



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Agenda Public Works Council Committee

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Tuesday, June 2, 2020

5:00 PM

Municipal Center

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### 1. Call To Order

### 2. Roll Call by City Clerk Donna Jackson

### 3. Approval of minutes

[MIN-20:041](#)

Minutes fir the Public Works Committee meeting on May 5, 2020.

Attachments: [Minutes](#)

### 4. New Business

#### *ORDINANCES TO BE INTRODUCED*

[ORD-20:021](#)

AN ORDINANCE TO AMEND SECTION 117.35 REGARDING THE REFUND OF REZONING SIGN DEPOSITS

Sponsors: Planning

[ORD-20:022](#)

AN ORDINANCE TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE TRAFFIC CONTROL COMMITTEE

Sponsors: Engineering

[ORD-20:023](#)

AN ORDINANCE TO ESTABLISH WEIGHT LIMITATIONS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE CITY OF JONESBORO TRAFFIC CONTROL COMMITTEE

Sponsors: Engineering

#### *RESOLUTIONS TO BE INTRODUCED*

[RES-20:067](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO APPROVE CHANGE ORDER NO. 3 FOR THE CROWLEY'S RIDGE PARKWAY: CRAIGHEAD FOREST PARK TRAIL - PHASE III (ARDOT NO. 100919) (2018:31)

Sponsors: Engineering and Parks & Recreation

Attachments: [Change Order 3, Craighead Forest Trail](#)

[RES-20:068](#)

A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO APPROVE A SUPPLEMENTAL AGREEMENT WITH FISHER ARNOLD TO PROVIDE ENGINEERING

AND SURVEYING SERVICES FOR THE UNIVERSITY HEIGHTS LINK TRAIL PROJECT  
(JOB NO. 101060)

Sponsors: Engineering and Parks & Recreation

Attachments: [Supplemental Agreement - University Heights Link Trail](#)

**5. Pending Items**

**6. Other Business**

**7. Public Comments**

**8. Adjournment**



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

<b>File #:</b>	MIN-20:041	<b>Version:</b>	1	<b>Name:</b>	Minutes fir the Public Works Committee meeting on May 5, 2020
<b>Type:</b>	Minutes	<b>Status:</b>		<b>Status:</b>	To Be Introduced
<b>File created:</b>	5/7/2020	<b>In control:</b>		<b>In control:</b>	Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	Minutes fir the Public Works Committee meeting on May 5, 2020.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Minutes</a>				

Date	Ver.	Action By	Action	Result
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Minutes fir the Public Works Committee meeting on May 5, 2020.



# City of Jonesboro

Municipal Center  
300 S. Church Street  
Jonesboro, AR 72401

## Meeting Minutes Public Works Council Committee

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Tuesday, May 5, 2020

5:00 PM

Municipal Center

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### 1. Call To Order

### 2. Roll Call by City Clerk Donna Jackson

**Present** 7 - Gene Vance; Mitch Johnson; John Street; Chris Moore; Charles Coleman; LJ Bryant and Ann Williams

### 3. Approval of minutes

[MIN-20:026](#)

Minutes for the Public Works Council Committee on March 3, 2020.

**Attachments:** [Minutes](#)

**A motion was made by Councilperson Gene Vance, seconded by Councilperson Ann Williams, that this matter be Passed . The motion PASSED with the following vote.**

**Aye:** 6 - Gene Vance; Mitch Johnson; Chris Moore; Charles Coleman; LJ Bryant and Ann Williams

### 4. New Business

#### *ORDINANCES TO BE INTRODUCED*

[ORD-20:014](#)

AN ORDINANCE TO AMEND SECTION 117-139(d) OF THE CITY OF JONESBORO ZONING CODE

**Sponsors:** Planning and Engineering

*Chairman Johns Street asked if Planning Director Derrell Smith was present, and if so would he speak on this ordinance.*

