

A G E N D A

FORT SMITH PORT AUTHORITY

MEETING

Thursday, May 14, 2020

Fort Smith, Arkansas

Via Zoom/Meeting ID: 890 7349 4041

TIME: 10:00 a.m.

1. Call to order – Larry Combs, Chair
2. Roll Call
3. Approve minutes of:
 - a. February 20, 2020 regular meeting
4. Treasurer’s Report – Dustin Collyge, Treasurer
 - a. Port Authority Bank Statements
 - b. Ratification of bills paid to date
 - c. Review and authorization of outstanding invoices & expenditures
5. Operations Reports – Five Rivers Distribution
 - a. Operator’s Report
6. Business Items for discussion:
 - a. Port of Fort Smith reconstruction updates – Studio 6 and/or Hubbs Construction
 - b. Consider any action items related to reconstruction project.
7. Other discussion items.
8. Next meeting: To be determined.
9. Adjourn

City of Fort Smith
Port Authority Meeting
11:30 a.m. Thursday, February 20, 2020
Bank OZK Building
5401 Rogers Avenue
Fort Smith, Arkansas

MINUTES

The Fort Smith Port Authority scheduled its regular quarterly meeting at 11:30 a.m. on Thursday, February 20, 2020 at the Bank OZK building, 5401 Rogers Avenue, Fort Smith, Arkansas.

The meeting was called to order by chairman Larry Combs at 11:37 a.m. and a quorum was noted present. Other Port Authority members present were Eddie Norman, Philip Doss and Dustin Collyge. Chad Lane was absent and excused by unanimous vote. Others present were Marty Shell of Five Rivers Distribution and Jeff Dingman of the City of Fort Smith.

The minutes of the January 8, 2020 regular meeting were presented. Mr. Norman moved approval of both. Mr. Doss seconded, and the motion carried unanimously.

Mr. Collyge reviewed the Port Authority's bank account statements and disbursements for the month ending January 31, 2020. As of that date, the balance of the operating account was \$2,743,746.62. As of January 31, 2020 the balance of the grant project account was \$217,561.61. All expenditures to date were reviewed and ratified.

Mr. Collyge presented outstanding invoices for consideration. The invoices presented were as follows:

1. Invoice No. 19-059-02 from Studio 6 Architects dated 2/17/2020 in the amount of \$23,518.14. Mr. David Conyers was present and noted that this was the last of the payments for construction documents on the port rebuild project. Mr. Doss moved approval to pay this invoice from the operating account. Mr. Norman seconded and the motion carried by a vote of four in favor, zero opposed.
2. Invoice No. 111519 from TracWork, Inc. dated 1/30/2020 in the amount of \$8,415.33 for completion of rail spur/rail bridge repairs. Marty Shell indicated that all work on the rail spur is complete and the railroad has deemed it back in service. Mr. Norman moved approval to pay the invoice from the grant project account. Mr. Doss seconded, and the motion carried by a vote of four in favor, zero opposed.
3. Pay Estimate No. 2 from Cameron Hubbs Construction dated 1/31/2020 was approved by the architect and forwarded for payment in the amount of \$324,542.32. Mr. Cameron Hubbs reviewed the schedule of payments on the Pay Estimate, the largest portion attributable to the initial down payment to Legacy Building Solutions for the two building structures that have been ordered. Other items included insurance/bonding, testing/layout, preconstruction services and construction manager fee. It was noted that the payment on the buildings was the first of three installments to be made. Mr. Norman questioned the differences in numbers presented in the packet, Mr. Hubbs clarified that he obtained initial numbers, then worked with the vendor to receive a reduced cost. Mr. Doss moved approval

to pay Pay Estimate No. 2 from the operating account. Mr. Norman seconded and the motion carried by unanimous vote.

The Port Authority was reminded that the construction manager will still present a contract for a Guaranteed Maximum Price at a later date. Mr. Hubbs indicated that he should have a complete schedule of pricing in three to four weeks, so that he can present the GMP for approval.

