



CITY OF NORTH POLE
Regular Meeting January 2, 2018
North Pole Council Chambers
125 Snowman Lane, North Pole, Alaska
www.northpolealaska.com

Tuesday, January 2, 2018
Violations Committee Meeting: 5:30 p.m. – 6:30 p.m.
Committee of the Whole: 6:30 p.m.
Regular City Council Meeting – 7:00 p.m.

MAYOR

Bryce Ward – Borough Rep
888-4444

CITY CLERK

Judy Binkley
488-8583

COUNCIL MEMBERS

Avery Thompson – Mayor Pro Tem	388-5351
David Skippis – Deputy Mayor Pro Tem	750-5106
Aino Welch – Alt Dep Mayor Pro Tem	488-5834
Santa Claus	388-3836
Doug Isaacson	322-3133
Sharon Hedding	488-9075

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance to the US Flag**
- 3. Invocation**
- 4. Approval of the Agenda**
- 5. Approval of the Minutes**
- 6. Communications from the Mayor**
 - a. Proclamation – Martin Luther King Jr. Day**
- 7. Council Member Questions of the Mayor**

8. Communications from Department Heads, Borough Representative and the City Clerk

9. Ongoing Projects Report

10. Citizens Comments (Limited to Five (5) minutes per Citizen)

11. Old Business

- a. Ordinance 17-28, An Ordinance of the City of North Pole, Alaska to Amend Title 2, Administration and Personnel Chapter 36 Personnel System, Section 110 and 190 Regarding the City Hiring and Promotion Process.

12. New Business

- a. Request to Accept Recommended Proposal to Construct the North Pole Water System Expansion.
- b. Request to Accept Bettisworth North's Proposal for the Redesign of City Hall and the Police Department.

13. Council Comments

14. Adjournment

The City of North Pole will provide an interpreter at City Council meetings for hearing impaired individuals. The City does require at least 48 hours' notice to arrange for this service. All such requests are subject to the availability of an interpreter. All City Council meetings are recorded on CD. These CD's are available for listening or duplication at the City Clerk's Office during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. or can be purchased for \$10.00 per CD. The City Clerk's Office is located in City Hall, 125 Snowman Lane, North Pole, Alaska.



**Committee of the Whole – 6:30 P.M.
Regular City Council Meeting – 7:00 P.M.**

A regular meeting of the North Pole City Council was held on Monday, December 18, 2017 in the Council Chambers of City Hall, 125 Snowman Lane, North Pole, Alaska.

CALL TO ORDER/ROLL CALL

Mayor Ward called the regular City Council meeting of Monday, December 18, 2017 to order at 7:04 p.m.

There were present:

Avery Thompson – *Mayor Pro Tem*
David Skipps – *Deputy Mayor Pro Tem*
Aino Welch – *Alt Dep Mayor Pro Tem*
Santa Claus
Doug Isaacson
Sharon Hedding

Absent/Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Mayor Ward

INVOCATION

Invocation was given by Mayor Ward

APPROVAL OF AGENDA

Mr. Thompson *moved to approve the agenda of December 18, 2017*

Seconded by Mr. Claus

DISCUSSION

None

Mr. Thompson *moved to consent the following items:*

Old Business:

None

New Business:

- b.** Approval Request to Purchase In-Car Video and Body Cameras.

- d. Resolution 17-23, A Resolution Establishing the 2018 Capital Project Priority for the City of North Pole.

Seconded by Mr. Skipps

Discussion

None

On the amendment

PASSED

Yes: 7 – Skipps, Hedding, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

On the Agenda as amended

Discussion

None

PASSED

Yes: 7 – Skipps, Hedding, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

APPROVAL OF MINUTES

Mr. Thompson moved to approve the Minutes of December 4, 2017

Seconded by Ms. Welch

Discussion

None

PASSED

Yes: 7 – Skipps, Hedding, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

COMMUNICATIONS FROM THE MAYOR

- Reading of the Bill of Rights
- Introduction of the 2018 King & Queen of North Pole – Jeff and Brenda Howe

- Bruce Hanson Day Proclamation

Mr. Thompson *moved to suspend the rules for 15 minutes for a community reception.*

Seconded by Mr. Claus

- The Community Rezone is moving ahead for the Badger Road core commercial area. I am meeting with the Borough next month to address individual property owner concerns. We are anticipating this to go to the Assembly and Planning Commission in early spring. The Santa Claus House was also asked if it wanted to rezone their property as part of the rezone since they are going through a replat of their property.
- Thank you to everyone that participated in the 12 Days of Christmas North Pole. We have had a lot of positive comments and everyone has been happy to see our town and people.
- Explore Fairbanks had their annual board meeting at Hotel North Pole this month and I was honored to give a welcome to our City. Winter tourism continues to see an increase as newer markets gain access to Alaska.
- I am participating with Chief Coon in a multiple day value analysis workshop on the 12 Mile overpass safety project. It is anticipated that after this meeting, there will be a recognized design and direction for this much needed safety improvement.
- FNSB Sustainability Committee is looking for a North Pole liaison so if anyone is interested let me know.
- Merry Christmas and Happy New Year!

COUNCIL MEMBER QUESTIONS OF THE MAYOR

None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Fire Dept., Chief Coon

- We are working with the contractor for the boiler controls repairs and thanks to the Council for those funds.
- Continuing on our LED change out of our apparatus bay lights. Hopefully will be able to complete this project in 2018 with existing building maintenance monies. We will then start changing out the Fire Department annex lights.
- I will be participating in the meetings with DOT for the overpass near 12 Mile.
- Christmas caroling is underway with the squad. It will run through Christmas evening.
 - **Mr. Isaacson** commented about the Christmas music and how great it is.
- The position closed on the Lt. position and we have made an offer. The new Lt. is awaiting results from the Fire Department physical.
- We will begin testing for an Engineer this week.