*Planning Director Derrell Smith explained that sometime between when the current code came out, and in between the old code and what we are dealing with now in C2 which, is the down town fringe commercial uses is to allow residential. When they copied the old code into the new code they showed that residential was still allowed in the schedule of uses, they took it out of there, but it showed it in the lot area requirements. So, if you look you will see that C2 has lot size, lot set-back, and density, all of that is included. When you go into the residential portion it doesn't show that it is allowed. It appears to me that when they did that, they were cutting and pasting, and failed to put it into the schedule and uses portion of the document.*

*Planning Director Derrell Smith continued to explain that by definition down town fringe*

*is a mix of uses, and you would think that by definition that residential would be allowed. We did hold out the C2 of what they call the hotel corridor zone that is out along I-555, there is a strip of C2 on both sides where the hotels are. So, we did not allow the residential in that. The areas around down town where we still have C2 zoning, which is where we want to still include residential. Chairman John Street said, 'okay and thank you Sir'. Chairman Street ask if there was any more questions regarding this.*

*Councilmember LJ Bryant commented that he has worked a little bit with Planning Director Derrell Smith on this. I think it is a really good and important issue, it seems like that it was just a technicality problem. I think if you look at what Heather Clark and others have done on Huntington, which I think is C1, but just a couple of lots down from there it is C2, and then like Krewson, which butts up against the Cavanaugh property. A lot of that property is prime for redevelopment. Councilmember Bryant explained that until we fix this I don't see that anyone can do anything with those tiny lots. Core projects will be able to be done if we fix this.*

*Chairman John Street asked Deputy April Leggett to show Councilmember Chris Moore present in the meeting. Deputy Clerk Leggett said "yes sir". Chairman Street asked if there were any more comments. Mayor Harold Perrin said, one thing we need to do is allow 35 to 40 seconds for the public to call in or make comments since this is a virtual meeting. Chairman John Street asked Deputy Clerk April Leggett to please be the time keeper of that.*

**A motion was made by Councilperson Gene Vance, seconded by Councilperson Chris Moore, that this matter be Recommended to Council . The motion PASSED with the following vote.**

**Aye:** 6 - Gene Vance; Mitch Johnson; Chris Moore; Charles Coleman; LJ Bryant and Ann Williams

#### **RESOLUTIONS TO BE INTRODUCED**

##### **[RES-20:054](#)**

A RESOLUTION REQUESTING FREE UTILITY SERVICES FROM CITY WATER AND LIGHT FOR A POLICE DEPARTMENT FACILITY

**Sponsors:** Police Department

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Ann Williams, that this matter be Recommended to Council . The motion PASSED with the following vote.**

**Aye:** 6 - Gene Vance; Mitch Johnson; Chris Moore; Charles Coleman; LJ Bryant and Ann Williams

#### **5. Pending Items**

#### **6. Other Business**

#### **7. Public Comments**

#### **8. Adjournment**

**A motion was made by Councilperson Chris Moore, seconded by Councilperson Ann Williams, that this meeting be Adjourned . The motion PASSED with the following vote.**

**Aye:** 6 - Gene Vance; Mitch Johnson; Chris Moore; Charles Coleman; LJ Bryant and Ann Williams



## Legislation Details (With Text)

<b>File #:</b>	ORD-20:021	<b>Version:</b>	1	<b>Name:</b>	AMEND SECTION 117.35 REGARDING THE REFUND OF REZONING SIGN DEPOSITS
<b>Type:</b>	Ordinance	<b>Status:</b>			To Be Introduced
<b>File created:</b>	5/27/2020	<b>In control:</b>			Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	AN ORDINANCE TO AMEND SECTION 117.35 REGARDING THE REFUND OF REZONING SIGN DEPOSITS				
<b>Sponsors:</b>	Planning				
<b>Indexes:</b>	Code of Ordinances amendment				
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
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### AN ORDINANCE TO AMEND SECTION 117.35 REGARDING THE REFUND OF REZONING SIGN DEPOSITS

WHEREAS, Section 117.35 of the Code of the City of Jonesboro, Arkansas, as revised by Ordinance 09:087, indicates that the fee for a rezoning sign is \$200 per sign, and that a refund is granted if returned no later than 60 days after final Council action; and,

WHEREAS, there is a need to expedite the return of such signs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO THAT:

Section 117.35 be amended to provide that a rezoning sign must be returned to the City Planning Department Office no later than seven days after final Council action in order to receive the refund.



