

CITY OF SPRINGDALE
Committee Agendas
Wednesday, July 6th, 2022
Tiered Training Room (2nd Floor)
201 Spring Street- Criminal Justice Building
Meetings begin at 5:30 P.M.

Finance Committee by Chairman Jeff Watson

1. **A Resolution** authorizing the execution of a professional services agreement for Construction Phase Services on Har-Ber Avenue extension and 64th Street. Presented by Ryan Carr, Engineering department. Pgs. 1-7
2. **A Resolution** authorizing the expenditure of funds to acquire a portion of land from Dewey E. Johnson Revocable Trust for the Dean's Trail, Phase IIIA Project (Project No. ST1802). Presented by Ernest Cate, City Attorney. Pg. 8
3. **A Resolution** waiving competitive bidding and authorizing the purchase of fitness equipment. Presented by Colby Fulfer, Chief of Staff. Pgs. 9-10
4. **A Resolution** authorizing the Mayor and City Clerk to enter into a development agreement with Hylton Road Real Estate, LLC, for improvements to Hylton Road; and to waive competitive bidding. Presented by Colby Fulfer, Chief of Staff. Pgs. 11-12

Ordinance Committee by Chairman Mike Overton

5. **An Ordinance** amending Section 22-221 of the Code of Ordinances of the City of Springdale, Arkansas; declaring an emergency; and for other purposes. Presented by Mike Chamlee, Chief Building Official. Pgs. 13-15

Committee of the Whole

6. **A Discussion** on speed tables.
7. **A Discussion** on building permits.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PROFESSIONAL SERVICES AGREEMENT
FOR CONSTRUCTION PHASE SERVICES ON HAR-
BER AVENUE EXTENSION AND 64th STREET**

WHEREAS, the City of Springdale is in need of construction phase services for the Har-Ber Extension project and 64th Street;

WHEREAS, Garver, LLC was selected as the most qualified engineering firm for these projects;

WHEREAS, the price not to exceed amount for professional construction services shall be \$268,300.00.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
FOR THE CITY OF SPRINGDALE, ARKANSAS**, that

Section 1. the Mayor and City Clerk are hereby authorized to enter into a professional services agreement with Garver Engineering for construction phase services to be paid from the 2018 Street Bond Fund.

Section 2. The Mayor is authorized to approve change orders as long as the cumulative total of the change orders does not exceed 10% of the original agreement price.

PASSED AND APPROVED this _____ day of July, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED:

Ernest B. Cate, CITY ATTORNEY

**EXHIBIT D
(FORM OF AMENDMENT)**

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

**City of Springdale
Project No. 18044001**

AMENDMENT NO. 2

This Amendment No. 2, effective on the date last written below, shall amend the original contract between the City of Springdale (“**Owner**”) and Garver, LLC (“**Garver**”), dated January 12, 2021 (the “**Agreement**”).

This Amendment No. 2 adds Services for the:

Construction Phase Services extension of time for the 64th St Improvements and Construction Phase Services for Har-Ber Avenue Extension Phase I from 40th Street to Gutensohn Road in Springdale, AR.

The Agreement is hereby modified as follows:

**EXHIBIT A
(SCOPE OF SERVICES)**

1.1 Construction Phase Services

Per Section 12.8 Extension Consideration for Additional Work Requests, the Owner requests additional part-time resident construction observation services as shown in the following table.

An additional 154 calendar days will be added to the 64th St. Improvements project due to unforeseen circumstances. The proposed Amendment No. 2 fee is based on approximately 3 hours per day, 5 days per week.

The addition of 360 calendar day for construction phase services will be added for the Har-Ber Ave. Extension Phase 1 improvements project.

WORK DESCRIPTION	ORIGINAL CONTRACT PERFORMANCE TIME (MOS.)	ORIGINAL CONTRACT PERFORMANCE TIME (DAYS)	AMENDMENT NO. 1 CONTRACT PERFORMANCE TIME (DAYS)	AMENDMENT NO. 2 CONTRACT PERFORMANCE TIME (DAYS)	DAYS/WEEK
Construction Phase Services – 64 th St. Improvements	12	365	0	519	4 hrs/day, 5 days/week (3 hrs/day, 5 days/week for days added by Amend No. 2)

Construction Phase Services – Har-Ber Ave. Ext. Phase I	12	0	0	360	4 hrs/day, 5 days/week
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1.4 Bidding Services

Garver will repackage the Har-Ber Ave. Extension Project into two Phases for bidding. Phase 1 will be from 48th Street to 40th Street and Phase 2 will be from 40th Street to Gutensohn Road. This task includes revisions to the plans, quantities, cost estimates, specifications, and project manual.