- We had 8 applications for each position. We are happy with the number of applicants, especially because neither is an entry level position.
- We would like to make the Council aware of the SCBA grant with a \$30,000 match. I am working with the Mayor and CFO for an end of year budget transfer to pay the match.
- Congratulations to the Howes on King and Queen. This is the first time in almost 27 years that my good friend and retired Fire Chief Lane has not been my supervisor.

Police Dept., Chief Dutra

- I was in Anchorage for training recently and the training topics included QBQ, Personal Accountability, Serial Killer profiles with Phil Chomers who heeded a warning of men vs. women, APSC, AACOP, FBI NAA meetings, and trauma treatment.
- We will be doing an ALICE presentation for Council at our next meeting.
- Regarding the citizen complaint from last meeting, we investigated this and the claims were unfounded. I understand the individual wrote an apology but there is still an enormous amount of time and effort put into investigating complaints (2-40 hours).
- Thank you to Council for passing the budget for the Police Department.
- City Clerk and I are currently working on recruitment for both our vacant positions.
- Statistical data is before you – there are some levels of concern and others are typical anomalies. DUI is an item of concern.
 - **Ms. Welch** asked if the DUIs referred to under the influence of “anything”. Chief Dutra replied that yes, the DUI statistics cover all drugs and alcohol.
- Officer Meyer is closing in on the finish line for FTO.
- APSC funding is going to be reduced so academy costs will increase.
- Memorial Park
 - The cameras are going in slowly and should be finished by the end of January.
 - The flags are coming along slowly.

Finance, Tricia Fogarty

- Last week, the Mayor and I had our initial meeting with KSH in preparation for the annual audit. It was a positive meeting and the audit should go well.
- Last week the Mayor and the department heads viewed a demo for an electronic time-keeping program with Caselle. If we end up using this, I think this will be a time-saver and will work well.
- Summarized financials are on the dais for you and full financials were emailed to you this evening.

Director of City Services, Bill Butler

Building Department

- No new permits issued.

Public Works

- Depending upon snowfall over the next several days, there may be a city-wide plowing.

- Performed a partial plowing over a week ago on NPHS Boulevard, 5th and 8th Avenues to clear accumulated snow.
- Due to heavy traffic, these are often the roads in the worst conditions.

Utility Department

- Sulfolane settlement
 - Review of proposals for the construction contractor for the North Pole Water System Expansion Project was completed last week.
 - Recommendation to the City Council for a preferred contractor will be presented at the January 2, 2018 meeting.
- There is a water main break near the intersection of 5th Avenue and the Old Richardson Highway.
 - Terrible location – gas line, fiber optic, water mains, power poles.
 - Utility staff is planning how to approach this complex repair.
 - Plowing snow to dam water to prevent it from flooding 5th Avenue while we mobilize for the repair.
- Advertisement for the Utility hire will appear in the News Miner beginning December 19th.

Natural Gas Utility Board

- IGU Board agreed to purchase Pentex from AIDEA.
- Final closing is expected to occur in early spring after IGU completes remaining due diligence.

Borough Representative

None

City Clerk's Office, Judy Binkley

- Reminder to sign up for the 2018 Borough Assembly meetings.
- Social Media Policy – Mayor Ward and I have been working on reviewing and updating policies. We recently took a look at the City's existing Social Media Policy, made a minor adjustment, and are working on implementing it.
- 2018 AML Winter Session is February 20-22 in Juneau. Let me know if you are interested in attending and I will make arrangements.
- CONP Website – I'm working on updating some of the content, especially for the Council meetings. I encourage to take a look at the website and look at those changes. You will want to go to the "Inside City Hall" tab and then click on "Agendas and Minutes."
- I would like to wish everyone a Merry Christmas and a Happy New Year!

ONGOING PROJECTS

None

CITIZENS COMMENTS – (Limited to Five (5) minutes per Citizen)

- **Thomas McGhee**, 1152 North Star Dr: Mr. McGhee spoke as a resident and wanted Council to understand that during the last meeting when the budget was discussed, the public walked away with the perception that he mill rate was increased to give one department a new employee and another department a “shot in the arm.” He stated the fleet fund problem still isn’t fixed. The Fire Department has the most expensive fleet so how is that need going to be met? Mr. McGhee told Council they need to look forward and figure out how to raise the fleet fund in a sustainable fashion. He added that Public Works needs to be supported as well because their vehicles get the most wear and tear. So instead of looking at a one-time “shot in the arm” there needs to be more long-term planning. He also stated that the Police Department is well with their fleet fund, but their fleet is cheaper than Public Works and the Fire Department. Mr. McGhee thanked Mr. Claus for his festive attire this evening. He congratulated Mayor Ward for filing his letter of intent to run for Borough Mayor. Mr. McGhee stated that he also filed a letter of intent to run for North Pole Mayor. He thanked the Fire Department for continuing with the caroling and acknowledged the City Clerk’s efforts on the website. Mr. McGhee stated that he thinks the dais needs to be centered better as the name tags are difficult to read.

OLD BUSINESS

None

Public Comment

None

NEW BUSINESS

ORDINANCE 17-28, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND TITLE 2, ADMINISTRATION AND PERSONNEL CHAPTER 36 PERSONNEL SYSTEM, SECTION 110 AND 190 REGARDING THE CITY HIRING AND PROMOTION PROCESS.

Mayor Ward introduced the ordinance.

Public Comment

- **Steve Dutra**, 125 Snowman Lane: Mr. Dutra stated that this proposed change is so that the City can hire the most qualified individual for any position. He stated that he’s getting ready to start the hiring process for a Lt and that is a position where you really

need a very qualified individual. He stated that this proposed change also sets the bar for current employees.

