

RESOLUTION NO. 2021-07-9582

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

A RESOLUTION ACCEPTING THE PROPOSED SCOPE AND ESTIMATE FROM GARVER FOR THE PREPERATION OF A CAPITAL PLAN AND IMPACT FEE STUDY FOR CITY OF TONTITOWN WATER AND WASTEWATER FACILTIES AND AUTHORIZING THE MAYOR OF THE CITY OF TONTITOWN TO ENTER INTO A CONTRACT WITH GARVER IN ACCORDANCE WITH THE TERMS SET FORTH THEREIN.

WHEREAS, due to substantial growth in the City of Tontitown and the demand for the expansion of water and wastewater services, the Mayor and the City Council of the City of Tontitown have requested a proposal from the city's engineering firm for the preparation of a Capital Plan and Impact Fee Study for the City of Tontitown water and wastewater facilities; and

WHEREAS, the City of Tontitown has received a proposal from Garver and Duncan Associates, a sub-consultant, for the preparation of a Capital Plan and Impact Fee Study for the City of Tontitown water and wastewater facilities for the estimated amount of \$45,000.00 which is attached hereto as Exhibit "A"; and

WHEREAS, the City Council for the City of Tontitown desire that the proposal be accepted and that the Mayor be authorized to enter into a Contract with Garver for the preparation of a Capital Plan and Impact Fee Study for the City of Tontitown water and wastewater facilities.


NOW, THEREFORE, BE IT RESOLVED, the Mayor of Tontitown, Arkansas, on behalf of the City of Tontitown, Arkansas, is authorized to negotiate and enter into a contract for the preparation of a Capital Plan and Impact Fee Study for the City of Tontitown water and wastewater facilities, including the terms and provisions in the attached hereto as Exhibit "A", with Garver in order to meet the growth and demands within the City of Tontitown. The Mayor and City Clerk-Treasurer is further authorized and to take all other action required hereto.

PASSED and APPROVED this 1 day of July, 2021.

APPROVED:


Paul Colvin, Jr., Mayor

ATTEST:


Rhonda Ardemagni, City Clerk-Treasurer



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MEMO

Date: June 29, 2021

To: Paul Colvin, Jr., Mayor of Tontitown

From: Juliet Richey, Garver

Re: Final Scope and Estimate for the Capital Plan and Impact Fee Study for the City of Tontitown Water and Wastewater Facilities

To complete a Capital Plan and Impact Fee Study for the City of Tontitown Water and Wastewater Facilities, Garver and Duncan Associates has prepared the attached scope and estimated fee of \$45,000.

If the City is agreeable to this scope and fee, then a formal work order will be prepared for the project. The work order will bill hourly with a "not to exceed" limit of \$45,000, unless otherwise authorized by the city. Duncan Associates will work as a subconsultant under Garver on this project. Garver will be preparing the Capital Plan and collaborating with Duncan Associates on the Impact Fee Study portion the project.

WORK DESCRIPTION	ESTIMATED FEE AMOUNT
Data Collection and Capital Plan Development	\$10,279.00
Draft Impact Fee Study Development and Review	\$3,787.50
Final Impact Fee Study Development and Final Report	\$3,161.00
Impact Fee Study Adoption Meeting	\$1,428.00
Project Management	\$1,232.00
Subconsultant Fees for Impact Fee Study: Duncan and Associates	\$25,000.00
Expenses: Document Printing/Reproduction/Assembly	\$112.50
TOTAL ESTIMATED FEE	\$45,000.00



APPENDIX A

SCOPE OF SERVICES FOR A CAPITAL PLAN AND AN IMPACT FEE STUDY FOR THE CITY OF TONTITOWN WATER AND WASTEWATER FACILITIES

General

Under this Work Order, Garver and Duncan Associates will work with the city to create a Capital Plan and an Impact Fee Study for the city's water and wastewater facilities. The Capital Plan and Impact Fee Study will apply to all water and wastewater facilities within the city's service area, including wastewater treatment at the Northwest Arkansas Conservation Authority (NACA).

