

**NORTH SLOPE BOROUGH
RESOLUTION SERIAL NO. 66-2024**

**A RESOLUTION WAIVING COMPETITIVE BIDDING
FOR A CHANGE ORDER TO NORTH SLOPE BOROUGH
CONTRACT NO. 2020-029 WITH UMIAQ
ENVIRONMENTAL, LLC FOR THE DISMANTLEMENT
& REMOVAL OF THE COMPROMISED STATIONARY
MARINE VESSEL FROM THE CITY OF UTQIAGVIK
GRAVEL PIT AND FUEL SPILL REMEDIATION**

WHEREAS, a stationary marine vessel (tugboat) sitting near the shores of Utqiagvik, Alaska by the City of Utqiagvik gravel pit was compromised on or about June 19, 2024, possibly due to a bullet puncturing the hull of the tugboat, and causing a fuel spill in the surrounding area and near a body of water; and

WHEREAS, the North Slope Borough (Borough) Departments of Fire and Public Works (Public Works) were notified of the incident and have responded to evaluate the situation and coordinated the support for assessing, reporting, containing, and remediation of the tugboat and fuel spill; and

WHEREAS, Public Works has reported the fuel spill to the State of Alaska Department of Environmental Conservation (DEC) and the United States Coast Guard (USCG), where both agencies have identified the Borough as the owner of the tugboat and the responsible party in the removal of the vessel and remediation of the fuel spill; and

WHEREAS, in 2019, Public Works, in order to meet the Borough's environmental cleanup responsibilities and to maintain compliance with the authorities having jurisdiction such as the DEC, USCG, and the United States Environmental Protection Agency (EPA), had 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 act as the Borough's Primary Response Action Contractor (PRAC) for its spill management activities; and

WHEREAS, Contract No. 2020-029 was awarded as a result for a total of \$1,250,000 for FY2020-2024, which was subsequently upfunded by \$900,000 for FY2025-2027 by a change order authorized under Resolution No. 33-2024; and

WHEREAS, Public Works has identified that the dismantlement and removal of the tugboat is necessary for the Borough's continuation of spill response and site remediation efforts through UMIAQ's technical support services, the preliminary cost of which is estimated up to \$1,000,000, which exceeds the Mayor's authority to sign; and

WHEREAS, the identified preliminary cost does not include the transportation and disposal of the dismantled debris and hazardous waste, which may be required depending on more comprehensive information gathered when spill response activities resume; and

WHEREAS, the NSBMC § 2.36.180(A)(1)(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 \$1,000,000 (One Million Dollars) for the dismantlement & removal of the compromised stationary marine vessel from the City of Utqiagvik gravel pit and fuel spill remediation.

INTRODUCED: _____

ADOPTED: _____

Crawford A. Patkotak, President

Date: _____

ATTEST:

Sheila Burke, Borough Clerk

Date: _____

Josiah A. Patkotak, Mayor

Date: _____