- **Geoff Coon**, 110 Lewis St: Mr. Coon stated that he came up so that if Council had any questions, he would be available to answer them. He stated that he supports this because he wants a way to streamline the hiring process and make sure that the City is recruiting the best candidate. He stated that this is a clean-up measure in the code. He also stated that if there were candidates that were equally qualified for a position, he would hire the candidate who is a current employee.
 - **Mr. Isaacson** asked how we got to interpreting this section of code where we put the position out to the employees first and then the public. Mr. Coon answered that he thinks every department interpreted it a little differently but this issue would periodically come up but by making this change, it would make the code more clear.
 - **Mr. Isaacson** asked if we made the changes as proposed, would there be words providing hiring preference for current employees all other things being equal or is that something that needs to be added as an amendment. Mr. Coon replied that he would need to see that in writing and maybe discuss it at the next meeting.
 - **Mr. Thompson** asked that by taking away preference to employees, are we taking away an employee's preference to stay with the City? Mr. Coon replied that there is small pool of employees so the code change is to make it so that he is not held hostage and make sure that the best qualified candidate is who is hired.
 - **Ms. Welch** asked how it can be put in the code that preference will be given to employees if everything else merit based is equal. Mr. Coon replied that the department heads would need to sit down and take a look at the ordinance and work together to work on clearer language.
- **Kevin Haywood**, 110 Lewis St: Mr. Haywood stated that he has spoken with Mr. Coon and that he agrees that all things being equal between candidates, preference will be given to employees. He stated that it's a good idea to get this down in writing so that it's clear. This will keep things easier and streamlined during the hiring process.
 - **Mr. Thompson** asked for clarification on if Mr. Haywood supports the change overall but wants to make sure that it's clear preference will be given to an employee, all other things equal. Mr. Haywood replied that is correct.
- **Thomas McGhee**, 1152 North Star Dr: Mr. McGhee stated he supports the Mayor and the department heads. He stated the ordinance is good as it is written and no changes are needed. One of the benefits the City offers is reimbursed education and this is an opportunity for employees to advance. Mr. McGhee stated that they code currently reads if there is no current employee who is qualified for the promotion, it will then be opened to the public. This proposed change allows the City to streamline the hiring process. He encouraged support for the Mayor and department heads.

Mr. Thompson moved to introduce and advance Ordinance 17-28, An Ordinance of the City of North Pole, Alaska to Amend Title 2, Administration and Personnel Chapter 36

Personnel System, Section 110 and 190 Regarding the City Hiring and Promotion Process.

Seconded by Ms. Welch

Discussion

- **Mr. Isaacson** stated he appreciates that the hiring/promotion process needs to be streamlined. He stated he didn't know when it was construed to mean the City has to have 2 postings for a job opening. However he stated he's not for abandoning the idea that we don't include the terms of employee preference.
- **Mayor Ward** stated that he would work on amendments for the Council meeting that reflects the comments tonight and get the attorney's blessing.

PASSED

Yes: 7 – Skippis, Hedding, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

RESOLUTION 17-22, A RESOLUTION ESTABLISHING CITY OF NORTH POLE LEGISLATIVE PRIORITIES FOR THE 30TH LEGISLATURE 2018 REGULAR SESSION.

Mayor Ward introduced the resolution.

Public Comment

None

Mr. Thompson *moved to* introduce and adopt Resolution 17-22, A Resolution Establishing City of North Pole Legislative Priorities for the 30th Legislature 2018 Regular Session.

Seconded by Ms. Welch

Discussion

Mr. Isaacson *moved to* amend Resolution 17-22 by adding after "revenue", Line 14, "and the diversification of the non-government induced gross state product in Alaska."

Seconded by Mr. Thompson

- **Mr. Isaacson** explained his amendment because while diversification is discussed, it's not always acted upon.
- **Mr. Claus** stated he likes what Mr. Isaacson has stated. He stated that he would like to encourage the state to look at alternative energy.
- **Mr. Isaacson** replied to Mr. Claus' comment by stating maybe additional language can

be added to Priority 4.

- **Mr. Claus** agreed that may be a good place to insert wording regarding alternative and renewable energy.
- **Mr. Isaacson** suggested the wording “including funding of alternative and renewable grants.”
- **Mayor Ward** questioned whether Priority 2 would be a better place to address the issue.
- **Mr. Claus** asked if this should be postponed to the next meeting or if Council could continue to address it this evening.

Mr. Thompson *moved to suspend the rules for 10 minutes so that another amendment to Resolution 17-22 may be drafted.*

Seconded *by Mr. Claus*

- **Mr. Claus** stated he supported the resolution and amendment as is.
- **Mayor Ward** asked if any Council members would like to co-sponsor the resolution. Mr. Thompson, Mr. Isaacson, and Ms. Welch all indicated they would co-sponsor.

On the amendment

PASSED

Yes: 7 – Skipps, Hedding, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

Discussion on the motion as amended

None

On the motion as amended

PASSED

Yes: 7 – Skipps, Hedding, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

EXECUTIVE SESSION

- a. To discuss personnel issues regarding the Director of City Services.
- b. To discuss personnel issues regarding the Police Department.

Mr. Thompson *moved to adjourn into Executive Session to discuss the personnel issues regarding the Director of City Services and to discuss the personnel issues regarding the Police Department.*

Seconded by Mr. Skipps

Council went into Executive Session at 9:05 p.m.

Mayor Ward brought the meeting back to order at 9:35 p.m.

Mr. Skipps moved to support the Mayor in his decisions regarding the Director of City Services and the Police Department.

