

SUBJECT: Award of bid number 22-103B Right-of-Way Surveying & Clearing Services to Western Construction & Equipment, LLC for the contract amount of \$228,520.00 for Task Order #1, with a Not-to-Exceed Total of \$600,000.00 for the initial period of performance.

AGENDA OF: April 5, 2022

ASSEMBLY ACTION:

Adopted with Assembly members
Trevi & Bernier opposed 4-5-22

MANAGER RECOMMENDATION: Present to the Assembly for consideration.

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER:

UMB

Route To:	Department/Individual	Initials	Remarks
	Purchasing Officer	<i>Ch</i>	
	Public Works Director	<i>TDL</i>	23 MAR 2022
	Finance Director	<i>CF</i>	
	Borough Attorney	<i>BS</i>	
	Borough Clerk	<i>mm 3/28/22</i>	<i>[Signature]</i>

ATTACHMENT (S) : Fiscal Note: Yes ☒ No ☐
 Analysis Sheet (1p)
 Scope of Work (6p)

SUMMARY STATEMENT: On February 24, 2022, the Matanuska-Susitna Borough Purchasing Division issued a solicitation requesting bids from qualified contractors to survey and clear right-of-way and some easements for civil construction projects throughout the Matanuska-Susitna Borough. The intent of the contract is to clear right-of-way and easements in anticipation of upcoming construction projects. A qualified contractor must have a strong record of experience and safety, so that MSB is assured to get dependable, responsive, proven, and expert survey and clearing

services. Construction Services purchased will support the Public Works Department in assembly district #1 & #3-7.

In response to the advertisement, two bids were received. Award recommendation is being made to Western Construction & Equipment, LLC as the lowest responsive and responsible bidder based on Total Bid Amount.

The final completion of Task Order #1 is June 1, 2022. The term length for this agreement is through December 31, 2022 with two additional one year renewals (potentially 3-year contract), subject to annual appropriation of funds by the Borough Assembly.

In accordance with MSB 3.08.170(B), Administration requests authority to modify the resulting contract completion date by 30 days for unforeseen circumstances.

The Public Works Department, Operations & Maintenance Division will be administering the contract.

RECOMMENDATION OF ADMINISTRATION: Award of **BID NUMBER 22-103B, RIGHT-OF-WAY SURVEYING & CLEARING SERVICES** to **WESTERN CONSTRUCTION & EQUIPMENT, LLC** for the contract amount of **SIX HUNDRED THOUSAND DOLLARS AND 00/100 CENTS (\$600,000.00)** Annually.

MATANUSKA-SUSITNA BOROUGH
FISCAL NOTE

Agenda Date: April 5, 2022

SUBJECT: Award of bid number 22-103B Right-of-Way Surveying & Clearing to Western Construction & Equipment, LLC for the contract amount of not to exceed \$600,000.00 annually.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED <i>NTE \$600,000 annually</i>	FUNDING SOURCE <i>Multiple Projects</i>
FROM ACCOUNT # <i>410.000.010 4xx.xx.x / 430.000.010 4xx.xx.x</i>	PROJECT # <i>multiple</i>
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Kim Udenlad</i>	CERTIFIED BY:
DATE: <i>3-23-22</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	<i>NTE 600.0</i>					
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REVENUE						
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FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	<i>NTE 600.0</i>					
TOTAL	<i>NTE 600.0</i>					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: _____ PHONE: _____
 DEPARTMENT: *Chapman Densell* DATE: *3/23/22*
 APPROVED BY: _____ DATE: _____

DETAILED BID TABULATION: 22-103B
RIGHT-OF-WAY SURVEYING & CLEARING SERVICES

BASE BID				BIDDERS			
				WESTERN CONSTRUCTION & EQUIPMENT, LLC		ALASKA LAND CLEARING	
Item Number	Pay Item Description	Pay Unit	Estimated Quantities (Task Order #1)	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	TOTAL PRICE
1	SURVEYING	HOURLY	208	\$ 190.00	\$ 39,520.00	\$ 195.00	\$ 40,560.00
2	CLEARING	PER ACRE	34	\$ 4,500.00	\$ 153,000.00	\$ 11,200.00	\$ 380,800.00
3	STUMP REMOVAL	PER ACRE	4	\$ 4,500.00	\$ 18,000.00	\$ 5,000.00	\$ 20,000.00
4	INTERIM WORK AUTHORIZATION	CONTINGENT SUM	ALL REQ'D	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00
TOTAL AMOUNT BID				\$ 228,520.00		\$ 459,360.00	

