RESOLUTION 22-057

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
AWARDING A CONTRACT TO A FIRM TO BE DETERMINED IN AN
AMOUNT TO BE DISCLOSED FOR THE CONSTRUCTION OF THE
WEST FAIRVIEW AVENUE PATH AND REPLACEMENT OF FIRE
HYDRANTS AND AUTHORIZING THE CITY MANAGER TO
NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, Ordinance 22-25 appropriated funds to establish the Non-motorized
Transportation Opportunity Program and Resolution 22-053 authorized a task order to Bishop
Engineering, LLC to design the West Fairview Avenue Path as part of that program; and

WHEREAS, A residential subdivision is currently being constructed around the
alignment of the West Fairview Path; and

WHEREAS, Arno Construction is building the subdivision roads and utility lines and East
Road Services, Inc. is the contractor with which the City has an IDIQ contract to provide services
that are very similar to the services required for the path; and

WHEREAS, HCC 3.16.060 allows an exception to the competitive bidding requirements
for “construction completion services”. HCC 3.16.060(f). The build-out of the W. Fairview Ave.
path constitutes “construction completion services” because the subject path involves the
expansion of an on-going road construction project where the developer’s contractor is
already engaged in the process of building a road and installing water/sewer utilities; and

WHEREAS, HCC 3.16.110 allows the City is authorized to “procure supplies, services or
construction by competitive sealed proposals” if the “City Manager determines that use of
competitive sealed bidding is not practicable.” HCC 3.16.110(a). In the subject case, the City’s
competitive sealed bidding process was not practicable because, as mentioned above, the
window of opportunity to take advantage of the on-going road construction project is short-
lived. If we followed the traditional competitive sealed bidding process, this opportunity
would be lost; and

WHEREAS, Fire hydrant replacement included in the project is subject to an allocation
of funds from the Water Capital Asset Repair and Maintenance Allowance (CARMA) Fund by
ordinance, and execution of the contract is contingent on adoption of Ordinance 22-36.
WHEREAS, Public Works submitted the design to Arno Construction and East Road Services, Inc. and ______ was the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby awards the contract for the West Fairvelw Path and replacement of fire hydrants to ______ in the amount of _______ and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council on this 27th day of June, 2022.

CITY OF HOMER

______________________________
KEN CASTNER, MAYOR

ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Ord 22-25 $_______ and Ord _____ Water CARMA $