

RESOLUTION NO. 10487

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, RELATING TO THE USE OF AN ALTERNATIVE PROJECT DELIVERY CONTRACT FOR THE SEWAGE LIFT STATION NO. 1 & SUPPLEMENTAL FORCEMAIN PROJECT OF 1758.1

WHEREAS, the City of Great Falls, MT (“the City”) a municipality, is presently considering and planning for certain construction activities with respect to its Public Works infrastructure capital facilities, specifically upgrades to Sewage Lift Station No. 1 & a Supplemental Forcemain Project; and

WHEREAS, 18-2-501 et seq. and 7-5-4302, MCA authorize the City to utilize an Alternative Project Delivery Contract for the procurement of such construction activities under certain conditions; and

WHEREAS, based on the information provided by City staff in the Agenda Report for this matter and the information presented to the Commission as part of its consideration of this Agenda item, the City Commission makes the following Findings that those conditions are met with respect to the construction activities presently contemplated for the Sewage Lift Station No. 1 & Supplemental Forcemain Project:

- (1) The City has knowledgeable staff and/or consultants who have the capacity to manage an Alternative Project Delivery Contract. In addition to Public Works and Legal Department staff, who have direct experience with and a working knowledge of the General Contractor Construction Manager (GCCM) alternative project delivery method and other construction and project management experience, the City has retained the services of *Thomas Dean and Hoskins, Inc.* (TD&H, Dustin Nett, PE) 1800 River Drive North, Great Falls, MT to provide both design and construction administration services attendant to the project at issue. TD&H will support the City staff throughout the GCCM process.
- (2) The Alternative Project Delivery Contract structure contemplated for this project will involve a General Contractor Construction Manager (GCCM) contract as defined in § 18-2-501(5), MCA. The procurement and award process for that GCCM contract will follow the requirements of § 18-2-503, MCA and will involve the competitive solicitation of proposals from qualified GCCM providers through a combined RFQ & RFP process. Subcontractors and suppliers will then be selected through a competitive solicitation process conducted either (a) solely by the selected GCCM or (b) by the selected GCCM in conjunction with the City.
- (3) In accordance with § 18-2-502(2), MCA, the City has determined that the timely completion of the contemplated construction has significant schedule ramifications both to maintain project grant funds and to minimize disruptions to the Wastewater Treatment Plant and Lift Station No. 1 operations. The project is partially funded with an American Rescue Plan Act (ARPA) grant which must be obligated by

December 31, 2024 and spent by December 31, 2026. The project will directly impact two of the City's critical wastewater facilities. Lift Station No. 1 collects sewage from approximately 40% of the City; without adequate bypass pumping or other measures, a prolonged outage at the lift station will surcharge sewage into the surrounding sewer mains and overflow into the Missouri River. Protecting against Sanitary Sewer Overflow (SSO) events and sewage backup is of the utmost importance, particularly during significant storms which can suddenly contribute stormwater to the collection system through inflow and infiltration and surpass the existing forcemain capacity. The GCCM will prepare and maintain a comprehensive project schedule that incorporates all subcontractor and supplier activities while accounting for funding deadlines and facility outages and demands. The GCCM will also provide constructability, availability, and capital cost review and input for bypass pumping and construction staging/sequencing to minimize facility downtime.

- (4) In accordance with § 18-2-502(2), MCA, the City has determined that the project presents significant technical complexities that necessitate engaging and utilizing the services of a GCCM. The project scope is inherently complex, particularly with respect to drilling for a redundant sewer forcemain under the Missouri River and the multitude of upgrades to Sewage Lift Station No. 1. At a minimum, the project will benefit from input of a GCCM during preconstruction to provide constructability review of all technical and physical aspects with emphasis on boring the forcemain beneath the river; timing and nature of several critical piping connections; minimizing outages and impacts to the Wastewater Treatment Plant and Lift Station No. 1; temporary bypass pumping at the lift station; confined-space wet well work including bar screen replacement, submersible pumps, and premise plumbing; the retrofit of large piping, valves, electrical, HVAC, and structural modifications. The work will be performed by multiple construction specialties, all managed by the GCCM, including horizontal directional drilling, trenched utilities, mechanical, electrical, HVAC, plumbing, and structural.
- (5) In accordance with § 18-2-502(3), MCA, the City hereby determines that the utilization of an Alternative Project Delivery Contract as described above will not either (a) encourage favoritism or bias in awarding the contract or (b) substantially diminish competition for the contract. The basis for that determination is as follows:
 - The procedures utilized for the competitive RFQ & RFP process will involve the same publication and solicitation processes that would otherwise be used to competitively solicit bids from a GC, i.e., publication in major state newspapers, utilization of plan exchanges, etc.;
 - The target pool of qualified GCCM entities will consist – at a minimum – of the same pool of qualified GC entities that would be likely participants in a competitive bid process for construction work only;

- The criteria utilized to select the GCCM will be those set forth in § 18-2-503(2), MCA and any additional factors unique to the project, all of which are intended to avoid any favoritism or bias in the GCCM contract award process; and
- At the conclusion of the GCCM selection process, the City will – as required by § 18-2-503(4), MCA – state and document in writing the reasons for selecting the successful GCCM candidate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that, based upon the foregoing Findings, use of an Alternative Project Delivery Contract in the form of a GCCM contract is hereby authorized for the Sewage Lift Station No. 1 & Supplemental Forcemain Project Office File 1758.1.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on this ____ day of _____, 2023.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

David Dennis, City Attorney