

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 25-10

Resolution to Use an Alternative Project Delivery Contract to Repair Duck Creek Bridge

WHEREAS, pursuant to Section 18-2-502 of the Montana Code Annotated, a board of county commissioners has the authority to use an alternative project delivery contract. To use an alternative project delivery contract the project as to meet several requirements the board has to:

- (1) demonstrate it will have knowledgeable staff or consultants who have the capacity to manage an alternative project delivery contract;
- (2) clearly describe the manner in which the alternative project delivery contract award process will be conducted and subcontractors and suppliers will be selected;
- (3) demonstrate the project has significant schedule ramifications and using the alternative project delivery contract is necessary to meet critical deadlines by shortening the duration of construction. Factors that the board may consider in making its findings include, but are not limited to operational and financial data that show significant savings or increased opportunities for generating revenue as a result of early project completion, demonstrable public benefits that result from less time for construction, or less or a shorter duration of disruption to the public facility;
- (4) demonstrate by using an alternative project delivery contract, the design process will contribute to significant cost savings, significant cost savings that may justify an alternative project delivery contract may derive from but are not limited to value engineering, building systems analysis, life cycle analysis, and construction planning;
- (5) demonstrate the project presents significant technical complexities that necessitate the use of an alternative delivery project contract;
- (6) make a detailed written finding that using an alternative project delivery contract will not encourage favoritism or bias in awarding the contract or substantially diminish competition for the contract;
- (7) demonstrate a public purpose for the project
- (8) demonstrate that the innovative financing delivery favors the innovative financing contract method over other available procurement and alternative project delivery methods.

WHEREAS, Yellowstone County owns the Duck Creek Bridge. The Bridge crosses the Yellowstone River. The River has scoured the abutments of the Bridge. The County needs to repair the abutments of the Bridge. Without the repairs the Bridge will not be usable.

WHEREAS, The County has hired Great West Engineering to assist in the preparation of the documents and management of the alternative delivery method. The County will seek a Construction Manager at Risk (CMAR) as the form of alternative delivery. This method will ensure expediting work in attempt to make significant and timely progress despite the risk of high water. This method will also allow for contractor involvement through the design process which would create opportunity for cost savings. The project is unique in that it is a pier retrofit. The County will solicit qualifications of contractors to act as the CMAR. Once chosen, the CMAR may bid to self-perform work, but bid packages advertised and bid publicly to ensure and encourage competition and control costs. Moving quickly on this project is a matter of public safety given route alternatives to cross the river nearby are limited and seasonal high water can impact the ability to perform work in a timely manner. This project is funded by local and state funds. The project is estimated to cost between \$4.7M-5.6M. Using this alternative method will require contractors submitting qualifications to include a maximum price guarantee.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners authorizes the alternative project delivery contract method to contract for the repair of Duck Creek Bridge.

Passed and Adopted on the 21st day of January 2025.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Mark Morse, Chair

Michael J. Waters Member

John Ostlund, Member

ATTEST:

Jeff Martin, Clerk and Recorder