



City of Homer

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Public Works

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Memorandum 20-096

TO: Mayor Castner and City Council
THROUGH: Rick Abboud, Acting City Manager
FROM: Jan Keiser, PE, JD, Director of Public Works
DATE: June 24, 2020
SUBJECT: Emergency Declaration related to Woodard Creek Culverts

- I. **Issue:** One of the culverts at Woodard Creek, crossing Fairview Avenue has failed, causing a sinkhole in Fairview Avenue. We have made emergency repairs, but a permanent solution is needed. We are asking for an emergency ordinance to allow us to execute a sole source contract, which is, per HCC 3.16.060, an exemption to Homer's procurement code. City Attorney Michael Gatti advises us that the City must make a declaration of an emergency before an exemption to the City's procurement requirements can be made.

- II. **Statement of Facts:** On June 19, 2020, we noticed a small hole in Fairview Avenue over Woodward Creek. After investigating the situation, we observed the existing culvert was badly corroded and had separated at a seam, allowing gravel from the road bed to fall into the culvert, creating a sinkhole. We closed the road, dug out the sinkhole, and discovered a massive hole in the Fairview Avenue roadbed. The roadbed gravel had been falling into the culvert and filled it almost 30% full. The culvert metal had so badly corroded that it looked like Swiss cheese. We dug out the worse part of the culvert and replaced it but a long term solution is needed.

A few years ago, the City rehabilitated a portion of existing storm drain on Bunnell Avenue by using a process called "slip lining". This involves pulling an inert fiberglass sleeve into the existing storm drain pipe and activating this sleeve with either heat or ultraviolet light. The fiberglass conforms to the shape of the existing culvert pipe and sets up into a strong, smooth, and durable inner layer. The expected service life on a properly executed installation is 50 years. There was minimal disruption to the public because the road didn't have to be dug up – all the public saw was a truck at one end of the storm drain pushing the fiberglass sleeve into one storm drain manhole and a truck at the other end pulling the sleeve from another manhole.

At that time, there were two contractors that performed this work in the state of Alaska. We contacted these firms to ask if they were willing/able to slip line the Woodard Creek culverts. We discovered the company that did the work on Bunnell Avenue went out of business in March 2020. The only remaining contractor that performs this work is Frawner Corporation. We received a quote from Nicholas Hebnes, Project Manager, at Frawner, to perform the work for both culverts for the price of \$152,000. This quote had numerous exclusions – traffic control, permits, performance bonds and more. We reviewed the list of exclusions to identify the elements, we needed, as a government public works agency, and informed Frawner we could not accept some of their exclusions. We estimate the added costs, to cover specified exclusions, will add another 20% to the quote, thereby increasing the price to \$182,400. We propose that the City execute a sole source contract with Frawner Corporation in an amount not to exceed \$182,400.

Executing the contract with Frawner Corporation under these circumstances requires an exemption to HCC 3.16 Procurements. Per 1.08.040, the City Council may allow this exemption upon finding that an emergency exists.

We have addressed specific authorization to execute the sole source contract in a separate ordinance and memorandum.

- III. Action Recommended:** That the City Council declare that:
- a. The failure of the Woodard Creek Culverts under Fairview Avenue constitutes an emergency; and
 - b. An exception to Homer’s procurement code is authorized.