

# Benton Advertising & Promotion Commission

## Agenda

August 16, 2023

3:30 pm at the Benton Municipal Complex in Council Chambers

**I. Call to Order**

<b>II. Roll Call</b>	<b>Present</b>	<b>Absent</b>
Steve Brown	_____	_____
Alison Burch	_____	_____
Bill Eldridge	_____	_____
Elgin Hamner IV	_____	_____
Steve Lee	_____	_____
Luke Moody	_____	_____

**III. Minutes from July Called Meeting**

**IV. Financial Reports**

- A. Profit and Loss Reports – Jordan Woolbright
- B. Bank Balances and Collections Report – Mandy Spicer

**V. Administrative**

Delinquency Report – Mandy Spicer

**VI. Funding**

None

**VII. Report from Benton Event Center – Amy McCormick**

**VIII. Report on the Development of Exit 114 Property – Bill Eldridge**

- A. Bids Received for Thomas Property Fence
- B. Other Updates

**IX. Old Business**

Commissioner Vacancy

**X. New Business**

- A. Emergency Backup System at BEC
- B. Ice Machine at BEC
- C. 2024 Advertising

**XI. Other Business**

**XII. Adjournment**

**BENTON ADVERTISING & PROMOTION COMMISSION**  
**Called Meeting**  
**Minutes**  
**July 27, 2023**

- I. CALL TO ORDER  
Chairman Bill Eldridge called the called meeting of the Benton Advertising & Promotion Commission to order on July 27, 2023 at 3:31 pm at the Benton Municipal Complex in Council Chambers.
- II. ROLL CALL  
Commissioners in attendance included: Bill Eldridge, Steve Brown, Steve Lee and Luke Moody. Alison Burch and Elgin Hamner IV were absent.
- III. MINUTES  
Steve Brown made a motion to approve the minutes of the July 12, 2023 meeting. Steve Lee seconded. Motion carried.
- IV. REVIEW OF BIDS  
Bill Eldridge explained that the A&P Commission previously approved using A&P funds to purchase approximately 511 acres of land owned by Jim Thomas located at Exit 114 and the city entered into an agreement to purchase the land. During the process of selling the land, Mr. Thomas was contacted by a representative from a company inquiring about purchasing a portion of the land along the I-30 service road. Mr. Thomas explained to the representative that he was already selling the land to the City of Benton. Bill commended Mr. Thomas for being a man of honor and integrity. A bid request was recently published for interested parties to purchase approximately 30 acres along the I-30 service road.

The deadline for bids was this morning at 11:15 and one bid was received. It's from CSMS Management, LLC to purchase 29 acres at \$77,586.21 per acre. The anticipated commercial purpose is a travel center with a \$60 million capital investment. The number of anticipated employees is 250 with compensation of \$16-\$18 per hour with insurance benefits, 401(k) and three weeks paid time off. The anticipated economic impact for the community includes \$1,250,000 annual sales tax revenue, \$275,000 annual property tax and five million visitors with over 60% of them being from outside the county and state. A proposed purchase contract was included in the bid as required. Bill Eldridge confirmed that the bid met all requirements. He explained that the total purchase price is \$2,250,000 less the real estate fee of approximately \$250,000. Starting construction of the project within one year of closing and completing the project within three years of closing is part of the requirements. Bill provided that the land was purchased for approximately \$15,000 per acre and City Attorney Baxter Drennan has reviewed the proposed contract.


Steve Brown stated this would be an exceptional opportunity for Benton to realize a substantial profit from the sale of the 29 acres and to increase revenue from sales tax and A&P tax. He believes that accepting this bid will have multi-layered benefits for the city. Both Steve Lee and Luke Moody commented that the profit from the sale of the 29 acres would put the commission in even better position for the purchase of the additional tracts of land from Mr. Thomas as planned. Bill Eldridge said building an RV park next to the 30 acres will happen next and then the endeavors planned by Parks with the remainder of the land.

Luke Moody made a motion to accept CSMS Management, LLC's bid to purchase the specific 29 acres along the I-30 service road for \$77,586.21 per acre. Steve Brown seconded. Motion carried.

V. ADJOURNMENT

Luke Moody made a motion to adjourn the meeting. Steve Brown seconded. Motion carried. The meeting was adjourned at 3:40 pm.