## Legislation Details (With Text)

<b>File #:</b>	ORD-20:022	<b>Version:</b>	1	<b>Name:</b>	PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE TRAFFIC CONTROL COMMITTEE
<b>Type:</b>	Ordinance	<b>Status:</b>			To Be Introduced
<b>File created:</b>	5/27/2020	<b>In control:</b>			Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	AN ORDINANCE TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE TRAFFIC CONTROL COMMITTEE				
<b>Sponsors:</b>	Engineering				
<b>Indexes:</b>	Parking & Traffic				
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO PLACE VARIOUS TRAFFIC SIGNS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE TRAFFIC CONTROL COMMITTEE  
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF JONESBORO, ARKANSAS to make the following changes as recommended by the Traffic Control Committee:

Section 1: Establish a 25 MPH speed limit at the following locations: Adam Drive, Alan Drive, Brighton Drive, Brookshire Drive, Brookshire Way, Camden Lane, Cordova Lane, Creekview Drive, Evan Drive, Evan Cove, Julia Cove, Merrell Drive and all of Merrell Estates Subdivision, and Roy Street.

Section 2: Establish a 35 MPH speed limit at the following locations: Washington Avenue between Gee Street, and Freeman Street.

Section 3: Change the speed limit from 30 MPH to 25 MPH at the following location: Bowden Drive and Friendship Circle.

Section 4: Increase the speed limit from 30 MPH to 40 MPH at the following location: Clinton School Road

Section 5: Install stop signs at the following locations: Regan Drive at Sullivan Circle, Brookshire at Kathleen, and Brody Ross Lane at Sage Meadows Boulevard.





## Legislation Details (With Text)

<b>File #:</b>	ORD-20:023	<b>Version:</b>	1	<b>Name:</b>	ESTABLISH WEIGHT LIMITATIONS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE CITY OF JONESBORO TRAFFIC CONTROL COMMITTEE
<b>Type:</b>	Ordinance	<b>Status:</b>			To Be Introduced
<b>File created:</b>	5/27/2020	<b>In control:</b>			Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	AN ORDINANCE TO ESTABLISH WEIGHT LIMITATIONS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE CITY OF JONESBORO TRAFFIC CONTROL COMMITTEE				
<b>Sponsors:</b>	Engineering				
<b>Indexes:</b>	Parking & Traffic				
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
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AN ORDINANCE TO ESTABLISH WEIGHT LIMITATIONS AT DESIGNATED LOCATIONS AS RECOMMENDED BY THE CITY OF JONESBORO TRAFFIC CONTROL COMMITTEE  
NOW THEREFORE BE IT ORDAINED by the City Council for the City of Jonesboro, Arkansas, the following changes are made as recommended by the Traffic Control Committee:

Section 1: Establish weight limitations of ten (10) tons at the following locations:

- a. Janice Avenue from Industrial Drive to Cotton Street.
- b. Maurice Street from Sarah to E. Highland.
- c. Kathleen Street from Sarah to E. Highland.



## Legislation Details (With Text)

<b>File #:</b>	RES-20:067	<b>Version:</b>	1	<b>Name:</b>	APPROVE CHANGE ORDER NO. 3 FOR THE CROWLEY'S RIDGE PARKWAY: CRAIGHEAD FOREST PARK TRAIL - PHASE III (ARDOT NO. 100919) (2018:31)
<b>Type:</b>	Resolution	<b>Status:</b>			To Be Introduced
<b>File created:</b>	5/27/2020	<b>In control:</b>			Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO APPROVE CHANGE ORDER NO. 3 FOR THE CROWLEY'S RIDGE PARKWAY: CRAIGHEAD FOREST PARK TRAIL - PHASE III (ARDOT NO. 100919) (2018:31)				
<b>Sponsors:</b>	Engineering, Parks & Recreation				
<b>Indexes:</b>	Change Order				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Change Order 3, Craighead Forest Trail</a>				

