

**Road Service Area Task Force
Report to the Matanuska-Susitna Borough Assembly**

Note – This is a draft report published internally to coordinate Task Force recommendations to the Mat-Su Borough Assembly. Readers should not construe any recommendations in this draft report as the Task Force’s collective opinion, nor should one draw any inferences from this document to the Task Force’s final report to the Assembly.

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I. Introduction

A. Assembly Directions to the Task Force

The Matanuska-Susitna Borough (Borough) Assembly adopted Ordinance No. 22-020 on March 1, 2022, to establish a Road Service Area (RSA) Task Force and directed that the Task Force (TF) shall consider the following issues:

1. The adoption and implementation of an alternate contract structure in Big Lake RSA 21, to include, but not limited to, a time and materials structure.
2. The scalability or applicability of such methods to other road service areas.
3. Areawide brush-cutting.
4. Processes to address substandard roads Borough-wide.

The Assembly also directed that the TF may consider additional issues:

5. How to address the issue of currently maintained roads in RSA 21, which become impassable or have major deficiencies preventing safe public access to include whether modification of the existing maintenance specifications are warranted, or options for advancing capital improvements.
6. Other issues which may be pertinent to consideration of the items above.

B. Why a Task Force?

Why a RSA Task Force and what are its objectives?

Driving on many of the Borough's paved roads can be nerve-racking, even unsafe. Discontent Borough residents have voiced that some RSAs are not receiving the full measure of road maintenance services for which they are paying. Why pay for safe, competent, year-round maintenance when the results are unpaved roads covered with potholes, washboard ripples, standing water and/or roads that are constrained throughout the winter season as the snow banks close in on the middle of the road? The question arises, "Is there a way to only pay for the services received?"

To that aim, the TF considered alternate contract options to only pay for work that is completed. Recognizing that the Borough should aspire to provide a higher level of service, the TF considered other recommendations on how to improve the level of service available to Borough residents.

C. Task Force Recommendations Summary

1. The TF recommends that the Assembly not adopt nor implement a time and materials contract for road maintenance services. The TF further recommends that the Borough maintain the current contract structure, but amend it to ensure compliance with the expected road maintenance criteria. The detailed recommendations are presented throughout the main body of this report.
2. The TF recommends that the recommendations suggested for the RSA 21 contract could also apply to other Borough road services maintenance contracts.
3. The TF recommends that brush-cutting remains in each RSA contract and that it begins and ends later in the year.
4. The TF recommends focusing on improving the impassable sections of roads, so all roads are safe and passable for emergency vehicles all year round. Details of these recommendations are presented in the main body of the report.

For ease of review, a summary of the detailed recommendations will be included as **Appendix F**.

II. Main Body

A. General Findings

The TF has developed a keen understanding and appreciation for the Borough's efforts to maintain roads through research, investigation, interviews, presentations, discussions and drive-along "windshield tours." The effort has been formidable, but necessary. Many of the Borough's roads are poorly maintained. Why? The TF asserts that there are two breakdowns within the process:

1. The Road Service Maintenance Contract has not been fully enforced with the service criteria directed in the contract.
2. There are systematic and contractual issues that make fully executing the contract difficult. These issues are further refined throughout this report but include:
 - a. Lack of management control mechanisms to ensure proper oversight of the Road Service Area Maintenance Contracts.
 - b. Lack of a common understanding of a properly maintained road, complicated by the wide disparity in road conditions.
 - c. A dearth of effective tools to establish a common operating picture of the Borough's road conditions.
 - d. A lack of consistent oversight and enforcement of contract criteria.

The TF believes the Borough can receive the full measure of competent road maintenance services to current funding levels by adopting and properly implementing the recommendations provided in this report. However, recommendations only result in effective outcomes when the stakeholders (RSA Board Members, RSA Road Superintendents, Assembly members and members of the public) implement the designated steps in a measured and disciplined manner.