  
\_\_\_\_\_  
Bill Eldridge, Chairman

  
\_\_\_\_\_  
Amy McCormick, Recording Secretary

**Benton A&P Commission**  
**Statement of Assets, Liabilities & Equity-Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**As of July 31, 2023**

	<b>Jul 31, 23</b>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Bank OZK - Focus Group Project	319,903.47
Bank OZK - A&P	70,467.84
Bank OZK - Event Center	328,449.38
Bank OZK - Savings	372,050.99
<b>Total Checking/Savings</b>	1,090,871.68
<b>Total Current Assets</b>	1,090,871.68
<b>TOTAL ASSETS</b>	<b>1,090,871.68</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
Sales Tax Payable	541.49
<b>Total Other Current Liabilities</b>	541.49
<b>Total Current Liabilities</b>	541.49
<b>Total Liabilities</b>	541.49
<b>Equity</b>	
Retained Earnings	920,882.20
Net Income	169,447.99
<b>Total Equity</b>	1,090,330.19
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,090,871.68</b>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - A&P - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**July 2023**

	<u>Jul 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	270.20	125.00	145.20	216.16%
Sales Tax Revenue	16,312.67	15,437.00	875.67	105.67%
<b>Total Income</b>	<u>16,582.87</u>	<u>15,562.00</u>	<u>1,020.87</u>	<u>106.56%</u>
<b>Gross Profit</b>	16,582.87	15,562.00	1,020.87	106.56%
<b>Expense</b>				
Accounting Services	500.00	500.00	0.00	100.0%
Advertising Expense	(194.30)	150.00	(344.30)	(129.53%)
Comp. for Commissioners	600.00	750.00	(150.00)	80.0%
Funding	15,828.95	3,334.00	12,494.95	474.77%
Legal Counsel	1,200.00	1,200.00	0.00	100.0%
Postage	42.90	0.00	42.90	100.0%
Service Agreement	6,658.33	6,658.33	0.00	100.0%
<b>Total Expense</b>	<u>24,635.88</u>	<u>12,592.33</u>	<u>12,043.55</u>	<u>195.64%</u>
<b>Net Ordinary Income</b>	<u>(8,053.01)</u>	<u>2,969.67</u>	<u>(11,022.68)</u>	<u>(271.18%)</u>
<b>Net Income</b>	<u>(8,053.01)</u>	<u>2,969.67</u>	<u>(11,022.68)</u>	<u>(271.18%)</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - A&P - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**January through July 2023**

	<u>Jan - Jul 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	1,360.57	755.00	605.57	180.21%
Sales Tax Revenue	116,766.31	104,869.00	11,897.31	111.35%
<b>Total Income</b>	<u>118,126.88</u>	<u>105,624.00</u>	<u>12,502.88</u>	<u>111.84%</u>
<b>Gross Profit</b>	118,126.88	105,624.00	12,502.88	111.84%
<b>Expense</b>				
Accounting Services	3,075.00	3,500.00	(425.00)	87.86%
Advertising Expense	20,513.10	21,050.00	(536.90)	97.45%
Comp. for Commissioners	3,150.00	3,750.00	(600.00)	84.0%
Funding	21,654.45	23,334.00	(1,679.55)	92.8%
Legal Counsel	7,950.00	8,400.00	(450.00)	94.64%
Office Expense	127.42	0.00	127.42	100.0%
Postage	128.23	100.00	28.23	128.23%
Repairs & Maintenance	1,044.53	0.00	1,044.53	100.0%
Service Agreement	46,608.31	46,608.31	0.00	100.0%
<b>Total Expense</b>	<u>104,251.04</u>	<u>106,742.31</u>	<u>(2,491.27)</u>	<u>97.67%</u>
<b>Net Ordinary Income</b>	<u>13,875.84</u>	<u>(1,118.31)</u>	<u>14,994.15</u>	<u>(1,240.79%)</u>
<b>Net Income</b>	<u><u>13,875.84</u></u>	<u><u>(1,118.31)</u></u>	<u><u>14,994.15</u></u>	<u><u>(1,240.79%)</u></u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Event Center - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**July 2023**