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BID #22-103B
Right-of-Way Surveying and Clearing Services
SCOPE OF WORK

GENERAL

The Matanuska-Susitna Borough (MSB) is soliciting a qualified Contractor to survey and clear right-of-way and some easements for civil construction projects throughout the Matanuska-Susitna Borough. The intent of the contract is to clear right of way and easements in anticipation of upcoming construction projects. A qualified contractor must have a strong record of experience and safety, so that MSB is assured to get dependable, responsive, proven, and expert survey and clearing services.

The MSB's intent is to enter into a contract with a qualified contractor. Once under contract surveying and clearing tasks will be given to the Contractor by the Project Manager. The successful Contractor will be required to interface with the Project Manager and Construction Inspector to schedule tasks, provide updates, and coordinate as needed to complete tasks.

The value of the services procured through this contract will not exceed \$600,000 for the remainder of the 2022 calendar year. The contract shall commence upon execution of the agreement and notice to proceed. This agreement is for the remainder of the 2022 calendar year from the time of execution. At the sole discretion of the MSB, it may be extended for two additional one-year periods. Any extension is subject to annual appropriation of the MSB Assembly and written, mutual agreement of the parties.

TASK ORDER TERMS

The contractor will be issued Task Orders for each task issued to them under this contract.

1. Task Orders will determine the project location(s), estimated quantities, and schedule.
2. Task Orders must have the appropriate Purchase Order attached to commence any work.
3. The Contractor shall be authorized to perform work based on issuance of a Task/Purchase Order for a specific scope of work at a specific cost.
4. All Task Orders will have a firm completion/deliverable date.
5. Each Task Order will have a not-to-exceed amount of \$200,000.

EXPERIENCE REQUIREMENTS

All survey services shall be conducted by, or under, the direct supervision of a Professional Land Surveyor (PLS) holding current registration in the State of Alaska. A PLS shall be an active, on-site field supervisor of the survey crew. A PLS shall also be directly involved in the preparation of all survey deliverables.

The clearing Contractor shall have three (3) years of on-site experience in clearing services performed on public right-of-way in the past six (6) years. The superintendent shall be on site when clearing operations are taking place.

The Contractor may be required to submit the experience history of their superintendent and surveyor after bid opening.

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EQUIPMENT

Clearing equipment shall be suitable for the intended purpose. Equipment shall be at a minimum:

Mid-sized excavator with mulching head attachment, bucket, and thumb. The excavator must be capable of pulling up stumps and trees.

Mulching tractor capable of clearing level with the existing ground.

All equipment shall meet state and federal safety standards. Equipment shall be inspected by the Contractor prior to commencement of work. The MSB reserves the right to inspect the Contractor's equipment at any time to ensure it meets the standards. Any equipment found defective shall be immediately repaired or replaced.

During work use personal protective equipment (PPE).

SUBMITTALS WITH BID

The following qualification lists may be required after bid opening:

- Surveyor and superintendent qualifications
- Contractor's experience performing clearing activities in public right-of-way
- Equipment list

PRE-CONSTRUCTION SUBMITTALS

A pre-construction meeting will be scheduled following contract award. The following items shall be submitted prior to the Notice to Proceed, upon changes during the work, and upon request of the MSB Project Manager:

- Schedule Template
- Daily Report Template
- Safety Plan
- Traffic Control Plan
- Schedule for Task Order #1
- Surveyor's Area Report Template
- Work Plan with equipment to be used and personnel responsibilities
- Quality Control Plan

FAILURE TO EXECUTE AND TERMINATION

If the MSB observes the Contractor's failure to execute work properly or failure to comply with the contract requirements, it will notify the Contractor. The Contractor shall correct the failure not later than five (5) working days following the notice unless the Borough specifies a shorter time frame. This provision is not meant to affect the Borough's ability to terminate the agreement pursuant to Section 10 of the Construction Agreement.

