

Forest Lake Spillway Report
February 9, 2024

On Friday, February 2nd our owner’s engineer, Spicer Group, received a Phase 2 construction bid proposal from Fisher Construction. The bid was for \$8,152,087 and was contingent upon moving the completion date from 8/31/2024 to 6/1/2025. The previous engineering estimate developed by GEI was for \$5,019,788, so the bid came in \$3,132,299 higher than estimated.

No one is happy with the numbers. While it is difficult to determine which issue to address first, we have broken them down into five sections for this report.

Fisher Bid Cost relative to GEI Estimate:

As illustrated below, the new spillway chute was nearly \$2.2 million above the GEI estimate, site improvements nearly \$600,000 greater, and general conditions were more than \$300,000 higher than projected. Spicer Group and GEI met with Fisher Contracting on February 6th to review the estimate and they discussed potential alternative design approaches to the spillway that could reduce the cost by perhaps \$500,000. Alternatively, Fisher is has operated on a time and material contract on the Four Lakes projects and that approach could reduce the overall cost but would shift risk to the owner. A time and material estimate will be requested from Fisher and the options will be assessed.

Item	Engineer’s Estimate	Fisher Bid / Existing Allocations	Difference
General Conditions	\$590,000	\$898,000	\$308,000
General Site Improvements	\$880,000	\$1,473,600	\$593,600
Road Reconstruction	\$45,000	\$93,200	\$48,200
New Spillway Chute	\$2,590,113	\$4,763,560	\$2,173,447
Discharge Channel	\$914,675	\$923,727	\$9,052
Subtotal	\$5,019,788	\$8,152,087	\$3,132,299
Phase I – Katterman	\$317,000	\$317,000	\$0
Engineering Design	\$810,636	\$810,636	\$0
Construction Engineering and Oversight	\$721,693	\$721,693	\$0
Contingency	\$1,443,386	\$1,443,386	\$0
Siphon repair/rental	\$1,104,910	\$1,104,910	\$0
Pre-Phase 1 Engineering	\$197,068	\$197,068	\$0
Accounting/Bond Expenses	\$50,000	\$50,000	\$0
Legal	\$72,542	\$72,542	\$0
Total	\$9,737,023	\$12,869,322	\$3,132,299

Requested Completion Date June 1st, 2025:

Within their bid proposal, Fisher advised the August 31st deadline was not achievable. The deadline was selected by GEI/Spicer and FLLAB primarily to coincide with the expiration of the USDA-NRCS grant, and the overwhelming desire of FLPOA members to restore our lake as soon as safely possible. The sequencing required by the spillway design was a major factor, as well as the availability of materials, trade workers and Fisher staff all factored into their proposed schedule. A preliminary construction schedule calls for the bulk of the spillway chute to be completed by early December, with ancillary work

and the removal of the syphon system to occur by May 30th. Of note, Fisher is also working on the Four Lakes projects and our proposed schedule included in the bid package requested for a completion prior to the much larger Four Lakes projects.

USDA-NRCS Grant:

Within the next week it is our goal to submit a request to NRCS for an increase to the existing grants, and to request additional time. As noted previously, NRCS had allocated federal grant dollars to the May 19, 2020, storm event as a 'single project'. All eligible allocations to Four Lakes have been assigned and there were additional funds not allocated to those projects. The supervisor of the Michigan office of NRCS requested those funds not be re-allocated until after receiving the Forest Lake request. We will continue to work closely with our local NRCS offices to maximize our chances of receiving as much funding as possible with achievable timing constraints. It is our intent to continue to seek additional funding from NRCS particularly considering the recent bid.

Bid Process:

The bid process for Phase 2 included extensive outreach for over a month to local, regional, and national contractors. Any interested bidder was asked to submit their qualifications and as is standard in the industry, GEI and Spicer provide request for qualifications (RFQ) packages directly to nine (9) construction firms experienced with working on Part 315 dams and water retaining structures. In addition, the package was posted on the Arenac County website, FLPOA website, FLABB Website, and the Spicer Groups bidding website where it was picked up by numerous plan holder companies where it was distributed further. During the prequalification process many firms indicated that they could not meet the schedule requirements as their workload was full for 2024. Two firms of the many that were presented the RFQ submitted qualifications packages. One was Fisher, and the other was Walton Construction out of Traverse City. The application process included the following criteria, similar project history, project resources, bonding capacity, construction experience, health and safety experience and personnel experience. After reviewing the Walton submittal and the firm's qualifications (they are a small contractor in Grand Traverse County area that primarily works on sea walls), our engineers determined that Walton is not qualified to work on a project of this scope and could not meet the qualified bidder process.

Alternatives:

We will continue to explore alternatives with the intent of acting in the interests of the property owners, while adhering to the constraints of what is a Part 307 Lake project through Arenac County as FLLAB acting as their delegated Authority. As we know, no one (including us) is happy with the cost or the time. However, it is our goal to restore the lake and repair the lake level infrastructure to benefit our properties. We will continue to work the problem and we welcome your questions. As always, any questions on this issue can be directed to me or the FLLAB. See <https://www.forestlakelevel.com/> for continued updated information on this project.