011.

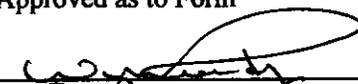
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



 No Publication Required
 Publish _____ Times

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering *SS*

DATE: January 11, 2011

SUBJECT: Street Overlays/Reconstruction
Project No. 10-03-E

This project consisted of asphalt street overlays, reconstruction and minor drainage improvements to the streets listed on the attached sheet and shown on the attached exhibit. The total length of streets improved was approximately 2.9 miles. A project summary sheet is also attached.

Attached is a resolution to accept the project as complete and authorize final payment to the contractor. I recommend that the Resolution be accepted by the Board of Directors at the next regular meeting.

SUMMARY SHEET

City of Fort Smith
Project Status: Complete
Today's Date: 1/5/2011
Staff contact name: Stan Snodgrass
Staff contact phone: 784-2225
Contract time (no of days): 210
Notice to proceed issued: 06/07/2010

Project name: Street Overlays/Reconstruction
Project number: 10-03-E
Consultant engineer: Hawkins - Weir Engineering
Project contractor: Forsgren, Inc.

	Dollar Amount	Bid Date	Contract Completion Date
Original bid award	\$1,733,128.05	5/11/2010	1/2/2011
Contract Revisions:			
1			
2			
3			
Adjusted contract amount	<u>\$1,733,128.05</u>		
Payments to date (as negative):	\$1,349,799.26		
Amount of this payment	\$139,639.23		
Contract balance remaining	\$243,689.56		
Retainage held	0%		
Final payment	\$139,639.23		
Amount under original as a percentage	14.1%		

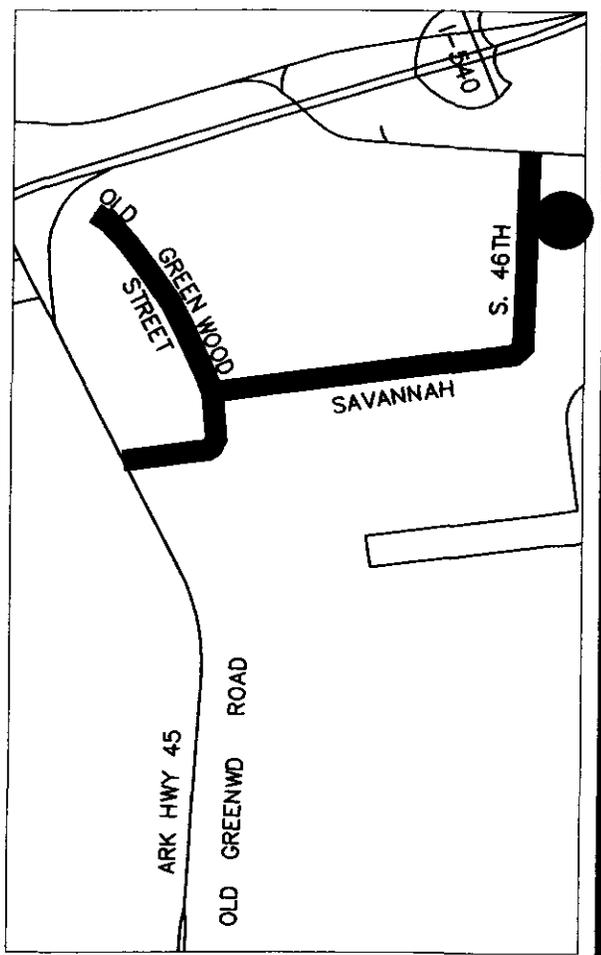
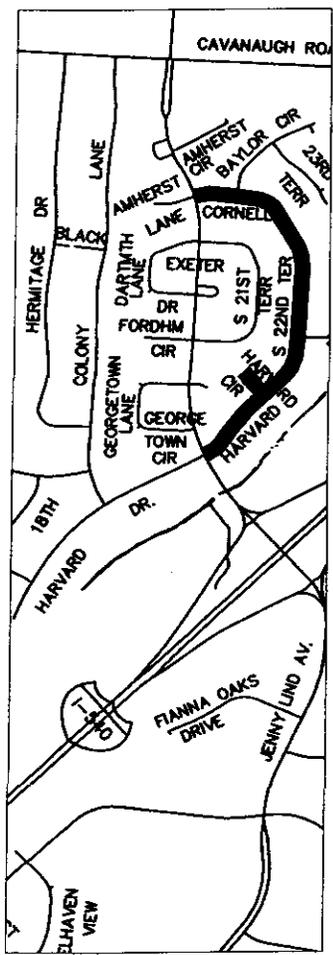
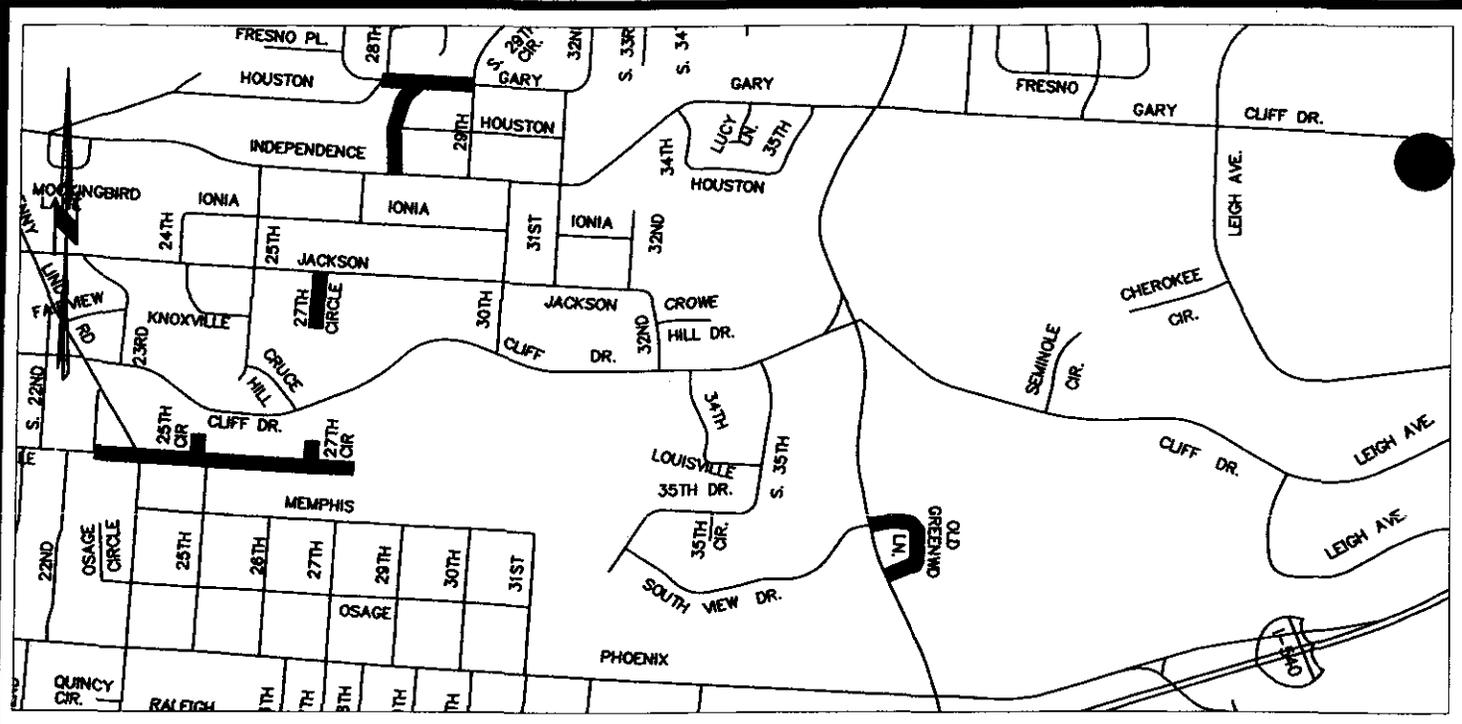
Final Comments:

The project was substantially complete on December 17, 2010.

**2010 CAPITAL IMPROVEMENTS PROGRAM
STREET OVERLAYS/RECONSTRUCTION
PROJECT NO. 10-03-E**

STREET	FROM	TO	LENGTH
CORNELL AVE.	JENNY LIND RD.	22ND TER.	956
HARVARD AVE.	FORDHAM AVE.	JENNY LIND RD.	1,034
22ND TER.	CORNELL AVE.	FORDHAM AVE.	500
HARVARD CR.	HARVARD AVE.	END OF ROAD	87
SAVANNAH ST.	OLD GREENWOOD RD.	46TH ST.	1,924
OLD GREENWOOD ST.	SAVANNAH ST.	END OF ROAD	1,800
46TH ST.	SAVANNAH DR.	PHOENIX AVE.	993
OLD GREENWOOD LN.	OLD GREENWOOD RD.	OLD GREENWOOD RD.	1,878
25TH CR.	LOUISVILLE ST.	END OF ROAD	172
27TH CR.	LOUISVILLE ST.	END OF ROAD	175
LOUISVILLE ST.	23RD ST.	END OF ROAD	1,730
27TH CR.	JACKSON ST.	END OF ROAD	389
SOUTH Q ST.	25TH ST.	GREENWOOD AVE.	651
WHARTON ST.	GREENWOOD AVE.	28TH ST.	290
SOUTH Y ST.	GREENWOOD AVE.	28TH ST.	266
28TH ST.	SOUTH Y ST.	WHARTON ST.	576
REEDER ST.	GREENWOOD AVE.	ADELAIDE AVE.	581
28TH ST.	INDEPENDENCE ST.	GARY ST.	683
GARY ST.	28TH ST.	29TH ST.	577

G:\DRAWINGS\CIP\00-00 CIPALL\2010\2010 STREET PROJECTS.dwg 10/29/09-09:32 RBR 10-03-E



2010 CAPITAL IMPROVEMENTS PROGRAM
STREET OVERLAYS/RECONSTRUCTION



Project:	10-03-E
Date:	OCT. 2009
Scale:	NONE
Drawn By:	RBR

RESOLUTION _____

**A RESOLUTION AUTHORIZING A TIME EXTENSION
AND ASSESSING LIQUIDATED DAMAGES FOR THE
CONSTRUCTION OF STREET OVERLAYS/RECONSTRUCTION
PROJECT NO. 09-03-A**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: A time extension with Wilson Brothers Construction Company, Inc., for Street Overlays/Reconstruction, Project No. 09-03-A, which increases the contract time by 87 calendar days, is hereby approved.

SECTION 2: The City of Fort Smith hereby assesses liquidated damages for 27 calendar days in the amount of \$13,500.00 on Street Overlays/Reconstruction, Project No. 09-03-A.

This Resolution adopted this _____ day of January, 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



 No Publication Required
 Publish ___ Times

2D

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING COMPLETION OF AND
AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF
STREET OVERLAYS/RECONSTRUCTION
PROJECT NO. 09-03-A**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of the Street Overlays/Reconstruction, Project No. 09-03-A, as complete.

SECTION 2: Final payment is hereby authorized in the amount of \$42,691.10 to the contractor, Wilson Brothers Construction, Inc., for the Street Overlays/Reconstruction, Project No. 09-03-A.

