

Action: Approved | Denied | Other
 Date Action Taken: 7/25/2022
 Verified By: [Signature]
 Clerk's Note: Velock absent

**City of Wasilla
 Action Memorandum No. 22-22**

Authorizing The Purchase Of GSB-88 Oil/Sand From Emulsion Products Company In The Amount Of \$50,000 For Airport Apron Sand Sealing - Phase II.

Originator: Ashley Loyer, Finance Clerk III
 Date: 7/12/2022

Agenda of: 7/25/2022

Route to:	Department Head	Signature	Date
X	Public Works Deputy Director	<u>[Signature]</u>	7/12/22
X	Finance Director	<u>[Signature]</u>	7/13/22
X	Deputy Administrator	<u>[Signature]</u>	7/13/22
X	City Clerk	<u>[Signature]</u>	7/12/2022
X	Mayor	<u>[Signature]</u>	7/15/22

Fiscal Impact: yes or no

Funds Available: yes or no

Account name/number/amount:
 Airport Apron Improvement

Account No. #330-4379-437.45-05 \$50,000

Attachments: Sole Source Approval (1 page)
 Bid proposal from May 20, 2022 (6 pages)

Summary Statement: This is a sole source procurement in accordance with Wasilla Municipal Code 5.08.140 as this is a very specialized field. This was previously bid with Emulsion Products being the only bid received. The contractor is honoring the same pricing as the previous bid.

Staff Recommendation: Approve the Action Memorandum.

Department/Division making the request: Public Works - Parks, Properties & Roads

Vendor Name: Emulsion Products Co.



Print Form

Vendor Address: 2101 Viking Drive

Vendor City, State, Zip Code: Anchorage, AK 99501

Vendor Phone Number: +1 (907) 227-7752

Sole Source or Non-Competitive Procurement Approval Request for Commodities

Description of commodities to be purchased: Contractual placement of Airport Apron sand sealer

What is the estimated cost of the commodities to be purchased? \$50,000.00

Is installation required? Yes No

If yes, explain the installation, who will be performing the installation and the cost: Emulsion Products uses a special distribution truck to shoot the GSB-88 oil then sand is cast over that at a particular rate to meet specifications on traction.

Describe the unique requirements of this purchase: We bid this back in May and only had one bidder and this is a very specialize field.

Describe the circumstances believed to justify a sole-source or non-competitively solicited commodity: Lack of interest and other contracts abilities to perform the work.

Describe the efforts or activities undertaken to identify other potential vendors: This has been bid publicly and only received one bid, the contractor will honor the same unit price.

I hereby request approval for the referenced vendor to be designated a sole source for the amount and term as described above.

Robert L Walden Date 6/30/22

APPROVALS

Approved by Department Director/Manager: *Robert L Walden* Date 6/30/22

Approved by Purchasing/Contracting Officer: *[Signature]* Date 6-30-22

Approved by Finance Director: *[Signature]* Date 7/7/22

Please consider this form as my approval of your request. This exemption is granted pursuant to WMC 5.08.140, based upon information provided and is contingent upon the accuracy of such information. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing/Contracting Officer determines that the commodities sought may be obtained in a more efficient process. Approved by the Mayor:

Glenda K. Shepard
Date 7-11-22



INVITATION TO BID (ITB 0520-0-2022/RW)

RETURN THIS BID TO THE ISSUING OFFICE AT:

City of Wasilla
Attn: Public Works Department
290 E. Herning Avenue
Wasilla, AK 99654

BID COVER SHEET

ITB TITLE: Airport Apron Seal 2022 **DATE ITB ISSUED:** May 20, 2022

SEALED BIDS MUST BE SUBMITTED TO THE PUBLIC WORKS DEPARTMENT AT THE ABOVE ADDRESS AND MUST BE TIME AND DATE STAMPED PRIOR TO 2:00 PM ON June 6, 2022 AT WHICH TIME THEY WILL BE PUBLICLY OPENED.

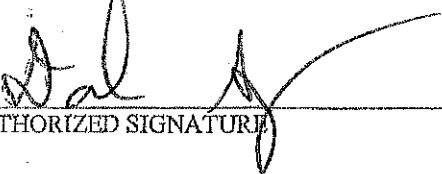
IMPORTANT NOTICE: A company or individual that submits a bid must be on the official City of Wasilla planholders list which is maintained at: <http://www.demandstar.com>. Failure to be on the list will be cause for the bid to be deemed non-responsive. In addition, any copies of this bid, attachments, or addendums obtained from any source other than Demandstar or the City of Wasilla Purchasing Officer are not valid.