Garver will revise the future Phase 2 plans and project manual to include the following work that was removed from Phase 1 by change order:

- A. 40th Street Widening
- B. Widening of the Bridge on 40th Street
- C. Traffic Signal at 40th Street / Har-Ber Avenue
- D. Traffic Signal at Gutensohn Road / Har-Ber Avenue

During the re-bid of Phase 2 Garver will:

- A. Prepare and submit Advertisement for Bids to newspaper(s) for publication as directed by the Owner. Owner will pay advertising costs outside of this contract.
- B. Dispense construction contract documents to prospective bidders (at the approximate cost of reproduction and handling).
- C. Support the contract documents by preparing addenda as appropriate.
- D. Participate in a pre-bid meeting if necessary.
- E. Attend the bid opening.
- F. Prepare bid tabulation.
- G. Evaluate bids and recommend award.
- H. Prepare construction contracts.

EXHIBIT B (COMPENSATION SCHEDULE)

The table below presents a summary of the fee amounts and fee types for this Agreement.

WORK DESCRIPTION	ORIGINAL FEE AMOUNT	AMENDMENT NO. 1	AMENDMENT NO. 2	FEE TYPE
Construction Phase Services – 64 th St. Improvements & Extension	\$178,000.00	\$0.00	\$41,000	Hourly
Construction Phase Services – 40 th St. Improvements	\$0.00	\$266,088.00	\$0.00	Hourly
Construction Phase Services – Gene George South Phase I	\$0.00	\$203,794.00	\$0.00	Hourly
Construction Phase Services – Har-Ber Ave. Ext. Phase I	\$0.00	\$0.00	\$200,000.00	Hourly

Bidding Services – Har-Ber Ave. Ext. Phases I & II	\$0.00	\$0.00	\$27,300.00	Hourly
TOTAL FEE	\$178,000.00	\$469,882.00	\$268,300.00	

Increase the total amount paid to GARVER under this agreement by \$268,300.00 from \$647,882.00 to \$916,182.00.

IN WITNESS WHEREOF, Owner and Garver have executed this Amendment effective as of the date last written below.

City of Springdale

Garver, LLC

By: _____
Signature

By: _____
Signature

Name: _____
Printed Name

Name: _____
Printed Name

Title: _____

Title: _____

Date: _____

Date: _____

Attest: _____

Attest: _____

Appendix B

City of Springdale

64th St. - Hwy 412 to Dearing Ave. - Amend #2

CONSTRUCTION PHASE SERVICES

WORK TASK DESCRIPTION	E-4	C-3	C-2	C-1	- Select Category -	- Select Category -	- Select Category -
	\$181.00	\$153.00	\$125.00	\$98.00	\$0.00	\$0.00	\$0.00
	hr	hr	hr	hr	hr	hr	hr
1. Project Management							
Administration and Coordination	4						
Quality Control Review							
Response to Inquiries	300						
Subtotal - Project Management	304	0	0	0	0	0	0
2. Civil Engineering							
Preconstruction Meeting	2			2			
Utility Coordination Meeting				4			
Progress Meetings with Contractor/City	15			15			
Monthly Pay Requests	2			20			
Shop Drawings/Material Submittals	30						
Record Drawings	4			24			
On-Site Meetings							
Resident Construction Observation			70	1343			
Final Project Inspection and Punchlist	8			16			
Subtotal - Civil Engineering	61	0	70	1424	0	0	0
3. Structural Engineering							
Response to Inquiries							
Shop Drawings							
Subtotal - Structural Engineering	0	0	0	0	0	0	0

Hours	365	0	70	1424	0	0	0
Salary Costs	\$66,065.00	\$0.00	\$8,750.00	\$139,552.00	\$0.00	\$0.00	\$0.00

SUBTOTAL - SALARIES: \$214,367.00

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$514.00
Postage/Freight/Courier	\$0.00
Office Supplies/Equipment	\$0.00
Communications	\$0.00
Survey Supplies	\$0.00
Aerial Photography	\$0.00
GPS Equipment	\$0.00
Computer Modeling/Software Use	\$0.00
Traffic Counting Equipment	\$0.00
Locator/Tracer/Thermal Imager Equipment	\$0.00
Travel Costs	\$4,119.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$4,633.00

