

H B

190

Alaska State Legislature

House of Representatives



Rep. Bette Cato, Chairman

Committee on Transportation

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

LETTER OF INTENT TO ACCOMPANY House Bill 190

It is the intent of the House Transportation Committee that a special appropriation be made to the cities of Newhalen and Nondalton for road construction between Illiamna and Nondalton as a special grant to the Department of Transportation and Public Facilities.

The House Transportation Committee requests the Department of Transportation and Public Facilities to work cooperatively with the cities of Newhalen and Nondalton and to manage and administer this project pursuant to AS 35.15.80.

The House Transportation Committee amendment to House Bill 190 is done with the intent that the Department of Transportation and Public Facilities will work cooperatively with these communities to ensure this project is completed on the existing time frame and will not be delayed.

COMMITTEE REPORT

HOUSE

FINANCE

FURTHER:

2/11/83

Date: 2-17-83

Mr. Speaker:

The Committee on TRANSPORTATION has had HB 190

An Act making a special appropriation for payment as a grant to the cities of Nondalton and Newhalen for road construction; and providing for an effective date.

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 190 (TRSP) same title
 new title
- and recommends do pass
- AND attaches a "letter of Intent" New Fiscal Note
 Zero Fiscal Note Attached
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]

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CHAIRMAN

Introduced: 2/11/83
Referred: Transportation
and Finance

Funding Information

General Fund \$9,000,000
Other Funds -0-
\$9,000,000

1 IN THE HOUSE

BY HERRMANN

2

HOUSE BILL NO. 190

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act making a special appropriation for payment as

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~~a grant to the cities of Nondalton and Newhalen~~ for

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road construction; and providing for an effective

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date."

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

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* Section 1. The sum of \$9,000,000 is appropriated from the general

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fund for payment ~~as a grant to the cities of Nondalton and Newhalen~~ for

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road construction between Illiamna and Nondalton. = 26 miles

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* Sec. 2. The appropriation made by this Act shall be disbursed in

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accordance with AS 37.05.315 - 37.05.319. and A.S. 37.15.08(b)(c)

16

* Sec. 3. This Act takes effect July 1, 1983.

Newhalen to Yukon River (c)

Judge Hornaday not alone in Alaskan peremptory challenges

District Court James Hornaday is apparently not the only judge in the state who is regularly bumped off the bench by attorneys looking for another judge.

Five other jurists share that distinction, court records reveal: Juneau District Court Judge Gerald Williams, Fairbanks District Court Judge Stephen R. Cline, Anchorage Superior Court Judge Karl Johnstone, Juneau Superior Court Judge Roger Pegues, and Wrangell Superior Court Judge Henry Keene.

Mr. Hornaday has been disqualified from hearing 80 percent of the criminal cases

brought before him — which are only about eight percent of his total workload, according to his own records. According to an Associated Press report, Messrs. Cline, Williams, and Johnstone are removed from about half of the criminal cases assigned to them, and Mr. Johnstone is bumped from more civil cases than all Anchorage Superior Court judges combined.

Disqualification of judges is made easy by a state law which allows attorneys to remove a judge by peremptory challenge, or without giving a reason. This can only be done once by either side in any case. But it can be done case, after case, after case.

These challenges not only disrupt the court system, said Court Administrator Art Snowden, it adds about \$30,000 a year to court expenses.

When a judge is bumped another judge must be assigned to hear the case. That is a fairly simple matter in large courts such as Anchorage.

But it can be an administrative nightmare when it happens in single judge locations such as Homer. Judges must be shipped back and forth, delaying trials and increasing the cost of justice.

To solve the dilemma, some people have suggested that peremptory challenges be barred. Rep. Milo Fritz (R-Anchor Point) has co-sponsored a bill which would repeal the law which allows this type of disqualification.

That bill is now before the House Judiciary Committee.

HB 190 *from Mandelton*
Don Anderson will
be testifying.

Resource people are:
Wassie Balluta
James Wilson
Jerry Armstrong
Norman Tacko
Gregory Anelon

112 c.

COMMITTEE TAPE LOG 1983 (1)

committee: TRANSPORTATION

date 2-15-83 to _____

bill numbers: HB 190 | HB 68 | | | |

other information: Phillips, Wacker, Herrmann, Abood, Szymanski, Davis, Miller, CATO

Date/Time	Tape Meter No.	Bill	Significant Information (Witness, Action)
8:35 0002			CALL TO ORDER
	0023	HB 190	Rep. Herrmann sponsor - support self-det. + 3 vill. working together
	0040		James Wilson, Mayor Nandalton - "self-det" alt. money from r funds as much as possible. Rd in pt. to 3 vill. - fuel, elec. - help causes to become self-sufficient.
	0062	Phillips	
	0070	Wilson	Elec. line w/pro supporting rd to support. to work w/line Rd in to support elec. line
		0083	'84 line taken away from BTA ft. away by BLM. Rd has been
		0098	funded twice - not a new concept.
		0107	Don Anderson, Exec Dir Native Corp. major portions of testi. on rd '76 & working w/ly to accomp econ. indep. 3 things outlined p. 1 of document 1 st - res. dev. & utilization - done res. assessment u v - req. #1 hydro elec. B. Bay

COMMITTEE TAPE LOG 1983

tape no. _____

committee: _____ date _____ to _____

bill numbers:

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other information: (2)

Date/Time	Tape Meter No.	Bill	Significant Information (Witness, Action)
		0150	<p>downstream - implem. of. to. park plan</p> <p>could increase & had system to move peo. around; brush water fish; timber; would allow trophy fishing 2) Elec + energy dist system. Since '79 funded over 3% / 50% state 50% long term loans thru state - revolving loan program. Got a parts to be ene. self suff. On transp. - transp from Anch to Neukalen... no road to tie comm; no barge system;</p>
		0177	<p>Rd. ready to go to bid & already completed bid - ctr. In surveys, etc. Items Road effects:</p> <ul style="list-style-type: none"> - HK Clark Park Reserve (pg. 3) - Coast. poly... maint. co. - transp. of goods + labor pool - Maint. cost for elec. 1 - provide equip base -
		0191	
		0271	
		0278	<p>1971 H. of Waxig from BLM; 84 converts back to BLM if...</p>

PAGE 3 - handwritten ⁰²⁷⁹ ~~0277~~

COMMITTEE TAPE LOG 1983

tape no. _____

committee: _____ date _____ to _____

bill numbers: [] [] [] [] [] [] [] [] [] []

other information: (3)

Date/Time	Tape Meter No.	Bill	Significant Information (Witness, Action)
		0292	Phillips - DOT/PF not for me admn. - situation request
		0301	Andi - talked w/DOT - system
		0308	rural area CAP admn. - (new 2 u --- req. unless -1 cap.) handling funds over to vill. Already det 7 - surveying. DOT \$300,000 done for \$232,000. Excellent agency + provide asst. - true value \$. Mgt. + disposition of funds more ef.
		0334	Locker - covered in manpower? yes
		0338	Qualify for fed funds? Can't answer
		0342	How - per. use? 24. month 785 - 3 communities
		0347	Neesh - 2 nd Nend - 2 nd ell - Non-org. - Not a base at this time

