

November 22, 2017

Mr. Lawrence Blood, District Manager
Holiday Island Suburban Improvement District No. 1
110 Woodsdale Drive
Holiday Island, Arkansas 72631

RE: Hawk Drive Repair
Holiday Island, Arkansas

Dear Mr. Blood:

Enclosed, please find a certified copy of the bids received on November 21, 2017 for the Hawk Drive Repair project. There was one (1) bid submitted with the low bidder being Heavy Constructors of Arkansas, LLC with a total base bid of \$141,001.00.

It is our recommendation that a Notice of Award be executed and construction begins as soon as practical. It should be noted that this bid is good for a period of thirty (30) days. Therefore, this Contract must be awarded no later than December 21, 2017.

Please do not hesitate to contact our office if you have any questions or require additional information.

Sincerely,



Jeffrey K. Dehnhardt, P.E.
Project Engineer

Enclosure (Bid Tabulation)

Cc: Mr. Kenny DeHart, Roads Superintendent, HISID No. 1



TABULATION OF BIDS

PROJECT: Hawk Drive Repair
OWNER: Holiday Island Suburban Improvement District No. 1

Bids Opened: November 21, 2017

Engineering Services, Inc.
 Springdale, Arkansas

| Item | Description | Bid Quantity | Unit | Heavy Constructors of Arkansas, LLC | | Total | Unit Price | Total | Unit Price | Total |
|------|---|--------------|------|-------------------------------------|---------------|-------|------------|-------|------------|-------|
| | | | | Unit Price | Total | | | | | |
| 1 | 6" Water Main Repair | 60 | L.F. | \$ 100.00 | \$ 6,000.00 | \$ | - | \$ | - | |
| 2 | Excavation and Undercut | 30 | C.Y. | \$ 100.00 | \$ 3,000.00 | \$ | - | \$ | - | |
| 3 | Subgrade Preparation | 45 | S.Y. | \$ 100.00 | \$ 4,500.00 | \$ | - | \$ | - | |
| 4 | Select Material Fill | 3,100 | C.Y. | \$ 10.00 | \$ 31,000.00 | \$ | - | \$ | - | |
| 5 | 6" Class 7 Aggregate Base Course | 130 | S.Y. | \$ 10.00 | \$ 1,300.00 | \$ | - | \$ | - | |
| 6 | 6" Class 4 Aggregate Base Course | 2,000 | S.Y. | \$ 10.00 | \$ 20,000.00 | \$ | - | \$ | - | |
| 7 | Asphalt Prime Coat | 45 | S.Y. | \$ 20.00 | \$ 900.00 | \$ | - | \$ | - | |
| 8 | 2" Asphalt Concrete Hot Mix Surface Course | 45 | S.Y. | \$ 40.00 | \$ 1,800.00 | \$ | - | \$ | - | |
| 9 | Geotextile Fabric | 3,000 | S.Y. | \$ 2.50 | \$ 7,500.00 | \$ | - | \$ | - | |
| 10 | Riprap | 2,750 | C.Y. | \$ 20.00 | \$ 55,000.00 | \$ | - | \$ | - | |
| 11 | One-Year Maintenance Bond | 1 | L.S. | \$ 5,000.00 | \$ 5,000.00 | \$ | - | \$ | - | |
| 12 | Erosion Control and Mitigation | 1 | L.S. | \$ 5,000.00 | \$ 5,000.00 | \$ | - | \$ | - | |
| 13 | OSHA's Standard for Trenches and Excavation Safety System | 1 | L.S. | \$ 1.00 | \$ 1.00 | \$ | - | \$ | - | |
| | | | | | \$ 141,001.00 | \$ | - | \$ | - | |

I hereby certify that this is a true and correct copy of the Bids received on November 21, 2017.



22 November 2017

Jeffrey K. Dehnhardt, P.E.