This Resolution adopted this _____ day of January, 2011.

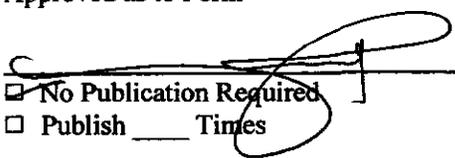
APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form



 No Publication Required
 Publish ___ Times

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

FROM: Stan Snodgrass, P.E., Director of Engineering *SS*

DATE: January 11, 2011

SUBJECT: 2009 Sales Tax Program
Street Overlays/Reconstruction
Project No. 09-03-A

The above subject project consisted of asphalt street overlays, reconstruction and minor drainage improvements to the streets listed on the attached sheet and shown on the attached exhibit. The total length of streets improved was approximately 3.6 miles. A project summary sheet is attached.

Attached is a Resolution to increase the contract time and assess liquidated damages, and a Resolution to accept the project as complete and authorize final payment to the contractor. I recommend that the two Resolutions be accepted by the Board at the next regular meeting.

SUMMARY SHEET

City of Fort Smith
 Project Status: Complete
 Today's Date: 1/4/2011
 Staff contact name: Stan Snodgrass
 Staff contact phone: 784-2225
 Contract time (no of days): 210
 Notice to proceed issued: 11/11/2009

Project name: Street Overlays/Reconstruction
 Project number: 09-03-A
 Consultant engineer: Phil Leraris
 Project contractor: Wilson Brothers Construction Co.

	Dollar Amount	Bid Date	Contract Completion Date
Original bid award	\$1,968,483.40	9/22/2009	6/9/2010
Contract Revisions:			
1 Time extension 87 days			
2 27 days liquidated damages @ \$500/day	(\$13,500.00)		
3			
Adjusted contract amount	\$1,954,983.40		
Payments to date (as negative):	\$1,816,845.53		
Amount of this payment	\$42,691.10		
Contract balance remaining	\$95,446.77		
Retainage held	0%		
Final payment	\$42,691.10		
Amount under original as a percentage	4.9%		

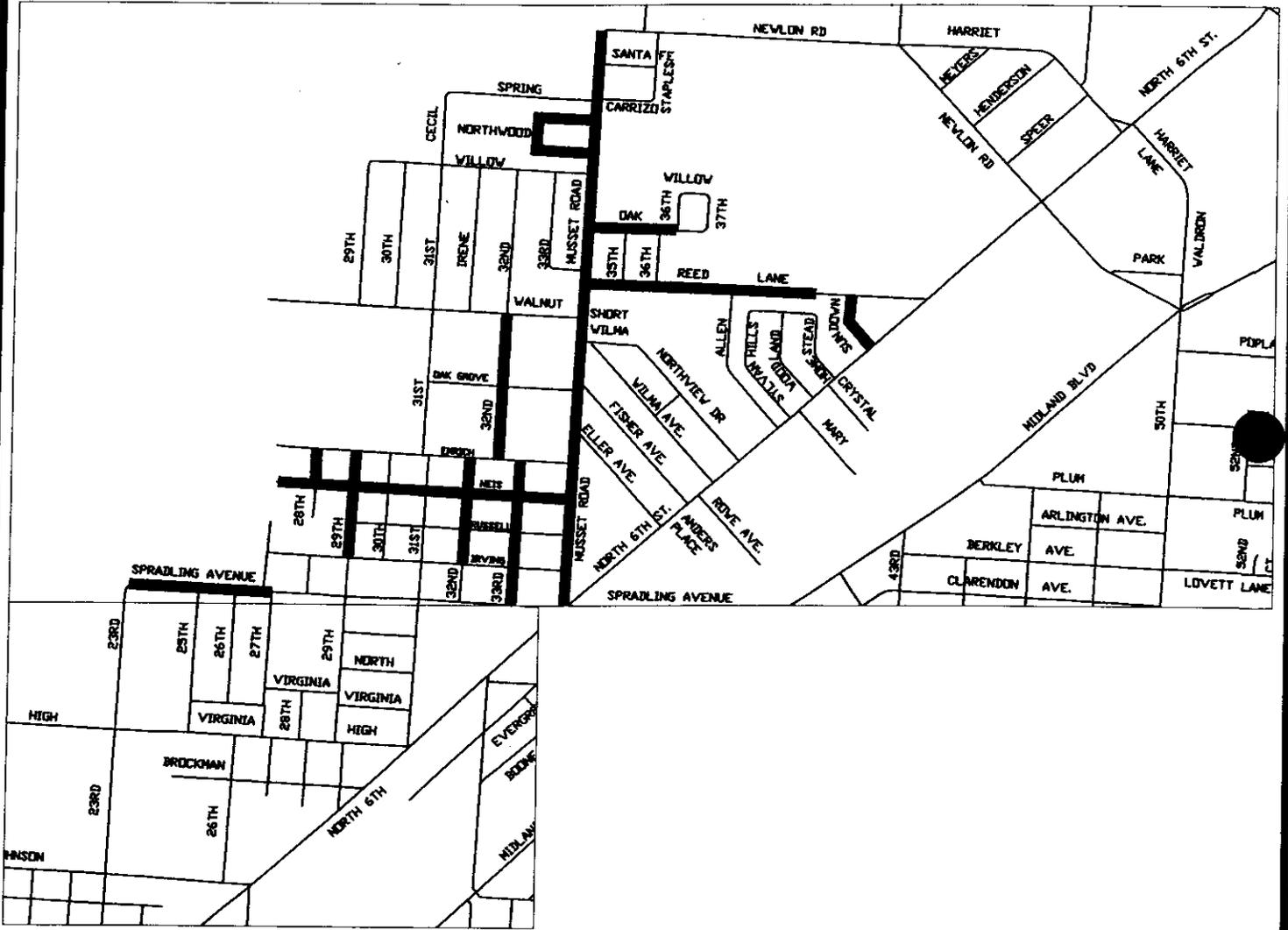
Final Comments:

The project was substantially complete on October 1, 2010, 114 days beyond the contract completion date. The contractor has requested that a time extension be granted due to several issues including adjustments to existing underground utilities, driveway approach modifications, storm drainage modifications and other adjustments in the field. The staff concurs that 87 additional days are warranted and recommends assessment of liquidated damages for the remaining 27 days. The contract specifies liquidated damages in the amount of \$500.00 per day which results in a decrease in the final payment to the contractor in the amount of \$13,500.00.

**2009 CAPITAL IMPROVEMENTS PROGRAM
STREET OVERLAYS/RECONSTRUCTION
PROJECT NO. 09-03-A**

STREET	FROM	TO	LENGTH
SPRADLING AVE.	23RD ST.	27TH ST.	1,271
28TH ST.	NEIS ST.	EMRICH ST.	328
29TH ST.	IRVING ST.	EMRICH ST.	976
32ND ST.	IRVING ST.	WALNUT ST.	2,300
33RD ST.	SPRADLING AVE.	EMRICH ST.	1,327
NEIS ST.	MUSSETT RD.	END OF ROAD	2,614
NORTHWOOD DR.	MUSSETT RD.	MUSSETT RD.	1,320
OAK ST.	MUSSETT RD.	36TH ST.	800
REED LN.	MUSSETT RD.	WEST OF SUNDOWN LN.	2,148
SUNDOWN LN.	6TH ST.	REED LN.	552
MUSSETT RD.	SPRADLING AVE.	NEWLON RD.	5,294

G:\DRAWINGS\CIP\00-00 CIPALL\2009\CIPALL 2009.dwg 11/13/08-10:23 RBR AREA A



2009 CAPITAL IMPROVEMENTS PROGRAM
STREET OVERLAYS/RECONSTRUCTION



Project:	09-03-A
Date:	NOV. 2008
Scale:	NONE
Drawn By:	RBR

RESOLUTION _____

A RESOLUTION ACCEPTING COMPLETION OF AND AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF PHASE 5 LANDFILL DISPOSAL AREA EXPANSION AT THE FORT SMITH LANDFILL

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the construction of the above-mentioned project as complete.

SECTION 2: Final Payment is hereby authorized in the amount of \$127,044.64 to the contractor, Dean Crowder Construction, Inc.

This Resolution adopted this 18th day of January 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form

- No Publication Required
- Publish _____ Times



MEMORANDUM

January 14, 2011

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director *NK*

Subject: Landfill Phase 5 Construction Project

On April 6, 2010, the Fort Smith Board of Director's passed Resolution R-61-10, in the amount of \$1,996,861.15 to Dean Crowder Construction, Inc. for the construction of the phase 5 landfill disposal area expansion (see attached memo and Resolution). The Department of Sanitation landfill phase 5 construction project consisted of developing the fifth area of six planned disposal area expansion phases in the landfill. Completion of this phase of the construction should provide landfill waste disposal capacity through the fall of 2015.

The overall cost of the expansion came in much lower than expected due to aggressive pricing of materials. The final contract amount is \$1,931,705.07, which represents a \$975,044.93 cost savings from the estimated project cost (\$2,906,750).

It is my recommendation that the project be accepted and approved by the attached resolution as complete and final payment in the amount of \$127,044.64 be authorized at the next regular Board of Director's meeting.

Please let me know if you should require any additional information.

RESOLUTION R-61-10

**A RESOLUTION ACCEPTING BIDS AND AUTHORIZING
THE MAYOR TO ENTER INTO CONTRACTS
FOR THE CONSTRUCTION OF PHASE 5
AT THE CITY OF FORT SMITH LANDFILL**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY FORT SMITH,
ARKANSAS, THAT:

SECTION 1: The bid of Dean Crowder Construction, Inc. for the construction of phase 5 landfill expansion at the Fort Smith Landfill in the amount of \$1,996,861.15 be accepted.

SECTION 2: The Mayor is authorized to execute a contract with Dean Crowder Construction, Inc. subject to the terms set forth in Section 1 above.

SECTION 3: The bid of Data Testing, Inc. for quality control testing services for the construction of phase 4 landfill expansion at the Fort Smith Landfill in the amount of \$18,242.00 be accepted.

SECTION 4: The Mayor is authorized to execute a contract with Data Testing, Inc. subject to the terms set forth in Section 3 above.

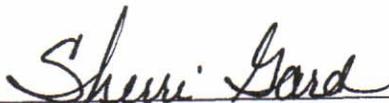
This Resolution adopted this 6th day of April, 2010.

APPROVED:



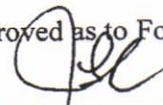
Mayor

ATTEST:



City Clerk Acting

Approved as to Form



no publication required



MEMORANDUM

April 1, 2010

To: Dennis Kelly, City Administrator
From: T. Baridi Nkokheli, Director
Subject: Landfill Phase 5 Construction Bids

The Fort Smith Landfill Phase 5 construction project consists of development of the fifth area of Phase A of the City's landfill. Completion of this phase of the construction should provide landfill capacity through the fall of 2013.

This project consists of clearing, excavation, and construction of a composite liner (GCL and 60 mil plastic liner), construction of a leachate pump station, and miscellaneous utility work.