COMMITTEE TAPE LOG 1983

tape no. _____

committee: _____

date _____ to _____

bill numbers: [] [] [] [] [] [] [] [] [] []

other information: (4)

Date/Time	Tape Meter No.	Bill	Significant Information (Witness, Action)
	0359		Mayor Wilson
	0384		Discussion of taxes - major values of property w/ tax discussing leg. project - notes w/ mill levy
	0399		Anderson - figures
	0403		Anderson - In '74 no. passed by 69% of values nondalton subm. to Rep. Miles Act. of J - was funded w/ 7 sig.
	0417		Road. Harris served to Bethel to Bethel
	0429	Wilson	Signed by Gov (approp.) & then in 1976 re-assigned to Bethel. '76-'77.
	0440	Cato	App. - re-approp.
	0443	Abood	Nondalton - new taxes connected Alliance Airport (4mi comp. 11mi existing)
	0464	Abood	Wildlife concern?
	0472		W. Ballada - hasn't disturbed the wildlife on west 11mi + don't feel add'l 13mi effects Bethel

TAPE LOG

1983

committee: _____

date _____ to _____

bill numbers: [] [] [] [] [] [] [] [] [] []

other information: (5)

Date/Time	Tape Meter No.	Bill	Significant Information (Witness, Action)
	0492	CATO	Explanation of asset
	0504	Anderson	2 Budget layouts - 1982 \$p from DOT / 1/6. 7th. Fed max. requirements 9M is 83-84 from line subst. less than DOT but found can cut 20-25% by coordinating efforts of communities
	0531	Zucker	How expensive or stop? Cont. eng. consult - eng. work is done. Impact st. filed all drawings, etc. done, all closure & records to issued;
	0545	CATO Arch.	Ready to go to Fed & ready to go to work Must Spring ready - over 40% of equip. rec
	0556		Maintenance & day to day cost only charge to road
	0569	Arch.	
	0574	Wilson	
	0580	Davis	
	0643	Abood	Poly. manufacture?

TAPE LOG

1983

committee: _____

date _____ to _____

bill numbers: [] [] [] [] [] [] [] []

other information: (6)

Date/Time	Tape Meter No.	Bill	Significant Information (Witness, Action)
	0647	Anderson	Locate plot in Mandolton (Mr. Lee)
0683	0680	Wilson	Drums of stove oil \$135/50 gal. takes 200 gal. to heat home = \$100 fuel is forced to use wood; if rd. infrastructure + dock can cut fuel in half.
	0694	And. —	Dock facility working since '78 presently 87¢/gal =
	0705	Wilson	Big Mtn. project -
	0717		Jerry Armstrong, M. Dev. Corp., back support; also private businessmen rd. will benefit existing businesses
	0741		Gregory Kealer, Mayor of New Haven - under rd. grant
	0752		Sen. B. Ar. - can't add any more request comm. support.
	0776		Pis. aware of a mess. & will happen now or later
	0780	Symonst.	who owns most land?
	0783 - 0791		3 ^{major} ^{include oil & mineral} owners; 250 + 97 stock holders except stuff in Park - Fed. Reserve
	0792	CATO	
	0797	Symonst.	



NONDALTON NATIVE CORPORATION

DON ANDERSON
EXECUTIVE DIRECTOR

6/17/83

Rep. Cato,

Thank you for your support at both the
Committee & floor level.

Don



JEVAD, Inc.

600 Cordova
Anchorage, Alaska 99501
(907) 278-2578

JUN 20 1983

June 10, 1983

Executive Management Committee
Iliamna-Nondalton Inter-Tie
P.O. Box 159
Iliamna, Alaska 99606

Attn: Jerry Armstrong, President
Gregory Anelon, Jr., Vice-President
James Diamond Wilson, Secretary

Gentlemen:

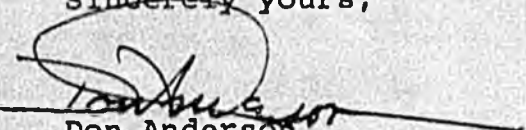
Ref: Month 1, Executive Summary Report

Attached for your review is the first month's summary of items on the Start-up Punchlist that have been accomplished to date. As outlined in the report's Budget and Schedule Status sections, it is vitally important that additional funds be secured for this project if you are to meet your commitments for these items.

While it is possible to continue work and maintain administrative continuity, with limited funds, on a project that is already mobilized and in progress, this is virtually impossible during the start-up phase. In our opinion, a minimum of \$1,500,000 is required to carry the project through to the next funding period, which you have indicated to be July, 1984. This lesser amount, compared to the initial target funding of \$4,500,000, would allow work to continue through the next legislative session by rescheduling portions of the work and by increasing manloading during the last half of the '84 construction season. The impact on schedule and budget would be minimal, however, you should anticipate a 2% to 3% decrease in the manhour ratio provided by local labor forces.

Your time and consideration concerning this matter is appreciated and if you have questions or need additional information, please do not hesitate to contact me.

Sincerely yours,


Don Anderson
Project Director

LTRS, ROAD1

ILIAMNA-NONDALTON INTER-TIE

Month 1, Executive Summary Report

Period: Start-up to June 10, 1983

Project Phase: 1

Work Completed This Period:

1. Nondalton and Newhalen City Councils met, and formed and appointed members to the Executive Management Committee (EMC). Members are the mayor from each city and the President of the Iliamna Development Corporation (DCRA non-profit) with the Vice-Mayor/President's to act as alternates and attend all meetings of EMC. Official project name: Iliamna-Nondalton Inter-Tie (INI²).
2. Executive Management Committee (EMC) met and selected officers, mainly: Jerry Armstrong, President; Gregory Anelon, Vice-President; James D. Wilson, Secretary. Alaska Mutual Bank chosen for project funds using money market and instant asset accounts. Checks require two (2) signatures, one of which, by policy, shall be that of the President, except in an emergency when any two (2) signatures shall suffice but so noted at the next EMC meeting. JEVAD, Inc. selected to provide project management services. Officers noted all known and possible "Conflict of Interest" situations and directed project director to develop plan to handle same.
3. Project equipment mobilization begun. Fourteen (14) local personnel on board. Equipment mobilization 92% completed.
4. Grant contract with DOT/PF finalized and signed. Phase 1 payment received. DOT/PF contract negotiations for bridge design and permits opened. Gulkana Bridge inspected. Portions of Lowe River Bridge located. Transportation price quotes received and evaluated.
5. Management Manual started and 80% completed. Administrative Manual started and 15% completed.

Work Anticipated Next Period:

1. Final determination of funding available for FY'83/84. Develop and implement construction season work plan and methodology. Identify baseline performances for frontier road. Inventory, transport and store bridges. Select project manager, on-site superintendent, project engineer. Establish on-site administrative controls.
2. Construction of maintenance facility. Locate acquire and transport needed camp facilities. Inventory equipment and parts. Select additional equipment needs.