BIDDER'S NOTICE: By signature on this form, the bidder certifies that:

- (1) the bidder has a valid City of Wasilla business license or will obtain one prior to award of any contract resulting from this ITB.
- (2) the price(s) submitted was arrived at independently and without collusion and that the bidder is complying with:
 - the laws of the State of Alaska;
 - the applicable portion of the Federal Civil Rights Act of 1964;
 - the Equal Employment Opportunity Act and the regulations issued thereunder by the State and Federal Government; and
- (3) the bidder has read, understands, and agrees to comply with the terms and conditions specified in this Invitation to Bid.

If a bidder fails to comply with the bidders notice above, the city may reject the bid, terminate the contract, or consider the contractor in default.

Emulsion Products Company	20-2658560	6/6/2022
COMPANY SUBMITTING BID	FEDERAL TAX ID NUMBER	DATE

	Daniel Guay
AUTHORIZED SIGNATURE	PRINTED NAME

dguay@colaska.com	907-273-1055
EMAIL ADDRESS	TELEPHONE NUMBER


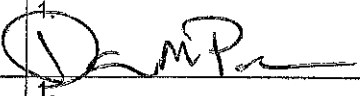
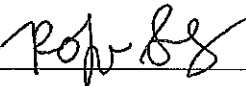
BID FORM
SOLICITATION # 0520-0-2022/RW
Airport Apron Seal 2022

Provide all personnel, material, supplies, equipment, transportation, and all other items as may be required to complete the services identified within the Scope of Work in this solicitation to complete the Airport Apron Seal 2022 for the City of Wasilla in full accordance with the Bidding Documents. The award will be based on total base bid, plus any additional additive alternative choose by the City.

Before preparing this bid schedule, read carefully, Section 102 of the Standard Specifications for Highway Construction:

All roads combined in Base Bid					
Pay Item Number	Pay Item Description	Pay Unit	Quantity	Unit Bid Price	Amount Bid
407(1)	Sand Seal	SY	20,190	\$ 1.20	\$ 24,228 ⁰⁰
TOTAL AMOUNT BASE BID					\$ 24,228⁰⁰

CITY OF WASILLA
BID BOND
(See Instructions on Reverse)

		DATE BOND EXECUTED June 1, 2022		
PRINCIPAL (Legal name and business address) Emulsion Products 801 E. 100th Avenue Anchorage , AK 99515		TYPE OF ORGANIZATION <input type="radio"/> INDIVIDUAL <input type="radio"/> PARTNERSHIP <input type="radio"/> JOINT VENTURE <input checked="" type="radio"/> CORPORATION		
		STATE OF INCORPORATION AK		
SURETY(IES) (Name and Business Address)				
A. Liberty Mutual Insurance Company 175 Berkeley Street Boston, MA 02116	B.	C.		
PENAL SUM OF BOND 10 PERCENT OF AMOUNT BID Ten Percent of Amount Bid (10%)		DATE OF BID June 6, 2022		
<p>We, the PRINCIPAL and SURETY above named, are held and firmly bound to the City of Wasilla, in the penal sum of the amount stated above, for the payment of which sum will be made, we bind ourselves and our legal representatives and successors, jointly and severally, by this instrument.</p> <p>THE CONDITION OF THE FOREGOING OBLIGATION is that the Principal has submitted the accompanying bid or proposal in writing, date as shown above, on PROJECT: Airport Apron Seal 2022, Project No. 0520-0-2022/RW in accordance with contract documents filed in the office of the Contracting Officer, and under the Invitation for Bids therefore, and is required to furnish a bond in the amount stated above.</p> <p>If the Principal's bid is accepted and he is offered the proposed contract for award, and if Principal fails to enter into the contract, then the obligation to the State created by this bond shall be in full force and effect.</p> <p>If the Principal enters into the contract, then the foregoing obligation is null and void.</p>				
Emulsion Products		PRINCIPAL		
Signature(s)	1. 	2.	3.	
Name(s) & Titles (Typed)	1. DANIEL GUAY GENERAL MANAGER	2.	3. Corporate Seal	
CORPORATE SURETY(IES)				
SURETY	Name of Corporation	Liberty Mutual Insurance Company 175 Berkeley Street Boston, MA 02116	State of Incorporation MA	Liability Limit \$ 1,505,302,000.00
	Signature(s)	1. 	2. 	Corporate Seal
	Name(s) & Titles (Typed)	1. Donna M. Planeta, Attorney-in-Fact	2. Robyn Salley, Witness	