	<u>Jul 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	2,649.90	400.00	2,249.90	662.48%
<b>Sales-Revenue</b>				
Alcohol Sales-Beer/Wine	2,365.80	2,084.00	281.80	113.52%
Alcohol Sales-Mixed Drinks	434.86	415.00	19.86	104.79%
Refunds/Returns	(559.00)	0.00	(559.00)	100.0%
Sales-Revenue - Other	50,076.10	24,102.00	25,974.10	207.77%
<b>Total Sales-Revenue</b>	<u>52,317.76</u>	<u>26,601.00</u>	<u>25,716.76</u>	<u>196.68%</u>
Sales Tax Revenue	16,312.67	15,437.00	875.67	105.67%
<b>Total Income</b>	<u>71,280.33</u>	<u>42,438.00</u>	<u>28,842.33</u>	<u>167.96%</u>
<b>Gross Profit</b>	71,280.33	42,438.00	28,842.33	167.96%
<b>Expense</b>				
Alcohol Expense	11,321.21	2,233.66	9,087.55	506.85%
Bank Service Fees	540.15	433.53	106.62	124.59%
Building Alarm System	147.61	148.00	(0.39)	99.74%
Cable TV	184.22	175.70	8.52	104.85%
Cleaning Service	5,672.19	1,200.00	4,472.19	472.68%
Contract Labor	7,021.50	2,124.21	4,897.29	330.55%
Health Insurance	1,165.63	1,165.63	0.00	100.0%
Internet	323.95	325.00	(1.05)	99.68%
Labor Expenses	12,838.16	12,864.92	(26.76)	99.79%
Laundry Expense	1,784.85	908.85	876.00	196.39%
Office Expense	294.46	100.00	194.46	294.46%
Pest Control Expense	65.63	65.63	0.00	100.0%
Repairs & Maintenance	54,769.71	6,075.00	48,694.71	901.56%
Supplies	3,276.06	804.34	2,471.72	407.3%
Telephone Expense	145.91	224.43	(78.52)	65.01%
Trash Pickup	783.37	169.83	613.54	461.27%
Utilities	6,739.59	7,427.00	(687.41)	90.74%
Website	99.90	99.90	0.00	100.0%
<b>Total Expense</b>	<u>107,174.10</u>	<u>36,545.63</u>	<u>70,628.47</u>	<u>293.26%</u>
<b>Net Ordinary Income</b>	<u>(35,893.77)</u>	<u>5,892.37</u>	<u>(41,786.14)</u>	<u>(609.16%)</u>
<b>Net Income</b>	<u>(35,893.77)</u>	<u>5,892.37</u>	<u>(41,786.14)</u>	<u>(609.16%)</u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Event Center - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**January through July 2023**

	<u>Jan - Jul 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest	15,555.67	2,550.00	13,005.67	610.03%
<b>Sales-Revenue</b>				
Alcohol Sales-Beer/Wine	12,847.87	6,914.00	5,933.87	185.82%
Alcohol Sales-Mixed Drinks	3,889.04	3,377.00	512.04	115.16%
Refunds/Returns	(1,209.00)	(300.00)	(909.00)	403.0%
Sales-Revenue - Other	296,059.32	254,945.00	41,114.32	116.13%
<b>Total Sales-Revenue</b>	<u>311,587.23</u>	<u>264,936.00</u>	<u>46,651.23</u>	<u>117.61%</u>
Sales Tax Revenue	116,766.31	104,869.00	11,897.31	111.35%
<b>Total Income</b>	<u>443,909.21</u>	<u>372,355.00</u>	<u>71,554.21</u>	<u>119.22%</u>
<b>Gross Profit</b>	443,909.21	372,355.00	71,554.21	119.22%
<b>Expense</b>				
Advertising Expense	186.50	0.00	186.50	100.0%
Alcohol Expense	16,814.30	4,746.43	12,067.87	354.25%
Alcohol Permit Expense	3,500.00	3,500.00	0.00	100.0%
Bank Service Fees	5,211.57	3,274.51	1,937.06	159.16%
Building Alarm System	1,180.82	1,700.00	(519.18)	69.46%
Cable TV	1,272.50	1,229.90	42.60	103.46%
Cleaning Service	11,554.07	8,400.00	3,154.07	137.55%
Contract Labor	30,182.85	22,728.16	7,454.69	132.8%
Dues & Memberships	325.00	325.00	0.00	100.0%
Health Insurance	7,984.56	7,984.56	0.00	100.0%
Internet	2,267.65	2,275.00	(7.35)	99.68%
Labor Expenses	95,332.87	95,924.53	(591.66)	99.38%
Laundry Expense	11,973.83	6,671.84	5,301.99	179.47%
Linen & Supplies	447.91	754.02	(306.11)	59.4%
Mileage Reimbursement	219.77	250.80	(31.03)	87.63%
Office Expense	3,097.31	2,492.24	605.07	124.28%
Pest Control Expense	732.85	798.48	(65.63)	91.78%
Repairs & Maintenance	86,306.87	45,195.00	41,111.87	190.97%
Supplies	12,627.72	11,725.81	901.91	107.69%
Telephone Expense	1,156.31	1,439.36	(283.05)	80.34%
Trash Pickup	2,681.63	1,887.99	793.64	142.04%
Utilities	40,242.12	43,554.24	(3,312.12)	92.4%
Website	459.60	459.60	0.00	100.0%
<b>Total Expense</b>	<u>335,758.61</u>	<u>267,317.47</u>	<u>68,441.14</u>	<u>125.6%</u>
<b>Net Ordinary Income</b>	108,150.60	<u>105,037.53</u>	<u>3,113.07</u>	<u>102.96%</u>
<b>Other Income/Expense</b>				
<b>Other Expense</b>				
Capital Expenditures	75,191.59			
<b>Total Other Expense</b>	<u>75,191.59</u>			
<b>Net Other Income</b>	(75,191.59)			
<b>Net Income</b>	<u>32,959.01</u>			