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SCOPE OF WORK

General Request for Proposal

It is the intent of this contract to procure a professional team to perform right-of-way surveying and clearing services.

The Contractor shall call utility locates prior to any clearing or stump removal activities and avoid disturbing utilities. Damages caused by the Contractor are the Contractor's responsibility.

The scope of work anticipated is as follows:

1. Progress Schedule

- 1.1. Within three (3) days after the Purchase Order has been issued for a Task Order, the Contractor shall supply to the MSB Project Manager a written schedule specifying when the specific tasks of the work are to be completed.
- 1.2. The Contractor shall complete the work for each Task Order in one continuous timeframe. As it pertains to this agreement, continuous means no more than one (1) working day shall elapse without working while mobilized on any one project site. No more than three (3) working days shall elapse without working while mobilizing to subsequent project sites. A working day is defined as any non-holiday Monday thru Friday. Time is of the essence.
- 1.3. The project schedule shall be strictly adhered to.
- 1.4. The contractor shall promptly notify the Project Manager in writing of any delay and therein specify the number of days of extension requested.

2. Surveying

- 2.1. The Contractor shall layout the right-of-way and easements for the clearing limits.
 - 2.1.1. All clearing limits must be flagged or staked. Use blue and yellow ribbon.
 - 2.1.2. Any easement that needs to be cleared must be staked. Identify the Easement and complete stake with flagging.
 - 2.1.3. Flagging and/or staking shall be line of sight continuously visible.
 - 2.1.4. Stake to identify corners and each point of deflection (R/W or Easement corner written on stake) complete with flagging.
- 2.2. Prior to clearing, a licensed surveyor shall measure the area to be cleared and determine the actual quantity of acres for each bid item.
 - 2.2.1. A report with the area for clearing and stump removal shall be submitted to the Project Manager. The Project Manager may review the submittal and require changes, corrections and/or clarifications, and a re-submittal.
- 2.3. All electronic and hard copy printouts, field notes, sketches, and calculations for layout and area must be retained by the surveyor and available to the MSB at all times and shall be turned over to the Project Manager upon completion of the contract.

3. Clearing

- 3.1. The Contractor shall cut and remove, or grind all trees, down timber, stubs, brush, and bushes from all areas designated.

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- 3.1.1. Unless otherwise specified by the Project Manager all clearing shall be level with the existing ground.
- 3.1.2. Typically clearing will be right-of-way line to right-of-way line. Easements will be added by directive and paid for at the unit price bid.
- 3.1.3. Fell trees toward the center of the area to be cleared, in order to minimize damage to the trees that are to be left standing. Remove and dispose of trees unavoidably falling outside the specified limits. Avoid felling trees into the roadway.
- 3.2. All roads, paths, driveways, private land, yards, and waterways shall be free of operation wood residue such as brush, wood, large sections of tree trunks, large limbs, wood chips, and other such products produced or generated by this operation. Disposal of said residue shall be the sole responsibility of the Contractor and at approved locations. All severed limbs and branches (hangers) shall be removed. All disposal costs shall be included in the price submitted on the bid.
- 3.3. The Contractor shall follow the Migratory Bird Treaty Act (MBTA).
 - 3.3.1. Requirements can be found here: <https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>
- 3.4. Do not disturb wetlands.
- 3.5. No trash, containers, or other non-wood residue shall be deposited and left on the project site.

4. Stump Removal

- 4.1. Excavate stumps and dispose of them by grinding in place or other approved method.
- 4.2. All areas where stumps have been removed and areas disturbed by the removal operation shall be backfilled level to the adjacent grade. This shall occur on the same day stumps are removed. The fill material shall be leveled appropriately and compacted to ensure a minimum settlement of the backfill material.
- 4.3. All roads, paths, driveways, private land, yards, and waterways shall be free of operation wood residue such as stumps, roots, wood, wood chips, and other such products produced or generated by this operation. Disposal of said residue shall be the sole responsibility of the Contractor and at approved locations. All disposal costs shall be included in the price submitted on the bid.

