



MEMORANDUM



TO: Jeff Dingman, Acting City Administrator
CC: Maggie Rice, Deputy City Administrator
FROM: Todd Mittge, Director of Engineering
DATE: February 3, 2026
SUBJECT: Final payment to Brothers Construction, LLC. for the SSA Remedial Measures, Sub-Basins MC07, S006 and Z001 and Capacity Improvements, Sub-Basin SK01, Project No. 23-19-C1 Open Cut

SUMMARY

On May 7th, 2024 the Board of Directors approved the bid of Brothers Construction, LLC in the amount of \$7,994,075.00 (R-78-24), with a contract completion date of December 31, 2025. The scope of this Consent Decree project included approximately 9,250 linear feet of sanitary sewer mains between 8 and 18 inches in diameter being replaced by the method of “open cut,” approximately 1,845 linear feet of point repairs between 6 and 12 inches in diameter, and the replacement of approximately 139 manholes. A project summary sheet and presentation are attached for your review.

On May 1st, 2025, the Board of Directors approved Change Order No.1 (R-62-25) adding 142 working days to the contract to allow the contractor additional time for multiple scope changes to this project including relocation of approximately 520 linear feet of sewer main which was intermittently located underneath residential dwellings. The contractor completed the work this Change Order was issued for on January 13th, 2026, 129 days earlier than requested in the Change Order.

This Project was completed \$1,804,757.64 (22.58%) below the original contract amount and 129 days before the contract’s substantial completion date.

Throughout the duration of this project, Engineering-Utilities Department staff utilized value engineering methods which would ultimately provide opportunities on this contract for improved construction methods, e.g., altering point repair work to full line replacements. Close oversight of budget projections by the project manager also allowed the project to take on additional work without needing any monetary change orders, e.g., an emergency sewer repair on a sewer line located near the 02/20 runway at Fort Smith Airport.

Inspections staff worked closely with the contractor to ensure cost savings did not jeopardize quality of product. Project Engineering staff was able to provide engineering support and oversight to optimize construction related expenses and reduce the need for external engineering services.

The Resolution authorizes the Mayor to accept the project as complete and authorizes final payment to Brothers Construction, LLC, in the amount of \$453,756.65. This project aligns with the goals of the comprehensive plan policy TI5.2 (ensure that utility and infrastructure systems can meet the city's long-term needs).

Please contact me should you or members of the Board have any questions or desire additional information.

ATTACHMENTS

1. [2-17-26 Item ID 2544 Resolution Engineering-Utilities.pdf](#)
2. [2-17-26 Item ID 2544 Attachment Engineering Utilities.pdf](#)

FISCAL IMPACT: \$453,756.65

BUDGET INFORMATION: Budgeted / Engineering-Utilities - 5/8% Sales and Use Tax

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING FINAL PAYMENT TO BROTHERS CONSTRUCTION, INC. FOR THE SSA REMEDIAL MEASURES SUB-BASINS MC07, P004, S006 AND Z001 AND CAPACITY IMPROVEMENTS SUB-BASIN SK01, PROJECT NO. 23-19-C1 OPEN CUT

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, that:

SECTION 1: The construction of the SSA Remedial Measures, Sub-Basins MC07, P004, S006 and Z001 and Capacity Improvements, Sub-Basin SK01, Project No. 23-19-C1 Open Cut, is hereby accepted as complete.

SECTION 2: Final payment to Brothers Construction, Inc., in the amount of \$453,756.65 is hereby approved.

This Resolution adopted this _____ day of _____, 2026.

APPROVED:

Mayor

ATTEST:

City Clerk

Approved as to form:



npr

Project Summary

Project Name:
SSA Remedial Measures Sub-Basins,
MC07, S006 & Z001

Project Status:
Complete

Project Number:
23-19-C1

Today's Date:
February 17th, 2026

Project Engineer:
Austin Percy, E.I.

Staff Contact Name:
Jimmie Johnson, P.E.

