

Seldovia City Council

Laydown

June 24, 2019

Pages 1-10 City Manager's Report

NOTES

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P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: citymanager@cityofseldovia.com

To: Mayor and Seldovia City Council
From: Cassidi Cameron
Subject: City Manager's Report
Date: June 24, 2019

Report

- Water Infrastructure Repair Projects –
 - Main Street/Dock Street – Began 6/24/19
 - Young Street Repair – Mid July scheduled start date
- Brush Cutting in Right of Ways – see Public Works Right of Way Maintenance Plan
- VSW/CRW Sewer Infiltration Project
- Surplus Auction May 28th-June 28th 2019 – in person viewing THIS WEEK – 6/27 and 6/28!
- DEC meeting
- Senator Sullivan Representatives meeting
- Year-end; audit prep
- 4th of July: support efforts with Chamber, SVFD pancake breakfast prep
- LED Transition Plan – Teleconferenced with HEA; information gathering
- Health Insurance Transition; Begins July 1, 2019
- CISPRI – City of Seldovia
- Emergency Operations Plan Draft – Dan Nelson with KPB OEM meeting TBD
- SOA Public Safety Contract
- KPEDD meeting; new website July 1, 2019
- KPB Bed Tax Update – will be on ballot this fall; 10% instead of 12% as originally proposed.
- Online Sales Tax Update

Corri A. Feige
Commissioner

www.DNR.Alaska.Gov



Department of
Natural Resources

Anchorage, Alaska

STATE OF ALASKA

PRESS RELEASE

For Immediate Release: June 24, 2019

Burn suspension in place for the Kenai Peninsula

(Kenai Peninsula, AK) – Due to current and forecasted weather conditions, open burning has been suspended by the Alaska Division of Forestry until further notice. Burning in burn barrels is also suspended at this time. Campfires are allowed but must be kept smaller than three foot by three foot. If you build a campfire remember to have plenty of water on site to suppress any embers that may escape your campfire enclosure. Individuals should check any fires they have lit in the past month to ensure that they are completely out.

CONTACT: Andy Alexandrou, Division of Forestry, Kenai-Kodiak Area, 907-260-4262

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STAY CONNECTED:

DNR Newsroom: http://dnr.alaska.gov/commis/dnr_newsroom.htm

DNR on Social Media: http://dnr.alaska.gov/commis/social_media.htm

DNR Public Information Center: <http://dnr.alaska.gov/commis/pic/>



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City of Seldovia Public Works Right of Ways Maintenance Plan – Brush Removal

<u>Area – Right of Way Location</u>	<u>Type of Maintenance</u>	<u>Completion Date Goal</u>
Spruce Street – from Inside Beach up towards intersection of Spruce Street and Inlet Street	Brush Cutting and Clearing – Alders growing and encroaching into ROW	Late September 2019
Shoreline Drive – 281 Shoreline Drive up to the intersection of Anderson Way and Shoreline Drive	Brush Cutting and Clearing – Alders growing and encroaching into ROW	Late September 2019
Kachemak Street – Willow Intersection towards Airport Drive	Brush Cutting and Clearing – Alders growing and encroaching into ROW	East side has been completed, west side needs attention
Cedar Street – 246 Cedar Street	Brush Cutting and Clearing – Alders and foliage growing and encroaching into ROW	Late September 2019
Fulmore Street – 240 Fulmore	Pine tree limbs encroaching into ROW	Late September 2019
Bay Street -	2 trees needing removal; see attached photos – growing into overhead lines	Mid- Late October when foot traffic and
Augustine North – 190 Augustine North up to 125 Augustine North	Spruce Branches, Alders and foliage encroaching and growing into ROW	Late September 2019
C Street – 365 C Street up to 340 C Street		Late September 2019





THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Labor and Workforce Development

LABOR STANDARDS AND SAFETY
Wage and Hour

1251 Muldoon Road, Suite 113
Anchorage, Alaska 99504
Main: 907.269.4900
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January 2019

RE: CONTRACTING AGENCY REQUIREMENTS UNDER TITLE 36 - PUBLIC CONTRACTS

The purpose of this letter is to help you, as a political subdivision of the State, understand your contracting agency obligations under Title 36 - Public Contracts, also known as the Little Davis-Bacon Act.

Title 36 is a series of State laws that provide for a level playing field for all contractors and workers on public construction project sites in Alaska. These laws include the requirement for employers to pay prevailing wages, to pay workers weekly and unconditionally, to submit certified payrolls in a timely manner, and for prime contractors to pay specific fees associated with public construction projects.

In addition, Title 36 contains the statutes and regulations that require contractors who perform work on public construction projects to adhere to employment preference requirements where applicable. This means that where a Zone of Underemployment has been established, Alaska residents who are eligible under AS 36.10.140 must be given a minimum 90% employment preference when performing work on public construction projects where funding allows. The preference applies on a project-by-project, craft-by-craft basis, and must be met each workweek by each contractor or subcontractor.