Project Status With Respect To Budget:

Based on effective work load ratios requirements, (overhead/production) it is anticipated that current funds will be exhausted by October, 1983, necessitating project "shutdown." This will result in additional project "re-start" cost of approximately \$268,000 for 1984 construction season and increase total project costs by \$1,608,000. (\$1,340,000 inflation cost due to schedule impacting shown below and \$268,000 "re-start" costs.) Currently the project is proceeding within existing budget.

Project Status With Respect To Schedule:

Project is proceeding on the most cost effective schedule available considering current funding. Failure to receive additional funds prior to October, 1983 will result in shutdown. Based on additional funds being available in July, 1984, it is anticipated that 65% of the '84 construction season will be lost with a corresponding schedule completion impact of 1 year.

Exceptions:

1. Lowe River Bridge, originally shown to be in DOT/PF's Valdez Storage yard has been moved to Chitna. Bridge structural members have received considerable abuse and portions of the structural members have been used for other projects. Structural inventory is scheduled for June 20th with DOT/PF engineers and some redesign and remake of structural pieces is anticipated to make this unit functional.
2. Permitting process originally intended to be contracted with DOT/PF Bridge Design group in Juneau has been reassigned to Anchorage office.
3. Exceptionally strong, coordinated, single-point interface has been developed with DOT/PF.

Permit Status:

To date no final permits have been applied for, however it is the intent that original approvals will be resubmitted within 120 days for review, comment and updated approvals.

Bill

and (2) the original obligation date is not more than two years from the requested date of disbursement. (§ 1 ch 113 SLA 1962)

Sec. 37.25.020. Unexpended balances of appropriation for capital projects. An appropriation made for a capital project is valid for the life of the project and the unexpended balance shall be carried forward to subsequent fiscal years. Between July 1 and August 31 of each fiscal year, a statement supporting the amount of the unexpended balance required to complete the projects for which the initial appropriation was made and the amount that may be lapsed shall be recorded with the Department of Administration. (§ 2 ch 113 SLA 1962)

Chapter 30. Local Government Bonding.

Article

- 1. Anticipatory Borrowing (Repealed)
- 2. Restrictions on Sale of Bonds and Bond Anticipation Notes (§ 37.30.100)

Article 1. Anticipatory Borrowing.

Section

10-90. [Repealed]

Secs. 37.30.010 — 37.30.090.
Repealed by § 1 ch 118 SLA 1972.

Editor's note. — The repealed article derived from § 1, ch. 117, SLA 1964; § 1, ch. 189, SLA 1970.

Article 2. Restrictions on Sale of Bonds and Bond Anticipation Notes.

Section

100. Prohibited bidding on bonds

Sec. 37.30.100. Prohibited bidding on bonds. (a) No person who provides financial programming or marketing assistance to a political subdivision of the state, whether home rule or otherwise, in connection with the issuance or sale of general obligation bonds, revenue bonds or bond anticipation notes of the political subdivision may bid on the bonds or notes if offered at public sale, or negotiate for their purchase if sold at private sale.

(b) The sale of general obligation, revenue bonds or bond anticipation notes of a political subdivision to a person prohibited from bidding on, or negotiating for the sale of bonds or notes under (a) of this section is against public policy and the sale is void.

(c) In this section "person" means an individual, firm, agent, factor, intermediary, partnership, corporation, association, bond house, stockbroker or bond broker. (§ 2 ch 102 SLA 1974)

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*Originality
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Revisor's notes. — The reference to AS 14.09.010 in paragraph (4) was originally a reference to AS 14.10.070. Chapter 98, SLA 1966 revised Title 14 and the substance of AS 14.10.070 became AS 14.09.010.

NOTES TO DECISIONS

Notice requirements. — This section makes no requirement for notice by special delivery, registered or certified mail. State ex rel. Department of Administration v. Bowers Office Prods., Inc., Sup. Ct. Op. No. 2244 (File No. 4792), 621 P.2d 11 (1980).

Amendments to bid invitations. — Using regular mail to send an amendment to an invitation for bids is a proper procedure for notifying new bidders. State ex rel. Department of Administration v. Bowers Office Prods., Inc., Sup. Ct. Op. No. 2244 (File No. 4792), 621 P.2d 11 (1980).

Judicial review of agency actions of rejecting a bid for failing to return an

amendment should extend only to whether there was a reasonable basis for the agency to decide that the bid in question was nonresponsive. State ex rel. Department of Administration v. Bowers Office Prods., Inc., Sup. Ct. Op. No. 2244 (File No. 4792), 621 P.2d 11 (1980).

The department had a reasonable basis to determine that a defect in a bid was material and that the bid was nonresponsive when the bidder failed to acknowledge receipt of amendments. State ex rel. Department of Administration v. Bowers Office Prods., Inc. Sup. Ct. Op. No. 2244 (File No. 4792), 621 P.2d 11 (1980).

Article 5. General Provisions.

Section

315. State grants

Sec. 37.05.300. Interpretation of AS 37.05.010 - 37.05.330.

Opinions of attorney general. — As to applicability of the chapter to the University of Alaska, see notes under this catchline following chapter heading.

Sec. 37.05.315. State grants. (a) When an appropriation is made as a grant to a municipality, the Department of Administration shall promptly notify the municipality of the availability of the grant. When the Department of Administration receives an agreement executed by the municipality which provides that the municipality (1) will spend the grant for the purposes specified in the appropriation; (2) will allow, on request, an audit by the state of the uses made of the grant; and (3) assures that, to the extent consistent with the purpose of the appropriation, the facilities and services provided with the grant will be available for the use of the general public, the Department of Administration shall pay the grant directly to the municipality. The agreement executed by a municipality under this section shall be on a form furnished by the Department of Administration.

Not less than 20 percent of the grant shall be paid to the municipality within 10 days of the effective date of the agreement. The remainder of the grant shall be paid either in monthly installments equal to the amount of grant money the municipality expended in the previous month or in a lump sum as determined by the Department of Administration.

(b) An appropriation for a grant to a municipality for construction of a public facility lapses if substantial, ongoing work on the project has not begun within five years after the effective date of the appropriation.

(c) In accepting a grant of money for construction of a public facility, each municipality covenants with the state that it will operate and maintain the facility for its practical life and that it will not look to the state to operate or maintain the facility or pay for its operation or maintenance.

(d) When an appropriation is made to a department as a grant for a named recipient which is not a municipality, the department to which the appropriation is made shall promptly notify the named recipient of the availability of the grant and request the named recipient to submit a proposal to provide the goods or services, or both, for which the appropriation is made. At the same time, the department shall issue a request for proposals from other qualified persons to provide the same goods or services, or both, in the same area. The department shall contract with the named recipient unless the Office of the Governor, with due regard for any local expertise or experience among those making proposals, determines that an award of the contract to a different party would better serve the public interest. If the contract is awarded to another party than that named by the legislature, the basis of that action shall be stated in writing at the time the grant is issued. The purchase of the goods or services, or both, shall be in accordance with AS 37.05.230(1)(C).