Project Contractor:
Brother's Construction, LLC

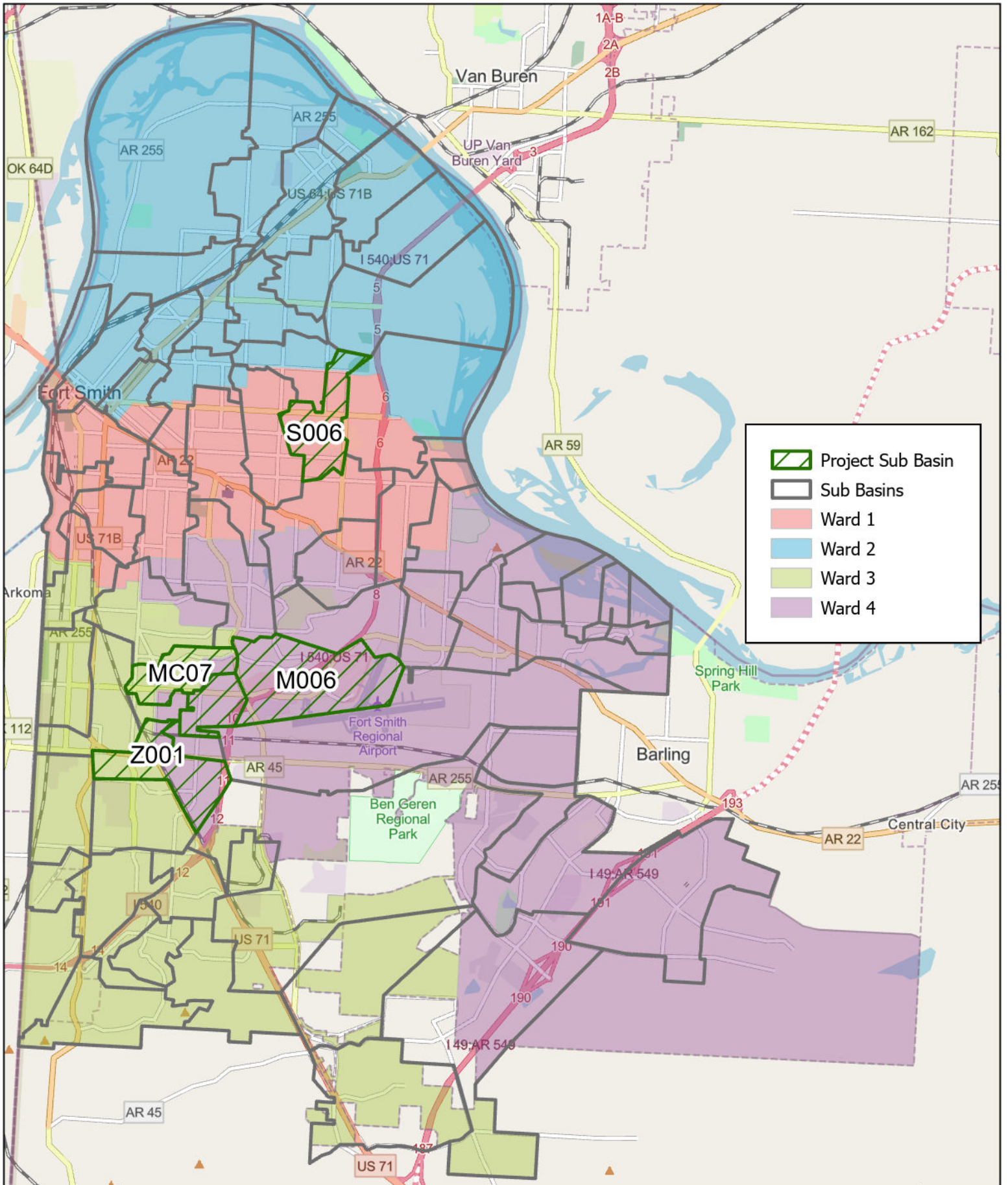
Staff Contact Phone:
(479) 784-2274

Notice to Proceed Issued:
7/15/2024

Contact Breakdown		
	Dollar Amount	Contract Time (Date)
Original Contract Amount:	\$7,994,075.00	December 31, 2025
Change Order(#1):	\$0.00	142
Total Change Orders:	\$0.00	142
Adjusted Contract:	\$7,994,075.00	May 22, 2026

Contract Payment Breakdown		
	Dollar Amount	
Adjusted Contract Amount	\$7,994,075.00	
Previous Payments	\$5,735,560.71	
Final Payment Amount:	\$453,756.65	
Contract Balance Remaining	\$1,804,757.64	22.58%

Final Payment Breakdown	
Total Work Installed This Payment	\$154,135.03
Retainage Released with This Payment	\$301,871.62
Liquidated Damages	\$0.00
SSO Penalty(s)	\$2,250.00
Final Payment Amount	\$453,756.65



23-19-C1 - SSA Remedial Measures
 Sub-Basins MC07, M006, S006 & Z001



**SSA Remedial Measures Sub-Basins MC07, P004, S006
and Z001 and Capacity Improvements Sub-Basin SK01**

Project No. 23-19-C1 Open Cut



(Site A) 8-inch Concrete Pipe
to be replaced with a "point
repair."

**SSA Remedial Measures Sub-Basins MC07, P004, S006
and Z001 and Capacity Improvements Sub-Basin SK01**

Project No. 23-19-C1 Open Cut



(Site A) 8-inch PVC
pipe "point repair."

**SSA Remedial Measures Sub-Basins MC07, P004, S006
and Z001 and Capacity Improvements Sub-Basin SK01**

Project No. 23-19-C1 Open Cut



(Site B) New "pre-cast"
manhole with new connections.

