

Introduced: 1/10/78  
Referred: State Affairs  
and Finance

1 IN THE SENATE

BY KERTTULA AND HUBER

2 CS SENATE BILL NO. 387

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the construction and maintenance of  
7 highways; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 19.10.210 is amended by adding new subsections to read:

10 (b) In evaluating the responsibility of a prospective contractor,  
11 the department shall determine that the contractor

12 (1) has adequate financial resources, or the ability to ob-  
13 tain those resources as required during the performance of the contract;

14 (2) can comply with the required performance schedule, taking  
15 into consideration all existing business commitments, commercial as well  
16 as governmental;

17 (3) has a satisfactory record of performance; contractors who  
18 are or have been seriously deficient in current or recent contract  
19 performance, when the number of contracts and the extent of deficiency  
20 of each are considered, in the absence of evidence to the contrary or  
21 circumstances properly beyond the control of the contractor, shall be  
22 presumed to be unable to meet this requirement; past unsatisfactory  
23 performance will ordinarily be sufficient to justify a finding of non-  
24 responsibility; and

25 (4) has a satisfactory record of integrity and business  
26 ethics.

27 (c) The department shall adopt regulations establishing special  
28 standards of responsibility to be applicable to the extreme climatic  
29 conditions experienced in Alaska. The standards developed under this

1 subsection shall require the existence of expertise or specialized  
2 facilities and equipment needed by a contractor for adequate contract  
3 performance when extreme conditions may affect the performance of the  
4 contract.

5 (d) The department shall, before January 1 of each even-numbered  
6 year, publish a list of all contracts awarded during the preceding two  
7 years. The list shall contain a rating of the performance of each  
8 contractor or subcontractor performing the contracts. A copy of the  
9 contractor responsibility list shall be provided to each legislator  
10 elected from a district in which a contract on the list was performed.

11 \* Sec. 2. AS 19.15 is amended by adding a new section to read:

12 Sec. 19.15.015. EMERGENCY ROAD RECONSTRUCTION FUND CREATED. There  
13 is created an emergency road reconstruction fund which may not exceed  
14 \$20,000,000. The fund shall be administered by the commissioner for the  
15 purpose of insuring that adequate funds are available to respond to the  
16 occurrence or imminent threat of widespread or severe damage to the  
17 highways in the state resulting from any natural or nonmilitary man-made  
18 cause including, but not limited to, fire, flood, earthquake, landslide,  
19 mudslide, avalanche, wind-driven water, weather condition, tsunami,  
20 volcanic activity, or explosion.

21 \* Sec. 3. Under authority granted in AS 19.10.120, the Department of  
22 Transportation and Public Facilities shall conduct a test project to deter-  
23 mine the life cycle cost of highway construction, including maintenance cost,  
24 when specialized road construction technology for northern climates is used  
25 compared to the cost of conventional construction methods including mainte-  
26 nance. The project shall continue for a period not to exceed 10 years. The  
27 department shall submit a biannual report to the legislature of the results  
28 of the project. The report shall be submitted before January 1 of each even-  
29 numbered year.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

\* Sec. 4. This Act takes effect July 1, 1978.

#