(e) A grant to a municipality must be made within 60 days after the effective date of the appropriation. A contract under (d) of this section must be executed within 60 days after the effective date of the appropriation.

(f) A grant to an unincorporated community made under this section shall be disbursed as follows:

(1) Within 45 days after the effective date of the appropriation, the Department of Community and Regional Affairs shall notify the governing body of the unincorporated community, if any, that a grant is available.

(2) The Department of Community and Regional Affairs shall determine whether there is a qualified incorporated entity in the community area which will agree to receive the grant and administer it, subject to terms generally applicable to private grantees. If there is more than one such entity, the Department of Community and Regional Affairs shall select the most qualified and the grant shall be awarded to that incorporated entity for the purposes of the appropriation; however, the Department of Community and Regional Affairs shall give preference to a nonprofit corporation organized by a community for receipt of the grant.

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(3) If there is no incorporated entity qualified to receive the grant, the Department of Community and Regional Affairs shall administer the program directly or through agents or contractors with whom it may contract in the community area.

(g) Notwithstanding the Administrative Procedure Act (AS 44.62.010 — 44.62.650), the Fiscal Procedures Act (AS 37.05.010 — 37.05.330), and the Executive Budget Act (AS 37.07.010 — 37.07.130), a department may not adopt regulations or impose additional requirements or procedures to implement, interpret, make specific or otherwise carry out the provisions of this section unless required by the federal government for participation in federal programs. (§ 1 ch 156 SLA 1980)

Revisor's notes. — As enacted by ch. 156, SLA 1980, the last two sentences of subsection (a) and subsections (d), (e) and (f) were designated subsections (d), (e), (f) and (h), respectively, but were redesignated by the revisor of statutes pursuant to AS 01.05.031(b).

Chapter 07. Executive Budget Act.

Section

- 20. Responsibilities of the governor
- 60. Governor's recommendation
- 80. Program execution

NOTES TO DECISIONS

The University of Alaska is subject to the provisions of AS 37.07.010 -- 37.07.090. February 28, 1977, Op. Att'y Gen.

making the University of Alaska subject to the provisions contained in AS 37.05.010 -- 37.35.090. February 28, 1977, Op. Att'y Gen.

There is no constitutional obstacle to

Sec. 37.07.020. Responsibilities of the governor. (a) The governor shall prepare and submit to the legislature before the fourth legislative day a budget for the succeeding fiscal year which shall cover all estimated receipts, including all grants, loans, and money received from the federal government, and all proposed expenditures of the state government. The budget shall be accompanied by a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues.

(b) In addition to the budget and general appropriation bill, the governor shall submit a capital improvements program and financial plan covering the succeeding six fiscal years.

Without following the Administrative Procedure Act. — The department would not be required to follow the Administrative Procedure Act (AS 44.62) in adopting regulations to implement a program of prequalification of contractors. 1959 Op. Atty. Gen., No. 27.

Publication of regulations concerning bidding and letting of contracts in Administrative Code. — A policy of publishing regulations concerning bidding and letting of contracts in the Administrative Code is consistent with the Alaska Administrative Procedure Act, since these regulations are regulations in which an important portion of the public has a vital interest and since they are of great use to the portion of the public interested in dealing and contracting with the state. 1959 Op. Atty. Gen., No. 27.

Am. Jur. 2d, ALR and C.J.S. references. — 64 Am. Jur. 2d, Public Works and Contracts, §§ 63-81.

Delays caused by change in plan or specifications of a public construction contract as coming within "no damage" clause with respect to delay appearing in the contract, 10 ALR2d 810.

Differences in character or quality of materials, articles, or work as affecting

acceptance of bid for public contract, 27 ALR2d 917.

Right of public authorities to reject all bids for public work or contract, 31 ALR2d 469.

Rights and remedies of bidder for a public contract who has not entered into a contract, where bid was based on his own mistake of fact or that of his employee, 52 ALR2d 792.

"Changed conditions" clause in a public works or construction contract, construction and effect of, 85 ALR2d 211.

Effect of stipulation, in public building or construction contract, that alterations or extras must be ordered in writing, 1 ALR3d 1273.

Revocation, prior to execution of formal written contract, of vote or decision of public body awarding contract to bidder, 3 ALR3d 864.

The validity and construction of "no damage" clause with respect to delay in building or construction contract, 74 ALR3d 187.

Construction contract provision excusing delay caused by "severe weather", 85 ALR3d 1085.

72 C.J.S. Supplement, Public Contracts, §§ 15-17.

Sec. 35.15.060. Prior contracts unaffected [Obsolete].

Revisor's note. — This section is obsolete. It read as follows: "Sections 10-60 of this chapter do not apply to contracts entered into before April 1, 1957."

Editor's note. — The obsolete section derived from § 8 art. III title IV ch. 152 SLA 1957.

Letter of intent

Sec. 35.15.080. Local control of state public works projects. (a) A municipality or, if the public work is an educational facility, a regional educational attendance area established under AS 14.08 may, by resolution of its governing body, request the assumption of all of the department's responsibilities relating to the planning and construction of a public works project of the state which is to be located within the boundaries or operating area of the municipality or regional educational attendance area and which would otherwise be constructed in the manner provided in AS 35.15.010. After receipt of the request, the department

(1) shall provide for the assumption by the municipality or regional educational attendance area of all of the department's responsibilities relating to the planning, design and construction of an educational facility;

(2) may provide by agreement for transfer to and assumption by the municipality of the department's responsibilities relating to the

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planning, design, and construction of a public works project, unless the commissioner determines that assumption of responsibilities by the municipality is not practicable or not in the best interests of the state.

(b) If the commissioner of transportation and public facilities determines that assumption of responsibilities by a municipality under (a)(2) of this section is not practicable or not in the best interests of the state, he shall notify the governing body of the municipality of his finding and specify reasons for it. If the governing body requests reconsideration of the decision, he shall hold a hearing in the municipality within 30 days following mailing of the request. Following the hearing, he may affirm, modify or reverse his initial decision and shall specify in writing the reasons.

(c) A municipality may request joint assumption of responsibilities with the department relating to the planning, design and construction of a public works project. A regional educational attendance area may request joint assumption of responsibilities with the department relating to the planning, design and construction of an educational facility. Two or more municipalities or regional educational attendance areas may by mutual agreement provide for cooperative assumption of responsibilities relating to the planning and construction of a public works project. If two or more municipalities or regional educational attendance areas request assumption of responsibilities for a project and meet the standard of practicability set out in (a)(2) of this section, the commissioner shall determine which municipality or regional educational attendance area is best able to direct planning, design, and construction of the project and enter into an agreement with that municipality or regional educational attendance area, or provide for joint or cooperative administration, as the parties may agree or the commissioner may determine. Decisions of the commissioner under this subsection are final.