Plans and specifications were prepared by Mickle, Wagner, Coleman, Inc. (MWC) and Terracon, Inc. MWC and Terracon will provide onsite construction observation. Bids were advertised beginning January 17, 2010, and January 24, 2010, with a pre-bid meeting held at the landfill on February 16, 2010. Bids were opened on February 23, 2010. Seven contractors bid on the project as shown on the attached bid tabulation.

We recommend the low bid of Dean Crowder Construction, Inc., of Bentonville, Arkansas, be accepted in the amount of \$1,996,861.15, which came in well below the estimated project cost (\$2,906,750). They listed the City of Springdale, the City of Fayetteville, and HCH Consulting (engineering) as references. MWC has reviewed the work of Dean Crowder Construction with their references and has received excellent reviews of their performance.

In addition, construction quality control testing for the project was bid. Construction quality control consists of testing soils, geosynthetics (manufactured liners), road construction, and concrete. Only one bid was received for the construction quality control testing.

We recommend the bid of Data Testing, Inc., of Fort Smith, for construction quality control testing be accepted in the amount of \$18,242.00.

Funds for the project are available from the Sanitation Sinking/Landfill Construction Fund. We are financing this phase with cash and not issuing debt as was done for previous expansions.

Please contact me should you have any questions regarding this report or would like additional information.

**Tabulation of Bids
Fort Smith Landfill Phase 5
Construction**

Contractor	Bid Amount
Dean Crowder Construction, Inc. *	\$1,996,861.15
T & K Construction	\$2,179,234.50
CEG Construction	\$2,192,000.00
Bloomsdale Excavating	\$2,310,150.00
Emery Sapp & Sons, Inc.	\$2,609,850.00
Crossland Construction Co.	\$2,615,000.00
Crawford Construction	\$2,720,080.00
MWC's Estimate	\$2,906,750.00
<p>Dates Advertised January 17 - 24, 2010 Bid Opening Date February 23, 2010 at 2 p.m. Awarded Bid *</p>	

**Tabulation of Bids
Fort Smith Landfill Phase 5
Construction Quality Control**

Contractor	Bid Amount
Data Testing, Inc. *	\$18,242.00
<p>Dates Advertised January 17 - 24, 2010 Bid Opening Date February 23, 2010 at 2 p.m. Awarded Bid *</p>	

PROJECT SUMMARY

City of Fort Smith
 Project Status: Complete
 Today's Date: 1/14/2011
 Staff contact name: T. Baridi Nkokheli
 Staff contact phone: (479) 784-2431
 Contract time (no of days): 180
 Notice to proceed issued: 5/8/2010

Project name: Landfill Phase A, Area 5
 Project number: R-61-10
 Consultant engineer: Mickle, Wagner, Coleman, Inc.
 Project contractor: Dean Crowder Construction, Inc.

	Dollar Amount	Bid Date	Contract Completion Date
Original bid award	\$1,996,861.15	2/23/2010	11/3/2010
Contract Revisions:			
1 Concrete Lined Ditch Strong Seal Walls of Pump Station Pit	\$26,638.00		
Adjusted contract amount	\$2,023,499.15		
Payments to date (as negative):	\$1,804,660.43		
Amount of this payment	\$127,044.64		
Contract balance remaining	\$91,794.08		
Retainage held		0%	
Final payment	\$127,044.64		
Amount under original as a percentage		4.5%	

Final Comments:

RESOLUTION _____

**A RESOLUTION AUTHORIZING A CONTRACT AMENDMENT WITH RSR DESIGN
AND RECONSTRUCTION FOR THE REMODEL OF THE DEPARTMENT OF
SANITATION ADMINISTRATION OFFICE BUILDING
PROJECT NO. 3501006**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, THAT:

SECTION 1: A contract amendment with RSR Design and Reconstruction, as attached
and described hereto in the Project Summary, for additional repair and remodeling of the
Department of Sanitation Administration Office Building due to water damage and Americans
with Disabilities Act (ADA) compliance is hereby approved.

This Resolution adopted this 18th day of January 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form

- _____
 No Publication Required
 Publish _____ Times

RESOLUTION _____

**A RESOLUTION ACCEPTING COMPLETION OF AND AUTHORIZING
FINAL PAYMENT FOR THE REMODEL OF THE DEPARTMENT OF SANITATION
ADMINISTRATION OFFICE BUILDING
PROJECT NO. 3501006**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, THAT:

SECTION 1: The City of Fort Smith hereby accepts the remodel of the Department of
Sanitation Administration Office Building, Project No. 3501006, as complete.

SECTION 2: Final payment is hereby authorized in the amount of \$11,141.39 to the
contractor, RSR Design and Reconstruction, for the remodel of the Department of Sanitation
Administration Office Building, Project No. 3501006.

This Resolution adopted this 18th day of January 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to Form

 No Publication Required
 Publish _____ Times



MEMORANDUM

January 14, 2011

To: Ray Gosack, City Administrator

From: T. Baridi Nkokheli, Director

Subject: Administration Building Remodel
Project No. 3501006

The original administration building was built in 1990 with a flat “membrane” covered roof. In 1993 and 1998, additions were added to the building creating seams between the original structure and roofing. As a result, the roof has leaked in several areas and into the partitioned additions since their construction. In 2009, we requested and were approved by the Board of Directors, to install a new “pitched” roof to our administration building to eliminate the severe water leaks during rain events. The new roof construction was completed in December 2009, resolving the issue.

Due to the continuous water leakage over the years, mold and mildew, and severe degradation to interior walls and ceilings developed. This required the removal, replacement, and/or relocation of load bearing structural framing, ceilings, and walls to ensure the structural integrity of the building and to ensure the health and safety of our employees and citizens who visit to conduct city business. In 2010, we requested and received approval from the Board (see attached memo and Resolution) to repair the building and bring the building into compliance with the Americans with Disabilities Act (ADA).

Construction plans and specifications were prepared by architect, P. Jeffrey Lee, of Fort Smith. The project was advertised and bids were opened on April 28, 2010. The construction contract was awarded to RSR Design & Reconstruction, in the amount of \$56,222.53.

Funding for initial repairs of \$30,000 was appropriated under program 6301 (Sanitation Administration – Capital Outlay 6301-301) in the 2010 budget. However, it was discovered that the mold and mildew infiltration and ADA compliance required a more extensive repair and remodel than initially estimated during the 2010 budget funding allocation process (see project summary attached). Additional funding for this project was earmarked in the landfill sinking fund after receiving a bid for the 2010 Phase 5 landfill expansion, which reflected a \$975,044.93 savings from the estimated project cost.

Attached is a Resolution to authorize a contract amendment for the additional work necessary to repair the mold/mildew damage and to address the ADA compliance issues, and a Resolution to accept the project as complete and authorize final payment to the contractor, RSR Design & Reconstruction.

I recommend that the two Resolutions be accepted by the Board of Directors at the next regular meeting.

Please let me know if you should require any additional information.

4D

RESOLUTION NO. R-95-10

A RESOLUTION ACCEPTING BID FOR THE REMODEL OF THE
SANITATION ADMINISTRATION BUILDING

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
FORT SMITH, ARKANSAS, THAT:

The bid, as indicated on the attached Bid Tabulation No. 04-28-10BA for
the remodel of the administrative building of the Department of Sanitation from
RSR Design & Reconstruction for \$56,222.53, is accepted.

This Resolution adopted this 18th day of May, 2010.

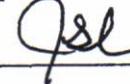
APPROVED:


MAYOR

ATTEST:


CITY CLERK

Approved as to form:



No Publication Required

Publish _____ Times



MEMORANDUM

May 14, 2010

To: Dennis Kelly, City Administrator

From: T. Baridi Nkokheli, Director 

Subject: Repair of Department of Sanitation Administration Building

In 2009, we requested and were approved by the Board of Directors to install a new, pitched roof to our administration building due to severe water leaks during rain events. The new roof construction was completed in December 2009, resolving the issue.

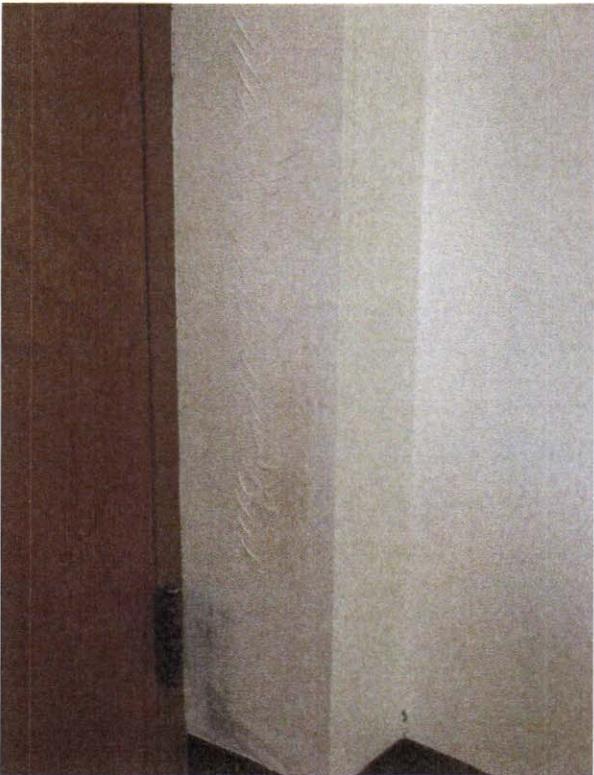
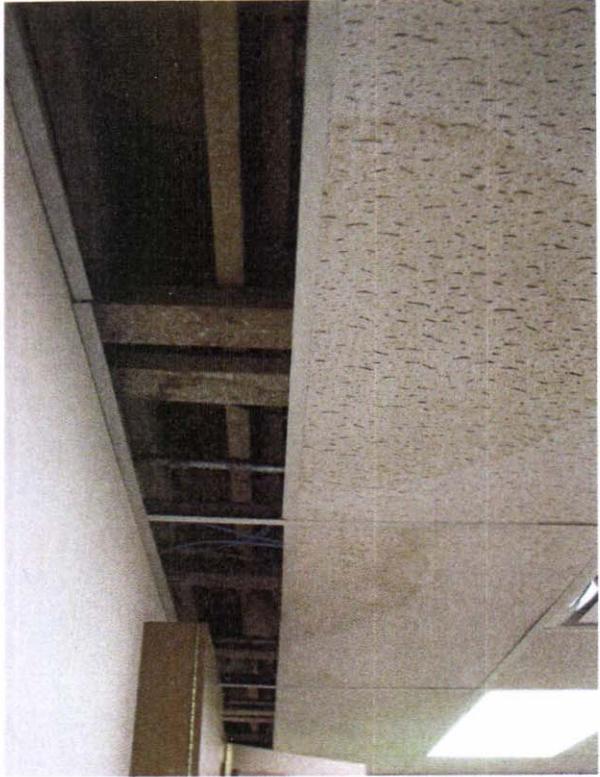
The original administration building was built in 1990 with a flat roof. In 1993 and 1998, additions were made to the building creating seams between the original building and the additions which, from what we understand, have leaked since their inception. The resulting leakage has caused water damage and mold/mildew intrusion to the ceiling, walls, and floors which requires removal, repair, and/or replacement to structural framing supports, insulation materials, ceiling tiles, drywall, paint, and flooring as well as other items (see attached photographs). Additional mold/mildew removal may be necessary to help ensure the health of our employees and citizens who visit to conduct city business.