SUBTOTAL: \$219,000.00

SUBCONSULTANTS FEE: \$0.00

TOTAL FEE: \$219,000.00

Exhibit B**City of Springdale
Har-Ber Ave. Extension (Phase I)****BIDDING SERVICES**

WORK TASK DESCRIPTION	E-6	E-5	E-4	E-3	E-2	E-1	T-1
	\$303.00	\$247.00	\$203.00	\$174.00	\$143.00	\$124.00	\$90.00
	hr	hr	hr	hr	hr	hr	hr
1. Project Management							
Administration and Coordination	4		4				
Quality Control Review	2		8				
Submittals to Client			2				
Subtotal - Project Management	6	0	14	0	0	0	0
2. Civil Engineering							
Repackaging of Phase 1 for Bidding	1	2	8			8	4
Repackaging of Phase 2 for Bidding	1	2	8			8	4
Future Phase 2 Rebid							
Plan Revisions	2	4	8			6	4
Project Manual Revisions	1		4			2	
Update Quantities and Cost Estimate	1		2			4	
Dispense plans and specs to prospective bidders			2				
Addendums/Inquiries	2		6				
Pre-Bid Meeting	1		2				
Bid Opening			1				
Prepare bid tabulation			1				
Evaluate bids and recommend award	1		2				
Prepare construction contracts			6				
Notice to Proceed			2				
Subtotal - Civil Engineering	10	8	52	0	0	28	12
3. Structural Engineering							
Addendums/RFIs (Bridge / Retaining Walls) - Phase 2 Rebid			10				
Subtotal - Structural Engineering	0	0	10	0	0	0	0

Hours	16	8	76	0	0	28	12
Salary Costs	\$4,848.00	\$1,976.00	\$15,428.00	\$0.00	\$0.00	\$3,472.00	\$1,080.00

SUBTOTAL - SALARIES: \$26,804.00

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$496.00
Postage/Freight/Courier	\$0.00
Travel Costs	\$0.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES: \$496.00

SUBTOTAL: \$27,300.00

SUBCONSULTANTS FEE: \$0.00

TOTAL FEE: \$27,300.00

Exhibit B**City of Springdale
Har-Ber Ave. Extension (Phase I)****CONSTRUCTION PHASE SERVICES**

WORK TASK DESCRIPTION	E-4	C-3	C-2	C-1	X-2
	\$203.00	\$171.00	\$140.00	\$109.00	\$97.00
	hr	hr	hr	hr	hr
1. Project Management					
Administration and Coordination	8				12
Response to Inquiries	220				
Subtotal - Project Management	228	0	0	0	12
2. Civil Engineering					
Preconstruction Meeting	4			2	
Utility Coordination Meeting				4	
Progress Meetings with Contractor/City	24			12	
Monthly Pay Requests	8			10	24
Shop Drawings/Material Submittals	24				
Record Drawings	4			24	
On-Site Meetings					
Resident Construction Observation (360 Cal Days at 4hrs/day)			80	1030	
Field checking earthwork quantities, Contractor's layout, etc.					
Prepare Change Orders	8				20
Final Project Inspection and Punchlist	2			8	
Subtotal - Civil Engineering	74	0	80	1090	44
3. Structural Engineering					
Response to Inquiries					
Shop Drawings					
Subtotal - Structural Engineering	0	0	0	0	0

Hours	302	0	80	1090	56
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Salary Costs	\$61,306.00	\$0.00	\$11,200.00	\$118,810.00	\$5,432.00
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SUBTOTAL - SALARIES:	\$196,748.00
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DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$252.00
Postage/Freight/Courier	\$0.00
Travel Costs	\$3,000.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES:	\$3,252.00
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SUBTOTAL:	\$200,000.00
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SUBCONSULTANTS FEE:	\$0.00
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TOTAL FEE:	\$200,000.00
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RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXPENDITURE
OF FUNDS TO ACQUIRE A PORTION OF LAND FROM
THE DEWEY E. JOHNSON REVOCABLE TRUST FOR
THE DEAN'S TRAIL, PHASE IIIA PROJECT (PROJECT
NO. ST1802).**

WHEREAS, the City of Springdale is in need of acquiring a portion of a tract of land for the Dean's Trail, Phase IIIA Project, Project No. ST1802, Tract 14R2, said land being owned by the Dewey E. Johnson Revocable Trust;