Seconded by Mr. Thompson.

PASSED

Yes: 7 – Skipps, Hedding, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

COUNCIL COMMENTS

Ms. Hedding – Merry Christmas and have a safe holiday. We will see you in the New Year.

Mr. Skipps – Merry Christmas and drive safe. And don't call DOT if the roads are too bad!

Ms. Welch – Shared a story about Mr. Hanson on this special "Bruce Hanson Day."

Mr. Isaacson – It's right to recognize Mr. Hanson. Wanted to mention the friends of the North Pole Library and encourage to support them. Don't forget about the North Pole Police Department's "House Check" program. Merry Christmas and Happy New Years.

Mr. Claus – May each of you have a lifetime filled with happiness, peace, good health, prosperity, and most of all love, which is the greatest gift. Merry Christmas.

Mayor Ward – Merry Christmas and Happy New Year. This is a special time for our City. Tonight was a special evening where we got to recognize Mr. Hanson and I hope it's a tradition we can continue with in the future. See you all next year.

Mr. Isaacson moved to adjourn the meeting at 9:42 p.m.

Seconded by Ms. Welch

The regular meeting of Monday, December 18, 2017 adjourned at 9:43 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Tuesday, January 2, 2018.

Bryce J. Ward, Mayor

ATTEST:

Judy Binkley, North Pole City Clerk

Office of the Mayor
City of North Pole

Proclamation

Proclamation Recognizing Martin Luther King Jr. Day

Whereas: the Rev. Dr. Martin Luther King Jr., was born on January 15, 1929, and dedicated his life to promoting peace, freedom, equality and justice for all through non-violent means; and

Whereas: federal and state legislation has recognized the legacy of the Rev. Dr. King as one of America's outstanding civil rights leaders by designating the third Monday of January as a federal holiday; and

Whereas: on August 28, 1963, the Rev. Dr. King delivered a historic speech at the Lincoln Memorial which called for an end to racism in the United States, saying "Let us not wallow in the valley of despair, I say to you today, my friends. And so even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal'"; and

Whereas: the Rev. Dr. King also said in his speech, "And this will be the day – this will be the day when all of God's children will be able to sing with new meaning: My country 'tis of thee, sweet land of liberty, of thee I sing"; and


Whereas: the campaign for a federal holiday in honor of the Rev. Dr. King began soon after his assassination in 1968 and President Ronald Reagan signed the holiday into law in 1983, subsequently first observed three years later.

Now, therefore I, Bryce J. Ward, Mayor of the City of North Pole, do hereby recognize January 15, 2018, as Martin Luther King Jr. Day and honor all the accomplishments and sacrifices of those fighting for equality.



Bryce J. Ward, Mayor

ATTEST:



Judy L. Binkley
North Pole City Clerk



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CITY OF NORTH POLE

ORDINANCE 17-28

**AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND
TITLE 2, ADMINISTRATION AND PERSONNEL CHAPTER 36 PERSONNEL
SYSTEM, SECTION 110 AND 190 REGARDING THE CITY HIRING AND
PROMOTION PROCESS**

WHEREAS, changes to the practices, regulations and policies is a continually changing requirement; and

WHEREAS, the City desires to hire the most qualified person for a position; and

WHEREAS, City employees are given equal opportunity for advancement and promotion; and,

WHEREAS, job opportunities shall be advertised and employees shall be notified of all job openings; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Title 2 Administration and personnel, Chapter 36 Personnel systems is amended in the North Pole Code of Ordinances as by inserting the text underlined, and removing the lines that have been ~~stricken~~:

2.36.110 Hiring policy.

A. The City's hiring policy is based upon the following criteria: The City of North Pole is an equal opportunity employer and will not discriminate in the hiring process on the basis of sex, religion, race, color, age, disability, marital or veteran status, or national origin. Complete records of this process will be kept. ~~Hiring preference will be granted to current employees and volunteers/reserves of the City for any vacancy as per the job description.~~

B. The City will always try to hire the best qualified applicant. All Positions ~~for which the City~~ will be advertised and will be posted for all current employees to see. Files of applicants will be maintained by the City Clerk. These files will be reviewed when seeking new employees.

C. The City will conduct its employee selection policies and procedures so as to achieve the best possible match between applicants for jobs and open positions. In no way will any City employee or department head exert personal or professional prejudice against any applicant because of sex, color, race, religion, age, disability, marital or veteran status, or national origin.

D. Applicants who falsify their job applications or who furnish misleading information are subject to immediate termination at the time that the fraud is uncovered.

36 E. The City is committed, by policy and preference, to afford all individuals who have the
37 necessary qualifications an equal opportunity to compete for employment and advancement
38 within the City. To assure equal opportunity, the Chief Executive shall formulate and implement
39 procedures to ensure that there shall be no illegal discriminatory treatment concerning any
40 individual or group because of race, religion, marital status, changes in marital status, disability,
41 pregnancy or parenthood:

42 1. The applicant's level of education relative to the written requirements of the position
43 vacancy;

44 2. The results of an oral interview conducted by a City supervisor who has been delegated the
45 authority to hire, or delegated the authority to effectively recommend hiring action;

46 3. If applicable, the results of a uniform examination or demonstration test, which meets the
47 criteria of applicable equal opportunity employment regulations and statutes.