CORPORATE SURETY(IES) (Continued)				
S U R E T Y B	Name of Corporation		State of Incorporation	Liability Limit \$
	Signature(s)	1.	2.	Corporate Seal
	Name(s) & Titles (Typed)	1.	2.	
CORPORATE SURETY(IES) (Continued)				
S U R E T Y C	Name of Corporation		State of Incorporation	Liability Limit \$
	Signature(s)	1.	2.	Corporate Seal
	Name(s) & Titles (Typed)	1.	2.	

INSTRUCTIONS

1. This form shall be used whenever a bid bond is submitted. The bond amount is ten (10) percent.
2. Insert the full legal name and business address of the Principal in the space designated. If the Principal is a partnership or joint venture, the names of all principal parties must be included (e.g. "Smith Construction, Inc. and Jones Contracting, Inc. DBA Smith/Jones Builders, a joint venture"). If the Principal is a corporation, the name of the state in which incorporated shall be inserted in the space provided.
3. Insert the full legal name and business address of the Surety in the space designated. The Surety on the bond may be any corporation or partnership authorized to do business in Alaska as an insurer under AS.21.09. Individual sureties will not be accepted.
4. The penal amount of the bond may be shown either as an amount (in words and figures) or as a percent of the contract bid price (a not-to-exceed amount may be included).
5. The scheduled bid opening date shall be entered in the space marked Date of Bid.
6. The bond shall be executed by authorized representatives of the Principal and Surety. Corporations executing the bond shall also affix their corporate seal.
7. Any person signing in a representative capacity (e.g., an attorney-in-fact) must furnish evidence of authority if that representative is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved.
8. The states of incorporation and the limits of liability of each surety shall be indicated in the spaces provided.
9. The date that bond is executed must not be later than the bid opening date.



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8207373-985949

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Aimee R. Perondine; Alexis Apostolidis; Amanda Pierina D'Angelo; Bethany Stevenson; Brendan Fletcher; Bryan M. Caneschi; Cassandra Baez; Donna M. Planeta; Eric Strba; Gentry Stewart; Jacqueline Susco; Jennifer Gail Godere; Joshua Sanford; Kathryn Pryor; Kyle Williams; Michelle Anne McMahon; Nicholas Turecamo; Rebecca M. Josephson

all of the city of Hartford state of CT each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of those presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 22nd day of February, 2022.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 22nd day of February, 2022 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1128044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of JUNE 2022



By: Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



LIBERTY MUTUAL INSURANCE COMPANY
 FINANCIAL STATEMENT — DECEMBER 31, 2021

Assets		Liabilities	
Cash and Bank Deposits	\$2,234,770,744	Unearned Premiums	\$9,106,965,847
*Bonds — U.S Government	4,250,615,811	Reserve for Claims and Claims Expense	25,279,158,493
*Other Bonds	16,983,165,862	Funds Held Under Reinsurance Treaties	315,537,902
*Stocks	20,075,458,019	Reserve for Dividends to Policyholders	1,726,291
Real Estate	182,250,567	Additional Statutory Reserve	139,634,000
Agents' Balances or Uncollected Premiums	7,607,687,836	Reserve for Commissions, Taxes and	
Accrued Interest and Rents	120,173,987	Other Liabilities	8,638,106,801
Other Admitted Assets	14,076,622,575	Total	\$43,481,129,334
Total Admitted Assets	<u>\$65,530,745,401</u>	Special Surplus Funds	\$178,192,363
		Capital Stock	10,000,075
		Paid in Surplus	11,804,736,755
		Unassigned Surplus	10,056,686,874
		Surplus to Policyholders	22,049,616,067
		Total Liabilities and Surplus	<u>\$65,530,745,401</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
 The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2021, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 8th day of March, 2022.

T. Mikolajewski

Assistant Secretary