



**CITY OF KOTZEBUE
RESOLUTION NO. 25-19**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ISSUE A NOTICE TO PROCEED TO DRAKE CONSTRUCTION, INC., (“DCI”) OF KOTZEBUE, ALASKA TO REPAIR AND STABILIZE THE BERM ON THE CITY OF KOTZEBUE’S SEWAGE LAGOON CELL THREE IN THE AMOUNT OF SEVEN HUNDRED AND EIGHTY-SIX THOUSAND, ONE HUNDRED AND TWENTY-FIVE DOLLARS (\$786,125.00).

WHEREAS, the October 2024 severe storm and flooring in Kotzebue all but destroyed 2,200 lineal feet of berm for Cell 3 at the City’s Sewage Lagoon and must be repaired as soon as possible to avoid a catastrophic failure of Cell 3 during the next storm which failure would release 40-50 million gallons of sewage into Kotzebue Sound thereby causing a significant environmental disaster;

WHEREAS, this repair effort requires a substantial amount of fill material – 6,725 cubic yards – and the resources necessary to transport and secure this material on-site and will make it necessary for the repaired/rebuilt berm to be hydroseeded;

WHEREAS, DCI is the only contractor in Kotzebue with both the knowledge, equipment and resources readily available for immediate deployment this summer and DCI owns and operates the only gravel source near Kotzebue;

WHEREAS, DCI has submitted a total repair cost quote of \$786,125.00 as set forth in Exhibit “A” attached hereto; and,

WHEREAS, the City has submitted to the State of Alaska Emergency Operations a PROCUREMENT METHOD SOLE SOURCE/INADEQUATE COMPETITION request under Grant Award/Disaster Number AK-24-310 as set forth in Exhibit “B” attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kotzebue, authorizes the City Manager or his Designee to issue a Notice to Proceed to DCI for the repair of the berm for Sewage Lagoon Cell 3 in the amount of \$786,125.00 once disaster relief funding for this amount have been confirmed.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 17th day of April 2025.

CITY OF KOTZEBUE

Derek Haviland-Lie, Mayor

[SEAL]

ATTEST:

Donald Jones, City Clerk

Attachment: Exhibit "A" – DCI Quote [3 pages]
 Exhibit "B" – Sole Source application to SOA [2 pages]



CONSTRUCTION | MARINE | AGGREGATE

Office: 907.442.3512 • Fax: 907.442.2604

P.O. Box 338, Kotzebue, AK 99752

www.drakeconstruction.net

November 5, 2024

City of Kotzebue
P.O. Box 49
Kotzebue, Alaska 99752
Attn: Russ Ferguson / Public Works Director

RE: Sewer Lagoon Repair (Cell 3) Fall Storm/Flood 2024

Mr. Ferguson,

On Tuesday October 22nd a storm followed by historic flood levels and surf inundated Kotzebue and the surrounding area and caused widespread damage. Severe damage to the ocean side berm of the Cell 3 sewer lagoon was caused due to this storm and per your request, DCI has provided the following quote based on the scope of work and discussions to this point. DCI personnel also went out to the site and did a survey of the damaged berm utilizing GPS and used the control point from the 2013 Airport Rehabilitation Project as control for both elevation and profile.

Cell 3 Sewer Lagoon Berm Repair:

All labor, material, and equipment to repair storm damaged portion of the Cell 3 Sewer Lagoon approximately 2.5 miles from the City of Kotzebue. Based on the survey an estimated 6,725 CY will be needed to facilitate the repair of approximately 2,200 lineal feet of berm to pre-storm conditions. Includes hydro-seeding rebuilt areas.

Total repair cost **\$786,125.00**

Exclusions: Any / all permits for project (if required)
 Any taxes including sales tax (if applicable)
 Any survey beyond as built at end of repair

Note* This project would be started once barging of aggregates in Kotzebue Sound could commence during the 2025 summer construction season.

Sincerely,

Toby Drake
Drake Construction, Inc.