48 F. The City is an at-will employer. Employment is at will for an indefinite period of time,
49 unless terminated by either the City or the employee, with or without cause. That means either
50 party may end the relationship. (Ord. 04-05 § 2, 2004; Ord. 00-07 § 2, 2000; Ord. 99-23 § 2,
51 1999; Ord. 98-12 § 2, 1998)

52 **2.36.190 Employee promotions.**

53 A. Concurrent with recruitment action, department heads will survey the immediate workforce
54 for possible promotion potential. ~~Preference shall be given to current employees to fill vacancies.~~
55 No employee will be promoted unless they fulfill the specified minimum job requirements of the
56 vacant position. ~~If there are no qualified employees currently with the City, the promotion will~~
57 ~~be filled externally.~~

58 B. Department head appointments are political appointments and are not subject to the same
59 criteria as regular promotions. The Chief Executive shall promote current employees to the
60 position of department head only when the employee is qualified and is in the best interest of the
61 department.

62 C. The City will ensure promotions encompass the same equal employment opportunity
63 philosophy as the hiring, discipline and all other decision-making processes. No individual will
64 be denied a promotion because of a personal characteristic not related to the effective
65 performance of the position in question.

66 D. All opportunities will be publicized.

67 E. The City will use objective, job-related criteria to make selections, apply the same standards
68 to everyone, and will not raise or lower them for individual employees. The general personnel
69 file will be reviewed as part of the promotion process.

70 F. If there are two or more employees whose qualifications are similar, seniority will be part of
71 the selection decision.

72 G. An employee promoted will be elevated to the appropriate pay line, and paid at the rate that
73 is the next higher pay rate indicated on that line that is higher than the currently received rate of
74 pay. (Ord. 04-05 § 2, 2004; Ord. 98-12 § 2, 1998)

75 **Section 3.** Effective date.

76 This ordinance shall become effective upon passage.

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78 **PASSED AND APPROVED** by a duly constituted quorum of the North Pole City Council this
79 18th of December, 2017.

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Bryce J. Ward, Mayor

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86 ATTEST:

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Judy L. Binkley, North Pole City Clerk

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PASSED/FAILED Yes: No: Absent:

125 Snowman Lane
North Pole, Alaska 99705
(907) 488-8593
(907) 488-3002 (fax)
bill.butler@northpolealaska.org

City of North Pole
Director of City Services

Memo

To: North Pole City Council
From: Bill Butler
Date: December 26, 2017
Subject: Recommendation to accept Exclusive Paving's Proposal to construct the North Pole Water System Expansion

Recommendation

Accept Exclusive Paving's \$52,125,606.95 proposal to construct the North Pole Water System Expansion.

Background

The settlement Agreement signed in February 2017 between the City of North Pole, State of Alaska and Flint Hills Resources (FHR) included a provision to extend the City's water utility services to properties affected by sulfolane groundwater contamination and a buffer zone. The agreement was for up to \$100 million to construct the water system expansion and associated costs. In February 2017, the parties to the settlement agreed that Stantec, a multi-national engineering and consulting firm that has engineered several projects within the City, should begin engineering the proposed water system expansion. To expedite the engineering, FHR agreed to manage the engineering contract.

A project team was formed with representatives from the three settlement parties to provide guidance and direction to the engineer throughout the design process. The goal from the outset was to complete engineering so that construction of the water system expansion could begin in 2018. The project collectively decided that a proposal versus a low-bid approach was the preferred option to identify a construction contractor. Using a request for proposals (RFP) enabled the parties to consider factors in addition to cost when selecting the construction contractor. (See attached selection criteria.) The project team released a RFP on October 23 and proposals were due on December 5. Five firms submitted proposals. The RFP required the submitters to provide their cost proposals in a separate sealed envelope. At the time of proposal opening, the cost proposals were separated from the proposal narratives. The cost proposals were sent to independent reviewers at FHR and Stantec to check the cost proposals for conformity and to check the proposers' "math".

The proposal review team included representatives from the parties to the settlement. These individuals independently reviewed and scored the proposal narratives based upon the proposal criteria in the RFP. The review team met on December 12 to discuss their independent reviews and complete final scoring of the proposals. Once the proposal narratives were scored, the review team

was provided with the cost proposals. The method to score the cost proposals provided in the RFP was applied to the proposers' construction cost proposals and these scores were then combined with the narrative proposal scores for the final scores for each proposal. These scores are contained in the attached RFP Evaluation Score Summary. On December 13, the project team asked the two highest scoring proposers to participate in interviews. The project team also asked the proposers to provide additional information that was considered during the final review conducted on December 14. The highest scoring proposer of the four finalists, Exclusive Paving, was not the lowest cost proposer. The State of Alaska and Flint Hills Resources both approve Exclusive Paving the construction contractor for the Water System Expansion. (See attached concurrence emails.)

PROPOSAL SUMMARY

Proposer agrees to perform all of the construction work described in the Contract Documents including the specifications, special provisions, and work shown on the plans for the prices agreed to through the Proposal process and in accordance with the attached Proposal.

The Proposer understands that the Owner reserves the right to reject any or all proposals and to waive any informality in the Proposal process. A contract award shall be made on the basis of the Proposal with the highest ranking. The Owner reserves the right to accept or reject the Proposal received subject to the availability of funds, which is deemed solely by the Owner.

GUARANTEE: The Undersigned further agrees that the certified check or bond accompanying the proposal is left in escrow with the Owner, that the amount of the check or bond is the measure of damages which the Owner will sustain by failure of the Undersigned to deliver said documents within 10 days after written notice of the award of contract to him or her, and that check shall become the property of the Owner or the bond shall remain in full effect should he or she so fail to deliver all required documents and execute the Agreement. But if this proposal is not accepted within 60 days of the date set for the opening thereof, or if accepted and the Undersigned delivers said agreement and performance and labor and material payment bonds as required; the check shall be returned to the Proposer and the bond shall become void.

