

Mayor
Alice Ruby

City Manager
Jack Savo Jr.



Dillingham City Council
Triston Chaney
Tracy Hightower
Steven Carriere
Curt Armstrong
Kaleb Westfall
Kevin McCambly

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Abigail Flynn, City Clerk
Through: Jack Savo Jr., City Manager
Date: October 19, 2026
Re: Award of Fuel Contract and Protest of Award

SUMMARY: Council should adopt the fuel contract award resolution as presented or amend it by motion and vote. Council should dictate its written findings for publication and retention with the bid and award documents.

BACKGROUND: The Manager's October 9, 2026 Notice of Intent to Award recommends Vitus as the lowest responsive bidder for petroleum fuels, excluding propane. Bristol Bay Fuels protested on October 16. Award consideration is scheduled for October 22. The original bids are in the packet. These are Dillingham's only two fuel companies.

DISCUSSION: Council will hear testimony from Bristol Bay Fuels, the unsuccessful bidder, at the Council meeting before considering the award resolution. Under DMC 4.30.100(E)(5), Council must determine whether to affirm, reject, or modify the Manager's evaluation and recommendation in the public's best interest. Council must make supporting written findings based on, but not limited to, the "lowest responsible bidder" definition in DMC 4.30.030.

COUNCIL DECISION: After reviewing the packet and hearing testimony from the unsuccessful bidder, Council should take one of the following actions:

1. Award the contract as presented: Affirm the Manager's recommendation in the October 9 Notice of Intent to Award, adopt written findings addressing the protest, and adopt the award resolution as presented, authorizing the Manager to enter into the contract with Vitus.
2. Amend the award resolution: A Council member may move to amend the resolution, stating the exact changes. Council votes on the amendment, then on the resolution as amended if the amendment passes. Include or incorporate Council's written findings in the resolution. Changes must comply with the bid documents and procurement code.

WRITTEN FINDINGS: For either action, Council should dictate the exact wording of the written findings supporting its determination (see following pages for samples) and approve that wording by motion and vote. The findings should address the protest, explain why the decision serves the public interest, and apply the lowest responsible bidder criteria to the bid record. Direct that the approved findings be published and placed in the City's records with the bid and award documents.

TIMING: The notice states five calendar days; the City Clerk has clarified that the period is five business days. Excluding weekends and the October 12 City holiday, the deadline was October 19; a protest received October 16 was timely.

Findings: Option 2

RFB 2026-03 Furnish Petroleum Fuels FY27

Council dictation worksheet • October 22, 2026

(Sample language for Council to complete and approve. Record the exact wording dictated by Council in the spaces below. Findings must be supported by the bids and testimony.)

After reviewing the original bids, the Manager's October 9 recommendation, Bristol Bay Fuels' protest, and testimony at the Council meeting, Council makes the following findings:

1. Council modifies the Manager's evaluation as follows, for these factual reasons:

2. Regarding compliance with fuel specifications, Council finds:

3. Regarding the submitted pricing terms and October 14 figures, Council finds:

4. The selected bidder meets DMC 4.30.030 because:

Council determination:

Council determines that modifying the recommendation and awarding the contract to _____, under the resolution as amended, is in the public's best interest. The protest is [granted / granted in part] to the extent stated in these findings. Council directs that the approved findings be published and retained with the bid and award documents.