B. Specific Findings and Recommendations

1. Contract Structure
 - a. **Issue:** What is the most appropriate structure for a Road Maintenance Contract for RSA 21? Is it scalable to other Borough road service areas?
 - b. **Discussion:** The Borough is not receiving the expected level of service under the current maintenance contract. Many of the roads are poorly maintained and do not achieve the level of maintenance expected, despite the Borough's efforts to provide residents and businesses with safe passable roads. There is a gap between what the taxpayer pays for maintained roads, by the way of property road service area mil rate taxes, and what the taxpayer receives. The TF finds that the contract structure currently in place provides for a fairly robust level of service. Although there are issues to address within the contract, the current "unit price per mile" structure is the appropriate structure to provide the highest level of service to Borough residents and businesses
 - c. **Recommendation:** The Borough maintain the current "unit price per mile" contract structure as the most appropriate vehicle to achieve the high level of road maintenance services desired.

2. Contract Criteria Knowledge

- a. **Issue:** There is a lack of common understanding of what “Right” looks like.
- b. **Discussion:** The TF discovered that various stakeholders assess problem areas differently. Each look at the same stretch of road with gravel berms on shoulders, or poor drainage, or other evident issues and deduce completely different opinions as to whether the road maintenance efforts are in compliance with the contract. There is no common recognition by the stakeholders on whether the road is properly maintained. Lack of a common understanding produces inconsistent results.
- c. **Recommendations:** Establish a Mat-Su Borough training course to provide a common understanding of RSA criteria for road maintenance. Require attendance by new maintenance contractors, noncompliant contractors, RSA Superintendents and RSA Board members. Open the training course to others who assess our roads (BOROUGH Assembly Members, et al).

3. Contract Oversight

- a. **Issue:** The Borough has not provided the necessary levels of administrative oversight to ensure maintenance contractors are in compliance with the contract.
- b. **Discussion:** The Borough needs to provide the administrative oversight to ensure contractor compliance with the contract. The contract is clear in what it expects regarding contractor performance, yet non-compliance exists. There are 1100 miles of maintained roads in the Mat-Su Borough inventory and three RSA Superintendents to inspect the results of every mile maintained. While the TF did not conduct a Manpower Utilization Survey, the Public Works directorate may need additional resources (personnel, automation, funding and/or processes) to conduct the necessary road inspections and contract oversight. Paragraph 9 of the contract gives BOROUGH tools to ensure services are upheld to the contracted performance criteria. Although these tools are available, the TF found few instances of the use of these tools.
- c. **Recommendations:** The Borough conduct a manpower study to determine if their people to task ratios are properly balanced for this contract structure. Also, develop internal management control mechanisms to apply the available tools when contract deficiencies are noted, such as issue letters of discrepancy when warranted, as a means to ensure performance of the contract.

4. Areawide Brush-Cutting

- a. **Issue:** Should brush-cutting be an areawide contract?
- b. **Discussion:** Brush/vegetation management along Borough roads is critical for visibility and proper drainage to safely navigate the roads at posted speeds. The existing RSA contracts provide a good framework for the contractors to cut brush but the TF recommends several amendments:
 1. The current contract requires cutting vegetation from May 1 through September 15 of each year. Due to a recent Department of the Interior Order (**Appendix G**) cutting vegetation along the roads where migratory birds have potentially built nests, could violate the intent of the Order. For this reason, a later start will minimize possible incidental take per the Order, and likely make an inventory of bird nests unneeded as

part of the contract. Additionally, extending the season later in the summer will eliminate new growth and improve visibility of wildlife during the winter months. Furthermore, if cutting trees/shrubs for the first time the contractor should use the Bird Nesting Survey Form to identify any active nests. Once trimmed, the lack of trees or tall shrubs should eliminate bird nesting sites in the cutting area and the survey should not be needed unless the area is expanded to include additional trees/tall shrubs.