PROPOSAL CRITERIA

1. Contractor Firm Qualifications
 - a. Describe the firm's ownership, history, and experience of the firm. How long has the firm been in business? How long has the firm been established in Alaska? Where the firm's main office is located and are there any ancillary offices?
 - b. Describe the firm's overall capacity and resources to perform the work within the timeframe identified. Identify subcontractor's or teaming partners. Identify any distinct and substantive qualifications for undertaking the proposed contract that sets your firm apart from others. Include information as to the firm's current bonding capacity and what percentage is currently committed. Include a list of current backlog work (contracts), with who that work is contracted with, and the magnitude (remaining contract amount) and remaining schedule for that work.
2. Past Performance/Relevant Project Experience
 - a. Demonstrate that the firm has the relevant experience to perform the services required of this project.
 - b. Describe up to three (3) similar and relevant large industrial and/or public projects that have been completed in the last 10 years.
 - Include projects that were performed in extreme weather and in arctic conditions similar to the interior of Alaska or on the North Slope.

- Provide a physical description, project dates, project team members involved, and total contract value.
 - Discuss the similarities and relevance of the listed projects.
 - Include an Owner and Designer reference for each project including contact name(s), and current telephone number(s) and/or email addresses.
- c. Provide a record of the firm's schedule/budget performance over the past five years. Highlight the projects that have been completed in Alaska and of similar order of magnitude as this project.
3. Project Approach/Management Plan
- a. Provide a work plan demonstrating your technical approach to this project.
- Include how staffing will be conducted; include a manpower loaded schedule that also projects a rate (percentage based) of cash flow over the project's life span. Include materials procurement.
 - Include a list of subcontractors and estimated percentage of the work they will perform and what their specialty is if any.
 - Forecast how much of the work is anticipated to be self-performed?
 - Provide an overview of a plan for use of local labor; identify if there are any labor challenges locally.
 - Identify proposed staging areas and/or equipment storage and materials lay down areas.
- b. How will communications be handled with the Owner and/or Owner's representative, and Design Project Manager? Provide your companies approach and program for quality control.
- c. Discuss what you see to be the primary challenges of this project and your approach to meeting those challenges.
- d. Describe the firm's ability to:
- Minimize change orders;
 - Assess and minimize risks;
 - Mitigate cost impacts associated with the distance between the project location and major suppliers and/or metropolitan areas of the state.
- e. Provide an organizational chart indicating roles and lines of authority.
- f. State what specific needs or expectations does the Proposer require from the Owner.
4. Safety Record
- a. Briefly describe your firm's philosophy and approach to safety.

- b. Provide your current Workman's Compensation Insurance Multiplier which will be scored accordingly:

[The intent is to provide a table of insurance multiplier scores that are point related, the higher the multiplier the less likely points are awarded.]

5. Claims History

- a. *Claims and Lawsuits* – If the answer to any of the questions below is yes, please attach details.
- Has the firm failed to complete any work awarded to it in the last ten (10) years?
 - Are there any judgments, claims, arbitration proceedings, or suits pending or outstanding against your organization or its officers?
 - Has the firm failed any law suits or requested arbitration with regard to construction contracts within the last ten years?
 - Within the last ten (10) years, has any officer or principal of the firm ever been an officer or principal of another organization when it failed to complete a construction?

6. References

References listed in Criteria 2 above will be contacted to confirm your company's record of conforming to contract requirements, schedules, cost control, forecasting, change orders, quality of workmanship, and reasonable behavior and commitment to customer satisfaction.

7. Bonding

A bonding requirement is included in this proposal; detail what the firm's bonding capacity is and to what extent is that capacity committed.

8. Added Value to the Project

Provide as an opportunity to increase your firm's success of an award, information as to what your firm brings to this project that is uniqueness and that separates it from all other proposers above and beyond those criteria items stated. On time completion of project is of importance; consider proposal(s) for incentivizing early work completion and how such an incentive(s) should be compensated.

Not responding to this criteria does not negate or subtract from any of the other criteria narrated herein.

9. Proposal Cost Schedule (submitted separately in sealed envelope)

This section requires the Proposer provide a price for the Work on the included Proposal Cost Schedules A through E. Proposer, in a format of their choice, shall also provide a monthly cash flow projection for the entire duration of the

project based on the total price of work reflected in the proposal cost schedules A through E.

Cost proposals will be opened after other criteria are scored. The Cost Proposal will then be given a point value as follows: The Proposer with the lowest cost will be awarded 100% of the available points. Points awarded to the other respondents shall be based on this proportional formula:

$$\frac{\text{Lowest Price Proposal}}{\text{Respondent's Price Proposal}} \times \text{Available Points} = \text{Respondent's Score}$$

This section carries 40% of the total possible points that the Proposer can be awarded. The points received for the cost proposal will be added to the points of the other sections for a total score.

B. - Rating System:

Each rating criteria will be assigned points for rating. The following is an example based on the foregoing as to how maximum of points for each criteria are assigned.

<u>Rating Criteria</u>	<u>Maximum Points</u>
1. Contractor Firm Qualifications	10 points
2. Past Performance/Relevant Project Experience	10 points
3. Project Approach/Management Plan	20 points
4. Safety Record	5 points
5. Claims History	5 points
6. References	5 points
7. Bonding	5 points
8. Added Value (Added Bonus 10 Points)	
<u>Cost:</u>	
9. Proposal Cost	40 points
Total Points Available	100 points*

(* Maximum total points with available bonus points from the Added Value criteria can total 110.)

With regards to the Rating Criteria for Proposal Cost Schedules, the lowest cost received will be awarded the maximum available points; then the 2nd lowest cost is awarded a fraction of the points by dividing the lowest cost by that 2nd lowest proposer's cost and multiplying the result against the maximum points allowed. Then this is done similarly so for the 3rd lowest proposer, and so forth.