1. Data Collection Capital Plan Development

- 1.1 A meeting will be held with Garver, Duncan Associates (virtual participation), the Mayor, and relevant City Staff to kick off the project and discuss project process, data needed from the city for the project, project timeline, and potential Capital Plan Projects.
- 1.2 Once all needed data has been obtained from the City by Garver and Duncan Associates,
 - o Duncan Associates will complete items designated under "Task 1" of the Duncan Associates Scope (attached).
 - o Garver will create a Capital Plan Project list and map for twelve (12) major Capital Projects (This list will include conceptual location, planning level costs, and a brief project summary).
- 1.3 Garver will hold a meeting with the Mayor and relevant City Staff to discuss and obtain comments on the draft Capital Plan and Map.
- 1.4 Garver will incorporate any city comments on the Capital Plan and Finalize the Capital Plan
- 1.5 Garver will submit the Capital Plan to the City for adoption and attend one (1) City Council meeting for Capital Plan Adoption.
- 1.6 Garver will transmit the plan to Duncan Associates once adoption has taken place.

2. Draft Impact Fee Study Development and Review

- 2.1 Duncan Associates will complete items designated under "Task 2" of the Duncan Associates Scope (attached).
- 2.2 Garver will participate in one meeting with City Staff during development of the draft study (if needed).
- 2.3 Garver will participate in one meeting with Duncan Associates during development of the draft study (if needed).

3. Final Impact Fee Study Development and Final Report

- 3.1 Duncan Associates will complete items designated under "Task 3" of the Duncan Associates Scope (attached).
- 3.2 Garver will make any needed contributions to the final study and attend one (1) meeting with the City to discuss the final plan (if needed).

4. Impact Fee Study Adoption Meeting

- 4.1 Duncan Associates will complete items designated under "Task 4" of the Duncan Associates Scope (attached).
- 4.2 Garver will attend one (1) City Council meeting for adoption of Impact Fees (if needed).

5. Project Deliverables

The following will be submitted to the city, or others as indicated, by Garver:

- A. 10 hard copies of the final Capital Plan (Garver)
- B. 2 large format Capital Plan maps (Garver)
- C. 1 Final Impact Fee Study Report and Supporting Spreadsheet (Duncan Associates)
- D. 1 Draft Ordinance (Duncan Associates)

6. Schedule

Once the work order is approved, signed, and we have received a notice to proceed from the city, we will initiate work within ten (10) days and continue with a mutually agreeable schedule between Garver, Duncan Associates, and the city. Portions of the schedule will be determined largely by the time required for comments to be provided by the city, the extent of the changes requested, and public meeting schedules.

MEMORANDUM

TO: Juliet Richey, Garver
FROM: Clancy Mullen, Duncan Associates
DATE: June 29, 2021
RE: Impact Fee Scoping for Tontitown, AR

Scope of Services

Task 1: Data Collection

This task will involve data collection for the development of water and wastewater impact fees. Necessary components for the impact fee study include a list of planned improvements with cost estimates, an inventory of existing major water distribution and wastewater collection lines and associated facilities, such as pump stations and reservoirs, estimated replacement costs of existing major facilities, existing customer demand in terms of a common service unit (such as a single-family equivalents or SFEs), identification of any existing excess capacity that will serve future growth rather than existing customers, outstanding debt on existing facilities, and anticipated future grant funding that will be available to pay for some of the growth-related improvement costs.

Deliverables: Data Needs List

Task 2: Review Draft

This task entails the preparation of an initial draft of the fee study for internal review. The study will be based on review of levels of service, land use trends and policies, master plans, planned capital improvements, growth projections, financial data, and other relevant information. It will include all the elements mandated by impact fee case law, including compliance with the dual rational nexus test. These elements will include an inventory of existing major facilities; the cost of improvements required to remedy any existing service deficiencies; the proportionate share of the cost of improvements required to accommodate increased service demands; and appropriate revenue credits to ensure that new development is not charged more than its proportionate share of the cost of new facilities. It will include a table that establishes the demand associated with different land use types. The study will culminate with a net cost schedule that represents the maximum impact fees that could be charged based on the data, methodology, and analysis used in the study.

Deliverable: Review Draft Study

Task 3: Final/Ordinance Amendments

Following receipt of City comments on the review draft, the consultant will make appropriate modifications to the impact fee study and prepare the final report. Concurrently with the final draft of the study, the consultant will provide a draft ordinance that would include the adoption of the impact fee rates along with other provisions required for an impact fee program to be administered in a manner consistent with state law and best practices. The ordinance could also provide for phasing in the new fees over a couple of years rather than imposing the full fees immediately.