2. The current contract requires cutting vegetation a distance of eight (8) feet from the outside edge of the shoulder of the road. The TF finds for paved roads rated at 45 mph or greater, vegetation should be cut up to 50' from the asphalt edge of the road or to the right-of-way boundary, whichever is less. The additional space provides better clearance to observe wildlife and offers greater space for snow removal during the winter months.
3. The TF does not recommend consolidating the brush-cutting effort into a single Borough contract, but to continue this task within the existing RSA maintenance contracts, since existing contractors have the equipment to do this work or rent it only during the period needed. When already invested in the equipment or it's easily available, it makes sense to continue to include it in the maintenance contract. Also, keeping this activity in each RSA contract allows the contractor to employ personnel during the transition from summer maintenance to winter snow maintenance activities and possibly may reduce the overall price bid on the maintenance contract.

c. ***Recommendations:***

1. Change the contract to reflect brush cutting start and ending dates from July 22 thru October 31, or a 4" or more snowfall, whichever comes first.
2. Brush on roads rated fewer than 45 mph should be cut eight (8) feet from the road outside edge of the shoulder, or to the right-of-way, whichever is less per existing contract.
3. For paved roads with 45 mph plus traffic, the clearing distance is defined for each road to be up to fifty feet from the asphalt edge of the road or to the right-of-way boundary, whichever is less, depending on road speed, snow removal needs and terrain that may restrict clearing.
4. For trees/shrubs being cut for the first time, the contractor should use the Bird Nesting Survey Form to identify any active nests in the trees and shrubs. Once trimmed, the lack of trees or tall shrubs should eliminate bird nesting sites in the cutting area, and the survey should not be needed unless the area is expanded to include additional trees and shrubs.
5. Retain brush-cutting within the existing RSA maintenance contracts.

5. Road Conditions Awareness

- a. ***Issue:*** Presently, the Borough lacks comprehensive awareness of the conditions of the Borough's roads. The lack of awareness exacerbates the Borough's ability to properly maintain and effectively improve the roads in an analytically systematic method.
- b. ***Discussion:*** A comprehensive inventory of the conditions of Borough roads is invaluable to properly manage and provide safe travel throughout the Borough. This information exists only in a dispersed state amongst the various RSA maintenance contractors, the RSA Boards and the Superintendents. Consequently, it is not readily accessible for MSB

Public Works staff analysis for remedial actions and planning purposes. Three tools presently in use and development will significantly improve this deficiency. The MSB Road Start-Up Inventory; the Public Works GIS database and the MSB Problem Reporter. All three systems are currently under development and refinement; all three are tremendous assets to the Borough. The TF applauds the Borough's efforts in this area and encourages continued development and more importantly, the use of these analytical tools to better administer and plan the maintenance and improvement of the roads.

1. ***Start-Up Inventory*** – An inventory of the conditions of each RSA's maintained roads serves as a baseline to both maintaining and improving the roads through the road improvements project list and Borough's long range transportation plan. This inventory is a contract requirement, paragraph 3.12, of the Special Provisions Section, performed by the contractor within the first thirty days of the contract. This contractual requirement has not been enforced. Consequently, the Borough does not have a detailed and comprehensive inventory performed by the contractor describing present road conditions, ditches, culverts, drainage and other observations.
 2. ***GIS Database*** – Borough GIS staff is developing a database to capture, display and analyze the start-up inventory information provided by the contractor. Public Works staff is reinforcing the contract requirements of the contractor, and will use the contractor's submissions to help populate the database. The TF finds this to be a very formative effort, one that will have a significant and favorable impact on road service area maintenance and development efforts. The Borough should complete both efforts and update the database annually. This database can serve as the baseline for future improvement and development planning.
 3. ***MSB Problem Reporter*** – A third tool is the MSB Problem Reporter. Through this online reporting tool residents are able to identify and report road damages, problem areas, maintenance non-compliance and other issues directly to the contractor and copied to the Borough. The TF expects that ongoing refinement of this tool will markedly improve the Borough's response to concerns about the roads. Although Problem Reporter complaints go directly to the contractor and to Public Works, it appears that the Borough is not utilizing the data to address overall issues with compliance or road conditions. Rather than just a conduit for complaints to the contractor, the Borough should also analyze this information to identify remediation and road improvements. Secondly, upon responding to the complaint to the contractor, the complainant receives a notice that the problem is fixed. This response should not remove Borough staff from its management and oversight responsibilities. The TF recommends that the Road Superintendent should be the one to close out the complaint once they determine the problem has been properly addressed.
- c. ***Recommendations:*** (1) The Borough enforce the Start-Up Inventory requirements of RSA maintenance contracts and verify the accuracy of the information. (2) The Borough continue to expand and refine the GIS road condition database and produce useful criteria for future administration and road improvement planning and development. (3) The Borough further develop the online Problem Reporter system as an analytical tool as well

as a response management tool. Have Borough staff ensure complaint remediation before the complaint is closed out.

