



**City Council Minutes
Special Meeting
August 28, 2007 ~ 5:00PM
City Hall, Delta Junction, Alaska**

The special meeting of the Delta Junction City Council was held on Tuesday, August 28, 2007 at City Hall in Delta Junction, Alaska. Mayor Mary Leith-Dowling called the meeting to order at 5:12pm, once a quorum was established.

Council members present: Mayor Mary Leith-Dowling, Mayor Pro tem Lou Heinbockel
Mike Jenkins, Pablo Martinez

Council members excused: Leslie Feilner, Pete Hallgren, JW Musgrove

City employees present: Mike Tvenge, Dave Zimmerman, Pat White

Three members from the community were present.

Approval of the Agenda

Martinez moved to approve the August 28, 2007 agenda as presented; Heinbockel seconded. Motion carried.

Award Contract for Rink Addition

Tvenge reported bids for the (Zamboni) building addition were opened on August 22, 2007 and Heritage General Contracting submitted the lowest bid of \$807,643.21. Their bonding information from Hale & Associates was received today and they are ready to proceed. Heritage needs to produce the performance bond and certificate of insurance before a contract can be signed. They have 10 days to produce them after receiving the Intent to Award. Tvenge said it is the first step in awarding the rink contract, which is construction of a Zamboni building with public restrooms, a mechanical room, a referee room, and a canopy for an exterior door that will serve as an entrance to an outdoor rink, should one be built at another time.

Stephen Hammond said connection to the well and construction of the septic system is included in the contract also.

Tvenge stated Alcan Builders has drilled the well and Heritage will connect to it upon building the new structure.

Discussion followed regarding next lowest bidder and bonding.

Heinbockel asked Hammond his opinion in dealing with the bids, if any of the bidders offered more or less or any alternatives.

Hammond said Heritage presented a cover letter that accompanied their proposal and indicated their mechanical and electrical prices were high, as much as 60% of the contract. It was a point of discussion today and language in the Intent to Award document reflects a possible price reduction from their bid, but it is based on their getting clarification and some value engineering. The price would not increase. Hammond said Heritage is the only bidder that gave that allowance (additional discussion).

Tvenge said he and Hammond approached Heritage because they specifically requested looking at the ventilation system in their cover letter. They did in fact find ways to reduce the

cost should it also meet specification conditions. Tvenge said less than the bid amount cannot be awarded but a deductive change order can be made to reflect a reduced scope of work.

Martinez asked if the quote is a firm fixed price.

Hammond said it is, with a not-to-exceed.

Tvenge said Heritage can build the Zamboni addition for less than their bid price and they are willing to reduce the cost.

Martinez moved to approve the Notice of Intent to Award to Heritage General Contracting; Jenkins seconded.

Heinbockel asked that the motion qualify to include the caveat that the contractor be bonded.

Martinez amended the motion to include required bonding documentation; Jenkins seconded.

Heinbockel said he would vote in favor to get the project "off the ground." If one Council member votes against it, the motion fails, due to lack of a full Council body. Heinbockel said he would prefer to vote against awarding the contract because Heritage has an unfair advantage over the private contracting sector. It is not fair to the American capitalistic enterprises.

Motion passed unanimously on a roll call vote.

Heinbockel asked for notice of reconsideration at the next regularly scheduled meeting. He said to proceed with the Notice of *Intent* to award.

Brush Clearing along City Streets

Tvenge referenced 04-DC-002, 06-DC-105, and 07-DC-215 Designated Legislative Grant Agreements. He said funding for paving should allow for brush clearing because it falls under the category of improvements but opinions differ in the office.

Leith-Dowling said brush cutting downtown arterial streets that access the school to make them two-vehicles wide is considered improvements.

Tvenge said he had contact with four brush cutting contractors and researched available local equipment. There is none that can deal with 2" to 8" diameter trees, which will require specialized equipment beyond the John Deere capabilities. Tvenge said he "walked through" with one contractor but the other contractor has not arrived so a second bid is not available. Equipment Operator Butch Ellis and Alaska Motor Coaches, who operate school buses, identified roads that need brushing. It is equivalent to 12.2 miles of roads, which is approximately half of the city-maintained streets (27 miles). He said the first bid did not include a few of the smaller listed roads.

Discussion followed regarding notifying the public, house-to-house notices, calling individual landowners, or issuing a public announcement.

Tvenge stated funding is available to complete the brush clearing and to design Emmaus, South Clearwater, and Rapids, according to the first bid and the engineer's estimate. The paving award could be in the spring if the contract is put out to bid by February. Tvenge reported the Denali Commission has \$13 million allocated for road improvements. Application for the grant is due October 1 but not final until January. Tvenge said more roads could be added if grant funding is received.

ADJOURNMENT

Heinbockel moved to adjourn at 5:33pm; Jenkins and Martinez seconded. Motion carried.

Pat White, City Clerk

Approved: September 4, 2007