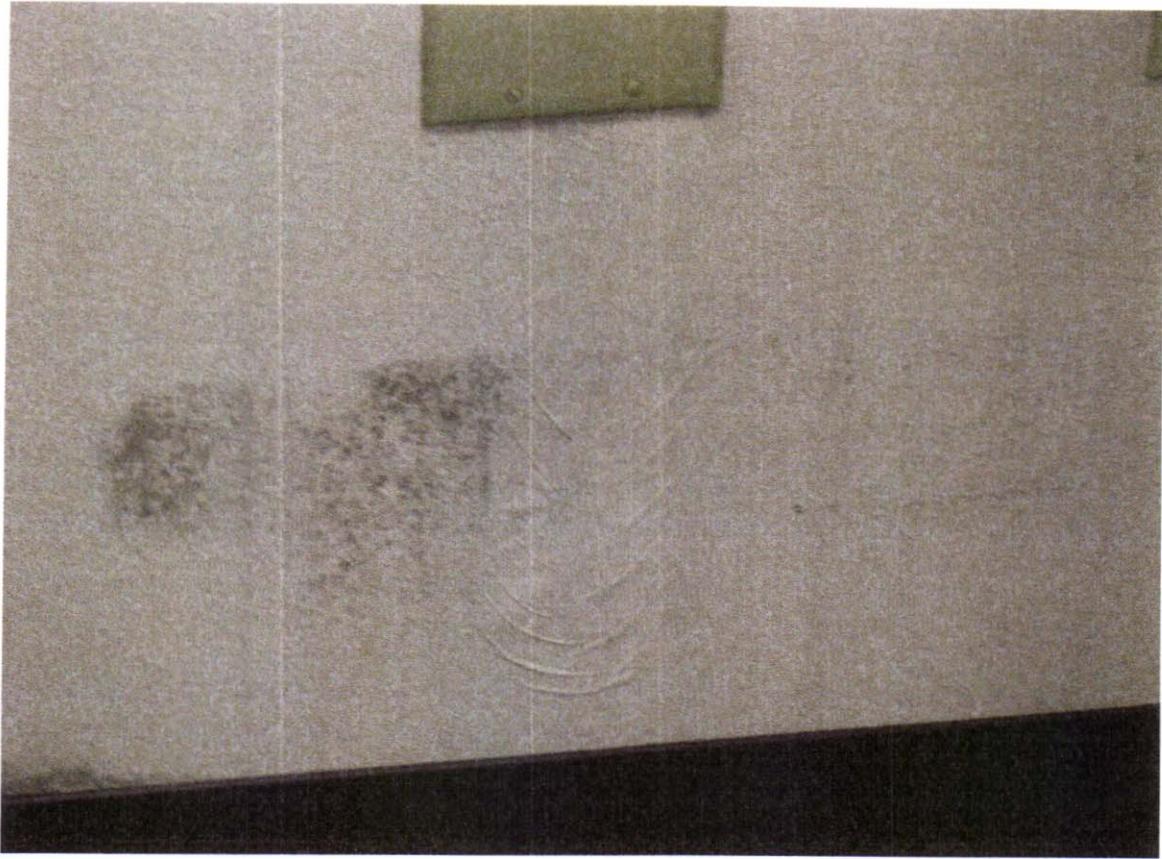
During our pre-bid assessment of the water damage, it was determined that neither of our restrooms met the Americans with Disabilities Act (ADA) standards. Therefore, we are requesting additional funding in order to ensure compliance with the ADA standards.

Funding for the repairs in the amount of \$30,000 was appropriated under program 6301 (Sanitation Administration – Capital Outlay 6301-301) in the 2010 budget. The severity of the mold/mildew and the need for the ADA repairs were discovered after the 2010 budget process was complete. Additional funding for this project is available in the landfill sinking fund.

Please let me know if you should require any additional information.







2F / 2G

PROJECT SUMMARY

City of Fort Smith
Project Status: Complete
Today's Date: 1/14/2011
Staff contact name: T. Baridi Nkokheli
Staff contact phone: (479) 784-2431
Contract time (no of days): 80
Notice to proceed issued: 8/20/2010

Project name: Administration Building Remodel
Project number: 3501006
Architect: P. Jeffery Lee
Project contractor: RSR Design and Reconstruction

	Dollar Amount	Bid Date	Date of Substantial Completion
Original bid award	\$56,222.53	4/28/2010	11/7/2010
Contract Revisions:			
1 General changes to meet ADA requirements.	\$23,678.75		
2 General changes to meet ADA requirements.	(\$314.00)		
Adjusted contract amount	<hr/> \$79,587.28		
Payments to date (as negative):	\$68,445.89		
Amount of this payment	\$11,141.39		
Contract balance remaining	\$0.00		
Retainage held	0%		
Final payment	\$11,141.39		
Amount under original as a percentage	0.0%		

Final Comments:

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER SOFTWARE FOR
USE IN MOBILE DATA TERMINALS IN THE RIVER VALLEY
MOBILE DATA SYSTEM PROJECT**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:**

The expenditure of funds in the sum of \$82,932.00 from the FY 2010 Community Oriented Policing Services (COPS) Technology Grant is hereby authorized, with the understanding that this expenditure will be used to purchase software from Interact Public Safety Systems, which software is identified in the form attached hereto, for use in mobile data terminals in the River Valley Mobile Data Project of the Fort Smith Police Department.

THIS RESOLUTION ADOPTED this _____ day of _____, 2011.

APPROVED:

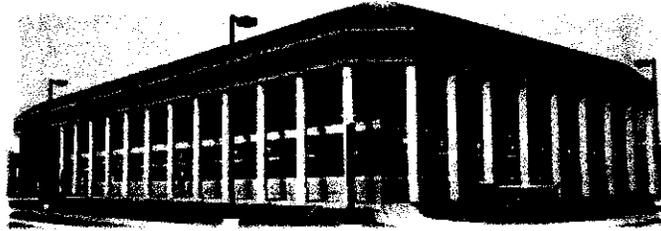
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

Asst. City Clerk
NPR



Fort Smith Police Department

Kevin Lindsey, Chief of Police

INTERDEPARTMENTAL MEMORANDUM

To: Ray Gosack, City Administrator

From: Kevin Lindsey, Chief of Police

Subject: InterAct Mobile Cop Software and InfoExchange

Date: January 11, 2011

The Fort Smith Police Department successfully applied for the FY 2010 Community Oriented Policing Services (COPS) Technology Grant in September of 2010. On December 16th, 2011 these COPS Technology Grant funds, totaling \$750,000.00 became available for expenditure. These funds were acquired for the purpose of extending mobile data technology to local agencies as a way to increase interoperability and officer safety through the River Valley Mobile Data System Project.

The Fort Smith Police Department is tasked with overseeing the project and will use available funds to purchase mobile data software and hardware for patrol vehicles. Additionally, the funds will be used to improve the network infrastructure at the Fort Smith Police Department and provide training for IT staff. Agencies which are already involved in the project include: Sebastian County Sheriff's Office, Greenwood Police Department, Alma Police Department, University of Arkansas Fort Smith Campus Police, Bonanza Police Department, Lavaca Police Department, Hackett Police Department and Van Buren Police Department.

Fort Smith Police Department staff would recommend the expenditure of funds, totaling \$82,932.00, for the purchase of Mobile Cop and InfoExchange software from InterAct Public Safety Systems to be used on laptops in patrol cars. This software purchase will allow agencies in the River Valley Mobile Data System Project to communicate with one another and execute National Crime Information Center (NCIC) warrant checks. This software purchase will meet the current and expanding needs of the River Valley Mobile Data System Project.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE PURCHASE OF NETWORK EQUIPMENT AND
INSTALLATION FOR USE IN THE RIVER VALLEY
MOBILE DATA SYSTEM PROJECT**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:**

The expenditure of funds in the sum of \$57,872.95 from the FY 2010 Community Oriented Policing Services (COPS) Technology Grant is hereby authorized, with the understanding that this expenditure will be used to purchase equipment and installation of equipment, which equipment is identified in the form attached hereto, for use in the River Valley Mobile Data Project of the Fort Smith Police Department.

THIS RESOLUTION ADOPTED this _____ day of _____, 2011.

APPROVED:

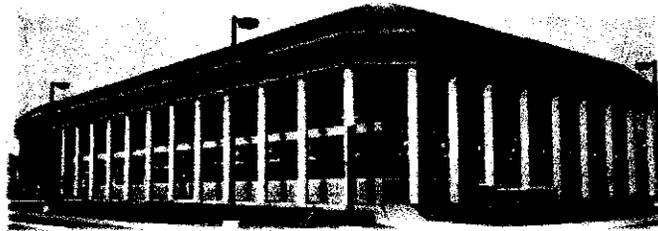
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

Asst
NPR
COP
AM



Fort Smith Police Department

Kevin Lindsey, Chief of Police

INTERDEPARTMENTAL MEMORANDUM

To: Ray Gosack, City Administrator

From: Kevin Lindsey, Chief of Police

Subject: Network Infrastructure Upgrade

Date: January 11, 2011

The Fort Smith Police Department successfully applied for the FY 2010 Community Oriented Policing Services (COPS) Technology Grant in September of 2010. On December 16th, 2011 these COPS Technology Grant funds, totaling \$750,000.00 became available for expenditure. These funds were acquired for the purpose of extending mobile data technology to local agencies as a way to increase interoperability and officer safety through the River Valley Mobile Data System Project.

The Fort Smith Police Department is tasked with overseeing the project and will use available funds to purchase mobile data software and hardware for patrol vehicles. Additionally, the funds will be used to improve the network infrastructure at the Fort Smith Police Department and provide training for IT staff. Agencies which are already involved in the project include: Sebastian County Sheriff's Office, Greenwood Police Department, Alma Police Department, University of Arkansas Fort Smith Campus Police, Bonanza Police Department, Lavaca Police Department, Hackett Police Department and Van Buren Police Department.

Fort Smith Police Department staff would recommend the expenditure of funds, totaling \$57,872.95, for the purchase of equipment and installation with Alexander Open Systems (AOS) to upgrade and improve network infrastructure at the Fort Smith Police Department. AOS is a vendor under contract with the State of Arkansas (#SP-09-0229) and no other bids were sought. The network infrastructure upgrade will meet the future needs of the Fort Smith Police Department and the River Valley Mobile Data System Project.

2 J

RESOLUTION NO. _____

RESOLUTION AUTHORIZING PARTIAL PAYMENT TO **CROSSLAND
HEAVY CONTRACTORS, INC.**, FOR CONSTRUCTION OF THE LAKE
FORT SMITH WATER TREATMENT PLANT - CONTRACT 3

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

Partial payment number sixteen to Crossland Heavy Contractors, Inc., in the amount of
\$644,793.06, for construction of the Lake Fort Smith Water Treatment Plant - Contract 3,
Project Number 07-09-C3, is hereby approved.