Date	Ver.	Action By	Action	Result
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A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO APPROVE CHANGE ORDER NO. 3 FOR THE CROWLEY'S RIDGE PARKWAY: CRAIGHEAD FOREST PARK TRAIL - PHASE III (ARDOT NO. 100919) (2018:31)

WHEREAS, the City of Jonesboro enter into a contract for the construction of the Crowley's Ridge Parkway: Craighead Forest Park Trail - Phase III with Asphalt Producers, LLC; and,

WHEREAS, the City of Jonesboro desires to change the project with Change Order No. 3 as attached increasing the contract in the amount \$44,588.87; and,

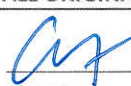

WHEREAS, funding for the execution of the contract shall come from the Transportation Alternative Program (TAP) from the Arkansas Department of Transportation and compensation shall be paid in accordance with the contract documents.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS;

Section 1: That the City of Jonesboro hereby accepts Change Order No. 1 in the amount of \$44,588.87 from Asphalt Producers, LLC.

Section 2. That funding for the execution of the contract shall come from the Transportation Alternative Program (TAP) from the Arkansas Department of Transportation and compensation shall be paid in accordance with the contract documents.

Section 3. The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to accept this Change Order and direct the Purchasing Agent to increase the Purchase Order amount.

CITY OF JONESBORO		P.O. BOX 1845 JONESBORO, AR 72403		CHANGE ORDER NO. 3				
PO NUMBER 46918		DATE PREPARED 5/15/2020		PROJECT NAME Crowley's Ridge Parkway: Craighead Forest Park Trail - Phase III				
NAME AND ADDRESS OF CONTRACTOR Asphalt Producers, LLC P.O. Box 1492, Jonesboro, AR 72403								
DESCRIPTION OF WORK INCLUDED IN CONTRACT  A-S Adjustment in quantities New Completion Date March 31, 2020								
CHANGES ORDERED AND REASON ORDERED (List Individual Changes as A, B, C, D, etc.)  A-S Actual field measurements necessitated adjustments of the esitimated plan quantities Time incresed due to unforeseen weather conditions								
	Bid Item No.	Unit	Current Estimated Quantity	Contract Unit Price	Revised Estimated Quantity	Negotiated C.O. Unit Price	Current Estimated Cost	Revised Estimated Cost
A	2	SY	658.42	\$ 4.50	637.69	\$ 4.50	\$ 2,962.89	\$ 2,869.61
B	3	SY	35.61	\$ 17.00	178.00	\$ 17.00	\$ 605.37	\$ 3,026.00
C	8	Tons	2,084.00	\$ 23.50	2,754.11	\$ 23.50	\$ 48,974.00	\$ 64,721.59
D	9	Tons	497.98	\$ 79.45	723.74	\$ 79.45	\$ 39,564.51	\$ 57,501.14
E	10	SY	404.29	\$ 48.00	257.90	\$ 48.00	\$ 19,405.92	\$ 12,379.20
F	15	LF	67.50	\$ 65.00	52.50	\$ 65.00	\$ 4,387.50	\$ 3,412.50
G	21	Tons	4.60	\$ 220.00	-	\$ 220.00	\$ 1,012.00	\$ -
H	29	SY	39.05	\$ 45.00	83.90	\$ 45.00	\$ 1,757.25	\$ 3,775.50
I	30	LF	3,283.72	\$ 16.00	3,216.00	\$ 16.00	\$ 52,539.52	\$ 51,456.00
J	32	SY	69.24	\$ 160.00	94.60	\$ 160.00	\$ 11,078.40	\$ 15,136.00
K	33	SY	9.00	\$ 160.00	-	\$ 160.00	\$ 1,440.00	\$ -
L	35	LF	331.00	\$ 6.00	335.00	\$ 6.00	\$ 1,986.00	\$ 2,010.00
M	36	LF	420.00	\$ 20.00	366.00	\$ 20.00	\$ 8,400.00	\$ 7,320.00
N	39	SF	1,000.00	\$ 9.00	1,168.00	\$ 9.00	\$ 9,000.00	\$ 10,512.00
O	41	SY	66.00	\$ 50.00	-	\$ 50.00	\$ 3,300.00	\$ -
P	44	SP	88.77	\$ 45.00	100.00	\$ 45.00	\$ 3,994.65	\$ 4,500.00
Q	45	CY	231.33	\$ 25.60	630.00	\$ 25.60	\$ 5,922.05	\$ 16,128.00
R	47	LS	1.00	\$ 3,600.00	2.00	\$ 3,600.00	\$ 3,600.00	\$ 7,200.00
S	56	SY	534.00	\$ 43.00	593.80	\$ 43.00	\$ 22,962.00	\$ 25,533.40
<b>TOTAL</b>							\$ 242,892.06	\$ 287,480.93
Original Contract Amount				\$ 326,600.62				
Previously Approved Change Orders				\$ 49,222.69				
This Change Order				\$ 44,588.87		Overrun		
New Contract Amount				\$ 420,412.18				
Contract time increased by 164				days. New contract		376 days.		
THIS AGREEMENT SUBJECT TO ALL ORIGINAL CONTRACT PROVISIONS								
ISSUED FOR REASONS INDICATED ABOVE				 Signature		City Engineer Title		5/18/2020 Date
ACCEPTED BY CONTRACTOR				 Signature		Vice President Title		5/18/2020 Date
ACCEPTED BY OWNER				 Signature		 Title		 Date