DRAKE CONSTRUCTION, INC.

Unique Entity ID QFN2F8LBR3D7	CAGE / NCAGE 3BP92	Purpose of Registration All Awards
Registration Status Active Registration	Expiration Date Aug 8, 2025	
Physical Address 116 2ND Avenue Kotzebue, Alaska 99752 United States	Mailing Address P.O. Box 338 Kotzebue, Alaska 99752 United States	

Business Information

Doing Business as (blank)	Division Name (blank)	Division Number (blank)
Congressional District Alaska 00	State / Country of Incorporation Alaska / United States	URL www.drakeconstruction.net

Registration Dates		
Activation Date Aug 9, 2024	Submission Date Aug 8, 2024	Initial Registration Date Sep 21, 2002

Entity Dates	
Entity Start Date May 1, 2001	Fiscal Year End Close Date Dec 31

Immediate Owner	
CAGE (blank)	Legal Business Name (blank)

Highest Level Owner	
CAGE (blank)	Legal Business Name (blank)

Executive Compensation

Registrants in the System for Award Management (SAM) respond to the Executive Compensation questions in accordance with Section 6202 of P.L. 110-252, amending the Federal Funding Accountability and Transparency Act (P.L. 109-282). This information is not displayed in SAM. It is sent to USAspending.gov for display in association with an eligible award. Maintaining an active registration in SAM demonstrates the registrant responded to the questions.

Proceedings Questions

Registrants in the System for Award Management (SAM.gov) respond to proceedings questions in accordance with FAR 52.209-7, FAR 52.209-9, or 2. C.F.R. 200 Appendix XII. Their responses are displayed in the responsibility/qualification section of SAM.gov. Maintaining an active registration in SAM.gov demonstrates the registrant responded to the proceedings questions.

Exclusion Summary

Active Exclusions Records?

No

SAM Search Authorization

I authorize my entity's non-sensitive information to be displayed in SAM public search results:

Yes

Entity Types

Business Types		
Entity Structure Corporate Entity (Not Tax Exempt)	Entity Type Business or Organization	Organization Factors Subchapter S Corporation

Socio-Economic Types

Minority-Owned Business

Self Certified Small Disadvantaged Business

Native American Owned

SBA Certified HUBZone Firm

Entrance Date: Apr 19, 2016

Exit Date: (blank)

Check the registrant's Reps & Certs, if present, under FAR 52.212-3 or FAR 52.219-1 to determine if the entity is an SBA-certified HUBZone small business concern. Additional small business information may be found in the SBA's Dynamic Small Business Search if the entity completed the SBA supplemental pages during registration.

Federally Recognized Native American Entity

American Indian Owned

Financial InformationAccepts Credit Card Payments
YesDebt Subject To Offset
NoEFT Indicator
0000CAGE Code
3BP92**Points of Contact****Electronic Business**✕
Misty Cain, Office ManagerP.O. Box 338
Kotzebue, Alaska 99752
United States

MIKE Cain, VP-Operations

P.O. Box 338
Kotzebue, Alaska 99752
United States**Government Business**✕
Toby W Drake, PresidentP.O. Box 338
Kotzebue, Alaska 99752
United States

MIKE Cain, VP-Operations

P.O. Box 338
Kotzebue, Alaska 99752
United States**Past Performance**✕
Toby DrakeP.O. Box 338
Kotzebue, Alaska 99752
United States

MIKE Cain, VP-Operations

P.O. Box 338
Kotzebue, Alaska 99752
United States**Service Classifications****NAICS Codes**Primary
YesNAICS Codes
212321
221310
483211
532412
562910NAICS Title
Construction Sand And Gravel Mining
Water Supply And Irrigation Systems
Inland Water Freight Transportation
Construction, Mining, And Forestry Machinery And Equipment
Rental And Leasing
Remediation Services

Procurement Method Report Sole Source / Inadequate Competition

Use this form for Procurements (purchases/orders) that are Sole Source or Inadequate Competition. (Note: this is not the same as a pre-bid contract, if the purchase is using a pre-bid contract please use the appropriate form.)