6. Road Improvement Investments

a. **Issue:** Insufficient funding to improve the current inventory of substandard roads at an acceptable pace.

b. **Discussion:** Many roads within the Borough's inventory were either accepted into the inventory in a substandard condition or have degraded over time and do not meet the acceptable level of access. Road maintenance contracts maintain roads in their present condition, usually defined in the Start-Up Inventory, and can only marginally improve those roads through proper maintenance techniques. However, to improve the Borough inventory of substandard roads, capital improvement investment is required to fund those efforts. The Borough relies mainly on RSA taxes to fund those investments. Other sources infrequently contribute to the effort, such as individuals or groups supported by the LID or RSA Loan programs. Occasionally residents will pool their own funds to improve their roads or contractors requiring improved access to their worksites, may do the same. The fiscal year 2022 budget identifies approximately \$683,000 for the road improvement investment for RSA-21.

Approximately 80% of the 106 miles of road in RSA-21 are gravel and often 20% of those have impassable sections during certain times of the year. At the estimated cost of \$375K per mile for paving for a standard road, or over \$1 million for full construction per mile to transform RSA-21's roads into paved, it could take about 44 years at the current funding levels.

Some RSA roads considered substandard can never be upgraded to meet SCM standards because of physical conditions, such as right-of-way, grades, curve values, width, but can be upgraded to meet year around safe access for emergency vehicles. Still considered nonstandard, upgrades need to focus on improving drainage through, for example, swales, ditching, culverts, adding gravel, and ensuring a 3%+ crown. Impassable sections may be rebuilt but if the remainder of the road is passable and maintainable, upgrades may not be needed now. The roads thus repaired remain nonstandard, but safe to drive all year around. The budgetary process for road improvement is passive. Appropriations pay the bills, then whatever is leftover is applied against the RIP requirements. By increasing the availability of funds, the investment program could be used as a driver of priorities, and more quickly upgrade substandard roads into a better quality of road

c. **Recommendations:** (1) The Borough seek additional sources of road improvement project funding through state or federal programs, or commercial cost sharing opportunities. Consider hiring a grant researcher and grant writer on a commission basis. (2) Prioritize spending RSA funds to repair or upgrade impassable sections of roads, first to make roads safe for year-round travel, before considering upgrades to make the road meet SCM standards.

III. Task Force Membership and Meeting Schedule

Chairperson – Gary Foster
Vice Chairperson – Darren Zimmer
Member – Jashua Leatham
Member – Kenneth Walch
Member – Jill Parson

The Task Force met every other Tuesday from 2 - 4:00 pm from May 5, 2022, through October 25, 2022. Beginning November 1, 2022, the Task Force switched to meeting weekly. Detailed dates and locations can be found in **Appendix E**, RSA Task Force meeting schedule.

IV. Mat-Su Borough Support and Participation

MSB Administration – George Hays
Public Works Director – Tom Adams, PE
Purchasing Director – Russ Krafft
Operations & Maintenance Manager – Don Thomas
Operations & Maintenance – Tyler Blazejewski
MSB Administrative Support – Tiffany Richards
MSB Administrative Support – Mary Miller

V. Acknowledgments

VI. What Else?

VII. Appendices

- A.** Committee 1 Report
- B.** Committee 2 Report
- C.** Committee 3 Report
- D.** Committee 4 Report
- E.** RSA Task Force Meeting Schedule
- F.** Recommendation Roll-Up
- G.** Dept. of the Interior, Directors Order No. 225 Subject: Incidental Take of Migratory Birds
- H.** Bird Nesting Form