Effective July 1, 2017 through June 30, 2019, The Commissioner of the Department of Labor and Workforce Development has determined that the entire State of Alaska qualifies as a Zone of Underemployment. The new determination, effective July 1, 2019, is included in this notification. For more information on employment preference, please contact your nearest Wage and Hour Regional Office.

For the benefit of all contractors who are preparing their bids on any projects, we encourage you, as an agency, to include the attached language regarding 90% Alaskan employment preference within all bid specifications.

Thank you for your cooperation.

The Department of Labor and Workforce Development
Wage and Hour Administration

OBLIGATIONS OF THE CONTRACTING AGENCY:

Obligation #1:

You, as the contracting agency, must be able to recognize and identify a public construction project:

- “Public construction” or “public works” means the on-site field surveying, erection, rehabilitation, alteration, extension or repair, including painting or redecorating of buildings, highways or other improvements to real property under contract for the State, a political subdivision of the State, or a regional school board.
- This definition includes improvements to “real property.” Typical contracts may be for new buildings, repair of existing buildings, painting contracts, term contracts, road service agreements, docks, equipment rental contracts, long-term leases, sidewalks, charter schools, remodeling projects, road upgrades, utility relocates that are integral to a project, or insurance proceeds used for repair or reconstruction. Determining whether the project is subject to Title 36 laws can be complicated. If you are in doubt -- and before the contract is put out to bid -- please contact your nearest Wage and Hour Administration office for clarification. This is especially true if you think the project may not be subject to Title 36 because the Wage and Hour Administration will enforce the provisions of the Act, including the retroactive payment of prevailing wages, on all projects that meet the definition of “public construction.”
- Title 36 applies to public construction projects that exceed \$25,000.00. If you have any question as to whether Title 36 applies, please contact your nearest Wage and Hour Administration office for a determination.

Obligation #2:

You are required to identify the specific issue of *Pamphlet 600, Laborers’ & Mechanics’ Minimum Rates of Pay (Pam 600)*, that will apply to each contract and include that information in each project’s bid specifications. *Pam 600* contains the prevailing rates of pay that apply to each public construction project. A list containing all current issues of *Pamphlet 600* can be accessed at: <http://labor.alaska.gov/lss/pamp600.htm>.

- *Pam 600* is published twice per year, once in April (effective April 1), and once in September (effective September 1). The rates that are in effect 10 days prior to the final date for submission of bids are the rates that will apply to each project. These rates will apply for 24 calendar months from the date the project is awarded to a prime contractor. At the end of the initial 24-month period, the latest wage rates issued by the Department shall become effective for the next 24-month period. This process repeats itself until the project is completed.
- Note that all contractors/subcontractors must have a current Alaska business license and be registered/licensed as a contractor to bid and work on a State-funded public construction project. Surveying and trucking companies are not required to be registered contractors.

Obligation #3:

You are required to include the entire applicable issue of *Pam 600* in the contract. *Pam 600* may also be incorporated into the contract by reference. In addition to the rates of pay, this pamphlet includes other required language that must be contained in the contract for the project.

Obligation #4:

You are required to file a Notice of Award with the Department within 20 days of the award of the contract. Notices of Award must be filed through myAlaska: <http://my.alaska.gov> using the “**LSS Online Filing Services**”.

- Each contracting agency has been set up in the online system. Contracting agencies are never linked to an individual myAlaska logon ID. This way, they are portable between employees, locations and regions, and are not at risk of becoming lost in the event of employee turnover. A new agency should never be created in order to change or personalize agency contact information. When necessary, the contracting agency's contact information can be changed during the filing process or updated by Wage and Hour.

If you are a new contracting agency, or are unable to locate your contracting agency's information using the search function, please contact your nearest Wage and Hour office. Please do not add a new agency until you have contacted the Department.

Obligation #5:

Utility relocation work will continue to be considered an integral part of the main public construction project. However, if the maximum filing fee amount has already been met, or will be met, by the prime contractor for the entire aggregate of the project or phase, the utility company will not be required to pay an additional fee amount. On the other hand, if the maximum fee amount has not been, or will not be met, the utility company will be required to pay the 1% filing fee until the project maximum fee amount of \$5,000 has been met.

When you, the contracting agency, let out a contract to a utility company for utility relocation work that is integral to a public construction project, you must file a Notice of Award in the same manner described in Obligation #4. If the utility company is owned by the State, City, Municipality, etc., and they let out the contract, they may file the Notice of Award. The Notice of Award must include identifying information such as the project name, the AKDOL project number associated with the primary contract, or another description of the public construction project that triggered the relocation work.

