

**SUBJECT:** Reporting Manager Waivers of Formal Bidding Procedures in accordance with MSB 3.08.320(B) June 2022.

**AGENDA OF:** 19 July, 2022

**ASSEMBLY ACTION:**

Presented to the Assembly  
7-19-22 (BOM)

**MANAGER RECOMMENDATION:** For information only.

**APPROVED** <sup>for</sup> ~~BY~~ MICHAEL BROWN, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Purchasing Director	Ch	
	Finance Director	W	FOR CH
	Borough Attorney	JS	
	Borough Clerk	BOM for JKM	

**ATTACHMENT(S):** Manager Waivers (2pp)

**SUMMARY STATEMENT:** 3.08.320 provides the Manager the authority to waive in writing, some or all of the formal bidding procedures when there is not sufficient time to comply with the waived requirements, or the best interests of the borough shall be served by the waiver.

During the month of June, 2021, there were 2 waivers issued for the following:

**Waiver 1**

Waiver of formal bidding requirements (insufficient time) for the repair of a washout near the South Trunk Road Rail overpass. Total cost \$247,470.50.

**Waiver 2**

Waiver of formal bidding requirements (best interest/warranty) for installation of heat trace on the new Willow Library. Total cost \$99,678.17.



# MATANUSKA-SUSITNA BOROUGH

## Purchasing Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-8601 • Fax (907) 861-8617

[purchasing@matsugov.us](mailto:purchasing@matsugov.us)

[www.matsugov.us](http://www.matsugov.us)

### MEMORANDUM

Date: June 27, 2022

To: Michael Brown, Borough Manager

From: Rustin Krafft, Purchasing Director

Subject: Request for Waiver of Formal Bidding: Contract 22-162B Trunk Rail Road Overpass Washout Repair

On June 20, 2022 the Matanuska-Susitna Borough (MSB) issued an expedited solicitation requesting bids from known qualified contractors to repair the Trunk Rail Road Overpass washout. The washout occurred during a heavy rainfall on June 8<sup>th</sup>, 2022. The MSB contracted with Stantec Consulting services to provide specifications for the repair job. MSB project management has filed a department of environmental conservation water discharge complaint to document the incident.

Based on the information above, MSB Purchasing Division is requesting that the MSB 3.08.220 (B) code requirements of public notice and time for advertisement be waived in order to effectively remedy the property destruction of the overpass. To solicit a formal bid in compliance with MSB code & procurement would take 5-7 weeks to award. Currently the washout has stabilized, however future rain events pose a threat to public safety and property, a contract must be awarded without a 5-7 week delay (3.08.290). The Public Works Department, Project Management Division will be administering the contract.

MSB 3.08.220 (B) states: Public notice of the invitation for bids shall be published at least 14 calendar days before the last day on which bids shall be accepted. Notice shall also be posted at the borough's purchasing office.

MSB 3.08.320 states: The manager may waive, in writing, some or all of the formal bidding procedures of this chapter when there is not sufficient time to comply with the waived requirements, or the best interests of the borough shall be served by the waiver.

This action requires assembly notification. An information memorandum will be prepared and submitted to the assembly during the next available meeting. The Purchasing Division is requesting that the formal bidding procedures for contract 22-162B Trunk Rail Road Overpass Washout Repair contract be waived, as it is in the best interest of the Borough based on the information presented in this memo.

☒ APPROVE / ☐ DISAPPROVE

Michael Brown, Borough Manager

6/27/22

Date



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### MEMORANDUM

Date: June 27, 2022

To: Michael Brown, Borough Manager

From: Rustin Krafft, Purchasing Director *W Krafft*

Subject: Request for Waiver of Formal Bidding: Wasilla Library Heat Trace

On June 7, 2022 the Matanuska-Susitna Borough Assembly approved change order authority to complete heat trace work on the septic system and north eve of the newly constructed Willow Library.

The contract with Roger Hickel Contracting is set to expire on June 30, 2021 and the majority of the work, mainly the eve work is not included in the contract.

Completion of the septic heat trace and integration of the new eve heat trace has implication on the warranty and, if installed incorrectly, could void the warranty. To preserve the warranty, the use of Roger Hickel Contracting is recommended.

Total cost associated with this work (\$99,678.17) is in alignment with the previous authorization by the Assembly.

MSB 3.08.320 states: The manager may waive, in writing, some or all of the formal bidding procedures of this chapter when there is not sufficient time to comply with the waived requirements, or the best interests of the borough shall be served by the waiver.

This action requires assembly notification. An information memorandum will be prepared and submitted to the assembly during the next available meeting. The Purchasing Division is requesting that the formal bidding procedures for work indicated above be waived, as it is in the best interest of the Borough based on the information presented in this memo.

☒ APPROVE / ☐ DISAPPROVE

*MB*  
\_\_\_\_\_  
Michael Brown, Borough Manager

*6/27/22*  
\_\_\_\_\_  
Date