

**DETERMINATION DECISION MEMO
Cloe Lake Dam – Dam Rehabilitation Project**

Project Number: C-0199-0060 Phase 001

Location: Jefferson County

Est. Construction Duration: 485 Calendar Days

**DETERMINATION REGARDING THE USE OF THE
REQUEST FOR PROPOSAL (RFP) METHOD OF PROCUREMENT**

Cloe Lake is a 27-acre lake impounded by a 43-foot-high 800-foot-long dam owned by the Commonwealth of Pennsylvania and managed by the Fish and Boat Commission for public fishing and boating. The use of the standard competitive sealed bid process for the General Contractor's scope of dam upgrades, embankment enhancements, improvements of the lake drain, wall replacement, demolition of existing structures, and replacement and constructing access bridge is not practical or advantageous to the Commonwealth. Specifically:

- Cloe Lake Dam is classified as high hazard, protection of residents and their property downstream must remain top priority during upgrades and construction, which adds complexity to the project.
- The work will require construction of a lake drain tower and spillway with a watertight concrete structure which will implement a complex array of waterstops at each of the joints. The Commonwealth will benefit from evaluating the contractor's past experience with this scope of work.
- Soil loading adjacent to structures and construction of embankment will require specific placement procedures to limit settlement. It would be advantageous to the Commonwealth to evaluate the contractor's experience regarding sequencing work with similar complexity.
- The dam, lake, and embankment renovations will require a high-level complexity for the control of water. The Commonwealth will benefit from evaluating the contractor's past experience with developing, implementing, and monitoring water control plans.

The above factors demonstrate unique construction considerations on this project, which requires specific contractor knowledge, skill, and experience to safely and successfully complete the renovations to the Cloe Lake Dam. Consequently, it is not practical or advantageous to use the competitive sealed bidding process for the General Contractor because the low bid approach does not allow the Commonwealth to consider the specific factors presented herein, along with the cost, in the award process.

Deputy Secretary for Capital Programs

Date