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.



**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Focus Group - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**July 2023**

	<u>Jul 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>Interest</b>	1,112.35	300.00	812.35	370.78%
<b>Sales Tax Revenue</b>	16,312.67	15,436.60	876.07	105.68%
<b>Total Income</b>	<u>17,425.02</u>	<u>15,736.60</u>	<u>1,688.42</u>	<u>110.73%</u>
<b>Gross Profit</b>	<u>17,425.02</u>	<u>15,736.60</u>	<u>1,688.42</u>	<u>110.73%</u>
<b>Net Ordinary Income</b>	<u>17,425.02</u>	<u>15,736.60</u>	<u>1,688.42</u>	<u>110.73%</u>
<b>Net Income</b>	<u><u>17,425.02</u></u>	<u><u>15,736.60</u></u>	<u><u>1,688.42</u></u>	<u><u>110.73%</u></u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

**Benton A&P Commission**  
**Profit & Loss Budget vs. Actual - Focus Group - Modified Cash Basis**  
**Substantially All Disclosures Required by the Modified Cash Basis of Accounting Omitted**  
**January through July 2023**

	<u>Jan - Jul 23</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>Interest</b>	5,846.83	1,800.60	4,046.23	324.72%
<b>Sales Tax Revenue</b>	116,766.31	104,868.74	11,897.57	111.35%
<b>Total Income</b>	<u>122,613.14</u>	<u>106,669.34</u>	<u>15,943.80</u>	<u>114.95%</u>
<b>Gross Profit</b>	<u>122,613.14</u>	<u>106,669.34</u>	<u>15,943.80</u>	<u>114.95%</u>
<b>Net Ordinary Income</b>	<u>122,613.14</u>	<u>106,669.34</u>	<u>15,943.80</u>	<u>114.95%</u>
<b>Net Income</b>	<u><u>122,613.14</u></u>	<u><u>106,669.34</u></u>	<u><u>15,943.80</u></u>	<u><u>114.95%</u></u>

NO ASSURANCE IS PROVIDED ON THESE STATEMENTS.

Benton Advertising & Promotion Commission Bank Account Balances  
July 31, 2023

Account Name	Acct #	Statement Balance	Previous Month's Balance
<b>Cash Accounts:</b>			
A&P Collections General	***1584	3,757.65	2,592.25
Bond Account	***1592	CLOSED	CLOSED
			0.00
A&P Large Project Checking	50% ***0318	1,273,379.57	1,188,020.65
A&P Small Project Checking	20% ***0348	604,388.15	569,666.99
A&P General Op Checking	10% ***3297	81,007.84	80,085.85
Benton Focus Group Checking	10% ***2274	319,903.47	302,478.45
			0.00
Benton Event Center General Op Checking	10% ***2640	328,962.87	366,841.05
Benton Event Center Savings	***9832	372,050.99	370,697.18
<b>TOTAL OPERATING CASH &amp; INVESTMENTS</b>			<u><u>2,983,450.54</u></u>



**NOTICE**

**The following businesses are delinquent in the  
remittance of their Benton Advertising and Promotion Tax  
as of August 10, 2023**

10 Fiyahside Island Grill  
Bullock's Benton  
El Charro  
Jimmy's Super Stop  
Nicey's  
Pasta J  
Pizza Inn  
SQRL-Benton  
Taco Bell  
Vibrant Nutrition

This notice is being placed in accordance with the Benton Advertising and Promotion Commission Delinquency Policy, as adopted November 15, 2012.