**SSA Remedial Measures Sub-Basins MC07, P004, S006
and Z001 and Capacity Improvements Sub-Basin SK01**

Project No. 23-19-C1 Open Cut



(Site C) 8-inch Truss pipe to be replaced with a "point repair."

**SSA Remedial Measures Sub-Basins MC07, P004, S006
and Z001 and Capacity Improvements Sub-Basin SK01**

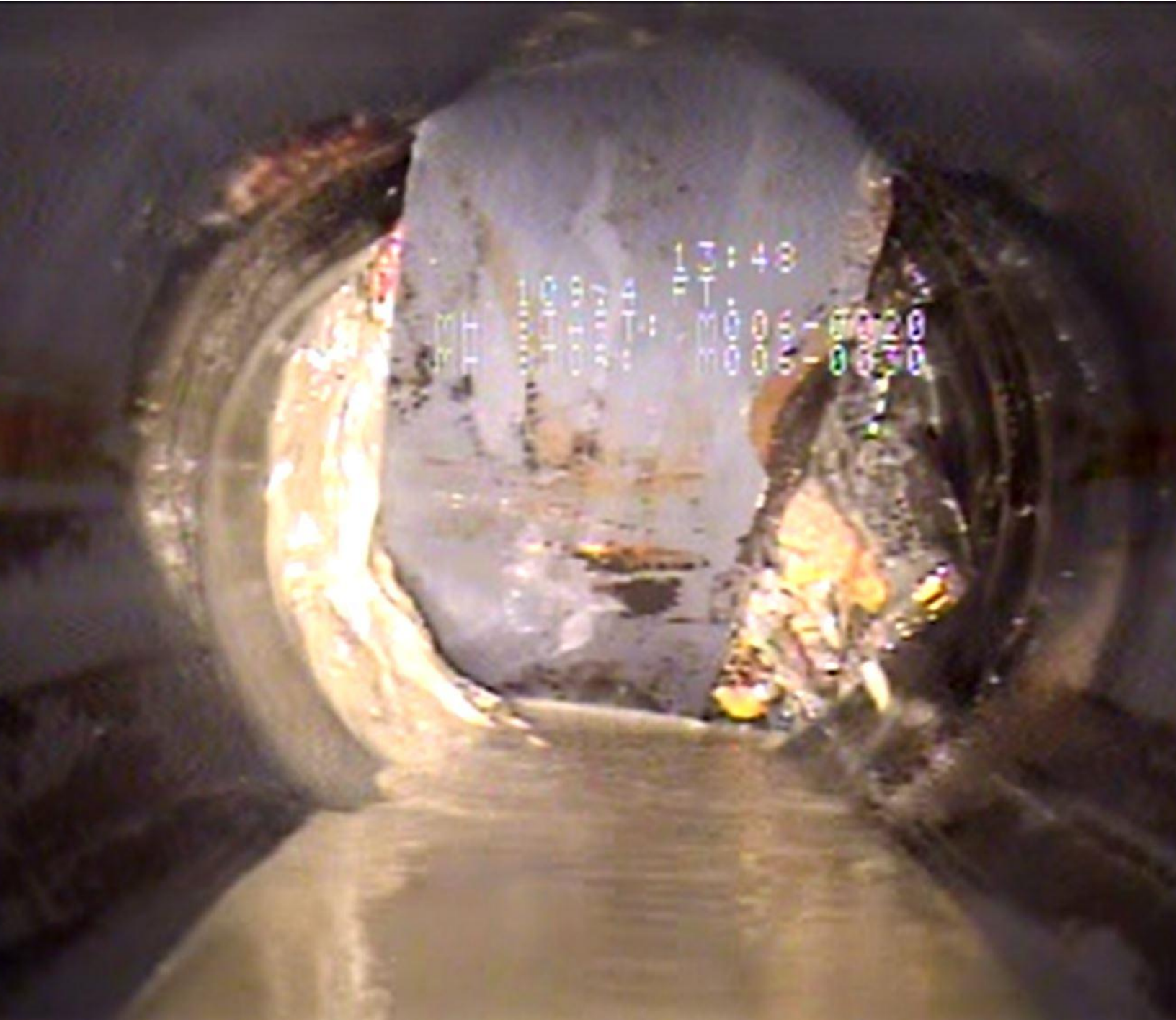
Project No. 23-19-C1 Open Cut



(Site C) Section of 8-inch Truss pipe replaced by a PVC "point repair."

**SSA Remedial Measures Sub-Basins MC07, P004, S006
and Z001 and Capacity Improvements Sub-Basin SK01**

Project No. 23-19-C1 Open Cut



(Site C) Defect in 8-inch Truss causing
sewer back up at airport facility.