Mr. Shell delivered the Operator's Report, reporting no business at the Port of Fort Smith but that the Inland Water User's Board met in Fort Smith on February 19. This group usually meets in larger river cities, but decided to meet in Fort Smith as a result of the serious flooding event in 2019. There were over 100 attendees from all over the country, including top officials from the US Army Corps of Engineers, in Fort Smith. Mr. Collyge asked if the rivers were back open for business, as some customers are using more truck than barge. Mr. Shell said that the rivers are open, but the ports are full to capacity, so many customers are using truck as a result. There is some scheduled maintenance due to occur on the Mississippi River, but there are currently 'no hiccups' in the chain.

Mr. Combs asked for a report on the status of the reconstruction project. Mr. Conyers reported that all civil drawings have been submitted to the city, and the construction drawings are now complete and submitted for review. With the construction drawings complete, Mr. Hubbs can now use them to solidify pricing for the project. Mr. Hubbs reviewed an issue of removing/replacing a retaining wall as part of the work on the pad for Building No. 1. The work will require approaching from the side of the rail spur, so they'll cover the rail spur with rock to protect it from equipment. AML's insurance adjuster has been back to look at the docks. They've been working with Witt Partners to assure the Port Authority gets all of the FEMA restoration and mitigation dollars it can to put back into these projects. After the building project is complete, the additional projects of reinforcing the shore line with mitigation dollars and adding another bulk storage building (if enough funds remain) will be considered.

The Port Authority reviewed a proposal from Landmark CPA's to compile the Port Authority's Financial Statements for FY2019. Although the company name has changed, it is the same people that have compiled the financial statements in the past. Mr. Doss moved approval of the engagement letter with Landmark PLC for compiling the FY2019 Financial Statements. Mr. Norman seconded, and the motion carried unanimously.

The next meeting of the Port Authority was scheduled for Thursday, April 2, 2020. There being no further business before the body, the meeting adjourned at 12:32 pm.

Respectfully submitted,



Jeff Dingman
Deputy City Administrator
City of Fort Smith, Arkansas



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94083 0.8500 AB 0.419 321 2 9



CITY OF FORT SMITH PORT AUTHORITY

OPERATING ACCOUNT

623 GARRISON AVE

FORT SMITH AR 72901-2508

Statement Date: 03/31/2020

Account Number: [REDACTED]

GO GREEN WITH ESTATEMENTS! SIGN-UP FOR ESTATEMENTS IN ONLINE BANKING AT OZK.COM & DOWNLOAD OUR MOBILE APP TO ENJOY THE CONVENIENCE OF MOBILE BANKING!

PUBLIC FUND CHECKING ACCOUNT - [REDACTED]

PREVIOUS STATEMENT BALANCE AS OF 02/28/20:	2,415,527.07
PLUS 1 DEPOSITS AND OTHER CREDITS:	1,694.02
LESS 1 CHECKS AND OTHER DEBITS:	250.00
CURRENT STATEMENT BALANCE AS OF 03/31/20:	2,416,971.09
NUMBER OF DAYS IN THIS STATEMENT PERIOD:	32

CHECK TRANSACTIONS

SERIAL	DATE	AMOUNT
112	03/04	250.00

OTHER TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
03/31	INTEREST		1,694.02

	TOTAL FOR THIS PERIOD	TOTAL YEAR TO DATE
TOTAL OVERDRAFT FEES	0.00	0.00
TOTAL RETURNED ITEM FEES	0.00	0.00

BALANCE BY DATE

DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT
03/04	2,415,277.07	03/31	2,416,971.09				

PAYER FEDERAL ID NUMBER: 71-0130170

INTEREST PAID YEAR TO DATE: 3,462.30

INTEREST EARNED THIS STATEMENT PERIOD

AVERAGE LEDGER BALANCE:	2,415,308.32
INTEREST EARNED:	1,694.02
INTEREST PAID THIS PERIOD:	1,694.02
ANNUAL PERCENTAGE YIELD EARNED:	.80%
INTEREST RATE:	.80%





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94082 0.8500 AB 0.419 321 2 8



CITY OF FORT SMITH PORT AUTHORITY

GRANT ACCOUNT

623 GARRISON AVE

FORT SMITH AR 72901-2508

Statement Date: 03/31/2020

Account Number: [REDACTED]

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PUBLIC FUND CHECKING ACCOUNT [REDACTED]