(d) Provisions of this title governing planning, design, and construction of public works by the department, and regulations adopted under the provisions, govern the administration of projects assumed by a municipality or regional educational attendance area under this section. For that purpose the provisions supersede any conflicting provisions of ordinance or charter of a municipality.

(e) An organized borough may plan and construct public works under this section and make an agreement with the department for that purpose irrespective of restrictions of other provisions of law on the acquisition and exercise of borough powers. Borough exercise of the power conferred under this subsection does not preclude exercise by a city of the borough of the same power within the city.

(f) To carry out the purpose of this section, the commissioner of transportation and public facilities shall adopt regulations relating to the application for and the making and the conditions of agreements and the local assumption of responsibilities for the planning, design

and construction of public works under this section. He shall include in grant contracts terms and conditions requiring a regional school board and its contractors to adhere to the provisions of AS 36.05.010 with respect to the payment of wage rates on construction projects, and AS 36.10.010 with respect to employment preference, and may require different terms in agreements for different projects to meet local conditions and unique requirements and to assure compliance with the public facilities procurement policies developed by the department under AS 35.10.160 — 35.10.200. If necessary, the commissioner may require as a condition of an agreement approval of the agreement by the federal government. Regulations adopted, amended or repealed by the department under this section which relate to educational facilities shall be developed in conjunction with the Alaska Association of School Boards and the Alaska Association of School Administrators and reviewed by those associations before final action on the regulations is taken by the department. (§ 1 ch 57 SLA 1976; am §§ 6, 7 ch 147 SLA 1978)

Effect of amendment. — The 1978 amendment, in subsection (a), inserted "all of" near the middle of the first sentence and in the second sentence, inserted the item (2) designation, added item (1), and inserted "transfer to and," deleted "or regional educational attendance area" following "assumption by the municipality" and "or area" following "of responsibilities by the municipalities," and substituted "a public works project" for "the public works project," all in item (2). The amendment also deleted the former third sentence of subsection (a), which read "The parties may by mutual agreement provide for joint or cooperative assumption of responsibilities by the department and the municipality or regional educational attendance area," and in the first sentence of subsection (b), substituted "commissioner of transportation and public facilities" for "commissioner of public

works" and "under (a)(2) of this section" for "or regional educational attendance area under this section" and deleted "or area" following "body of the municipality." In subsection (c), the amendment added the present first through third sentences, inserted "(a)(2) of" in the present fourth sentence, and substituted "municipality or regional educational attendance area" for "subdivision or area" in the present fourth sentence. In subsection (f), the amendment substituted "commissioner of transportation and public facilities" for "commissioner of public works" in the first sentence, inserted "for the planning, design and construction of public works" in the first sentence, inserted the language beginning "shall include in grant contracts" and ending "with respect to employment preference, and" in the second sentence, and added the fourth sentence.

Sec. 35.15.090. Use of appropriated funds. Upon assumption by a municipality or regional educational attendance area of the department's responsibilities under AS 35.15.080(a)(1), or upon execution of an agreement under AS 35.15.080(a)(2), state funds appropriated for a public works project which is the subject of the assumption or the agreement shall be transferred to a special account in the state treasury. A municipality or regional educational attendance area administering the project under the assumption or agreement may draw on the account for costs of the project, under fiscal control of the department. If an agreement provides for joint or

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STATE OF ALASKA
FISCAL NOTE

I. REQUEST

Bill/Resolution No.: HB 190
 Title: Newhalen/Nondalton Road
 Sponsor: Herrmann
 Requestor: Herrmann

II. FISCAL DETAIL

Agency Affected: DOT&PF
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL OPERATING			150.0	165.0	181.5	
CAPITAL		9,000.0	1,400.0			
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		9,000.0	1,550.0	165.0	181.5	
FEDERAL FUNDS		0.0	0.0			
OTHER (Specify Source)		0.0	0.0			

POSITIONS:

FULL TIME						
PART TIME						
TEMPORARY						

II. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

This information was not provided by the sponsor.

IV. ANALYSIS: Attach a separate page for any Analysis (attached)

Prepared by: William R. Snell, Director Phone: 266-1440
 Division: Planning & Programming Date: 4/27/83
 Approved by Commissioner: David W. Haugen Date: 4/28/83
 Department: Deputy Commissioner, Central Region

Distribution:

Original to Legislative Finance
 Copy to Office of Management and Budget (for Legislature introduced bills)
 Copy to Department (for Governor introduced bills)
 Copy to Sponsor
 Copy to Requestor (if different from Sponsor)

3/8/83

HB 190 Fiscal Note (cont'd)

IV. Analysis

- a. Assumption. This fiscal note assumes that there will be the same initial capital investment need for maintenance equipment and storage for the 14' road as for the 20' concept. Annual operating costs would also be similar.
- b. Project Analysis. This project is a priority of the communities of Newhalen and Nondalton. The project would possible increase the tourist trade which is the area's largest industry.

DOT&PF has been approached by community representatives about receiving \$1,000.0 to \$2,000.0 as a grant to construct a pioneer road and to move bridge materials to the crossing sites. Once the pioneer route is established, records of traffic could be kept. Upon reaching certain Average Daily Traffic levels, this project would become eligible for Federal Aid Highway funds. This option seemed very attractive to the local representatives. The pioneer road alternative would be an inexpensive means of providing the requested service. It would probably meet the needs of the communities for several years.

CITY OF NONDALTON

General Delivery

Nondalton, AK 99640

February 15, 1983

Representative Mike Szymanski
Pouch V
Juneau, AK 99811

Ref: NONDALTON/NEWHALEN ROAD PROJECT
Private Property Ownership

Dear Representative SYMANSKI:

Pursuant to your question concerning the status and ownership of land along the right-of-way that was granted to the State of Alaska for the Nondalton/Newhalen Road Project, we would like to offer the following information.

As outlined in the attached report from Robert Jenks, Land Manager, the vast majority of the property along the right-of-way of the road belongs to three parties. Mainly, Nondalton Native Corporation, Iliamna Natives Ltd, and the U.S. Park Service. There are approximately ten other private land holders with land directly on the right-of-way and we have also identified 13 other private landholders that would benefit through access to private inland holdings. Additionally, there are 37 families that hold small land parcels, less than five (5) acres, that would benefit directly from access provided by the road.

These would be the primary direct beneficiaries of any development. In reference to the benefits that would be derived by the local Village Corporations, you may be interested to note that their policy concerning participation in development is:

"It shall be the policy of the corporation to assist in the development of the region in the fields of energy distribution and transportation systems.

The corporation will provide assistance in financing, management and operations for major development projects which are too large to be handled by the local 'small' corporations and/or partnerships and/or sole proprietorships.