District Manager

From: Ruland, Patrick <patrick.ruland@fema.dhs.gov>
Sent: Tuesday, November 21, 2017 4:25 PM
To: District Manager
Cc: Patel, Ramesh; Wisecup, John; Gehring, Tim
Subject: RE: Holiday Island meeting concerning Hawk Drive

Lawrence,

I am just catching up on the emails. If you only had a single respondent to your advertisement, that will suffice for the procurement requirement. Just document your file with the advertisement and the response.

Sounds like John has been getting you what you need, so we will leave it to him for future communications.
Thanks,

Patrick W Ruland, AIA
FEMA R6 Public Assistance
Desk: (940) 297-0147
Mobile: (202) 706-2097

From: Patel, Ramesh
Sent: Tuesday, November 21, 2017 4:09 PM
To: District Manager <districtmgr@holidayisland.us>
Cc: Ruland, Patrick <patrick.ruland@fema.dhs.gov>; Patel, Ramesh <ramesh.patel@fema.dhs.gov>
Subject: RE: Holiday Island meeting concerning Hawk Drive

Hi Lawrence:

As per procurement method, you need more than one bid to process as per my understanding.
We send file for approval at Regional office Denton, Texas so let me find out the situation tomorrow!
We need to write up the number of days for bid advertisement process (15 days or 30 days).
Please contact State representative "TIM" for state laws and regulation as per Patrick.

RAMESH PATEL, MSCE, MASCE, NBIS
PA TECHNICAL SPECIALIST / CEF COST ESTIMATOR

RAMESH PATEL, MSCE, MASCE, NBIS
PA TECHNICAL SPECIALIST / CEF COST ESTIMATOR

From: District Manager [mailto:districtmgr@holidayisland.us]
Sent: Tuesday, November 21, 2017 4:45 PM
To: Patel, Ramesh <ramesh.patel@fema.dhs.gov>
Cc: Wisecup, John <John.Wisecup@fema.dhs.gov>
Subject: RE: Holiday Island meeting concerning Hawk Drive

Hi Ramesh

Quick question on Hawk Drive.

We opened the bids today on Hawk Dr. road repair and received only a single bid. We will be meeting with the Board of Commissioners on Monday to possibly approve the bid.

Where do we stand on finalizing the project on FEMA's side? Do you need anything else from us?

Any information you have will be helpful for Monday's meeting.

Thanks
Lawrence
479-981-1870

From: Patel, Ramesh [mailto:ramesh.patel@fema.dhs.gov]
Sent: Wednesday, October 11, 2017 8:31 AM
To: District Manager
Cc: 'Kenny DeHart'; Ruland, Patrick; Patel, Ramesh
Subject: RE: Holiday Island meeting concerning Hawk Drive

"YES" We are meeting on Thursday (tomorrow) at 1:00 PM as you suggested unless morning 10:00 AM is better. Please let me now as soon as possible.

RAMESH PATEL, MSCE, MASCE, NBIS
PA TECHNICAL SPECIALIST/ CEF COST ESTIMATOR

From: District Manager [mailto:districtmgr@holidayisland.us]
Sent: Tuesday, October 10, 2017 3:06 PM.
To: Patel, Ramesh <ramesh.patel@fema.dhs.gov>
Cc: 'Kenny DeHart' <roads@holidayisland.us>
Subject: RE: Holiday Island meeting concerning Hawk Drive

That's fine. We will let him know.

So, what time do you meet on either Thursday or Friday?

From: Patel, Ramesh [mailto:ramesh.patel@fema.dhs.gov]
Sent: Tuesday, October 10, 2017 11:35 AM
To: District Manager
Subject: RE: Holiday Island meeting concerning Hawk Drive

Mr. Lawrence:

Patrick does not prefer engineers in this meeting, if we needed we going to call him.
We do not need Jeffrey Dehnhardt in this meeting because you decide as we talk on last Monday.