2018 WATER SYSTEM EXPANSION PROJECT
City of North Pole, AK
RFP Evaluation Score Summary

FIRM	QUALIFICATION SCORE (70 possible points X 4 reviewers)	Cost Proposal	Cost Points	COST SCORE (40 possible points X 4 Reviewers)	TOTAL SCORE	RANK
Peak Oilfield Services and Alaska Directional	-	\$ 41,589,415.39	-	-	-	-
Davis Construction	189	\$ 50,054,229.00	40.00	160	349	4
HC Contractors	215	\$ 52,993,108.00	37.78	151	366	2
Great Northwest and ASRC	237	\$ 63,062,862.00	31.75	127	364	3
Exclusive Paving	222	\$ 52,125,606.95	38.41	154	376	1
Engineers Estimate		\$ 59,798,777.34				
	Peak Oilfield services proposal found to be nonconforming. Did not submit required subcontractor qualification data. Did not conform to RFP instructions. Materials reviewed did not demonstrate potable water experience or adequate understanding of project requirements. Previous work experience not applicable for the scope of project.					

From: Mulder, Steven E (LAW)
To: [Bill Butler](#)
Cc: [Arnold, Tim](#); [Poage, Douglas W \(DEC\)](#); [Smith, David \(FHR\)](#); [Dean.Syta@stantec.com](#); [Zane Wilson \(zane@alaskalaw.com\)](#); [Stiles, Ryan P. \(Ryan.Stiles@fhr.com\)](#); [Kory Parkhurst \(Koch Legal\) \(Kory.Parkhurst@kochps.com\)](#)
Subject: Contractor Proposals
Date: Wednesday, December 20, 2017 4:19:53 PM

Bill,

The State management team has reviewed the Selection Committee's recommendation of the proposal submitted by Exclusive Paving.

The State agrees with the recommendation and approves of the City awarding the contract to Exclusive Paving.

Steven E. Mulder
Chief Assistant Attorney General
State of Alaska
Dept. of Law
Environmental Section
1031 W. 4th Avenue, Suite 200
Anchorage, AK 99501
(907) 269-6011 direct
steve.mulder@alaska.gov

From: Arnold, Tim
To: [Bill Butler](#); doug.poage@alaska.gov
Cc: [Smith, David \(FHR\)](#); Dean.Syta@stantec.com
Subject: Contractor Proposals
Date: Tuesday, December 19, 2017 6:08:02 PM

Bill,

The Selection Committee's recommendation of the proposal submitted by Exclusive Paving has been reviewed by FHR management.

They have agreed with the recommendation, and approve of moving forward following our established plan, and awarding the contract.

If you have any questions, please let me know.

Thank You

Tim

Tim Arnold

Project Manager

GW Operations Supervisor

Flint Hills Resources, Ak

1100 H & H Lane

North Pole, AK 99705

Office: 907.488.1878

Fax: 907.488.5152

Cell: 907.347.0063

125 Snowman Lane
North Pole, Alaska 99705
(907) 488-8593
(907) 488-3002 (fax)
bill.butler@northpolealaska.org

City of North Pole
Director of City Services

Memo

To: North Pole City Council
From: Bill Butler
Date: December 27, 2017
Subject: Recommendation to accept Bettisworth North's Proposal for the redesign of City Hall and Police Department

Recommendation

Accept Bettisworth North's Proposal to generate a bid-ready design and specifications package for the redesign of City Hall and the Police Department for \$292,813.

Background

The City received a legislative award in 2014 for \$300,000 for the redesign of City Hall and the Police Department. The City hired Design Alaska to assist the City to develop a request for proposals to solicit proposals from design firms. The City released the RFP in August 2017. The solicitation generated a single proposal and that proposal exceeded the remaining grant funds. There was considerable interest in the RFP with 20 firms on the Plan Holders' List. I determined that a re-release of the RFP would not be productive.

The City scheduled a meeting with the single proposal submitter, Bettisworth North, to discuss their proposal and their cost estimate. Bettisworth tried to reduce their project budget to fit within the funds available to the City. At a second meeting, Bettisworth discussed the options to reduce costs. The primary area for the greatest potential to reduce costs was work to be performed by subcontractors, but to remove these services added risk to the project. These services were related to assessment of hazardous materials and geotechnical services. Internal discussions between the Mayor, Police Chief and myself weighed proceeding with the project and finding additional resources or halting the project and returning the grant funds to the state. Chief Dutra volunteered to transfer \$10,000 from the Justice Fund and \$5,000 from the Impound Lot Fund and the City Council authorized transferring \$10,000 from the General Fund totaling \$25,000 of supplemental funding. With the \$269,200 balance of grant funds and the additional \$25,000, there are sufficient funds to fully fund Bettisworth's proposed budget of \$292,813.

Attached is a Bettisworth's project schedule and budget summary.

RECEIVED

DEC 12 2017

CITY OF NORTH POLE

BETTISWORTH^{NORTH}
ARCHITECTURE PLANNING LANDSCAPE INTERIORS

December 12, 2017

Bill Butler
Director of City Services
City of North Pole
125 Snowman Lane
North Pole, AK 99705

SUBJECT: North Pole City Hall/Police Department Redesign - Design Services Proposal

Dear Bill:

The attached Draft Fee Proposal responds to your request for professional design services for the City Hall / Police Department Redesign and reflects direction provided during our meetings of September 15, 2017 and November 8, 2017.

As discussed during those meetings, we reduced our Scope of Work with the goal to stay within your design budget. After reviewing the professional services required to provide "Shovel Ready" Construction Bid Documents, it was determined that the project would require increasing the original design services budget of \$269,000 by \$25,000, and that design fees would total no more than \$294,000. I understand that the City Council has heard a budget amendment request to provide the additional \$25,000. We are hopeful that you will provide a Notice to Proceed (NTP) with our design work this month.