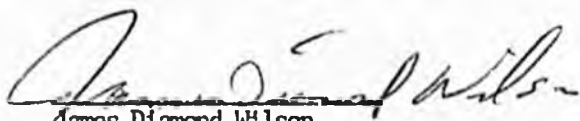
The corporation will not become involved, except in an advisory position, in the numerous small businesses that are common to an economically independent region. This policy is based on the philosophy that most private enterprises are more effective for these type of operations and that each individual should participate in the economy."

It may also be of interest to note that the IRS has concurred that lands held by village corporations, received through ANCSA legislation, are to be treated as "investment holdings." Thus any disposal of these lands, which is anticipated, does not result in "profits" to the corporations, but rather in the conversion of "long term hard assets" to "liquid assets." These will in turn be invested within the region and our ultimate resource, our people.

As a matter of record, Mr. Balluta would also like to clarify his position of this morning concerning the impact that the road would have on our people. Firstly, our surveys have shown that there is no one in our communities who want to be on welfare. As a people, we have been, in a first hand sense, economically independent for centuries. As a part of the cultural impact of the white civilization, we have to learn to adjust and change our direction and goals. Our past experience, in the construction of the electrical generation system, school projects, tanks, farms etc., has proven that our people are ready and willing to work and participate in this new life style as they were in the old "survival environment." With proper direction and leadership, their production has equaled or exceeded that of personnel who were "shipped in" for these projects. The key to this success has been the personnel and management procedures that were developed and implemented on the projects.

We sincerely hope that this will provide the information you requested on this subject. If you have any questions, please do not hesitate to contact us.

Sincerely yours,



James Diamond Wilson
Mayor, City of Nondalton
Representing the Klamma & Lake Clark Region

cc: Wassie W. Balluta, Sr.
Bette Cato, Chairman
Mike Miller, Vice Chairman
Mitch Abood
Randy Phillips
Barbara Lacher
Adelheid Herrmann
Jack McBride
Mike Davis
Committee Recorder

Newhalen City Council

P.O. Box 153
Iliamna, Alaska 99606

February 15, 1983

Representative Randy Phillips
Pouch V
Juneau, AK 99811

Ref: Management Plan for Nondalton/Newhalen Road Project

Dear Representative Phillips:

Pursuant to your request for additional information on the intended management procedures for the Nondalton/Newhalen road, we would like to supply the attached information. Please be advised that this is a summary of the "Project Management and Procedures Manual" which is approximately 80% completed at this time.

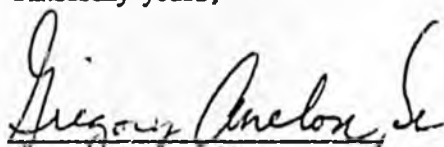
This manual outlines the entire management system for our project and will be completed prior to the start of work on the road.

As a Contract Administrator, we certainly appreciate your interest in how we intend to manage this project. From our prospective, project administration will be the overall success and/or failure of this or any project. The communities of this region have been involved in numerous projects which have been performed by Project Management approach and have found this method to be extremely effective because:

1. It provides the flexibility to increase employment of local personnel.
2. It provides the communities the opportunity to determine which pieces of equipment will remain within the community after project completion. This is usually equipment that a general contractor would have a 100% write-off on during the course of a project.
3. It provides a methodology where the community government and administrative personnel can learn, through hands on participation, from professional personnel, the proper procedures and methods for administering contracts and perform the tasks for which they are qualified.
4. It teaches management and fiscal responsibility to members of the Project Management Committee.

We sincerely hope that this will properly address your concerns on this project. If you require additional information, please do not hesitate to contact us.

Sincerely yours,



Gregory Anclon, Mayor
City of Newhalen
Representing the Iliamna/Lake Clark Region

cc: Trans. Comm. Members

PROJECT MANAGEMENT & PROCEDURES MANUAL (abridged) ABSTRACTED

NONDALTON/NEWHALEN ROAD PROJECT

FUNDING

Funding will be requested in the name of the cities of Nondalton and Newhalen through the Department of Administration.

FUND MANAGEMENT

Project funds will be managed by the "Two Cities Project Committee" whose representatives will be responsible to their respective assemblies and/or councils. The project committee consists of two representatives from each of the municipalities of Nondalton and Newhalen and a like number from the community of Iliamna. A seventh member will be chosen at large by a 5/6th majority of these appointees. Appointees shall be made by the Mayor of the respective bodies and shall serve at his pleasure.

Project funds shall be accounted for in a manner such as to meet and/or exceed state requirements for project accounting and all procedures shall be approved by an in-house registered CPA. Expenditures shall be reviewed quarterly by a registered CPA and the project shall be audited annually by an independent auditor and at the end of the project.

Each community shall be responsible to provide proper insurances to the other members of the committee to protect against misuse and/or misappropriation of funds.

All disbursements shall require a minimum of two (2) signatures, one of which shall be that of the selected contracting officer, except in cases of emergency.

MANAGEMENT COMMITTEE

The Management Committee shall be responsible for the overall management and administration of the project. This committee shall be responsible that the appropriate statutes and regulations promulgated thereunder by the State of Alaska, Department of Administration are adhered too. In the absence of regulations directly relating to the procedures and/or decisions required of the committee, regulations of the Department of Transportation and Public Facilities shall apply.

The Management Committee shall meet not less than once monthly for the purposes of conducting the business of the project and at which meeting they shall cause to be provided a project status report and project budget report which shall accurately reflect the status of the project relative to schedule, quantities and budget.

Compensation of the Management Committee shall be set by the Committee and subject to the approval of all of the respective municipal assemblies and/or councils

The Management Committee shall be the final administrative remedy for any contract and/or contractor disputes.

All contract awards shall be approved by the Management Committee, who cause a letter of review by legal counsel to be attached to said contract prior to presentation to the Committee, and which approval shall be by Roll Call Vote.

ENGINEERING CONSULTANTS

The selection of any engineering consultants, management consultants and/or inspection personnel shall be in accordance with State of Alaska procedures, which procedures shall be a part of the permanent records of the Committee.

ADMINISTRATION

Day-to-day administration of the project shall be handled by a Facility Coordinator with the duties and authority and responsibility as outlined in the job description of same as published by DOT/PF. Said coordinator shall utilize the staff as authorized by the Management Committee, which shall, in principal, consist of administrative staff of the City of Newhalen and the City of Nondalton.

In the addition of any staff members to the existing staff, first priority shall be given to staff members of the Iliamna Development Corporation.

Functions of this staff shall include such items as telephone answering, project accounting, coordination of work pools, secretarial services, account code distribution, preparation of reports and statements, preparation of contracts, scheduling of air transportation and such other tasks as the staff may be qualified for as determined by a quarterly evaluation procedure set by the Management Committee.

PROJECT METHODOLOGY

This project will utilize multiple contracts for the various portions of the roads. The following contracts are anticipated:

1. Inspections: A contract with DOT/PF to utilize their personnel to monitor the project and provide on-site inspection services to insure proper procedures and that construction meets their minimum standards. In lieu of such a contract, DOT/PF would be requested to provide the guidelines, procedures, record requirements and minimum qualifications for a professional inspection team to provide these services.

