

Aldermen

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Brenda Thiel
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Sarah E. Lewis

**Final Agenda
City of Fayetteville Arkansas
Special City Council Meeting
February 08, 2011**

A meeting of the Fayetteville City Council will be held on February 08, 2011 at 5:00 p.m. or immediately following Agenda Session in Room 326 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

A. New Business:

- 1. Rock Salt for Snow and Ice Removal:** An ordinance to waive competitive bidding and to approve the purchase of medium crushed rock salt for snow and ice removal.

PASSED AND SHALL BE RECORDED AS ORDINANCE NO. 5386

Announcements:

Adjournment: 6:10 p.m.

NOTICE TO MEMBERS OF THE AUDIENCE

All interested parties may appear and be heard before the City Council. If you wish to address the City Council on an agenda item please queue behind the podium when the Chair asks for public comment. Once the chair recognizes you, go to the podium and give your name and address. Address your comments to the Chair, who is the presiding officer. The Chair will direct your comments to the appropriate elected official, staff member or others for response. Please keep your comments brief, to the point and relevant to the agenda item being considered so that everyone has a chance to speak.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

As a courtesy please turn off all cell phones and pagers.

A copy of the City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 West Mountain, Fayetteville, Arkansas.

Subject:	Roll				
	Kinion	✓			
	Petty	Absent			
	Tennant	✓			
	Ferrell	✓			
	Adams	✓			
	Lewis	✓			
	Gray	✓			
	Thiel	✓			
	Mayor Jordan	✓			

Subject:	Rock Salt for Snow and Ice Removal				
Motion To:		2nd Read	3rd Read	Pass	
Motion By:		Ferrell	Thiel		
Seconded:		Gray	Ferrell		
A.1 <i>Passed</i> 5386	Kinion	✓	✓	✓	
	Petty	Absent	Absent	Absent	
	Tennant	✓	✓	✓	
	Ferrell	✓	✓	✓	
	Adams	✓	✓	✓	
	Lewis	✓	✓	✓	
	Gray	✓	✓	✓	
	Thiel	✓	✓	✓	
	Mayor Jordan				

7-0

7-0

7-0

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Kinion				
	Petty				
	Tennant				
	Ferrell				
	Adams				
	Lewis				
	Gray				
	Thiel				
	Mayor Jordan				

Subject:					
Motion To:					
Motion By:					
Seconded:					
	Kinion				
	Petty				
	Tennant				
	Ferrell				
	Adams				
	Lewis				
	Gray				
	Thiel				
	Mayor Jordan				



Departmental Correspondence



**LEGAL
DEPARTMENT**

www.accessfayetteville.org

Kit Williams
City Attorney

Jason B. Kelley
Assistant City Attorney

TO: Mayor Jordan

THRU: Sondra Smith, City Clerk

FROM: Kit Williams, City Attorney

DATE: February 10, 2011

RE: Ordinance passed at Special City Council Meeting of February 8, 2011

Attached please find the Ordinance to Waive Competitive Bidding and to Approve the Purchase of Medium Crushed Rock for Snow and Ice Removal that was passed by the City Council during the Special City Council Meeting of February 8, 2011.

Aldermen

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City of Fayetteville Staff Review Form

A. 1
 Rock Salt for
 Snow and Ice Removal
 Page 1 of 4

City Council Agenda Items
 and
 Contracts, Leases or Agreements

February 15, 2011

City Council Meeting Date
 Agenda Items Only

Terry Gulley
 Submitted By

Transportation
 Division

Transportation Services
 Department

Action Required:

An ordinance waiving the requirements of formal competitive bidding for the purchase of medium crushed rock salt for snow and ice removal.

Cost of this request

\$ 271,927.00

Category / Project Budget

Materials & Supplies

Program Category / Project Name

2100.4120.5204.00

Account Number

\$ 22,544.11

Funds Used to Date

Street Maintenance

Program / Project Category Name

Project Number

\$ 249,382.89

Remaining Balance

Street

Fund Name

Budgeted Item ☒Budget Adjustment Attached ☐

Department Director

Date

Previous Ordinance or Resolution #

Original Contract Date:

Original Contract Number:

City Attorney

Date

Finance and Internal Services Director

Date

Received in City
 Clerk's Office

02-08-11A08:55 RCVD

Chief of Staff

Date

Received in
 Mayor's Office

Mayor

Date

Comments:



www.accessfayetteville.org

THE CITY OF FAYETTEVILLE, ARKANSAS
DEPARTMENT CORRESPONDENCE

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Don Marr, Chief of Staff

From: Terry Gulley, Transportation Services Department Director *TG*

Date: February 15, 2011

Subject: Bid Waiver for Medium Crushed Rock Salt

PROPOSAL:

Staff proposes an ordinance waiving the requirements of formal competitive bidding for the purchase of medium crushed rock salt for snow and ice removal.