Major savings were identified by moving forward with the Concept Design provided in our RFP Response, rather than performing workshops to develop a new design. We agreed this was appropriate as the City previously vetted the design included in North Pole's Request for Proposal issued July 28, 2017.

212 FRONT STREET FAIRBANKS, ALASKA 99701
PHONE >> (907) 456-5780 FAX >> (907) 451-8522

2600 DENALI STREET SUITE 710 ANCHORAGE, ALASKA 99503
PHONE >> (907) 561-5780 FAX >> (907) 562-5780

WWW.BETTISWORTHNORTH.COM



Our Concept Design provided in RFP Response dated September 5, 2017, will be developed into 65% Design Development documents, with only minor changes to the floor plan, exterior elevations and lobby space interior aesthetics. During a Kickoff meeting with stakeholders, currently expected in January 2018, the design team will review the design parameters, project schedule and set expectations for the project.

DESIGN SERVICES

- Investigative Services – Survey, Hazmat.
 - Survey the site to facilitate the design.
 - Hazardous Material Identification:
 - Provide visual analysis and specific sampling of suspect materials in area of Work.
 - Full building assessment is not included.
 - Provide a written report detailing hazardous materials found.
 - Geotechnical report of subsurface explorations, laboratory-testing program and design analysis.
- 65% Design Development (DD) –
 - Civil, Landscape, Architectural, Interiors, Structural, Mechanical, Electrical Design.
 - Concept Design previously provided will be developed, with only minor changes to the floor plan, exterior elevations and lobby space interior aesthetics.
 - Kick-Off Meeting with stakeholders to outline design parameters and project schedule.
 - Review archival documents.
 - Site review (“as-builting”) to confirm existing conditions.
 - Design Work presumes the building’s existing utility services including water, sewer and power are sufficiently sized for the proposed Work.
 - Site design will avoid any impact to possible adjacent wetlands.
 - Police Station Garage: Scope of Work is limited to potentially replacing exterior siding and incidental repair of interior finishes.
 - Provide 65% DD Drawings, Specifications and Cost Estimate.
 - 65% DD Review Meeting with stakeholders.
- 95% Construction Documents (CD) –
 - Civil, Landscape, Architectural, Interiors, Structural, Mechanical, Electrical Design.
 - Provide 95% CD Drawings, Specifications and Cost Estimate.
 - 95% CD Review Meeting with stakeholders.
- Final Construction Documents –
 - Civil, Landscape, Architectural, Interiors, Structural, Mechanical, Electrical Design.
 - Provide signed Construction Documents (Drawings, Specifications).

For the above services, our Draft Lump Sum Services Fee Proposal for

○ 65% Design Development Documents =	\$129,070
○ Additional Services =	\$21,579
○ 95% Construction Documents =	\$108,667.
○ Final Construction Documents =	\$33,497.
TOTAL =	\$292,813.

DELIVERABLES

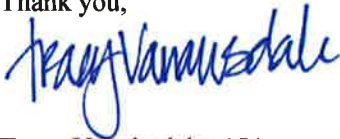
- 65% Design Development Documents: Drawings 22" x 34", and Specifications 8.5" x 11" as PDF.
- 65% Design Development Cost Estimate, 8.5" x 11" as PDF.
- 95% Construction Documents: Drawings 22" x 34", and Specifications 8.5" x 11" as PDF.
- 95% Construction Documents Cost Estimate, 8.5" x 11" as PDF.
- Final Construction Documents: Drawings 22" x 34", and Specifications 8.5" x 11" as PDF.
- Final Construction Documents Cost Estimate, 8.5" x 11" as PDF.
- *Hard copies of Drawing, Specifications and Cost Estimate printed by Owner.*

DRAFT PROJECT SCHEDULE

- Notice to Proceed – December 2017
- Begin Design Development – January 3, 2017
- 65% Design Development Documents – March 7, 2018
- 65% DD Review Meeting – March 21, 2018
- 95% Construction Documents – May 2, 2018
- 95% CD Review Meeting – May 16, 2018
- Final Construction Documents – June 6, 2018

Please contact me if you have any questions or comments, or would like to discuss this draft fee proposal.

Thank you,



Tracy Vanairsdale, AIA
Principal

Attachment:
Fee Proposal Summary Worksheets

Bettisworth North Architects and Planners
Professional Services Fee Proposal
Date: December 12, 2017

Owner: City of North Pole
Project: North Pole City Hall and Police Department Redesign
Design Development - Final Construction Documents

Professional Services Summary						
	Bettisworth North Architects and Planners			Subconsultants	Markups	Totals by Phase
	Investigative Services	Design Services	Bidding and Construction Services	Consultants Fees		
65% Design Development		\$73,794		\$52,634	\$2,642	\$129,070
Additional Services		\$1,126		\$19,492	\$961	\$21,579
95% Construction Documents		\$53,328		\$52,685	\$2,654	\$108,667
Final Construction Documents		\$15,500		\$17,130	\$867	\$33,497
Sub Total Design Fee		\$143,748		\$141,941	\$7,124	\$292,813
Bidding Services			\$0	\$0	\$0	\$0
Construction Services			\$0	\$0	\$0	\$0
Subtotal Bidding, Construction Services, and Post Construction			\$0	\$0	\$0	\$0
Professional Services Fees and Direct Costs						
BNAP						\$143,748
Subconsultants						\$141,941
Total Markups						\$7,124
BNAP Markup Applied to Direct Expenses		10.00%				
BNAP Markup Applied to Sub Direct Labor		5.00%				
Total Fees and mark ups						\$292,813

SUMMARY 12/12/2017