WHEREAS, the City of Springdale has determined by appraisal that the sum of \$18,600.00 is the estimated just compensation for the property needed from the Dewey E. Johnson Revocable Trust;

WHEREAS, the property owner has extended a counter-offer that the City pay the total sum of \$23,000.00 to acquire the land needed for the project, said amount being based on an increase in compensation due to the unique nature and terrain of this property;

WHEREAS, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$4,400.00 to acquire the property needed from the Dewey E. Johnson Revocable Trust, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of a trial;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the City is hereby authorized to acquire a portion of a tract of land for the Dean's Trail, Phase IIIA Project, Project No. ST1801, Tract 14R2, said land being owned by the Dewey E. Johnson Revocable Trust for the total sum of \$23,000.00.

PASSED AND APPROVED this ____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

Ernest B. Cate, CITY ATTORNEY

RESOLUTION NO. ____

**A RESOLUTION WAIVING COMPETITIVE BIDDING
AND AUTHORIZING THE PURCHASE OF FITNESS
EQUIPMENT**

WHEREAS, in 2020 the City of Springdale approved an additional expansion of Phase 2 of the Criminal Justice Complex to include a fitness center, and

WHEREAS, the City of Springdale provides a workout facility that is used by many city employees as a benefit and is using equipment that needs to be updated, and

WHEREAS, the City of Springdale would like to use the same vendor and brand for fitness equipment as used in Phase 1 of the Criminal Justice Complex, and

WHEREAS, other vendors were not able to offer package pricing with similar equipment, and

WHEREAS, A.C.A. § 14-58-303 (b)(2)(B) states "The governing body by Resolution may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical".

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that competitive bidding is hereby waived for the purchase of the fitness equipment for Phase 2 of the Criminal Justice Complex and the Mayor is hereby authorized to execute an agreement with Your Total Fitness Shop for \$46,781.62.

PASSED AND APPROVED this ____th day of July, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Your Total Fitness Shop

4608 West Walnut, Suite C
Rogers, AR 72756

Estimate

Date	Estimate #
6/27/2022	3938

Name / Address
C Springdale City Hall

P.O. No.	Terms	Rep	Project
	50% Down 50% ...		

Item	Description	Qty	Cost	Sale	Total
VC900-19-CT...	TRUE Palisade Stepmill with the Envision 16" Touchscreen w/ Mirroring and Mirroring Cables	1	9,999.00		9,999.00
TC400-CTS1...	TRUE C400 Treadmill - Envision 16" Console w/ Mirroring and Cables	1	11,385.00		11,385.00
XC400-CTS1...	TRUE C400 Elliptical - Envision 16" Console w/ Mirroring and Cables	1	9,745.00		9,745.00
SM1000	True FORCE Functional Trainer	1	4,000.00		4,000.00
SF1000	True FORCE Flat/Incline Bench	1	640.00		640.00
GVLAR-76PAC	Light Accessories Rack (Large) Package - Includes: 1 Accessory Rack, 3 Stability Balls, 6 Medicine Balls, 3 Exercise Mats, 2 Foam Rollers, 2 Ab Mats, 5 Coverd Resistance Bands.	1	1,599.00		1,599.00
SD1000	True FORCE Leg Extension/Leg Curl (Standard 175lbs Weight Stack)	1	3,515.00		3,515.00
SD1001	True FORCE Bicep/Tricep	1	3,320.00		3,320.00
SD1002	True FORCE Lat/Row	1	3,320.00		3,320.00
SD1003	True FORCE Leg Press/Calf	1	3,625.00		3,625.00
SD1005	True FORCE Multi-Press	1	3,625.00		3,625.00
	Total Purchases w/o Tax				54,773.00
Discount	Discount on Items Purchased		-22.00%		-12,050.06
Freight Delive...	Freight, Delivery, Installation & Set-up (FREE)		0.00		0.00
	Sales Tax		9.50%		4,058.68
			Total		\$46,781.62

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A DEVELOPMENT AGREEMENT WITH HYLTON ROAD REAL ESTATE, LLC, FOR IMPROVEMENTS TO HYLTON ROAD; AND TO WAIVE COMPETITIVE BIDDING

WHEREAS, the City of Springdale has approved several residential subdivision developments on Hylton Road, which will require the developer(s) of these subdivision to dedicate right-of-way, and to make certain street and storm drainage improvements to Hylton Road, pursuant to the City of Springdale's development ordinances, and to ensure that Hylton Road is designed and constructed according to Springdale Master Street Plan standards;