1. Patrick Ruland
2. Ramesh Patel
3. Richard Burke (mitigation)

RAMESH PATEL, MSCE, MASCE, NBIS
PA TECHNICAL SPECIALIST/ CEF COST ESTIMATOR

Hawk Drive and Thomas Cir. Lift Station Road Repair

| | |
|--------------------|--------------|
| Total Project Est. | \$210,352.00 |
| FEMA 75% | \$157,764.00 |
| Local 25% | \$52,588.00 |

Budget

| | Income | Expenses | Notes |
|---|--------------|--------------|------------------------------------|
| FEMA 75% Hawk Dr | \$86,816.25 | | |
| FEMA 75% 406 Mitigation (Hawk Dr) | \$43,051.50 | | |
| FEMA 75% TC Lift Station | \$27,896.25 | | |
| WAPDD Grant | \$30,000.00 | \$30,000.00 | Supreme Court in Wilson v. Walther |
| Local match | \$21,182.15 | | |
| Hawk Dr Bid | | \$141,001.00 | |
| Geotechnical Engineering | | \$7,500.00 | |
| Basic Engineering 10% | | \$14,100.10 | |
| Construction Observation 4.5% | | \$6,345.05 | |
| Thomas Cir. LS Road (2018 road program) | | \$10,000.00 | |
| Total | \$208,946.15 | \$208,946.15 | |



October 25, 2017

Mr. Lawrence Blood
Holiday Island Suburban Improvement District
110 Woodsdale Drive
Holiday Island, AR 72631

RE: Western Arkansas Planning and Development District GIF

Dear Mr. Blood:

Due to the Arkansas Supreme Court ruling in *Wilson v. Walther* where the process of appropriating General Improvement Funds (GIF) to the eight planning and development districts was ruled unconstitutional, our attorney has advised us to not disburse any more funds at this time. We are very sorry about this disappointing news, and if anything changes in this ruling, we will let you know. Please contact us if you have any questions.

I have attached the letter from the WAPDD attorney on the GIF Arkansas Supreme Court Ruling.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sasha Grist', is written over the typed name.

Sasha Grist
Executive Director

VERKAMP & LADD, P.A.
ATTORNEYS AT LAW
John P. Verkamp
Dianna Hewitt Ladd

1811 East Main Street
Charleston, AR 72933
(479) 965-2224, telephone
(479) 965-2229, facsimile

4937 Old Greenwood Road
Fort Smith, AR 72903
(479) 649-6700, telephone
(479) 649-6709, facsimile

October 18, 2017

Western Arkansas Planning & Development District Inc.
ATTN: SASHA GRIST
P.O. Box 2067
Fort Smith, AR 72902

RE: Western Arkansas Planning & Development District; GIF Funds

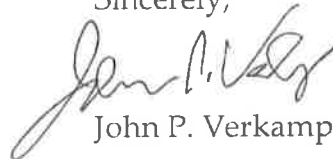
Dear Sasha:

During our earlier conversation, you related to me that Western Arkansas Planning and Development District remains in possession of or has recently regained possession of general improvement funds from the 2016 legislative session. In light of the Arkansas Supreme Court ruling in *Wilson v. Walther, et al.* delivered October 5, 2017, the funds should be maintained by WAPDD. Likely further direction will be given by the Arkansas Department of Finance and Administration or other appropriate agency or entity to include the Bureau of Legislative Research or possibly from further Acts of the general assembly. The Supreme Court in its decision stated in the area where it was addressing the issue of mootness "taxpayers would be entitled to repayment of GIF funds still in CAPDD's possession if the challenged Acts are declared unconstitutional". The court, in that decision, later declared the acts to be facially unconstitutional. In light of this wording, it is clear that the funds should not be dispersed and should be held as a potential repayment back to state coffers for appropriation and expenditure.

Please feel free to contact me if you have any questions.

Kindest regards.

Sincerely,



John P. Verkamp

JPV:udp