PREVIOUS STATEMENT BALANCE AS OF 02/28/20:	217,569.95
PLUS 1 DEPOSITS AND OTHER CREDITS:	9.20
LESS 1 CHECKS AND OTHER DEBITS:	8,415.33
CURRENT STATEMENT BALANCE AS OF 03/31/20:	209,163.82
NUMBER OF DAYS IN THIS STATEMENT PERIOD:	32

CHECK TRANSACTIONS

SERIAL	DATE	AMOUNT
105	03/03	8,415.33

OTHER TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
03/31	INTEREST		9.20

	TOTAL FOR THIS PERIOD	TOTAL YEAR TO DATE
TOTAL OVERDRAFT FEES	0.00	0.00
TOTAL RETURNED ITEM FEES	0.00	0.00

BALANCE BY DATE

DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT
03/03	209,154.62	03/31	209,163.82				

PAYER FEDERAL ID NUMBER: 71-0130170

INTEREST PAID YEAR TO DATE: 29.12

INTEREST EARNED THIS STATEMENT PERIOD

AVERAGE LEDGER BALANCE:	209,943.55
INTEREST EARNED:	9.20
INTEREST PAID THIS PERIOD:	9.20
ANNUAL PERCENTAGE YIELD EARNED:	.05%
INTEREST RATE:	.05%



00543800152368

CITY OF FORT SMITH PORT AUTHORITY
GRANT ACCOUNT
823 GARRISON AVE
FORT SMITH, AR 72803

105
03/20/20
\$8,415.33

Pay to the Order of: Tina-J. Dork

Eight thousand four hundred fifteen dollars and 33/100 Dollars

BANK of the OZARKS
www.bankoftheozarks.com • MEMBER FDIC

For: Invoice # 111519 - Bridge Repair

[Signature]

105 \$8415.33 03/03/2020

03/02/2020 Electronically Captured

2799503/02/2020

FOR DEPOSIT ONLY

105 \$8415.33 03/03/2020





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61348 0.6580 AB 0.419 195 2 8



CITY OF FORT SMITH PORT AUTHORITY

OPERATING ACCOUNT

623 GARRISON AVE

FORT SMITH AR 72901-2508

Statement Date: 04/30/2020

Account Number: [REDACTED]

GO GREEN WITH ESTATEMENTS! SIGN-UP FOR ESTATEMENTS IN ONLINE BANKING AT OZK.COM & DOWNLOAD OUR MOBILE APP TO ENJOY THE CONVENIENCE OF MOBILE BANKING!

PUBLIC FUND CHECKING ACCOUNT - [REDACTED]

PREVIOUS STATEMENT BALANCE AS OF 03/31/20:	2,416,971.09
PLUS 1 DEPOSITS AND OTHER CREDITS:	545.42
LESS 3 CHECKS AND OTHER DEBITS:	560,081.62
CURRENT STATEMENT BALANCE AS OF 04/30/20:	1,857,434.89
NUMBER OF DAYS IN THIS STATEMENT PERIOD:	30

CHECK TRANSACTIONS

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
115	04/03	182,673.77	117	04/09	8,723.84
116	04/03	368,684.01			

OTHER TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
04/30	INTEREST		545.42

	TOTAL FOR THIS PERIOD	TOTAL YEAR TO DATE
TOTAL OVERDRAFT FEES	0.00	0.00
TOTAL RETURNED ITEM FEES	0.00	0.00

BALANCE BY DATE

DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT
04/03	1,865,613.31	04/09	1,856,889.47	04/30	1,857,434.89		

PAYER FEDERAL ID NUMBER: 71-0130170

INTEREST PAID YEAR TO DATE: 4,007.72

INTEREST EARNED THIS STATEMENT PERIOD

AVERAGE LEDGER BALANCE:	1,895,973.01
INTEREST EARNED:	545.42
INTEREST PAID THIS PERIOD:	545.42
ANNUAL PERCENTAGE YIELD EARNED:	.35%
INTEREST RATE:	.35%



00414920075217

CITY OF FORT SMITH PORT AUTHORITY
OPERATING ACCOUNT
823 GARRISON AVE
FORT SMITH, AR 72903

115
01-723/020
1020

4/1/20

Pay to the Order of Cameron Hubbs Construction \$ 182,673.77
one hundred eighty two thousand six hundred seventy three and 77/100 Dollars

BANK of the OZARKS
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For Pay App #3

