

Introduced By: Mayor at
request of Service Area
Date: June 6, 1989
Action: Adopted
Vote: Unanimous

KENAI PENINSULA BOROUGH

RESOLUTION 89-55

ADOPTING RULES AND REGULATIONS FOR FUNDING, AWARD, APPROVAL AND TERMINATION OF WORK ON EAST PENINSULA ROAD MAINTENANCE SERVICE AREA CONTRACTS

WHEREAS, KPB 16.52.140 requires that rules and regulations be established by the East Peninsula Road Maintenance Service Area Board in order to operate the service area; and

WHEREAS, such rules and regulations must be approved by the assembly by resolution; and

WHEREAS, on April 3, 1989 the East Peninsula Road Maintenance Service Area board adopted new rules and regulations;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

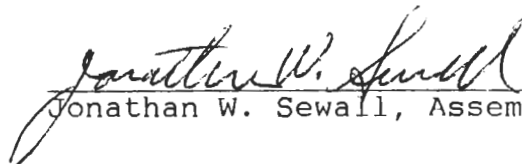
Section 1. That the rules and regulations for operation of the East Peninsula Road Maintenance Service Area adopted by the service area board on April 3, 1989 and attached as Exhibit "A", and incorporated as a part of this resolution by reference, are hereby adopted pursuant to KPB 16.52.140 to govern operation of the service area.

Section 2. That such rules and regulations as approved will continue in effect until changed in accordance with the ordinances of the Kenai Peninsula Borough governing the East Peninsula Road Maintenance Service Area.

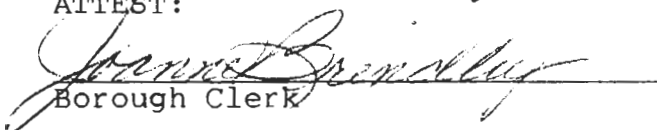
Section 3. That all earlier rules and regulations are hereby repealed with adoption of this resolution.

Section 4. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 6th DAY OF June, 1989.


Jonathan W. Sewall, Assembly President

ATTEST:


Borough Clerk

RULES & REGULATIONS FOR OPERATION OF THE
EAST KENAI PENINSULA ROAD MAINTENANCE SERVICE AREA

Section 1. That each fiscal year the Road Maintenance Service Area Board shall determine funds available for each operational unit.

Section 2. That the Road Maintenance Service Area Board shall annually review and approve formal bid documents. The Service Area Board shall direct the Public Works/Roads office to:

- a) Advertise for summer/winter road maintenance.
- b) Conduct the necessary pre-bid conference.
- c) Open bids in conjunction with Kenai Peninsula Borough Finance Department.

Section 3. The Road Maintenance Service Area Board shall award the project contracts to the lowest responsible qualified bidder at a regular or special meeting.

Section 4. The Road Maintenance Service Area Board shall approve and appoint an operational unit supervisor as the representative of all the residents for each operational unit within the Road Maintenance Service.

Section 5. That the operational unit supervisor and the Public Works/Roads office, together determine what kind of work within the scope of the contract will be accomplished with the funds allocated to the operational unit as determined by the Road Maintenance Service Area Board.

Section 6. The Public Works/Roads office and/or operational unit supervisor will direct the contractor, point out specific needs and monitor the progress of the work.

Section 7. That at the completion of a project or at the end of the month, the contractor will submit his invoice (on approved forms) to the Public Works/Roads office and/or to the operational unit supervisor for approval signature.

Section 8. That the approval for payment and final acceptance of work will be by the Road Maintenance Service Area Board in accordance with the General Maintenance Conditions and Technical Specifications of the Kenai Peninsula Borough.

Section 9. A contract may be terminated for cause by the Public Works/Roads office or the Road Maintenance Service Area Board. The procedure will be as follows:

- a) The Board or Public Works/Roads office will determine if the contractor is in non-compliance per the terms and conditions of the contract and notify the contractor with written notice of that non-compliance.
- b) If the contractor does not respond as required by the Public Works/Roads office or Road Maintenance Service Area Board the contractor will be advised of termination by written notice.

Section 10. The Public Works/Roads office will prepare a list of roads annually that need to be added to the service area. These roads will be approved or disapproved by board action. Only roads with contiguous Rights of Way will be added to the service area.

Section 11. The regular meetings of the Road Maintenance Service Area Board shall be conducted on the first Monday of each month in compliance with AS 44.62.310 and 312, of the Administrative Procedures Act and AS 29.20.020 and under the provisions of Robert's Rules of Order, newly revised.

THESE RULES AND REGULATIONS WERE ADOPTED BY THE EAST KENAI PENINSULA ROAD MAINTENANCE SERVICE AREA BOARD EFFECTIVE

_____ OF _____,
19____.

EKPRMSA CHAIR