This Resolution adopted this _____ day of January 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____
npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: January 5, 2011

FROM: Steve Parke, Director of Utilities

SUBJECT: Lake Fort Smith Water Treatment Plant Improvements - Contract 3
Project Number 07-09-C3

Crossland Heavy Contractors, Inc., has submitted partial pay request number sixteen in the amount of \$644,793.06 for work completed on the Lake Fort Smith Water Treatment Plant Improvements - Contract 3. A project summary sheet covering work completed to date is attached for your information. Major items of work completed during the time period covered by this pay request are as follows:

- Site Piping (90% complete)
- Demolition (55% complete)
- Site Electrical (73% complete)
- Main Electrical Building (78% complete)
- Backwash Pump Station (99% complete)
- Chlorine Building (9% complete)
- West Filter Building (9% complete)
- East Filter Building (15% complete)

The attached Resolution authorizes payment to Crossland. Should you or members of the Board have any questions or desire additional information, please call.

attachment

Project Summary

Project status: Underway

Project name: Lake Fort Smith Water Treatment
Plant Improvements - Contract 3

Today's date: January 5, 2011

Project number: 07-09-C3

Staff contact name: Steve Parke

Project engineer: Burns & McDonnell, Inc.

Staff contact phone: 784-2231

Project contractor: Crossland Heavy Contractors, Inc.

Notice to proceed issued: August 31, 2009

Final completion date: February 10, 2012

	Dollar Amount	Contract Time (Days)
Original contract	\$31,641,000.00	785
Change orders:		
Change Order No. 1	\$22,902.00	14
Change Order No. 2	\$89,078.00	49
Change Order No. 3	\$-19,174.00	
Change Order No. 4	\$70,237.00	
Total change orders	\$163,043.00	63
Adjusted contract	\$31,804,043.00	848
Payments to date (as negative):	\$-19,199,074.72	
Amount of this payment (as negative)	\$-644,793.06	
Retainage held	\$1,590,202.15	
Contract balance remaining	\$11,960,175.22	
Amount Over as a percentage	0.52%	

Final Comments:

Contractor has completed 61% of the work. 58% of the contract time has expired.

2 K

RESOLUTION NO. _____

**RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING
FINAL PAYMENT TO FORSGREN, INC., FOR THE NEIGHBORHOOD WATER SYSTEM
IMPROVEMENTS - NORTH 66TH, OLD GREENWOOD LANE AND DUNCAN ROAD**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,
ARKANSAS, that:

SECTION 1: The construction of Neighborhood Water System Improvements - North
66th, Old Greenwood Lane and Duncan Road, Project Number 09-22-C1, is accepted as complete.

SECTION 2: Final payment to Forsgren, Inc., in the amount of \$57,752.39, is hereby
approved.

This Resolution adopted this _____ day of January 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: January 5, 2011

FROM: Steve Parke, Director of Utilities

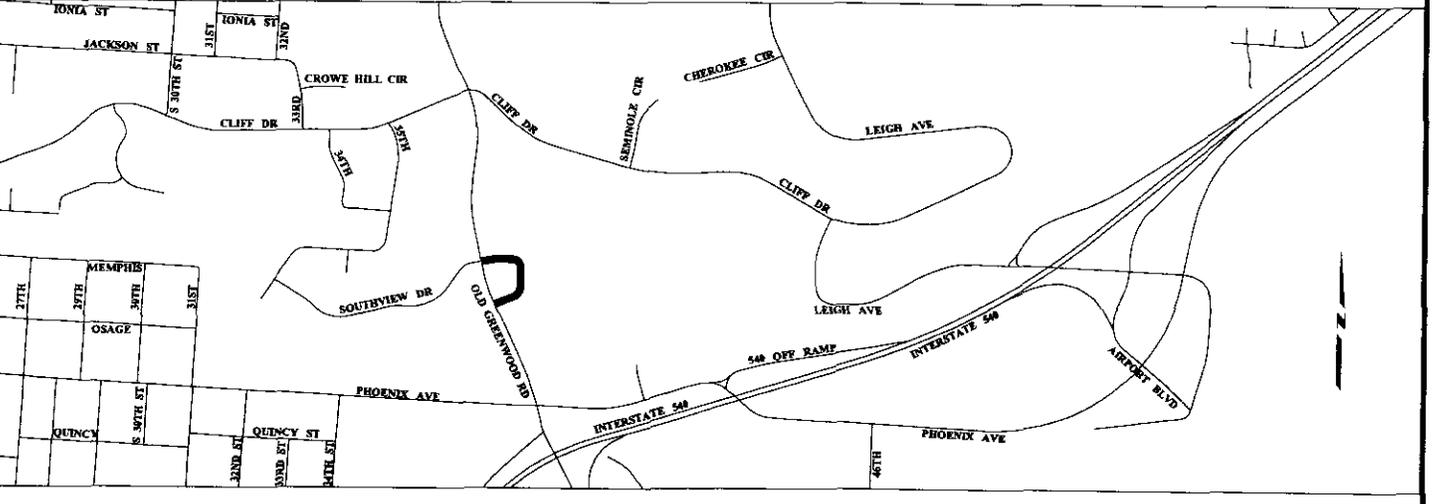
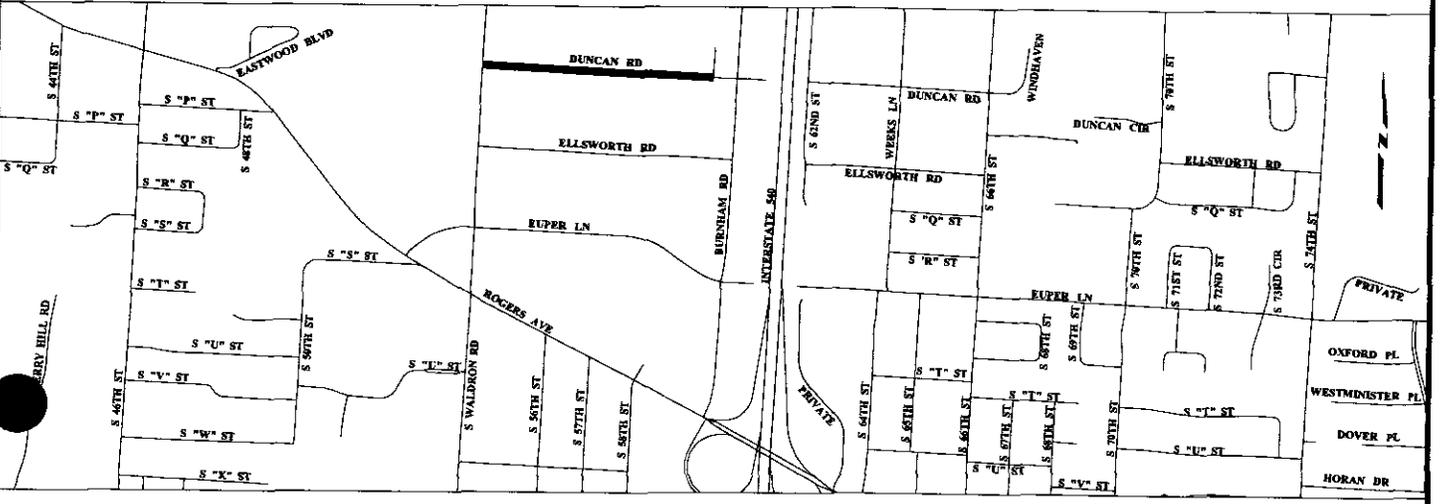
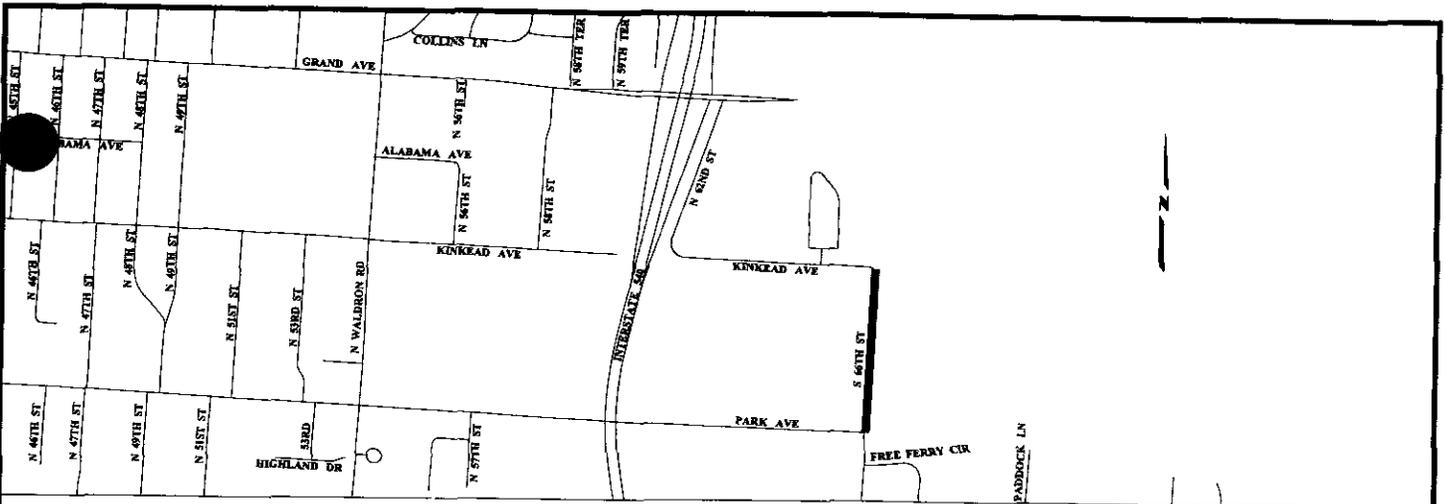
SUBJECT: Neighborhood Water System Improvements - North 66th,
Old Greenwood Lane and Duncan Road
Project Number 09-22-C1

This project consisted of constructing 1,800 feet of new 6-inch and 1,000 feet of new 8-inch water mains to replace old 2-inch galvanized water lines for improved fire protection, water service and quality. The attached exhibit shows the service area locations for these improvements.

Forsgren, Inc., has completed the project and a Resolution is attached accepting the project as complete and authorizing final payment in the amount of \$57,752.39. It is my recommendation that the project be accepted as complete.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment



**Neighborhood Water System Improvements
N 66th, Old Greenwood Ln and Duncan
09-22-C1**

Project Summary

Project status: Complete

Project name: Neighborhood Water System
Improvements - North 66th,
Old Greenwood Lane, and Duncan Road

Today's date: January 5, 2011

Project number: **09-22-C1**

Staff contact name: Steve Parke

Project engineer: EDM Consultants, Inc.

Staff contact phone: 784-2231

Project contractor: Forsgren, Inc.