2. Engineering: An engineering consultant, selected by appropriate State procedures, to provide "as required" engineering services that will need to be addressed as on-site problems arise and to reconfirm structural analysis of the intended bridge structure.
3. Bridge Acquisition: A contract with the State of Alaska, DOT/FF for the transfer of the bridge to the Newhalen bridge site.
4. Bridge Construction: A contract for the construction of the bridge across the Newhalen River.
5. Subbase & Borrow Materials: A contract with the Bristol Bay Regional Corporation setting price, quality and quantities for gravel and other "minerals."
6. Construction: A general construction contract with private contractors for specialized portions of the project that can not be provided and/or implemented by local work forces that are not currently a part of the work forces of the cities.

SCHEDULING

Project scheduling shall be done by the Critical Path Method using an "activity on node" methodology equal to GE Project 2 flexibility. Scheduling program shall be the responsibility of the Facility Coordinator.

Level of scheduling detail shall be such that coordinator can track progress on a maximum 5 working day basis with quantity tracking progress on a one day basis.

All nodal activities shall contain budgeted costs which shall be cross correlated to actual cost activities not less than weekly.

"THIS ABRIDGED SUMMARY ABSTRACTED BY DON ANDERSON, 2/15/83 AT JUNEAU, ALASKA FROM DISC ONEW, 2: MGTPLAN2"

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: CSHB 190 (Transportation) Date on Bill: February 17, 1983
 Title: Approp. to DOT&PF for road construction
 Sponsor: Herrmann
 Requestor: OMB

1. Estimate fiscal impact on:

a. Expenditures:

(Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87
Capital	9,000.0	6,300.0	-0-	
Operating	-0-	150.0	65.0	
Total	-0-	-0-	-0-	

b. Revenues:

Revenue	-0-	-0-	-0-	
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2. Source of funds to offset fiscal impact of bill:

This information was not provided by the sponsor.

3. Assumptions:


The current cost estimate for road construction only is \$13,525.0 in FY'84 dollars. Capital expenditure for maintenance equipment and building is \$1,185.0 in FY'84 dollars. The FY'85 capital expenditure represents the difference between the proposed \$9,000.0 and the actual project cost plus the cost of the maintenance building and equipment inflated by 10%.

Capital expenditures for maintenance building and equipment are include in the FY'85.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: William R. Snell Phone: 266-1462
 Division: Department Transportation and Public Facilities Date: 2/25/83

Approved by Commissioner:  Date: 2/25/83
 Department: Department of Transportation and Public Facilities

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 190 Date on Bill: 2/11/83
 Title: Act...special appropriation to Nondalton and Newhalen for road construction
 Sponsor: Herrman
 Requestor: House Transportation Committee

1. Estimate/ fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital	0	\$9,000.0	0	0
Operating				
Total	0	\$9,000.0	0	0

b. Revenues:

Revenue	0	0	0	0
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2. Source of funds to offset fiscal impact of bill:

3. Assumptions: Per bill language, this appropriation is GF, under AS 37.05.315 and the department will incur no additional administrative costs as a result of this legislation.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor.

Prepared By: Kenneth R. Ryals *Kerr* Phone: 465-2277
 Division: Administrative Services Date: 2/14/83
 Approved by Commissioner: Donna Rudd Date: _____
 Department: Administration

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

NONDALTON/NEWHALEN ROAD
PROJECT SUMMARY



HOUSE TRANSPORTATION COMMITTEE
FEBRUARY 15, 1983

EXECUTIVE OVERVIEW

LAKE ILIAMNA/LAKE CLARK REGION

This document outlines the major capital project requirements for local self sufficiency for the cities of Nondalton and Newhalen and the communities of Iliamna, Pedro Bay, and Kokhanok as outlined and agreed by these communities at the Regional Planning and Development Conference held November 17-20, 1982 at Iliamna, Alaska.

The philosophy developed and adopted by the members at the conference for our growth into a self sustaining and economically independent region is based on a thorough understanding of infrastructure which must exist for:

RESOURCE DEVELOPMENT & UTILIZATION: Our ultimate resource is the people we represent and the work which we perform to set the goals, develop the plans, and implement tasks. For our region, we are fortunately supplemented by the availability of various resources which can be developed and utilized, and which are renewable. These include: (a) hydro electric potential for electrification of Bristol Bay; (b) tourism trade through the Lake Clark Park & Preserve; (c) fresh water fishery potential; (d) timber; and (e) world class trophy fishing.

ENERGY DISTRIBUTION SYSTEMS: Through a joint effort of the communities, we now have on-line an electrical generation system capable of meeting the demands through 2010 and a distribution system which ties the three largest communities together. Financing for over 50% of this system was provided by the local communities through long term loan obligations. We also have in place a fuel distribution system capable of serving the communities, which was 93% funded by private parties.

TRANSPORTATION SYSTEMS: Only one portion of the critical transportation system has been satisfactorily accomplished to date. The Iliamna Airport with its NDB approach meets the minimum requirements for year round reliable transportation to and from the region. There is currently no viable means to connect the three largest population areas so that reasonable commerce and trade between them can develop. Thus, the population base necessary for economic independence cannot be accomplished. This problem is further compounded by the fact that summer heavy freight traffic (barge) cannot be properly distributed, nor do we have a means for handling the ever increasing tourism flow.

Thus, we believe that the fundamentals for ECONOMIC INDEPENDENCE are: RESOURCE DEVELOPMENT, ENERGY, and TRANSPORTATION. This document addresses a specific portion of these needs, which when

Executive Overview
Lake Iliamna/Lake Clark Region

accomplished and implemented will provide the basis for region wide economic independence.

In summary we:

- o Want to develop and utilize our renewable resources.
- o Currently have the basis of a viable energy distribution system.
- o Have already participated in over 64% of the total financing of major projects to date.
- o Must complete our transportation systems.
- o Have the private industry sector commitments to assist.
- o Have developed long term goals and plans for our needs.
- o Desire to be economically independent.

EXECUTIVE PROJECT SUMMARY

Nondalton/Newhalen Road Project

For the past three years the cities of Nondalton and Newhalen and the community of Iliamna have been working jointly and cooperatively for the development of this region into economically self-sufficiency. We, the 1,000 residents of this area, feel that the top priority for the success of our development is the road connecting the communities.

The Nondalton/Newhalen Road is the major portion of the basic resource, energy and transportation triangle that must be completed to provide the proper intra structure for successful economic development of these three communities. This is the second of three parts of our overall transportation system. Basically, its timely completion effects the implementation and effectiveness of numerous projects, both private and governmental, which will lead to our economic independence. The effected projects include:

- o LAKE CLARK PARK & PRESERVE development for tourist trade and location of the park gateway at Nondalton.
- o NONDALTON POLYSTYRENE manufacturing facility and transportation of the manufactured goods, raw materials, and labor pool.
- o INNEC LINE MAINTENANCE costs for the electrical distribution system.
- o BRISTOL BAY ELECTRIFICATION project costs for either of the top three alternatives.
- o RECREATIONAL PROPERTY DEVELOPMENT through the private sector.
- o CENTRALIZED FIRE PROTECTION cost decrease, with a resulting drop in insurance cost for both the governmental and private sectors.
- o PROVIDE COMMUNICATIONS corridor for telephone interconnect between the communities and the rest of the world.
- o DECREASE EDUCATIONAL COSTS for travel functions between the communities.
- o DECREASE PROTECTION & MANAGEMENT COSTS for the Alaska State Troopers and Fish & Game and for National Park Service by relieving the need for 100% air transport.

