

1 **RESOLUTION NO. _____**

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3 **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER**
4 **INTO A CONTRACT WITH BURKHALTER TECHNOLOGIES, INC., IN**
5 **AN AMOUNT NOT TO EXCEED ONE MILLION, FOUR HUNDRED**
6 **FIFTY-NINE THOUSAND, FIVE HUNDRED SEVENTY-FIVE DOLLARS**
7 **(\$1,459,575.00), FOR THE CONSTRUCTION OF THE SOUTHEAST**
8 **TRAIL PROJECT, PHASE 1; AND FOR OTHER PURPOSES**

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10 **WHEREAS**, Resolution No. 15,126 (December 17, 2019) expressed the willingness of the City to
11 apply for and utilize Federal-Aid Transportation Alternative Program and Surface Transportation Program
12 Grant Funds for a shared use Pedestrian and Bicycle Trail to be known as the Southeast Trail; and,

13 **WHEREAS**, The Metroplan Board allocated Nine Hundred Thousand Dollars (\$900,000.00) in
14 CARTS Surface Transportation Program and CARTS Transportation Alternatives Program Funds for the
15 construction of the Southeast Trail between the Clinton Presidential Library and Bill and Hillary Clinton
16 National Airport, requiring a 20% match from the City and Pulaski County to be used for construction; and,

17 **WHEREAS**, Resolution No. 15,949 (April 11, 2023) authorized the City Manager to execute a Cost
18 Sharing Agreement with Pulaski County to define the responsibilities of the City and Pulaski County for
19 the cost and overseeing of the design, acquisition of easements and right-of-ways, utility coordination and
20 relocation, bidding, contracting and construction oversight, the grant match for construction and for any
21 additional approved cost of the project; and,

22 **WHEREAS**, Bid #2113 was issued for Job No. 061696, Southeast Trail Project (Pulaski County) (S),
23 Phase I, from the Clinton Library East Gate to 6th Street; and,

24 **WHEREAS**, Burkhalter Technologies, Inc., was the lowest responsive, responsible bid meeting
25 specifications out of three (3) bidders.

26 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY**
27 **OF LITTLE ROCK, ARKANSAS:**

28 **Section 1.** The City Manager is hereby authorized to execute an agreement with Burkhalter
29 Technologies, Inc., in an amount not to exceed One Million, Four Hundred Fifty-Nine Thousand, Five
30 Hundred Seventy-Five Dollars (\$1,459,575.00), which is the base bid amount of One Million, Two Hundred
31 Sixteen Thousand, Three Hundred Twelve Dollars and 50/100 (\$1,216,312.50), plus 20% contingencies,
32 for the for Job No. 061696, Southeast Trail Project (Pulaski County) (S), Phase I, from the Clinton Library
33 East Gate to 6th Street.

1 **Section 2.** Pulaski County was authorized by Resolution No. 15,949 for their share in the cost
2 according to their respective Project responsibilities.

3 **Section 3.** The City share of this project is from the 3/8-Cent Capital Improvement Sales and
4 Compensating Use Tax Funds as authorized by Resolution No. 14,803, and funds are available in Southeast
5 Trail Construction, Account No. TS40C37.

6 **Section 4. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
7 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
8 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and
9 effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the
10 resolution.

11 **Section 5. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
12 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

13 **ADOPTED: November 7, 2023**

14 **ATTEST:**

APPROVED:

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16 _____
17 **Susan Langley, City Clerk**

Frank Scott, Jr., Mayor

18 **APPROVED AS TO LEGAL FORM:**

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21 **Thomas M. Carpenter, City Attorney**

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