Notice to proceed issued: September 13, 2010

Completion date: January 1, 2011

	Dollar Amount	Contract Time (Days)
Original contract	\$299,609.00	110
Change orders: Number One	\$0.00	0
Total change orders	\$0.00	<u>0</u>
Adjusted contract	<u>\$299,609.00</u>	<u>110</u>
Payments to date (as negative):	\$-216,575.16	72.3%
Amount of this payment (as negative)	\$-57,752.39	19.3%
Retainage held	\$0.00	
Contract balance remaining (underrun)	\$25,281.45	8.4%
Amount Over (under) as a percentage	-8.4%	

Final Comments:

2 L

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CHANGE ORDER NUMBER ONE WITH T-N-T, INC., FOR THE HURRICANE CREEK WATER LINE RELOCATION

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

Change Order Number One in the amount of \$31,926.08 to the contract with T-N-T, Inc., for the construction of the Hurricane Creek Water Line Relocation, Project Number 07-08-C1, and adjusting the contract amount to \$409,947.08, is hereby approved.

This Resolution adopted this _____ day of January 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

2 M

RESOLUTION NO. _____

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE, AND
AUTHORIZING FINAL PAYMENT TO T-N-T, INC., FOR THE
HURRICANE CREEK WATER LINE RELOCATION

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH,
ARKANSAS, that:

SECTION 1: The construction of Hurricane Creek Water Line Relocation,
Project Number 07-08-C1, is accepted as complete.

SECTION 2: Final payment to T-N-T, Inc., in the amount of \$50,827.13, is hereby
approved.

This Resolution adopted this _____ day of January 2011.

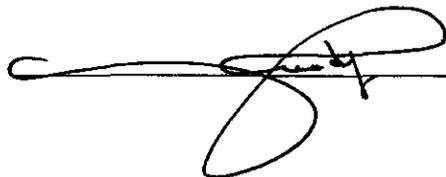
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

 _____ npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: January 7, 2011

FROM: Steve Parke, Director of Utilities

SUBJECT: Hurricane Creek Water Line Relocation
Project Number 07-08-C1

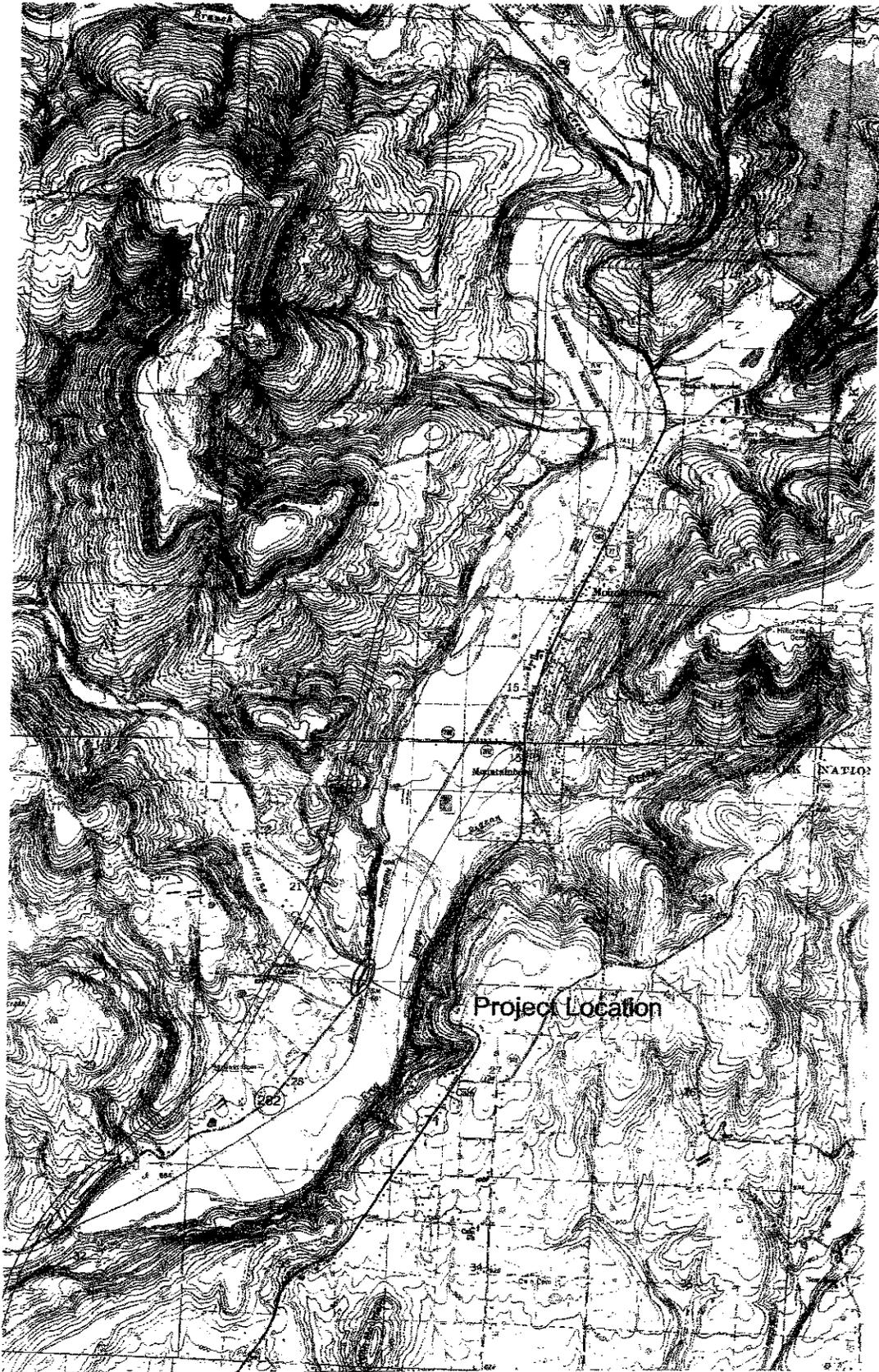
The Arkansas Highway and Transportation Department (AHTD) is replacing the Highway 282 Hurricane Creek Bridge just south of Mountainburg. The AHTD project required that the city move approximately 1,000 feet of the 27-inch water transmission line that comes from the Lake Fort Smith water treatment plant. All of the work performed by the city as part of this project is to be reimbursed by the AHTD upon completion. The attached exhibit shows the location of the improvements.

During construction of the water line, approximately 120 feet of a 6-inch water line belonging to Locke-Fern and Dollard Road Water Association had to be lowered to accommodate construction of the city's new water line. This line had not been previously located by the water association. Also, during construction, the contractor had to excavate more rock quantities than what was estimated in the unit price bid proposal. The additional rock excavation was paid at the unit price made part of the contractor's original bid.

T-N-T, Inc., has completed the project and final payment in the amount of \$50,827.13 is now due. Two Resolutions are attached, one authorizing Change Order Number One in the amount of \$31,926.08 and one accepting the project as complete and authorizing final payment in the amount of \$50,827.13. It is my recommendation that the project be accepted as complete and final payment be approved.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment



**RELOCATION OF 27" WATER LINE
HWY 282 HURRICANE CREEK BRIDGE
MOUNTAINBURG, ARKANSAS**

PROJECT NO. 07-08-C1

Project Summary

Project status: Complete

Project name: Hurricane Creek Water Line
Relocation

Today's date: January 7, 2011

Project number: **07-08-C1**

Staff contact name: Steve Parke

Project engineer: Atkins Engineering

Staff contact phone: 784-2231

Project contractor: T-N-T, Inc.

Notice to proceed issued: August 23, 2010

Completion date: November 12, 2010

	Dollar Amount	Contract Time (Days)
Original contract	\$378,021.00	70
Change orders: Number One	\$31,926.08	0
Total change orders	\$31,926.08	<u>0</u>
Adjusted contract	<u>\$409,947.08</u>	<u>70</u>
Payments to date (as negative):	\$-359,119.95	87.6%
Amount of this payment (as negative)	\$-50,827.13	12.4%
Retainage held	\$0.00	
Contract balance remaining (underrun)	\$0.00	0.0%
Amount Over (under) as a percentage	8.4%	

Final Comments:

RESOLUTION NO. _____

2 N

RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING
FINAL PAYMENT TO T-N-T, INC., FOR THE LAKE FORT SMITH WATER
TRANSMISSION LINE EASEMENT CLEARING AND LOCATION

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT
SMITH, ARKANSAS, that:

SECTION 1: The construction of the Lake Fort Smith Water Transmission Line
Easement Clearing and Location, Project Number 10-05-C1, is accepted as complete.

SECTION 2: Final payment to the contractor, T-N-T, Inc., in the amount of \$11,504.44,
is hereby approved.

This Resolution adopted this _____ day of January 2011.

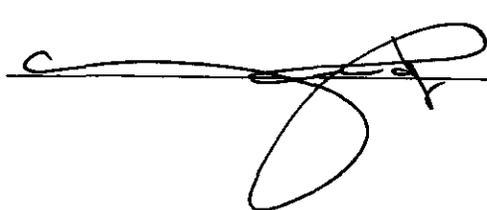
APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:



npr

INTER-OFFICE MEMO

TO: Ray Gosack, City Administrator

DATE: January 12, 2011

FROM: Steve Parke, Director of Utilities

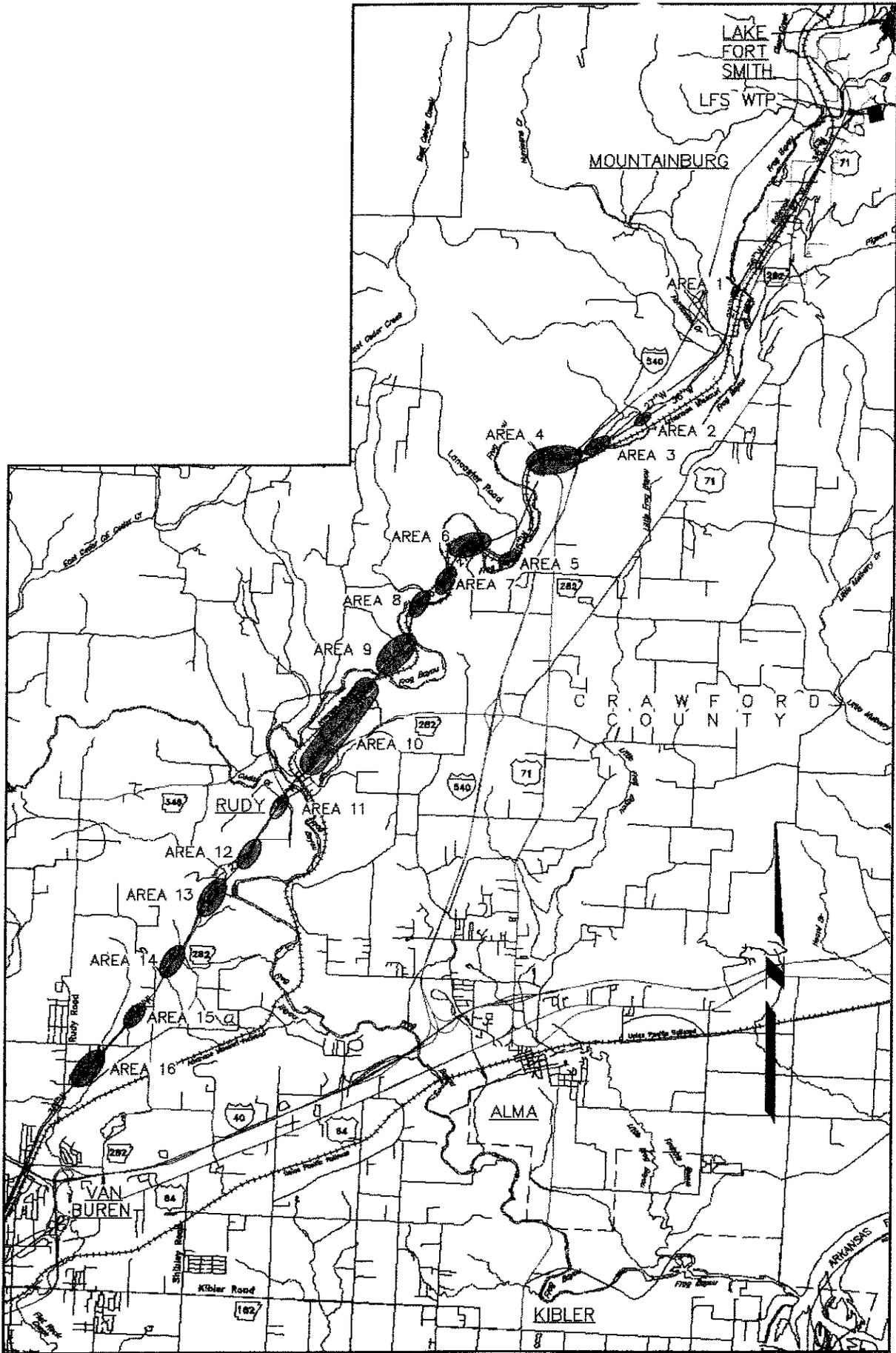
SUBJECT: Transmission Line Clearing and Location
Project Number 10-05-C1