# Benton Event Center-Event Report

July 13, 2023 to August 14, 2023

October 1, 2013 to July 12, 2023

**809,518**

	<b>Date(s)</b>	<b># of Attendees</b>
Mark Church Conference	7/13-7/15/2023	900
Rental Concepts	7/17/2023	65
First Security Gold Club Trip	7/17/2023	90
Blood Drive	7/17/2023	100
Never Forget Missing Persons Conference	7/18/2023	400
Chamber Bingo	7/19-7/20/2023	965
AR Demolay Conference	7/21-7/23/2023	1,000
AR Literacy Conference	7/24-7/27/2023	700
AGFC Wildlife Officer	7/29/2023	650
Duck Duck Goose Children's Consignment Sale	7/30-8/7/2023	10,000
Empact One Helmets & Heels	8/8/2023	190
Engage Med	8/10/2023	140
AR Vinyl Con	8/11-8/12/2023	750
Sports Card & Memorabilia Show	8/12/2023	350
Rhea Lana's Children's Consignment Sale	8/13-8/26/2023	TBD

**15 events**

**15,950**

**TOTAL: 841,768**



CITY OF BENTON  
 114 S East Street  
 Benton, AR 72018  
 (501) 776-5900



Bid Number: 2023-14

Commodity: Thomas Property Fence

Department: A&P Commission

Bid Opening Date/ Time: Monday, July 31, 2023 @ 11:15 a.m.

Company	Representative	Amount
<u>McDonald Fence</u>	<u>JEANNIE KENSOL</u>	<u>\$59394.19</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Witnesses

[Signature]  
[Signature]



# Request for Proposals

<b>Bid Number:</b> RFP 2023-14	<b>Buyer:</b> Mandy Spicer, CFO
<b>Commodity:</b> Thomas Property Fence	<b>Bid Opening Date:</b> Monday, July 31, 2023
<b>Department:</b> A&P Commission	<b>Bid Opening Time:</b> 11:15 a.m.
<b>Date Issued:</b> Monday, July 17, 2023	

All proposals will be accepted until **Monday, July 31, 2023**. All proposals must be placed in a sealed package clearly marked on the outside **"Thomas Park Property Fence RFP."** The envelope should be properly addressed to the City of Benton A&P Commission with the Proposer's name and address indicated outside on the sealed package. An unsigned proposal will be considered non-responsive.

<b>Mailing Address:</b>	<b>Bid Opening Location:</b>
PO Box 607	114 S. East Street
Benton, AR 72018	Benton, AR 72015

McDonald Fence Inc  
 Printed Name of Company

3409 Winchester Benton, AR 72015  
 Company Address

501-316-2505 Telephone Number      Fax Number

medonaldfenceinc@yahoo.com  
 E-Mail Address

JENNIE KENSER Printed Name of Authorized Signature      7/25/23 Date

Jammie Kensler Authorized Signature      7/25/23 Date





# Request for Proposals

<b>Bid Number:</b> RFP 2023-14	<b>Buyer:</b> Mandy Spicer, CFO
<b>Commodity:</b> Thomas Property Fence	<b>Bid Opening Date:</b> Monday, July 31, 2023
<b>Department:</b> A&P Commission	<b>Bid Opening Time:</b> 11:15 a.m.
<b>Date Issued:</b> Monday, July 17, 2023	

All proposals will be accepted until **Monday, July 31, 2023**. All proposals must be placed in a sealed package clearly marked on the outside "**Thomas Park Property Fence RFP.**" The envelope should be properly addressed to the City of Benton A&P Commission with the Proposer's name and address indicated outside on the sealed package. An unsigned proposal will be considered non-responsive.

<b>Mailing Address:</b>	<b>Bid Opening Location:</b>
PO Box 607	114 S. East Street
Benton, AR 72018	Benton, AR 72015

McDonald Fence Inc  
 Printed Name of Company

3409 Winchester Benton, AR 72015  
 Company Address

501-316-2505 Telephone Number      Fax Number

medonaldfenceinc@yahoo.com  
 E-Mail Address

Jeanne Kenser Printed Name of Authorized Signature      7/25/23 Date

Jeanne Kenser Authorized Signature      7/25/23 Date



## Section 1 – General Information

**Introduction:** This Request for Proposal is issued by the City of Benton A&P Commission to seek a vendor to build a fence for the Thomas Park property located in the upper southwest corner between I-30 and 229 to develop commercially.