[Signature]

115 \$182673.77 04/03/2020

20200402000085774008
084201278 10176 13:33
BANCORPSOUTH 579
TUPELO, MS 38801

20200402000085774008
084201278 10176 13:33
BANCORPSOUTH 579
TUPELO, MS 38801

PAY TO THE ORDER OF
BANCORPSOUTH
#082903900
FOR DEPOSIT ONLY
CAMERON HUBBS
CONSTRUCTION
1201 10176

115 \$182673.77 04/03/2020

CITY OF FORT SMITH PORT AUTHORITY
OPERATING ACCOUNT
823 GARRISON AVE
FORT SMITH, AR 72903

116
01-723/020
1020

4/1/20

Pay to the Order of Cameron Hubbs Construction \$ 368,684.01
three hundred sixty eight thousand six hundred eighty four and 1/100 Dollars

BANK of the OZARKS
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For Pay App #4

[Signature]

116 \$368684.01 04/03/2020

20200402000085774010
084201278 10176 13:33
BANCORPSOUTH 579
TUPELO, MS 38801

20200402000085774010
084201278 10176 13:33
BANCORPSOUTH 579
TUPELO, MS 38801

PAY TO THE ORDER OF
BANCORPSOUTH
#082903900
FOR DEPOSIT ONLY
CAMERON HUBBS
CONSTRUCTION
1201 10176

116 \$368684.01 04/03/2020

CITY OF FORT SMITH PORT AUTHORITY
OPERATING ACCOUNT
823 GARRISON AVE
FORT SMITH, AR 72903

117
01-723/020
1020

4/1/20

Pay to the Order of Studio 6 Studios \$ 8,723.84
eight thousand seven hundred twenty three and 84/100 Dollars

BANK of the OZARKS
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For Inv # 19-059-03

[Signature]

117 \$8723.84 04/09/2020

>082900319< 20200408
FIRST NATIONAL BANK FORT SMITH
Drawer/Trans# 008600031

FOR DEPOSIT ONLY

117 \$8723.84 04/09/2020





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61347 0.4640 AB 0.419 195 27



CITY OF FORT SMITH PORT AUTHORITY

GRANT ACCOUNT

623 GARRISON AVE

FORT SMITH AR 72901-2508

Statement Date: 04/30/2020

Account Number: [REDACTED]

GO GREEN WITH ESTATEMENTS! SIGN-UP FOR ESTATEMENTS IN ONLINE BANKING AT OZK.COM & DOWNLOAD OUR MOBILE APP TO ENJOY THE CONVENIENCE OF MOBILE BANKING!

PUBLIC FUND CHECKING ACCOUNT - [REDACTED]

PREVIOUS STATEMENT BALANCE AS OF 03/31/20:	209,163.82
PLUS 1 DEPOSITS AND OTHER CREDITS:	8.60
LESS 0 CHECKS AND OTHER DEBITS:	0.00
CURRENT STATEMENT BALANCE AS OF 04/30/20:	209,172.42
NUMBER OF DAYS IN THIS STATEMENT PERIOD:	30

OTHER TRANSACTIONS

DATE	DESCRIPTION	DEBITS	CREDITS
04/30	INTEREST		8.60

	TOTAL FOR THIS PERIOD	TOTAL YEAR TO DATE
TOTAL OVERDRAFT FEES	0.00	0.00
TOTAL RETURNED ITEM FEES	0.00	0.00

BALANCE BY DATE

DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT
04/30	209,172.42						

PAYER FEDERAL ID NUMBER: 71-0130170

INTEREST PAID YEAR TO DATE: 37.72

INTEREST EARNED THIS STATEMENT PERIOD

AVERAGE LEDGER BALANCE:	209,163.82
INTEREST EARNED:	8.60
INTEREST PAID THIS PERIOD:	8.60
ANNUAL PERCENTAGE YIELD EARNED:	.05%
INTEREST RATE:	.05%



AIA Type Document
Application and Certification for Payment

TO (OWNER): Port Authority of City of FS
200 Navy Road
Fort Smith, AR 72901

PROJECT: FSPA-Rebuild of Port Facility
200 Navy Road
Fort Smith, AR 72901

APPLICATION NO: 5
PERIOD TO: 4/30/2020

DISTRIBUTION
TO:
- OWNER
- ARCHITECT
- CONTRACTOR

FROM (CONTRACTOR): Cameron Hubbs Construction, Inc
3409 Owen Street
Van Buren, AR 72956

VIA (ARCHITECT): Studio 6 Architects
David Conyers
1120 Garrison Ave Suite 1A
Fort Smith, AR 72901

ARCHITECT'S
PROJECT NO:

CONTRACT FOR: Rebuild of Port Facility

CONTRACT DATE: 11/4/2019

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Type Document is attached.

