

**NORTH SLOPE BOROUGH
RESOLUTION SERIAL NO. 33-2024**

**A RESOLUTION WAIVING COMPETITIVE BIDDING
FOR A CHANGE ORDER TO NORTH SLOPE
BOROUGH CONTRACT NO. 2020-029 WITH UMIAQ
ENVIRONMENTAL, LLC FOR AREAWISE TANK
FARM SPILL RESPONSE SERVICES FOR FY 2020-
FY2024**

WHEREAS, the North Slope Borough (Borough) Department of Public Works (Public Works) provides maintenance and operation services to the residents of all North Slope Borough communities under the authority of the North Slope Borough Municipal Code (NSBMC) Chapter 16.02; and

WHEREAS, Public Works is charged with administering the Borough's bulk fuels resources; providing electrical, water, wastewater, and solid waste utilities; roadway maintenance; transit, and other services to include permitting and regulatory compliance actions required by all authorities having jurisdiction; and

WHEREAS, Public Works, in order to meet the Borough's environmental cleanup responsibilities and maintain compliance with the authorities having jurisdiction such as the Alaska Department of Environmental Conservation (DEC) and the United States Environmental Protection Agency (EPA), has found it in the best interest of the Borough to secure services from UMIAQ Environmental, LLC (UMIAQ) through a competitive bids process for technical services to support the Borough's areawide tank farm spill response efforts; and

WHEREAS, emergency responses to oil spills and hazardous material releases require an experienced contractor to provide the services to achieve the successful management of spill contingency plans and activities as incidents occur in all North Slope villages; and

WHEREAS, the Borough has awarded UMIAQ a contract for a term of four (4) years under Contract No. 2020-029 (Contract) to provide critical spill mitigation support in the best interest of the Borough in all villages, under which the Contract has been funded for a total sum of \$1,250,000 with the contract completion date of June 30, 2024; and

WHEREAS, the Contract needs a renewal to continue responding to the numerous amounts of spills currently and foreseeably happening, and it is in the best interest of the Borough to sustain these services without interruption in order to meet its environmental remediation objectives; and

WHEREAS, Public Works has identified costs to support the additional delivery of services for the Borough's continued commitment to meeting its responsibilities in all North Slope villages through UMIAQ's technical support services in an additional total

amount of \$900,000 for Fiscal Years 2025, 2026 and 2027, with an annual appropriation amount of \$300,000, which the total additional amount exceeds the Mayor's authority to sign; and

WHEREAS, the NSBMC § 2.36.180(A)(l)(f) allows the Assembly and the Mayor to make a best interest determination to waive competitive bidding for supplies, materials, equipment, or services where there are unforeseen conditions and the time required for competitive bidding will produce delays in an ongoing project, the costs of which will outweigh any potential advantage that might be produced by competitive bidding; and

WHEREAS, UMIAQ has committed to developing a long-term relationship with the Borough based on loyalty and trust and with a commitment to meet or exceed all standards required of the Contract, including dependable critical services on which the Borough may rely upon.

NOW, THEREFORE, BE IT RESOLVED THAT,

The North Slope Borough Assembly authorizes the Mayor to negotiate and execute a Change Order to North Slope Borough Contract No. 2020-029 with UMIAQ Environmental, LLC in an amount not to exceed \$900,000 for the Areawide Tank Farm Spill Response Services for FY2025-FY2027 Project.

INTRODUCED: _____
ADOPTED: _____

Crawford A. Patkotak, President
Date: _____

ATTEST:

Sheila Burke, Borough Clerk
Date: _____

Josiah A. Patkotak, Mayor
Date: _____