### **Caution to Bidders:**

1. Vendors **must** submit two (2) signed, original RFP responses on or before the date specified on page one.
2. The City of Benton A&P Commission has the right to award this proposal to any Proposer regardless of proposal price. Proposals may not be withdrawn within 60 days after the proposals are opened. Proposal processes shall be in accordance with state law.
3. The City of Benton A&P Commission reserves the right to award a contract or reject any or all proposals and to waive any and all informalities associated with the proposal, if it is in the best interest of the City to do so. Bids may be rejected for one or more reasons not limited to the following:
  - a. Failure of the vendor to submit bid on or before the deadline established by this RFP.
  - b. Failure to sign the Official RFP Document.
  - c. Failure to complete the Official RFP Price Sheet.
  - d. Any wording by the vendor in their response to this RFP which conflicts with or takes exception to a requirement in the RFP.
  - e. Failure of any proposed goods or service to meet or exceed the specifications.

**Equal Employment Opportunity Policy:** The City of Benton A&P Commission does not discriminate because of race, sex (including pregnancy), religion, color, handicap, national origin, age, genetic information or political affiliation.

**Delivery of Response Documents:** It is the responsibility of vendors to submit bids at the place, and on or before the date and time, set in the RFP solicitation documents. RFP documents received after the date and time designated for bid opening are considered late bids and shall not be considered.



## **General Terms and Conditions for Proposals**

1. **Restrictive or Ambiguous Specifications:** It is the responsibility of the prospective Proposer to review the entire RFP packet and to notify the Purchasing Department if the specifications are formulated in a manner that would unnecessarily restrict competition. Any such protest or question regarding the specifications of proposal procedures must be received in the Purchasing Department not less than seventy-two (72) hours prior to the time set for proposal opening. These requirements also apply to specifications that are ambiguous.
2. **Taxes:** ***Make sure to include all applicable taxes in your proposal.***
3. **Liabilities:** The Proposer shall hold the City of Benton A&P Commission, its officers, elected officials, agents, servants, and employees, harmless from liability of any nature or kind because of use of any copyrighted or un-copyrighted composition, secret, process, patented or unpatented invention, articles or appliances furnished or used under this proposal, and agrees to defend, at his own expense, any and all actions brought against the City of Benton A&P Commission because of the unauthorized use of such articles.
4. **Terms and Conditions:** In the event of a conflict between the proposal specifications and these terms and conditions the specifications will govern.
5. **Warranties:** All warranty information must be furnished.
6. **Alternate Proposals:** Alternate proposals are not acceptable and will be rejected unless authorized by the invitation to proposal. Alternate proposals are defined as proposals that do not comply with the proposal terms, conditions, and specifications. Proposers may submit more than one proposal providing that all such proposals comply with proposal terms, conditions, and specifications.
7. **Exceptions:** Proposers taking exceptions to any part or section of this invitation shall indicate such exceptions on the proposal form. Failure to indicate any exception will be interpreted as the proposer's intent to comply with and/or supply the requirements as written in the proposal document.
8. **Qualifications of Proposers:** A Proposer may be required, before the award, to show to the complete satisfaction of the City of Benton A&P Commission that it has the necessary facilities, ability, and financial resources to provide the service or goods specified.
9. **Additional Information:** Proposers are cautioned that any statement made by an individual, or employee of the City of Benton A&P Commission that materially changed any portion of the proposal document shall not be relied upon unless subsequently ratified by a formal written amendment to the proposal document.



- 10. Acceptance of Terms:** All terms and conditions in the invitation are deemed to be accepted by the Proposer and incorporated in the proposal, except the provision(s) which are expressly excluded by the proposal specifications.
- 11. Drug Free Workplace Program for Construction:** Law prohibits state or local governments from contracting for construction services with any private entity having five or more employees who has not furnished a written affidavit by its principal officer at the time of the proposal or contract stating that the contractor is in compliance with the provisions of this act.
- 12. Public Access to Procurement Information:** All public records pertaining to purchasing shall be open for inspection during normal business hours. Information relating to the award of a particular contract shall be public only after evaluation of that proposal or proposal has been completed.

**Definitions:**

**"Applicant"** - Proposer

**"City" or "City of Benton"** - The City of Benton, Arkansas, A&P Commission, collectively

**"Hourly Labor Rate"** - hourly rate without cost of materials per person

**"Proposer"** - the individual, firm, partnership, joint venture or corporation which submits a proposal to the City of Benton A&P Commission in response to this RFP

**"RFP"** - Request for Proposals

**Evaluation and Award:** After complete evaluation of the proposals, the anticipated award will be posted to the City of Benton Purchasing website.



