

RESOLUTION 26-36

A RESOLUTION OF THE ALEUTIANS EAST BOROUGH ASSEMBLY AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE CHANGE ORDER NO. 4 WITH WESTERN MARINE CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$174,453 FOR THE SAND POINT NEW HARBOR A-FLOAT PROJECT

WHEREAS, the Borough received State of Alaska Harbor Facility Grant Funds and MARAD Port Infrastructure Development Program (PIDP) funds for the Sand Point New Harbor A-Float project; and

WHEREAS, on September 6, 2024, the Request for Proposal documents for the project were issued seeking proposals from qualified contractors for the furnishing of all materials, labor, and equipment necessary to construct a new floating timber dock facility; and

WHEREAS, three proposals were received by the October 21, 2024, deadline; and

WHEREAS, on October 25, 2024, the evaluation committee met to review the proposals, and it was determined all three entities were responsive in accordance with the bid requirements; and

WHEREAS, Western Marine Construction was the apparent low bidder with a bid amount of \$7,855,000; and

WHEREAS, on October 28, 2024, a Notice of Intent to Award was issued to Western Marine Construction; and

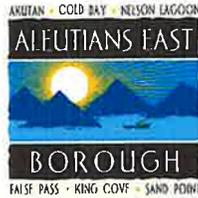
WHEREAS, on November 14, 2024, the Assembly approved Resolution 25-24 authorizing the Mayor to negotiate and execute a contract with Western Marine Construction for the Sand Point New Harbor A-Float project in the amount of \$7,855,000; and

WHEREAS, on November 20, 2024, the Western Marine Construction contract was executed; and

WHEREAS, on February 13, 2025, the Borough executed Change Order No. 1 with Western Marine Construction in the amount of \$774,600 increasing the contract to \$8,629,600; and

WHEREAS, Western Marine Construction submitted Change Order No. 2 in the amount of \$58,995 increasing the contract amount to \$8,688,595; and

WHEREAS, the Borough has approximately \$377,000 remaining in PIDP and State of Alaska funding for the project and MARAD has stated that the Borough could be financially penalized if the money is not spent; and



WHEREAS, Moffatt & Nichol (M&N) requested a quote from Western Marine Construction for aluminum ladders and a portable water pump; and

WHEREAS, on January 21, 2026, WMC submitted Change Order No. 4 in the amount of \$174,453 to fabricate and install 10 new aluminum ladders with slip resistant rungs and to procure and deliver a portable water pump; and

WHEREAS, due to Build America Buy America (BABA) requirements, the portable water pump must meet certain requirements; and

WHEREAS, the manufacturer has provided a letter of assurance stating the pump would be assembled and inspected in the US; however, Western Marine Construction nor the manufacturer, can confirm the pump adheres to BABA requirements when it comes to individual parts of the pump package; and

WHEREAS, MARAD noted the Waiver of Buy American Requirements for De Minimis Costs and Small Grants apply to this project and the Borough needs to show that the total value of the portable fire pump is no more than the lesser of \$1,000,000 or 5% of the total value of materials for this project; and

WHEREAS, M&N is looking into whether this requirement can be met; and

WHEREAS, to be proactive Administration is requesting permission for authorization for the Mayor to negotiate and execute Contract Amendment No. 4 in an amount not to exceed \$174,453 increasing the contract cost to \$8,868,048; and

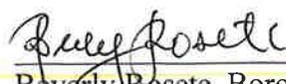
WHEREAS, if the requirement can be met the change order will be executed and if it cannot be met the change order will not be executed.

NOW THEREFORE, BE IT RESOLVED, the Aleutians East Borough Assembly authorizes the Mayor to negotiate and execute Change Order No. 4 with Western Marine Construction in an amount not to exceed \$174,453 for the Sand Point New Harbor A-Float Project.

PASSED AND ADOPTED by the Aleutians East Borough on this 12th day of February, 2026.


Alvin D. Osterback, Mayor

ATTEST:


Beverly Rosete, Borough Clerk

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