This project cleared a 20-foot wide corridor and made pothole excavations at key locations over the 36-inch water transmission line from Lake Fort Smith between Mountainburg and Interstate 40 where the new 48-inch water transmission line will likely be constructed in close proximity. This was needed to accurately determine the existing line's location so that the new line route can be determined and easement descriptions prepared. Prior to 1968 the city kept the transmission line easements maintained in a cleared condition. However, since that time period they were allowed to become reforested.

T-N-T, Inc., has satisfactorily completed the work and is now ready for final payment in the amount of \$11,504.44. The work was completed at \$11,063.00 under the contract amount. A Resolution is attached accepting the project as complete and authorizing final payment in the amount now due the contractor. It is my recommendation that the Resolution be approved.

Should you or members of the Board have any questions or desire additional information, please let me know.

attachment



Area Map

NOT TO SCALE

Project Summary Sheet
Lake Fort Smith Water Transmission Line Clearing & Location

City of Fort Smith		Project name: LFS WTL Clearing & Loc.
Project Status: Complete		Project number: 10-05-C1
Today's Date: January 12, 2011		Project engineer: Mickie-Wagner-Coleman
Staff contact name: Steve Parke		Project contracto T-N-T, Inc.
Staff contact phone: 784-2231		
Contract Time: 90 days		

	Dollar Amount	Date	Estimated Completion Date
Original at approval	77,871.00		
Change orders:			
1	-11,063.00		
2			
3			
	<u>-11,063.00</u>		
Final contract amou	<u>66,808.00</u>		
Payments to date (as negative):	-55,303.56		82.8% of Final Contract Amount
Amount of this payment	-11,504.44		
Contract balance remaining	0.00		0.0% of Final Contract Amount
Retainage held	0.00		
Amount under original as a percentage	-14.21%		



MEMORANDUM

TO: Mayor and Board of Directors

FROM: Wendy Beshears, Administrative Assistant

DATE: January 12, 2011

SUBJECT: Convention Center Commission

Mr. Martinez has resigned his position effective November 2, 2010 on the Convention Center Commission. A new applicant needs to be appointed to this position.

The applicants available at this time are:

Robert S. Laser	4424 South 35 Street
Thomas E. Howard Jr.	3121 Jackson Street
Matthew Garner	12100 Supling Drive
Scott McLain	1120 South Albert Pike Avenue

Appointments are by the Board of Directors. One appointment is needed; the terms will expire August 31, 2013.



MEMORANDUM

TO: Mayor and Board of Directors
FROM: Wendy Beshears, Administrative Assistant
DATE: January 11, 2011
SUBJECT: Fort Smith Housing Authority

The Fort Smith Housing Authority has reappointed Linda Edwards as the Resident Commissioner of the Fort Smith Housing Authority.

Appointments are by the Fort Smith Housing Authority confirmed by the Board of Directors. One appointment is needed; the term will expire March 3, 2016.

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430



MEMORANDUM

TO: Mayor and Board of Directors
FROM: Wendy Beshears, Administrative Assistant
DATE: January 13, 2011
SUBJECT: Planning Commission

Ms. Weber of the Planning Commission has resigned her position effective December 16, 2010. This vacancy needs to be filled, the term will expire on April 30, 2012.

The applicants available at this time are:

Vicki Newton	2725 Reeder
Charles Mackey	3212 South 93 Circle
Kathy Davis	3700 Heather Ridge Court
Salvatore Salamone	10701 Castleton Street
Thomas E. Howard Jr.	3121 Jackson Street
Josh Carson	109 North 3 Street
Andrew Smith	9225 Rosewood Drive
Kevin Wright	2312 Ramsgate Way
Carol Sue Wooten	8314 Mile Tree Drive
Joe Hardin	1524 Rockhurst Drive
Bryan Merry	2636 Enid Place
Scott McLain	1120 South Albert Pike Avenue
Juan Martinez	4821 South V Street

Appointments are by the Board of Directors. One appointment is needed; the term will expire April 30, 2012.



MEMORANDUM

TO: Mayor and Board of Directors

FROM: Wendy Beshears, Administrative Assistant

DATE: January 14, 2011

SUBJECT: Sebastian County Regional Solid Waste Management Board

The term of Bruce D. King of the Sebastian County Regional Solid Waste Management Board will expire January 21, 2011. Mr. King would like to be reappointed.

There are no other applicants available at this time.

Appointments are by the Mayor confirmed by the Board of Directors. One appointment is needed; the term will expire January 21, 2014.

623 Garrison Avenue
P.O. Box 1908
Fort Smith, Arkansas 72902
(479) 785-2801
Administrative Offices FAX (479) 784-2430

AGENDA ~Summary~

**FORT SMITH BOARD OF DIRECTORS
REGULAR MEETING**

JANUARY 18, 2011 ~ 6:00 P.M.

**FORT SMITH PUBLIC SCHOOLS
SERVICE CENTER
3205 JENNY LIND ROAD**

THIS MEETING IS BEING TELECAST LIVE ON THE CITY CABLE ACCESS CHANNEL 6

INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

All present

**PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS
OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING**

(Section 2-37 of Ordinance No. 24-10)

*Information available by viewing rebroadcast of the meeting on City Access Channel 6 or
City website*

**APPROVE MINUTES OF THE JANUARY 4, 2011 REGULAR MEETING AND
JANUARY 11, 2011 SPECIAL MEETING**

Unanimously approved as written

ITEMS OF BUSINESS:

1. Presentation
 - Mount Magazine Girl Scout Council
2. Consent Agenda
 - A. Resolution authorizing payment to the Arkansas State Highway and Transportation Department for the Highway 45 Widening Project between Phoenix Avenue and Zero Street, Project No. 08-01-A, AHTD Job No. 040238, 2011 Sales Tax Program (\$5,034,342.31)
Approved 7 in favor, 0 opposed / Resolution No. R-7-11

- B. Resolution accepting completion of and authorizing final payment for construction of Street Overlays/Reconstruction, Project No. 10-03-E (\$139,639.23)
Approved 7 in favor, 0 opposed / Resolution No. R-8-11
- C. Resolution authorizing a time extension and assessing liquidated damages for the construction of Street Overlays/Reconstruction, Project No. 09-03-A (\$13,500.00)
Approved 7 in favor, 0 opposed / Resolution No. R-9-11
- D. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays/Reconstruction, Project No. 09-03-A (\$42,691.10)
Approved 7 in favor, 0 opposed / Resolution No. R-10-11
- E. Resolution accepting completion of and authorizing final payment for landfill construction of phase 5 landfill disposal area expansion at the Fort Smith Landfill (\$127,044.64)
Approved 7 in favor, 0 opposed / Resolution No. R-11-11
- F. Resolution authorizing a contract amendment with RSR Design & Reconstruction for the remodel of the Department of Sanitation administration office building (\$23,364.75)
Approved 7 in favor, 0 opposed / Resolution No. R-12-11
- G. Resolution accepting completion of and authorizing final payment for the remodel of the Department of Sanitation administration office building (\$11,141.39)
Approved 7 in favor, 0 opposed / Resolution No. R-13-11
- H. Resolution authorizing the purchase of computer software for use in mobile data terminals in the River Valley Mobile Data System Project (\$82,932.00)
Approved 7 in favor, 0 opposed / Resolution No. R-14-11
- I. Resolution authorizing the purchase of network equipment and installation for use in the River Valley Mobile Data System Project (\$57,872.95)
Approved 7 in favor, 0 opposed / Resolution No. R-15-11

- J. Resolution authorizing partial payment to Crossland Heavy Contractors, Inc. for construction of the Lake Fort Smith Water Treatment Plant – Contract 3 (\$644,793.06)
Approved 7 in favor, 0 opposed / Resolution No. R-16-11
- K. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Neighborhood Water System Improvements – North 66th Street, Old Greenwood Lane and Duncan Road (\$57,752.39)
Approved 7 in favor, 0 opposed / Resolution No. R-17-11
- L. Resolution authorizing Change Order Number One with T-N-T, Inc. for the Hurricane Creek Water Line Relocation (\$31,926.08)
Approved 7 in favor, 0 opposed / Resolution No. R-18-11
- M. Resolution accepting the project as complete and authorizing final payment to T-N-T, Inc. for the Hurricane Creek Water Line Relocation (\$50,827.13)
Approved 7 in favor, 0 opposed / Resolution No. R-19-11
- N. Resolution accepting the project as complete and authorizing final payment to T-N-T, Inc. for the Lake Fort Smith Water Transmission Line Easement Clearing and Location Project (\$11,504.44)
Approved 7 in favor, 0 opposed / Resolution No. R-20-11

**OFFICIALS FORUM ~ presentation of information requiring no official action
(Section 2-36 of Ordinance No. 24-10)**

- A. Mayor
- B. Directors
- C. City Administrator

Information available by viewing rebroadcast of the meeting on City Access Channel 6 or City website

EXECUTIVE SESSION

Appointments: **Convention Center Commission**
Robert S. Laser
(to fill the unexpired term of Juan Martinez who resigned)
Term expires August 31, 2013

Fort Smith Housing Authority

Linda Edwards (reappointed)

Term expires March 3, 2016

Planning Commission

Salvatore Salamone

(to fill the unexpired term of Pam Weber who resigned)

Term expires April 30, 2012

Sebastian County Regional Solid Waste Management Board

Bruce D. King

Term expires January 21, 2014

CITIZENS FORUM ~ presentation of information by citizen ~ an opportunity for citizens to present matters to the Mayor and Board of Directors which involve the city government and are not directly related to items considered on the agenda for this meeting.