## Section 2 – Specific Requirements

**References:** Vendor must furnish as references a minimum of three (3) current customers located in the State of Arkansas who have received services of the same or similar in scope within the last five (5) years.

<b>Business Name:</b>
<b>Business Address:</b>
<b>Contact Person and Phone:</b>
<b>Email Address:</b>

**Insurance:** Prior to award, the successful vendor shall furnish an approved Certificate of Insurance from a company or agent licensed in the State of Arkansas and must keep insurance in force throughout the contract period and any extensions. The insurance may not be modified without the City of Benton A&P Commission's approval. The following is a list of liability limits for Worker's Compensation and Employee Fidelity Coverage and standard limits as outlined by vendor's insurance carrier.

1. Worker's Compensation and Employee Liability Policy

Worker's Compensation	Statutory Limits
Employer's Liability	\$1,000,000 each accident
2. Comprehensive General Liability Policy

Premises and Operation	
Contractual Insurance	
Personal Injury	

Each item listed in section 2 must have:

Bodily Injury	\$500,000 each person
	\$500,000 each occurrence
Property Damage	\$2,000,000 each occurrence
	\$2,000,000 aggregate

**The Vendor shall assume all liability for any accidental or criminal occurrence.**

## References

GC Homes LLC

1707 Smithers Dr. Benton, AR 72015

Skylar Stott 501-658-2095

[contact@gchomesllc.com](mailto:contact@gchomesllc.com)

Bull Homebuilders LLC

3701 AR Hwy 5-N Bryant, AR 72022

Travis Bull 501-425-1532

[bullhomebuilders@gmail.com](mailto:bullhomebuilders@gmail.com)

Layne Penfield 501-993-3583

3525 AR 5 Bryant, AR 72022

[laynepenfield@bpmrealtors.com](mailto:laynepenfield@bpmrealtors.com)

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MCDOFEN-01

JENNIFERWOOD

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
7/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> NFP Property & Casualty Services, Inc. P.O. Box 49 Benton, AR 72018	<b>CONTACT NAME:</b> Jennifer Wood	
	<b>PHONE (A/C, No., Ext):</b> (501) 778-9162	<b>FAX (A/C, No.):</b> (501) 778-0533
<b>E-MAIL ADDRESS:</b> jennifer.wood@nfp.com		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A:</b> Owners Insurance Company		<b>32700</b>
<b>INSURER B:</b> Auto-Owners Insurance Company		<b>18988</b>
<b>INSURER C:</b>		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

**INSURED**  
 McDonald Fence Co. Inc.  
 c/o Jeannie Kensler  
 P.O. Box 565  
 Lebanon, GA 30146

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL RISK	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			70897786	8/8/2022	8/8/2023	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: <b>General Aggregate</b>						
A	<input type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			70897786	8/8/2022	8/8/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
B	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE			4918241400	8/8/2022	8/8/2023	EACH OCCURRENCE \$ 1,000,000
							AGGREGATE \$ 1,000,000
							\$
							DED    RETENTION \$
A	<input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	70027041	8/8/2022	8/8/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
							E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 Nicholas Workman - President excluded  
 Jeannie Harden - Secretary excluded

<b>CERTIFICATE HOLDER</b>  Proof of Coverage	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Paul Chilton</i>

**McDonald Fence Inc**  
**3409 Winchester**  
**Benton, AR 72015**  
**501-316-2505**

McDonald Fence Inc. guarantees our workmanship and installation for a period of one year from the date of purchase. Any faulty installation will be corrected by us at our expense within this time period to the original purchaser. This warranty excludes damage from vehicles, trees, storms, animals, or excessive abuse, or any such conditions beyond our control.

Jeannie Kenser

*Jeannie Kenser*

Vice-President





## Section 3 – Scope of Services

**Scope of Services:** The City of Benton A&P Commission is seeking a vendor to build a fence for the Thomas Park property located within the City of Benton, Saline County, Arkansas, for commercial development. The site is located along the Saline River in the upper southwest corner between Interstate 30 and 229. It is anticipated that the property will be annexed into the City of Benton and will be appropriately zoned for commercial purposes.

The prospective vendor shall complete the fence project within 60 days of contract signing.

The fence shall be 4,000 linear feet and include:

1. 3 Cattle gates
2. 200 - CF Panel, 4-Rail 48 inch x 20 ft 1.66 inch OD 14-ga, flat
3. 800 - Connectors, CF Panel, 1.66 inches (1.90 inches OD, Outside) 11.09 oz
4. 400 - Post, Decoiled, 2.375 OD .160w-.220w, 8 ft saw cut
5. 800 - Clips, CF Panel, 1.66 inches OD, 2.0 oz Screw-on (has hole)
6. 4,000 linear feet - Pipe, Prime, OPS, 2.375 OD, S30 (.120 W), 24 ft.