The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$	2,946,049.52
2. Net Change by Change Orders	\$	0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	2,946,049.52
4. TOTAL COMPLETED AND STORED TO DATE	\$	1,290,460.07
5. RETAINAGE:		
a. 4.68 % of Completed Work	\$	60,441.46
b. 0.00 % of Stored Material	\$	0.00
Total retainage (Line 5a + 5b)	\$	60,441.46
6. TOTAL EARNED LESS RETAINAGE	\$	1,230,018.61
(Line 4 less Line 5 Total)		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	909,290.10
8. CURRENT PAYMENT DUE	\$	320,728.51
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	1,716,030.91

CONTRACTOR: Cameron Hubbs Construction, Inc
3409 Owen Street Van Buren, AR 72956

By: [Signature] Date: 5/6/2020
CAMERON HUBBS, PRESIDENT

State of: AR
County of: FRANKLIN
Subscribed and sworn to before me this 6 Day of May 2020
Notary Public: [Signature]
My Commission Expires: 12/31/2021



ARCHITECT'S CERTIFICATE FOR PAYMENT

In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 320,728.51
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: STUDIO 6 ARCHITECTS Date: 5/6/2020
By: [Signature]

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

**AIA Type Document
Application and Certification for Payment**

TO (OWNER): Port Authority of City of FS
200 Navy Road
Fort Smith, AR 72901

PROJECT: FSPA-Rebuild of Port Facility
200 Navy Road
Fort Smith, AR 72901

APPLICATION NO: 5
PERIOD TO: 4/30/2020

DISTRIBUTION TO:
- OWNER
- ARCHITECT
- CONTRACTOR

FROM (CONTRACTOR): Cameron Hubbs Construction, Inc
3409 Owen Street
Van Buren, AR 72956

VIA (ARCHITECT): Studio 6 Architects
David Conyers
1120 Garrison Ave Suite 1A
Fort Smith, AR 72901

ARCHITECT'S PROJECT NO:

CONTRACT FOR: Rebuild of Port Facility

CONTRACT DATE: 11/4/2019

ITEM	DESCRIPTION	SCHEDULE VALUE	PREVIOUS APPLICATIONS	COMPLETED THIS PERIOD	STORED MATERIAL	COMPLETED STORED	%	BALANCE	RETAINAGE
5	Construction Manager Fee	166,757.52	53,989.33	19,055.57	0.00	73,044.90	43.80	93,712.62	3,652.25
REPORT TOTALS		\$2,946,049.52	\$953,811.64	\$336,648.43	\$0.00	\$1,290,460.07	43.80	\$1,655,589.45	\$60,441.46

STUDIO 6

EST. • architects • 1919

INVOICE DATE: 5/7/2020

Invoice

CLIENT:

Port Authority of the City of Fort Smith
200 Navy Road
Fort Smith, Arkansas 72901

19-059-04

PROJECT:

Port of Fort Smith BSR
Fort Smith, Arkansas

PROJECT NUMBER: 19-059

Description	Hours/Qty	Rate	Amount
Pre-Design / Design Services and Construction Documents in accordance with Studio 6 Architects Letter Form of Agreement dated October 29, 2019.			
Pre-Design / Design Services	26.5	145.00	3,842.50
Less Amount Previously Paid		-3,842.50	-3,842.50
Construction Documents: 100% Complete (\$124,000 x 75% x 100%)		93,000.00	93,000.00
Less Amount Previously Paid		-93,000.00	-93,000.00
Construction Administration Services: 44% Complete (\$124,000 x 25% x 44%)		13,640.00	13,640.00
Less Amount Previously Paid		-8,680.00	-8,680.00
Total			\$4,960.00
Payments/Credits			\$0.00
Balance Due			\$4,960.00