Subrecipients shall accomplish three (3) requirements with this form: (1) identification of procurement method, (2) SAMS check, and (3) certification signature. (Project Manager's signature is adequate certification that competition was done, and that the Subrecipient is complying with the most stringent procurement procedures-whether federal, state, or local).

Reminder: Procurements must be conducted applying the most stringent of applicable procurement requirements (whether federal, state or local). Jurisdictions must adhere to their local requirements for all procurements if they are more stringent than those listed below.

Subrecipient: City of Kotzebue

Grant Award/Disaster Number: AK-24-310 PBD/PW/PJ:

Procurement Method (per each Purchase/Order)

This may include multiple invoices for each purchase or order.

NOTE: DHS&EM will no longer approve (nor reimburse) this type of procurement after the purchase is made. E-mail to mva.grants@alaska.gov for approval

Sole Source/Inadequate Competition	
Vendor:	<u>Drake Construction</u>
Purchase Amount:	<u>\$ 786,125.00</u>
Justification for Vendor Selection – Provide justification for Vendor Selection in the below box. Please include any written supporting documents providing justification for vendor selection. Explanations of exemptions must contain findings of fact. Evidence must be included, consisting of material facts sufficient to independently determine that the findings of fact listed are true and accurate. Factual evidence may consist of written documents, records, supporting data, affidavits, or other information proving that the findings of fact are true and accurate. Itemized listings of findings of fact and material factual evidence should be included or attached.	
<u>Please see city letter attached, titled "Submission on Procurement Method Letter"</u>	
Send to DHS&EM for approval prior to purchase	

System for Award Management (SAMS) report is required for selected vendor

SAMS Report is a Mandatory Subrecipient Action	
<input checked="" type="checkbox"/>	1. Check System for Award Management (SAM) for debarment/suspension.
<input checked="" type="checkbox"/>	2. Print SAMS report page and attach to this form.

Certification

I certify the above information is true and accurate. Documents related to this procurement are on file and available upon request.

Teresa Baldwin
Subrecipient Project Manager's Signature

Nov. 13th, 2024
Date

Teresa (Tessa) Baldwin, City Manager
Printed Name and Title

E-mail signed form to mva.grants@alaska.gov

DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT			
<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> Returned for Further Justification	Date
SAA/GAR Point of Contact or Authorized Representative			Date



P.O. Box 46
Kotzebue, AK 99752

Phone: (907) 442-3401
Fax: (907) 442-2155

Erin Alexander
State of Alaska Emergency Operations Center

Subject: Submission of Procurement Method Letter– City of Kotzebue Sewer Lagoon, Cell 3 Berm Repair

Dear Ms. Alexander,

We are submitting the Procurement Method Report for the sole sourcing of the repair work on the City of Kotzebue Sewer Lagoon, specifically for Cell 3 berm stabilization. This project is critically important due to the structural vulnerability of the berm, which, if left unrepaired, could result in a catastrophic failure releasing 40-50 million gallons of sewage during future storms, posing significant environmental risks to the Kotzebue Sound.

The repair effort requires a substantial volume of fill material—6,725 cubic yards of compactable soil—and the resources necessary to transport and secure this material on-site. Currently, Drake Construction is the only contractor in Kotzebue with both the required materials and equipment readily available for immediate deployment. Drake Construction owns and operates the only gravel pit near Kotzebue.

Given the urgency of this repair and the limited availability of qualified suppliers, we have determined that a sole source procurement is essential to meet the timeline for this vital infrastructure project. Utilizing Drake Construction will allow us to complete the repairs efficiently and safeguard against potential significant environmental impacts should an additional storm affect the area before repairs are made.

Thank you for your attention to this matter. Please do not hesitate to reach out if further details are needed to facilitate this request.

Sincerely,

Tessa Baldwin
City Manager
City of Kotzebue
tbaldwin@kotzebue.org