Please include prices for installation as well as all other charges including taxes.

\*Contact Mandy Spicer, Chief Financial Officer at [Mandy.Spicer@bentonar.org](mailto:Mandy.Spicer@bentonar.org) or 501-381-3710 for additional information on this proposal.



Office of Administrative Services  
114 S. East Street  
Benton, AR 72015

# Official RFP Price Sheet

All applicants must fill out the form below, along with the appropriate authorized signatures.

Total Price of Project	59,344.19
------------------------	-----------

Upon signing this form, the applicant acknowledges that all information provided in this RFP is true and will provide documentation requested.

Price given above is the final to the City of Benton and includes all taxes, overhead and profit to the bidder. The City of Benton reserves the right to accept any or all part of bids, to reject any or all bids and to award to the bid deemed in the best interest to the City.

McDonald Fence Inc.  
Printed Name of Company

3409 Winchester Benton, AR 72015  
Company Address

501-310-2505 Telephone Number      Fax Number

mcDonaldFenceInc@yahoo.com  
E-Mail Address

JENNIE KENSER Printed Name of Authorized Signature      7/25/23 Date

Jeanne Kenser Authorized Signature      7/25/23 Date



Office of Administrative Services  
 114 S. East Street  
 Benton, AR 72015

# Official RFP Price Sheet

All applicants must fill out the form below, along with the appropriate authorized signatures.

Total Price of Project	59,394.19
------------------------	-----------

Upon signing this form, the applicant acknowledges that all information provided in this RFP is true and will provide documentation requested.

Price given above is the final to the City of Benton and includes all taxes, overhead and profit to the bidder. The City of Benton reserves the right to accept any or all part of bids, to reject any or all bids and to award to the bid deemed in the best interest to the City.

McDonald Fence Inc.  
 Printed Name of Company

3409 Winchester, Benton, AR 72015  
 Company Address

501-310-2525 Telephone Number      \_\_\_\_\_ Fax Number

mcdonaldfenceinc@yahoo.com  
 E-Mail Address

JEANNIE KENSER Printed Name of Authorized Signature      7/25/23 Date

Jeannie Kenser Authorized Signature      7/25/23 Date

McDonald Fence Inc.  
 3409 Winchester  
 Benton, AR 72015

**Estimate**

Date	Estimate #
7/26/2023	6412-A

Name / Address
Jim Thomas 1137 Hwy 229 Benton, AR 72015

Job Location

Description	Qty	Rate	Total
GoBob Material: 4' 54-Rail Continuous Fortress Panel (20' panels), 1-1/4" OD, 14 ga. Flat with Inside Connectors, 2.375 OD .160w-.220w Posts Set Every 10' with Steel Dome Cap and Clips Corral Gate 11' 8" With Weldable Hinges. 4" Gate Post	1	35,394.19	35,394.19
Screw-On Installation - Labor/Concrete/Miscellaneous	4,000	6.00	24,000.00
**Add additional \$4000 if you would like the Top and Bottom Rail Welded to Each Post instead of the Clips**			
McDonald Fence is not responsible for damaging unmarked private lines.		<b>Total</b>	

McDonald Fence Inc.  
 3409 Winchester  
 Benton, AR 72015

**Estimate**

Date	Estimate #
7/26/2023	6412-A

Name / Address
Jim Thomas 1137 Hwy 229 Benton, AR 72015

Job Location

Description	Qty	Rate	Total
<p><b>**If you decide to proceed, McDonald Fence will require \$16,124.50 down to cover half of the material cost due to specialty order.**</b></p>			
<p>McDonald Fence is not responsible for damaging unmarked private lines.</p>		<b>Total</b>	<b>\$59,394.19</b>



To: Benton Chamber of Commerce  
From: Greg Shinn  
Re: Open Position on the Chamber Board  
Date: July 23, 2023

I, Greg Shinn, would like to be considered for the open position as a board member for the Benton Chamber of Commerce.  
*A+P Commission.*

Best Regards,

A handwritten signature in cursive script that reads "Greg Shinn".

Greg Shinn  
HTeaO Benton  
2150 AR-5  
Benton, AR 72019  
[store311@hteao.com](mailto:store311@hteao.com)  
(501) 617-2711