WHEREAS, a portion of Hylton Road is located between the recently approved residential subdivision developments, and the City wishes to make street and storm drainage improvements to Hylton Road consistent with those required to be made the developers of the nearby subdivisions, and to ensure that entirety of Hylton Road is designed and constructed according to Springdale Master Street Plan standards;

WHEREAS, it is beneficial that the City's improvements to Hylton Road be made in conjunction with those being made on Hylton Road by the developers of the nearby subdivisions, as the City's costs of the improvements to Hylton Road will be much less if included therein;

WHEREAS, the City wishes to enter into a Development Agreement with Hylton Road Real Estate, LLC, so that the entirety of Hylton Road is designed and constructed according to Springdale Master Street Plan standards, including that portion located between the recently approved residential subdivision developments;

WHEREAS, Ark. Code Ann. §14-58-303 states that “[t]he governing body, by resolution, may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical”;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: That the Mayor and City Clerk are hereby authorized to execute a Development Agreement with Hylton Road Real Estate, LLC, for the improvements to Hylton Road.

Section 2: Due to the costs related to such improvements being made by Hylton Road Real Estate, LLC, and other exceptional circumstances involved, competitive bidding is not feasible or practical and is hereby waived for the improvements to Hylton Road as set forth in the Development Agreement, and that payment for costs associated with the Hylton Road improvements be paid from the Street Fund, in an amount not to exceed \$433,595.56.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

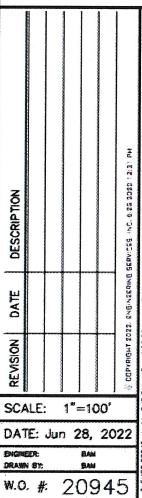
Ernest B. Cate, CITY ATTORNEY



June 28, 2022

Engineering Services, Inc.
P.O. Box 282, Springdale, AR 72765

Item No.	Quantity	Unit	Item Description	Unit Price	Total Amount
1	0.6	LS	Construction Control, Mobilization, SWPPP, & Site Preparation	\$60,000.00	\$36,000.00
2	2,400.0	CY	Excavation and Grading	\$15.00	\$36,000.00
3	2,000.0	CY	Undercut and Backfill (18" Assumed)	\$25.00	\$50,000.00
4	1,000.0	CY	Embankment	\$23.00	\$23,000.00
5	2,800.0	SY	Class 7 Base Course 7" Thick (Hylton)	\$14.00	\$39,200.00
6	2,200.0	SY	Asphaltic Surface Course (3" Thick) (Hylton)	\$22.00	\$48,400.00
7	1,600.0	LF	Concrete Combination Curb and Gutter (1.5' Section)	\$20.00	\$32,000.00
8	600.0	SY	5' Concrete Sidewalk	\$60.00	\$36,000.00
9	117.0	LF	30" RCP	\$125.00	\$14,625.00
10	62.0	LF	36" RCP	\$165.00	\$10,230.00
11	60.0	LF	42" RCP	\$175.00	\$10,500.00
12	61.0	LF	42" HERCP	\$250.00	\$15,250.00
13	345.0	LF	2'-4"x2' RBC	\$730.00	\$251,850.00
14	550.0	LF	2'-4"x3' RBC	\$775.00	\$426,250.00
15	1.0	LS	Drop Inlets/Junction Box (8-4,8-5,8-6, 1-2, 1-3,1-4,1-5,1-6,1-7,1-8,1-9)	\$125,000.00	\$125,000.00
16	1.0	LS	Headwall 1-10	\$13,800.00	\$13,800.00
Total: Developer's Portion, without Contingency					\$1,168,105.00
Contingency (10%)					\$116,810.50
Total: Developer's Portion (Along Hylton Road, until the southern boundary line of Hylton II. Street south of this location to be built by developer as indicated on the phasing plans for Brentwood and Hylton III)					\$1,284,915.50



ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 22-221 OF THE CODE OF ORDINANCES OF THE CITY OF SPRINGDALE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Section 22-221 of the Code of Ordinances of the City of Springdale, Arkansas, contains the Arkansas Mechanical Code for the City of Springdale, Arkansas;

WHEREAS, the City of Springdale, Arkansas, has previously adopted the 2010 Arkansas Mechanical Code by way of Ordinance No. 4471 on November 23, 2010;

WHEREAS, the Arkansas Department of Labor and Licensing have updated their rules and have adopted the International Mechanical Code, 2021 edition of the International Code Council, Inc. ("the ICC 2021 Mechanical Code"); and