Deliverables: *Final Report and Supporting Spreadsheet*
 Draft Ordinance




Task 4: Adoption Meeting

The consultant will be available to participate in public meetings as desired by the City. The consultant will prepare presentation materials and attend meetings to explain the impact fee study and proposed ordinance. Meeting participation could be either in-person or remote via video conference. For the purposes of the proposed fixed-fee budget, remote attendance at one public meeting is included.

Deliverables: *Meetings/Presentations*

Timeline

Assuming that all required data can be acquired during the first six weeks, the consultant would deliver an initial draft within approximately ten weeks of the notice to proceed. The remainder of the schedule will be determined largely by the time required for comments to be provided, the extent of changes requested, the amount of public participation desired, and the scheduling of meetings.

Task	Months from Notice to Proceed			
	1	2	3	4
1. Data Collection				
2. Review Draft				
3. Final Report/Draft Ord.				
4. Adoption				TBD

Budget

The fixed-fee costs for the tasks included in the scope of services total \$25,000, as summarized below. Public meeting attendance would be billed at \$2,000 per meeting for remote attendance and \$4,000 per meeting for in-person attendance. The proposed public meeting budget would accommodate remote participation at one meeting. The City will be billed monthly based on percentage completion of tasks.

Task	Amount
1. Data Collection	\$2,000
2. Review Draft	\$15,000
3. Final Report/Draft Ordinance	\$6,000
4. Adoption Meeting	\$2,000
Total	\$25,000

Additional meeting attendance will be provided at a fixed-fee rate of \$2,000 per meeting for remote participation, or \$4,000 for in-person attendance. Other additional services would be provided as may be negotiated or on a time plus expense basis. Duncan Associates' standard billing rate is \$175 per hour.

Appendix B

**City of Tontitown
21T20112**

Water-Wastewater Capital Plan and Impact Fee Study

WORK TASK DESCRIPTION	P-1	E-2	E-3	E-4	E-6
	\$125.00	\$134.00	\$162.00	\$189.00	\$283.00
	hr	hr	hr	hr	hr
Data Collection and Capital Plan					
1. Development					
A meeting will be held with Garver, Duncan Associates (virtual participation), the Mayor, and relevant City Staff to kick off the project and discuss project process, data needed from the City for the project, project timeline, and potential Capital Plan Projects.	2		2	2	2
Kick-off Meeting Preparation	2		0.5	1	0.5
Transmittal of existing Garver Water and Wastewater Facility data to Duncan Associates				4	
Create Capital Plan Project List for 12 Major Capital Projects (includes brief project description and planning level costs)	2	2	1	12	
Create Capital Plan Project Map	4			0.5	
Meeting with City to discuss the draft Capital Plan and Map	2.5		2.5	2.5	
Finalize Capital Plan	2.5		1	3	0.5
Garver will attend one (1) City Council meeting for Capital Plan Adoption.	3		3	3	
Subtotal - Data Collection and Capital Plan Development	18	2	10	28	3
Draft Impact Fee Study Development and					
2. Review					
Draft Impact Fee Study Development- General correspondence	2		1	2	0.5
One (1) Meeting With Mayor and City Staff	3		3	3	
One (1) Meetings with Duncan Associates	3		3	3	
Subtotal - Draft Impact Fee Study Development and Review	8	0	7	8	0.5

Final Impact Fee Study Development and					
3. Final Report					
Finalize Impact Fee Study	2		1	1	1
Final Meeting with City- One (1) Meeting	3		3	3	3
Subtotal - Final Impact Fee Study Development and Final Report	5	0	4	4	4
4. Impact Fee Study Adoption Meeting					
Presentation to City Council- One (1) Meeting	3		3	3	
Subtotal - Impact Fee Study Adoption Meeting	3	0	3	3	0
5. Project Management					
General Correspondence and Project Management	5		2		1
Subtotal - Project Management	5	0	2	0	1

Hours 39 2 26 43 8.5

Salary Costs \$4,875.00 \$268.00 \$4,212.00 \$8,127.00 \$2,405.50

SUBTOTAL - SALARIES: \$19,887.50

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly \$112.50

EXPENSES: \$112.50

SUBTOTAL: \$20,000.00

SUBCONSULTANTS FEE: \$25,000.00

TOTAL FEE: \$45,000.00