5. Erosion and Dust Control

- 5.1. Erosion controls must be used to prevent sediment from migrating off-site and adversely impacting adjacent waterways, wetland areas, or land. Erosion controls will consist of perimeter silt fencing, straw wattles, or other best management practices. In addition, a dust control plan shall be implemented as needed.
- 5.2. Erosion and dust control are considered subsidiary to clearing and shall be included in the cost submitted on the bid.

6. Traffic Maintenance

- 6.1. Protect and control traffic during the contract. Furnish, erect, maintain, replace, clean, move and remove the traffic control devices required to ensure the traveling public's safety. Perform all administrative responsibilities necessary to implement this work. Maintain all roadways and pedestrian and bicycle facilities affected by the work in a smooth and traversable condition. Construct and

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maintain approaches, crossings, intersections, and other necessary features throughout the project for the life of the contract.

- 6.2. Provide a Temporary Traffic Control Plan (TTCP) prior to starting work for review and approval, and as they change, for each type of setup anticipated. Each TTCP must provide sufficient detail to demonstrate compliance with the requirements of the MUTCD and Alaska Traffic Safety Manual.
- 6.3. Traffic Maintenance is considered subsidiary to clearing and shall be included in the cost submitted on the bid.

7. Payment

- 7.1. Payment for Surveying will be based on the actual number of hours to complete the task rounded to the nearest half-hour.
- 7.2. Payment for Clearing will be based on the surveyed acres to be cleared. Measurements will be rounded up or down to the nearest 0.1 acre. No payment will be made for more than the area on the approved survey report unless directed by the MSB Project Manager.
- 7.3. Payment for Stump Removal will be based on the surveyed acres where stumps are removed. Measurements will be rounded up or down to the nearest 0.1 acre. No payment will be made for more than the area on the approved survey report unless directed by the MSB Project Manager.
- 7.4. Payment will be made no later than 30 days after the MSB receives an invoice for services that have been approved by the MSB Project Manager.
- 7.5. The contract documents intend to include in the contract price the cost of all labor and materials, equipment, transportation, and all other expenses as may be necessary for the proper execution of the work.
- 7.6. Directives authorize work by the unit bid price or agreed price, limited by and paid with the Interim Work Authorization (IWA) contingency. The Project Manager or their designee can issue directives and issue IWA.
- 7.7. The Purchasing Officer must authorize all Change Orders.

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TASK ORDER #1

The MSB makes no assertion of the accuracy of the following, which is provided for informational purposes only. Compensation will only be made on the actual quantities measured per the contract. The unit price will not be adjusted if more or less quantity is needed to complete the work. Additional quantities will be paid for at the unit price bid.

Stump removal is calculated as $\pm 10\%$ of the estimated clearing acreage. Stump removal will be on an as-needed basis and paid for in addition to the clearing acreage.

CAD files will be provided prior to NTP.

Task Order #1 consists of clearing for nine (9) projects.

Project	Surveying (Hours)	Clearing (Acres)	Stump Removal (Acres)
Felton Street Extension	10	3.5	0.4
English Bay, Resolution & Katmai	17	2.6	0.3
Valley View, Spinnaker, Admiralty & Neptune	40	6.7	0.7
Viking, Arlie & Lost Valley	25	3.9	0.5
Captain Hook	38	4.0	0.4
Duke Dale & Paradise	24	4.0	0.5
Lombardo	12	1.0	0.3
Midway Streets	34	6.7	0.7
Big Rock	8	1.6	0.2

Completion Date: **June 1st, 2022**

ATTACHMENTS

Survey Control Sheets for Task #1

~ ADDITIONAL TASK ORDERS MAY BE ISSUED OF SIMILAR SIZE AND SCOPE TO BE COMPLETED AFTER TASK ORDER #1 ~

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