WHEREAS, it is in the best interest of the City of Springdale, Arkansas, for the City Council of the City of Springdale, Arkansas, to now adopt the ICC 2021 Mechanical Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: A certain document, three (3) copies of which are on file in the office of the City Clerk and building official of the City of Springdale, being marked and designated as the "ICC 2021 Mechanical Code", be and is hereby adopted as the Mechanical Code of the City of Springdale, Arkansas, and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

Section 2: Section 22-221 of the Code of Ordinances of the City of Springdale, Arkansas, is hereby amended to read as follows:

Sec. 22-221. Adopting; scope and application.

- (a) Adoption: The ~~2010 Arkansas Mechanical Code, excluding Appendix B,~~ ICC 2021 Mechanical Code is hereby adopted by reference as though it were copied herein word for word.
- (b) Scope and application: These rules and regulations are adopted in an attempt to insure safe mechanical installations, including alterations, repairs, replacements, equipment, appliances, fixtures, fittings and appurtenances thereto, so as to safeguard life, health and the public welfare, and are recommended by the Arkansas HVACR Licensing Board.
- (c) Definition: For the purposes of this section, the chief building official, and his assistants, or any official assigned by the mayor, shall be the "administrative authority" authorized to enforce the provisions of the ~~2010 Arkansas Mechanical Code~~ ICC 2021 Mechanical Code.
- (d) Copies of the ~~2010 Arkansas Mechanical Code~~ ICC 2021 Mechanical Code: Three copies of this code are now on file in the office of the clerk and building official of the City of Springdale, Arkansas, and the same are hereby adopted and incorporated, as if set out at length herein, ~~excluding Appendix B.~~ From the date on which this ordinance shall take effect, the provisions of the aforementioned code shall be controlling in the construction of all buildings and other structures within the corporate

limits of the city, except as regulated by other ordinances of the City of Springdale Municipal Code.

- (e) Penalty: The penalty for violating any provision of the ~~2010 Arkansas Mechanical Code~~ ICG 2021 Mechanical Code shall be the same as provided under the penalty section of the Springdale Code of Ordinances (section 1-9).
- (f) Conflicts: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.
- (g) Severability: The provisions of this section are hereby declared to be severable, and if any provisions shall for any reason be declared illegal or invalid, such holding shall not affect the validity of the remainder of this section.

Section 3: All other provisions of Chapter 22 of the Code of Ordinances of the City of Springdale, Arkansas, not specifically amended by this ordinance shall remain in full force and effect.

Section 4: Emergency Clause: It is hereby declared that an emergency exists and that this ordinance being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, become effective immediately upon its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



To: All Interested Parties

From: HVAC/R Board Alan Dean, Chairman
Lindsay Moore, Program Manager

Date: June 3, 2022

Subject: HVAC/R Rules Adoption

Effective June 3, 2022, the HVAC/R Board rules have been updated. The new rules include changes to license holders regarding CEU requirements, General Liability Insurance, and the adoption of the ICC 2021 Mechanical Code. A full copy of the rules can be located and downloaded on the Arkansas Department of Labor and Licensing's website at www.labor.arkansas.gov under the HVAC/R page at <https://www.labor.arkansas.gov/labor/code-enforcement/hvac-r/>.

Updated rules include:

**SECTION XX. LICENSURE, CERTIFICATION, OR PERMITTING OF UNIFORMED
SERVICE MEMBERS, VETERANS, AND SPOUSES – ARK CODE 17-1-106**

SECTION XXI CONTINUING EDUCATION

No HVAC/R license shall be renewed unless the licensee completes at least four (4) hours of continuing education per calendar year. Continuing education shall consist of classroom or other Board approved instruction relating specifically to the construction, installation, maintenance, and repair of HVAC/R systems. Two (2) of the four (4) hours shall be on the mechanical code as adopted by the Board. The remaining two (2) hours may be on any other Board approved instruction. The first cycle shall begin on the effective date of Section XXI and end on December 31, 2022.

SECTION XXIII. THE INTERNATIONAL MECHANICAL CODE

(1) The Board hereby adopts and incorporates herein the International Mechanical Code, 2021 edition of the International Code Council, Inc., commonly referred to as the ICC.

(2) The International Mechanical Code, 2021 shall be the standard for the conduct of HVACR work.

For additional information, you can contact the HVACR Board by email at asklabor@arkansas.gov