RECOMMENDATION:

The price of medium crushed rock salt used for snow and ice removal fluctuates based on supply and demand. The supply and demand of these materials varies depending on weather conditions and the severity of each winter weather season. For this reason suppliers cannot feasibly guarantee a fixed price over a twelve month period.

Staff recommends approving the purchase of medium crushed rock salt based on written quotes which will be obtained on a case by case basis without the need for further approval of the City Council.

BUDGET IMPACT:

Funds for the acquisition of medium crushed rock salt are budgeted in the Street Maintenance Program.

ORDINANCE NO. _____

**AN ORDINANCE TO WAIVE COMPETITIVE BIDDING AND TO APPROVE
THE PURCHASE OF MEDIUM CRUSHED ROCK SALT FOR SNOW AND
ICE REMOVAL**

WHEREAS, even though our Transportation Division began the winter season with very substantial reserves of rock salt for use on city streets for snow and ice removal, the severe ice and snow storms have depleted the City's supplies so that additional rock salt needs to be purchased quickly; and

WHEREAS, the price of medium crushed rock salt used for snow and ice removal fluctuates quickly based on supply and demand such that formal competitive bidding is not feasible and would result in substantially higher prices.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines that because of the rapid price fluctuations of crushed rock salt, formal competitive bidding is not feasible or practical and therefore waives formal competitive bidding for the purchase of rock salt in 2011 to be replaced by the purchase of rock salt based upon three written quotes on a case by case basis without the need for further City Council approval as long as the Transportation Department's purchases remain within its budgetary authority.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby approves the immediate purchase of crushed rock salt from Cargill Deicing Technology pursuant to its written quotation which is attached.

PASSED and APPROVED this 8th day of February, 2011.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer



Deicing Technology
24950 Country Club Blvd, Suite 450
North Olmsted OH 44070
Phone: 800-600-7258 ~ Fax: 800-467-3409

Date: February 8 2011

City of Fayetteville
1523 S Happy Hollow
Fayetteville AR 72701

Customer Number: 60036859
Shipping Info: 113 West Mountain
Fayetteville AR 72701

ATTN: Carolyn Smith

Phone: (479) 575-8348
Fax: (479) 444-3490

Cargill Deicing Technology is pleased to submit the following quote for your DEICING SALT needs for the 2010/2011 season.

Price Basis

Product	*Delivered	**Pickup	Tons	Terminal
N997 - Bulk Deicing Road Salt	\$98.02	—	200	522226 - Catoosa, Oklahoma

PLEASE SIGN AND RETURN THIS QUOTE LETTER TO MY ATTENTION WITHIN 5 DAYS FROM DATE OF LETTER. WE CANNOT UPDATE YOUR ACCOUNT FOR THIS YEAR WITHOUT THE SIGNED QUOTE LETTER.

THIS QUOTE DOES NOT CONSTITUTE AN ORDER! To place an order or if you have any questions, concerning your account, please feel free to contact our Sales Department at 800/600-SALT.

*Delivered products will ship in minimum 22 ton loads

TERMS AND CONDITIONS

Your payment terms are NET 30 DAYS. The pricing stated in this quote letter is firm from February 8, 2011 through April 30, 2011, provided it is signed and returned within 5 days from the date of this letter. The tonnage figure is an estimate only AND IS SUBJECT TO AVAILABILITY at the time of the order. Either party in regard to estimated tonnages assumes no obligation. This quotation assumes normal operating conditions at Cargill's terminals and production facilities. Cargill Deicing Technology reserves the right to decline orders/shipments for any reasons relating to conditions at the terminals/production facilities, weather conditions, or any other reason that may affect Cargill's ability to accept orders. This quote assumes that salt will be delivered from or picked up at the terminal set forth above. Sourcing of products from another Cargill Deicing Technology facility is subject to availability and additional fees that may be applied to your account. For additional terms and conditions, please go to www.cargilldeicing.com. Cargill's sale of product is expressly conditional upon Customer's acceptance of the terms and conditions. Any terms which may exist on the Customer's standard purchase order (or similar forms) and which alter or are inconsistent with the terms and conditions will be of no legal force or effect and will not govern the transaction contemplated by this Quote Letter.

Thank you for the opportunity to be of service. We are looking forward to supplying your salt needs.

Cargill Deicing Technology Signature: Joshua Evcic Western Region Team Leader	ACCEPTED (Buyer) Signature: _____ Name: Title:
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