# City of Jonesboro

300 S. Church Street  
Jonesboro, AR 72401

## Legislation Details (With Text)

<b>File #:</b>	RES-20:068	<b>Version:</b>	1	<b>Name:</b>	APPROVE A SUPPLEMENTAL AGREEMENT WITH FISHER ARNOLD TO PROVIDE ENGINEERING AND SURVEYING SERVICES FOR THE UNIVERSITY HEIGHTS LINK TRAIL PROJECT (JOB NO. 101060)
<b>Type:</b>	Resolution	<b>Status:</b>			To Be Introduced
<b>File created:</b>	5/27/2020	<b>In control:</b>			Public Works Council Committee
<b>On agenda:</b>		<b>Final action:</b>			
<b>Title:</b>	A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO APPROVE A SUPPLEMENTAL AGREEMENT WITH FISHER ARNOLD TO PROVIDE ENGINEERING AND SURVEYING SERVICES FOR THE UNIVERSITY HEIGHTS LINK TRAIL PROJECT (JOB NO. 101060)				
<b>Sponsors:</b>	Engineering, Parks & Recreation				
<b>Indexes:</b>	Contract				
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Supplemental Agreement - University Heights Link Trail</a>				

Date	Ver.	Action By	Action	Result
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A RESOLUTION OF THE CITY OF JONESBORO, ARKANSAS TO APPROVE A SUPPLEMENTAL AGREEMENT WITH FISHER ARNOLD TO PROVIDE ENGINEERING AND SURVEYING SERVICES FOR THE UNIVERSITY HEIGHTS LINK TRAIL PROJECT (JOB NO. 101060)

WHEREAS, the City of Jonesboro previously entered into an engineering and surveying services agreement for the Jonesboro Downtown to ASU Connection project with Fisher & Arnold, Inc.; and,

WHEREAS, the City of Jonesboro desires to increase the amount of that contract, not to exceed \$90,976, to include the design of the University Heights Link Trail as indicated in a proposal from Fisher & Arnold, Inc. dated May 5, 2020; and,

WHEREAS, the funding for the execution of the contract shall come from the Transportation Alternative Program (TAP) from the Arkansas Department of Transportation and compensation shall be paid in accordance with the contract documents.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS;

Section 1. That the City of Jonesboro hereby accepts the supplemental agreement, as attached, from Fisher & Arnold, Inc.

Section 2. The funding for the execution of the contract shall come from the Transportation Alternative Program (TAP) from the Arkansas Department of Transportation and compensation shall be paid in accordance with the contract documents.

Section 3. The Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro

to execute all documents necessary to effectuate this supplemental agreement.