Executive Project Summary
Nondalton/Newhalen Road Project

- o INCREASE LIFE SAFETY PROTECTION by providing year round transportation method for injured patients to MEDIVAK flights.
- o PROVIDE EQUIPMENT BASE FOR FUTURE MAINTENANCE of the road through the intended management procedures.
- o DEVELOP ADMINISTRATIVE SKILLS of local government personnel to the level required for proper administration of an economically independent region.
- o DECREASE COSTS for services such as postal delivery, fuel, food supplies, etc.

Work to Date

The project is scheduled to have the first bid package ready within 30 days of notice of funding.

In 1971, we received a "use required" restricted right-of-way from the Iliamna Airport to Nondalton. Paper plot surveys were completed, the right-of-way was selected, and numerous public meetings were conducted to insure that each sector of the local communities had their input on the project. The right-of-way from BLM specifies that substantial work must begin on the project prior to 1984 or the property will revert to BLM. Failure to meet this requirement would place the land back into the national park/preserve area and would eliminate future use of this routing.

In 1980 the communities jointly requested and received \$150,000 and contributed another \$82,000 to have the centerline survey of the road completed. As of December 1982, this work was completed, including complete soils analysis, location of borrow sites, and updating of engineering design. This work was managed and coordinated by a joint committee established by the two cities working for the most effective management of the project. To our knowledge, this is the first such coordinated effort between rural communities of such a project as allowable under Alaska statute.

An easement along the right-of-way has also been issued to the Iliamna-Newhalen-Nondalton Electric Cooperative, Inc. for the purpose of burial of the power distribution line to Nondalton. The installation of this line has already been completed and electrical service is now available to the City of Nondalton. A

Executive Project Summary
Nondalton/Newhalen Road Project

repossession of this property by BLM would also necessitate INNEC's loss of this easement.

Management

It is anticipated that project management will be provided by the management committee, appointed from the three communities with additional assistance provided by DOT/PF. However, it is not anticipated that DOT/PF will be the prime project administrators. One of the keys to economic independence is the development of local administrative personnel, and both of the cities already have a proven track record in handling of state funds.

The local administration of this project will also decrease the cost of fill material through negotiations with the local village corporations and will insure that a minimum of 6% of the total project funds are expended within the local community. This last point may seem insignificant to many, but when you consider that, on the average, a major bush construction project injects less than 3% of project funds, including local labor wages, into the local economy, it is easy to understand why the numerous capital projects have had very little impact on rural Alaska.

Schedule

A summary of the project schedule shows work beginning within thirty days of funding approval, with project completion in August of 1985. Earlier completion is possible pending weather conditions and actual date of funding.

NONDALTON/NEWHALEN ROAD

Project Nordalton-Iliamna Road Plan

ESTIMATE OF COST

Project No. A-80811

ITEM	UNIT	UNIT PRICE	20' Road Bed		16' Road Bed	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT
Furnishing and Maintaining Engineering Facilities	L.S.	Lump Sum	All Req'd	30,000	All	30,000
Furnishing and Maintaining Engineering Transportation	C.D.	75.00	1,800	135,000	1,800	135,000
Meals	Each	12.00	10,800	129,600	10,800	129,600
Lodging	Each	20.00	3,600	72,000	3,600	72,000
Mobilization	L.S.	Lump Sum	All Req'd	500,000	All	500,000
Temporary Erosion and Pollution Control	C.S.	Cont. Sum	All Req'd	6,000	All	6,000
Consturction Surveying by the Contractor/City	L.S.	Lump Sum	All Req'd	450,000	All	450,000
Removal of Culvert Pipe	L.F.	20.00	70	1,400	70	1,400
Unclassified Excavation	C.Y.	8.00	563,542	4,508,336	450,834	3,606,672
Ditch Lining	L.F.	10.00	1,350	13,500	1,350	13,500
Excavation for Sturctures	C.Y.	35.00	45	1,575	45	1,575
Subbase Grading	C.Y.	20.00	32,480	649,600	25,984	519,680
Class "W" Concrete	C.Y.	900.00	27.8	25,020	27.8	25,020
Structural Plate Pipe Diameter 120-inch, Gage	L.F.	750.00	92	69,000	79	55,500
Structural Plate Pipe Diameter 144-inch, Gage	L.F.	950.00	196	186,200	157	149,150
18-inch Corrugated Steel Pipe	L.F.	40.00	2,662	106,480	2,130	85,200
24-inch Corrugated Steel Pipe	L.F.	45.00	502	22,590	402	18,090
30-inch Corrugated Steel Pipe	L.F.	50.00	332	16,600	266	13,300
36-inch Corrugated Steel Pipe	L.F.	70.00	424	29,680	340	23,800
48-inch Corrugated Steel Pipe	L.F.	100.00	86	8,600	69	6,900
84-inch Corrugated Steel Pipe	L.F.	150.00	190	28,500	150	22,800
25-inch by 16-inch Corrugated Steel Pipe Arch	L.F.	45.00	108	4,860	86	3,870

NONDALTON/NEWHALEN ROAD

Project Nondalton-Iliamna Road Plan

ESTIMATE OF COST

Project No. A-80811

ITEM	UNIT	UNIT PRICE	20' Road Bed		16' Road Bed	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT
36-inch by 22-inch Corrugated Steel Pipe Arch	L.F.	70	108	7,560	86	6,020
50-inch by 31-inch Corrugated Steel Pipe Arch	L.F.	120	128	15,360	102	12,240
Precast Energy Dissipation	Each	4,000	2	8,000	2	8,000
24-inch Corrugated Downdrain Pipe Aluminum	L.F.	45	60	2,700	48	2,160
End Anchorage	L.F.	2,000	8	16,000	8	16,000
Adjust Existing Monuments and Cases	Each	400	5	2,000	5	2,000
Standard Signs	S.F.	100	37.5	3,750	100	3,750
Seeding	M.S.F.	100	201.4	20,140	100	20,140
Beam Type Guardrail Type I Post	L.F.	50	500	25,000	500	25,000
Roadway Construction				7,095,051		5,964,367
Bridge Construction				2,587,984		2,266,984
Construction Subtotal				9,683,035		8,231,351
Engineering Construction 8.8%				1,452,455		723,649
Subtotal				11,135,490		8,955,000
Utilities				45,000		45,000
1982 Dollars Construction Grand Total				11,180,490		9,000,000