Presentations are limited to 2 minutes for each citizen

(Section 2-44(b) of Ordinance No. 24-10)

Information available by viewing rebroadcast of the meeting on City Access Channel 6 or City website

ADJOURN

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

TUESDAY ~ JANUARY 18, 2011 ~ 6:00 P.M.

FORT SMITH PUBLIC SCHOOLS SERVICE CENTER

The meeting was called to order by Mayor Sandy Sanders, presiding. Invocation was given by Director Don Hutchings, followed by the Pledge of Allegiance. On roll call the following members of the Board were present: Directors Steve Tyler, Andre' Good, Don Hutchings, George Catsavis, Pam Weber, Kevin Settle and Philip H. Merry Jr. The Mayor declared a quorum present.

The Mayor inquired if any Board member had an item of business to present that was not already on the agenda. There was none presented.

The minutes of the January 4, 2011 regular meeting and January 11, 2011 special meeting were presented for approval. Settle, seconded by Weber, moved approval of the minutes as written. The members all voting aye, the Mayor declared the motion carried.

Item No. 1 was a presentation by Karen Hollenbeck, Principal of St. Boniface Catholic School, who addressed the Board on behalf of the Girl Scout Council Diamonds of Arkansas, Oklahoma and Texas. Girl Scout cookie sales are ongoing; therefore, the following girls from two Girl Scout troops, 1st through 5th grades, presented cookies to the Mayor and Board:

- Kathryn Kaelin
- Ashlyn Teague
- Bridget Teague
- Claire Hollenbeck
- Grace Hollenbeck
- Rachel English
- Lauren English
- Marley Wahl

- Jordan Goetes
- Linda Kaelin (leader)

The Consent Agenda (Item No. 2) was introduced for consideration, the items being as follows:

- A. Resolution authorizing payment to the Arkansas State Highway and Transportation Department for the Highway 45 Widening Project between Phoenix Avenue and Zero Street, Project No. 08-01-A, AHTD Job No. 040238, 2011 Sales Tax Program (\$5,034,342.31)
- B. Resolution accepting completion of and authorizing final payment for construction of Street Overlays/Reconstruction, Project No. 10-03-E (\$139,639.23)
- C. Resolution authorizing a time extension and assessing liquidated damages for the construction of Street Overlays/Reconstruction, Project No. 09-03-A (\$13,500.00)
- D. Resolution accepting completion of and authorizing final payment for the construction of Street Overlays/Reconstruction, Project No. 09-03-A (\$42,691.10)
- E. Resolution accepting completion of and authorizing final payment for landfill construction of Phase 5 landfill disposal area expansion at the Fort Smith Landfill (\$127,044.64)
- F. Resolution authorizing a contract amendment with RSR Design & Reconstruction for the remodel of the Department of Sanitation administration office building (\$23,364.75)
- G. Resolution accepting completion of and authorizing final payment for the remodel of the Department of Sanitation administration office building (\$11,141.39)
- H. Resolution authorizing the purchase of computer software for use in mobile data terminals in the River Valley Mobile Data System Project (\$82,932.00)
- I. Resolution authorizing the purchase of network equipment and installation for use in the River Valley Mobile Data System Project (\$57,872.95)
- J. Resolution authorizing partial payment to Crossland Heavy Contractors, Inc. for construction of the Lake Fort Smith Water Treatment Plant – Contract 3 (\$644,793.06)

- K. Resolution accepting the project as complete and authorizing final payment to Forsgren, Inc. for the Neighborhood Water System Improvements – North 66th Street, Old Greenwood Lane and Duncan Road (\$57,752.39)
- L. Resolution authorizing Change Order Number One with T-N-T, Inc. for the Hurricane Creek Water Line Relocation (\$31,926.08)
- M. Resolution accepting the project as complete and authorizing final payment to T-N-T, Inc. for the Hurricane Creek Water Line Relocation (\$50,872.13)
- N. Resolution accepting the project as complete and authorizing final payment to T-N-T, Inc. for the Lake Fort Smith Water Transmission Line Easement Clearing and Location Project (\$11,504.44)

Regarding Items No. 2B, & 2D Director Tyler questioned the estimated percentage of associated drainage included within the street overlay projects and if such included sidewalks. Within his three years in office, he has never had a citizen request a street be resurfaced.

Director of Engineering Stan Snodgrass advised drainage costs vary from project to project; however, such costs are typically in the 10 to 20 percent range at most. No new sidewalks were included in the projects as only minor sidewalk adjustments/repairs were needed.

Regarding Item No. 2E, Director Settle requested confirmation that the expansion will extend landfill capacity to year 2015.

Director of Sanitation Baridi Nkokheli noted such is actually expected to extend landfill capacity past 2015, whereby Director Settle conveyed much enthusiasm and noted the public should be made aware.

Regarding Item No. 2G, the following individuals were present to address the Board:

- **Brian Horton, Brian Horton Electric
1201 North 24th
Van Buren, AR 72956**

Re: Advised he is a sub contractor on said project and alleged he has not been paid by RSR, who is 60 days past due. In order to ensure he receives payment for his services, he requested the check be made payable to both RSR and Brian Horton Electric.

- **Joey Miller, JM Supply**

Re: Merely confirmed Mr. Horton's comments and noted JM Supply, who provided lighting for the project, also maintains unpaid invoices.

Director of Development Services Wally Bailey (standing in for City Administrator Ray Gosack), noted that City of Fort Smith procedures do not allow for the issuance of two-party checks, but requested City Attorney Jerry Canfield and Director of Sanitation Baridi Nkokheli address their concerns.

Mr. Jerry Canfield advised all contracts executed by the City include procedures for the City to receive lien releases from the material men and suppliers involved in the project, prior to the city making the final payment to the contractor. He conveyed much assurance that said procedures were followed; however, such will be confirmed.

Mr. Nkokheli confirmed the lien release had been received from RSR Construction, which releases the City from any further liability on the project and no additional liens can be placed against the work performed. Such lien release must be received before final payment is presented to the Board. The lien release was reviewed by the City Attorney and no discrepancies were identified; however, if the Board so desires, a reevaluation can be done before any monies are released.

Director Catsavis inquired as to a guarantee from the contactor in regards to removal of any hidden dangers such as mold, and all issues have been addressed and satisfactorily resolved. He further inquired who will inspect the work.

Mr. Nkokheli advised the contract has a one-year warranty on all work performed. City of Fort Smith inspectors, as well as the architect, have completed their preliminary inspections; however, the final inspection has yet to occur. Upon approval of the resolution, no monies will be disbursed until such is accomplished.

Good, seconded by Catsavis, moved approval of all consent agenda items. The members all voting affirmatively, the Mayor declared the motion carried and the resolutions were adopted with resolutions given No. R-7-11 through R-19-11 respectively.

Mayor Sanders opened the Officials Forum with the following comments offered:

► Mayor Sanders

1. Re: Advised J.C. Watts of Watts Partners, the City's lobbyist in Washington, D.C., is the keynote speaker at the Chamber of Commerce annual meeting at 11:30 a.m. on Friday, January 28 at the Holiday Inn. Mr. Watts has requested the opportunity to address the Mayor and Board prior to the aforementioned event to advise of the lobbying strategy for 2011. Mayor Sanders requested Board concurrence and recommended a special study session be called for 10:00 a.m., Friday, January 28 at the Chamber of Commerce offices.

Weber, seconded by Settle, moved for a special study session as noted above. The members all voting aye, the Mayor declared the motion carried.

2. Announced a forthcoming proclamation declaring February 7, 2011 through February 12, 2011 as University of Arkansas, Fort Smith Homecoming week.

3. Extended much appreciation to Directors Tyler, Good and Merry for participation in the Martin Luther King Jr. Day Parade on January 17, 2011.

▶ Director Settle

Re: Reminded all of the time and location change of the regular meeting February 1, 2011 at the Elm Grove Community Center at 12:00 Noon, to allow members of the Board of Directors to attend the bi-annual reception with state legislators hosted by the Chamber of Commerce the evening of February 1.

▶ Director Weber

Re: Extended congratulations to Alyse Eady for her accomplishment in achieving first runner up in the 2011 Miss America pageant.

Mayor Sanders noted that arrangements are currently being made to formally recognize Ms. Eady upon her return to Fort Smith; however, the date has yet to be determined. He further extended much appreciation to the individuals who welcomed her parents home at the Fort Smith Regional Airport the evening of January 17th.

▶ Director Tyler

Re: On behalf of the city of Fort Smith, he recently accepted the Volunteer Community of the Year Award at the Arkansas Municipal League Winter Convention in Little Rock. He extended much appreciation to the citizens of Fort Smith for their giving spirit and formally presented the award to Mayor Sanders.

▶ Director Merry

Re: Recognized Gus Malzahn, former University of Arkansas offensive coordinator and current offensive coordinator at Auburn University and Kodi Burns, Fort Smith native and graduate of North Side High School and current wide receiver for Auburn University, for winning the 2011 BCS National Championship.

Advised of multiple comments from citizens opposing the recent water rate increase; however, he conveyed much assurance that such increase was necessary. An intense water and sewer rate study is currently underway and the results of such are scheduled for review at the February 8, 2011 study session.

► Mr. Bailey

Re: Advised of multiple items relative to Middleton Farms and Old Harrison Lane are scheduled for consideration at the February 1, 2011 regular meeting. This meeting was rescheduled to occur at 12:00 Noon rather than 6:00 p.m.; therefore, he expressed concern with addressing the items at this meeting. Due to prior Board action, the items must be on the February 1 regular meeting agenda; therefore, he recommended the Board consider tabling consideration to the February 15, 2011 regular meeting, which will be held at the regularly scheduled time of 6:00 p.m. This will better allow nearby residents to attend the meeting and voice their concerns.

An executive session was held and after reconvening, Mayor Sanders announced the following appointment nominations:

CONVENTION CENTER COMMISSION

Robert S. Laser

(to fill unexpired term of Juan Martinez)

Term expires August 31, 2013

FORT SMITH HOUSING AUTHORITY

Linda Edwards *(reappointed)*

Term expires March 3, 2016

PLANNING COMMISSION

Salvatore Salamone

(to fill the unexpired term of Pam Weber)

Term expires April 30, 2012

SEBASTIAN COUNTY REGIONAL SOLID WASTE MANAGEMENT BOARD

Bruce King *(reappointed)*

Term expires January 21, 2014

Hutchings, seconded by Weber, moved acceptance of the appointment nominations. The members all voting aye, the Mayor declared the motion carried.

Mayor Sanders opened the Citizens Forum with no individual present to address the Board.

There being no further business to come before the Board, Settle moved that the meeting adjourn. The motion was seconded by Catsavis and the members all voting aye, the Mayor declared the motion carried, and the meeting stood adjourned.

APPROVED:


MAYOR

ATTEST:


CITY CLERK