May 5, 2020

Danny Kapales, Parks Director  
City of Jonesboro  
300 S. Church Street  
Jonesboro, AR 72401

**RE: PROPOSAL FOR UNIVERSITY HEIGHTS LINK TRAIL**

Dear Mr. Kapales:

Thank you for the opportunity to submit our Engineering and Surveying Services proposal to be performed for a lump sum fee. The scope of our services includes providing surveying, design, and final construction documents for the above referenced project. The proposed improvements include a multi-use trail or pedestrian and bicycle infrastructure improvements along Aggie Road from Red Wolf Blvd to Bowling Lane (approximately 5035 LF). We understand the City desires to have the same corridor section as the Proposed Creath Avenue design.

The fee for the following services is \$90,976 this includes:

1. Project Administration
2. Title Sheet
3. Typical Sections
4. Create Plan & Profile Sheets
5. Horizontal Alignment
6. Vertical Alignment
7. Cut Existing and Final Cross Sections
8. Legal Descriptions
9. Drainage Design
10. Maintenance of Traffic Plan
11. Signing and Pavement Marking Plan
12. Erosion Control Plans
13. Plan Submittals (30%, 60%, 90%)
14. Revise Plans Per Reviews
15. Item Nos./Quantity Calculations
16. Prepare Cost Estimate (60% & 90%)
17. QA/QC of Plans
18. Public Meeting and Exhibits (One Total)
19. Meetings, Correspondence, etc. (Four Total)

1801 Latourette Drive  
Jonesboro, AR 72404

870.932.2019  
Fax: 870.932.1076  
Toll Free: 1.888.583.9724

[www.fisherarnold.com](http://www.fisherarnold.com)

Kapales-Jonesboro Downtown University Heights Link Trail  
Page 2

20. Coordinate with Railroad on Pedestrian Crossing
21. Prepare Construction Documents
22. Assist the City During the Bid Process.

This proposal does not include construction administration, construction inspection services, lighting and electrical plans, and geotechnical services. However, Fisher Arnold can provide these services at your request if needed.

We will bill you monthly or upon completion of the project. Payment is due by the 15th of the month. **Payment of the fees is not contingent on transaction of the property, closing dates relating to the property, approval of plans related to the property by any governmental agency or payment received from another party.** Interest in the amount of 1.5% per month on the outstanding balances (18% per annum) will be assessed the contracting party after the payment due date.

Reimbursables will be billed at cost plus 15% and include, but not limited to the following: Courthouse & Research Fees, Filing, Copies, Prints, Utility Location by Others, Postage and Shipping, etc.

In the event of breach or non-payment, the contracting party agrees to pay reasonable expenses of enforcement including attorney fees and costs. Exclusive venue for enforcement of this Agreement shall be in Craighead County, Arkansas.

The obligation to provide further services under the Agreement may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.

In the event of termination, Fisher & Arnold, Inc. will be paid for all services rendered to the date of termination and all reimbursable expenses.

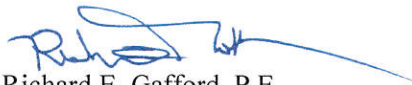
The fees shown in this proposal are based on the Owner agreeing to limit the Professional's liability for all planning, engineering and surveying services to the Owner, all construction contractors, and subcontractors on the project, due to the Professional's negligent acts, errors or omissions, such that the total aggregate liability of the Professional to all those named shall not exceed the Professional's total fee for services rendered on the project.

This proposal represents the entire understanding between you and us in respect to the "Project" and may only be modified in writing signed by both of us. If this satisfactorily sets forth your understanding of the arrangement between us, please sign the enclosed copy of the Letter Agreement in the space provided and return it to us.

We are looking forward to working with you on this project. If you have any questions regarding this proposal, please do not hesitate to call.

Sincerely,

**FISHER & ARNOLD, INC.**



Richard E. Gafford, P.E.  
Senior Vice President



Jason MacDonald P.E.  
Jonesboro-Office Manager

Your signature on this copy will authorize us upon its receipt to commence work. Please sign, date and return one copy for our files.

BY:

\_\_\_\_\_  
Harold Perrin

\_\_\_\_\_  
Date

Mayor \_\_\_\_\_