When the maximum filing fee has not been, or will not be assessed on the larger project, the 1% filing fee will be enforced up to a maximum \$5,000.00 on the combined contract amounts of the entire aggregate of the public construction contracts, to include all utility relocation contracts. Therefore, when you, the contracting agency, file a Notice of Award for a public construction contract, and that public construction contract triggers utility relocation work, you must include the cost of all utility relocation work in the prime contractor's total contract amount. You (or the State, City or Municipality-owned utility company that let the relocate contract) must still file a separate Notice of Award for each utility relocation, however, you will input the total contract amount for the utility relocation contracts as \$1.00. This will ensure that the utility is not charged a redundant fee.

Obligation #6:

You are required to report any change order that exceeds \$10,000.00 using the “**LSS Online Filing Services**” link.

Obligation #7:

You are required to withhold accrued contract payments due the prime contractor at the Department's direction during the life of the contract. The Department may withhold for unpaid filing fees, prevailing wages or fringe benefits, and/or employment preference penalties, to name a few.

Obligation #8:

You are required to withhold final payment from the prime contractor until you have received a Notice of Completion that has been approved by the Department. *Alaska Statute 36.05.045(c)* provides that:

(c) A contracting agency

(1) may release final payment on a public construction contract to the extent that the agency has received verification from the Department of Labor and Workforce Development that

(A) the primary contractor has complied with (a) and (b) of this section;

(B) the Department of Labor and Workforce Development is not conducting an investigation under this title; and

(C) the Department of Labor and Workforce Development has not issued a notice of a violation of this chapter to the primary contractor or any other contractors working on the public construction contract; and

(2) shall withhold from the final payment an amount sufficient to pay the department's estimate of what may be needed to compensate the employees of any contractors under investigation on this construction contract, and any unpaid filing fees. [Emphasis added].

The Department is tasked with ensuring that all contractor obligations on a project have been met, including specifically that all workers have been paid the applicable prevailing wage(s) for the work they performed on the project. To this end, the Department's long-standing policy has been to request that contracting agencies refrain from releasing final payments on a project until such time as the Department can confirm that these obligations have been satisfied. As a practical matter, when the project approaches completion - - the Department's rule of thumb has always been ninety percent completion - - the contracting agency should always verify that it holds sufficient monies in reserve from the contract amount in the event that those funds may be required to cover any financial shortages that may be revealed as a result of an investigation by the Department.

We look forward to a safe and productive season and hope this information is helpful to you in understanding and meeting your contracting agency obligations under *Title 36-Public Contracts*. Please note, this letter is intended as a broad guideline, and we suggest you review *Pamphlet 400, Title 36 - Public Contracts*, as it contains in detail your contracting agency's obligations under the law.

Please do not hesitate to contact one of our offices if you have any questions or need further information, clarification, or explanation.

Resources

Alaska Wage and Hour Administration web page:

<http://labor.alaska.gov/lss/whhome.htm>

Pamphlet 400, Title 36-Public Contracts:

<http://labor.alaska.gov/lss/forms/Pam400.pdf>

Pamphlet 600, Laborers' & Mechanics' Minimum Rates of Pay:

<http://labor.alaska.gov/lss/pamp600.htm>

Alaska Wage and Hour Administration Offices

Email: statewide.wagehour@alaska.gov

Anchorage

Phone: (907) 269-4900

Fax: (907) 269-4915

Juneau

Phone: (907) 465-4842

Fax: (907) 465-3584

Fairbanks

Phone: (907) 451-2886

Fax: (907) 451-2885

**ALASKA DEPARTMENT OF LABOR
AND WORKFORCE DEVELOPMENT**

**EMPLOYMENT PREFERENCE DETERMINATION
(EFFECTIVE JULY 1, 2019)**

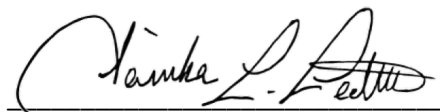
By authority of A.S. 36.10.150 and 8 ACC 30.064, the Commissioner of Labor and Workforce Development has determined the State of Alaska to be Zones of Underemployment. A Zone of Underemployment requires that Alaska residents who are eligible under AS 36.10.140 be given a minimum of 90 percent employment preference on public works contracts throughout the state in certain job classifications. This hiring preference applies on a project-by-project, craft-by-craft or occupational basis and must be met each workweek by each contractor/subcontractor.

For additional information about the Alaska resident hire requirements, contact the nearest Wage and Hour Office in Anchorage at 907.269.4900, in Fairbanks at 907.451.2886 or in Juneau at 907.465.4248.

The following classifications qualify for a minimum of 90 percent Alaska resident hire preference:

Boilermakers	Mechanics
Bricklayers	Millwrights
Carpenters	Painters
Cement Masons	Piledriver Occupations
Culinary Workers	Plumbers and Pipefitters
Electricians	Roofers
Engineers and Architects	Sheet Metal Workers
Equipment Operators	Surveyors
Foremen and Supervisors	Truck Drivers
Insulation Workers	Tug Boat Workers
Ironworkers	Welders
Laborers	

This determination is effective July 1, 2019, and remains in effect until June 30, 2021



Dr. Tamika L. Ledbetter, Commissioner

6/13/2019

Date