



# MUNICIPALITY OF ANCHORAGE



## Solid Waste Services Department Mayor Suzanne LaFrance

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Date: April 16, 2025  
To: Anchorage Assembly Members  
From: Kelli Toth, Director Solid Waste Services

Subject: Waiver of Procurement Requirements- Merrill Field Airport

This memorandum transmits a Mayoral waiver of the formal procurement procedures in accordance with AMC 7.20.090.

A severe windstorm in January caused power surges to the landfill gas collection and control system at Merrill Field Airport, contributing to the exceedances of lower explosive limits within three buildings on site. Two letters from ADEC followed, requiring the Municipality to take immediate action to ensure health and safety within the buildings and surrounding area. On March 11, the Alaska Department of Environmental Conservation (ADEC) sent an initial letter asking for a timeline and urgency to remedy the situation. April 16, ADEC sent another email outlining applicable provision of Alaska Statute and issuing another call to action.

In order to respond as quickly as possible to mitigate health and safety concerns, Mayor LaFrance authorized waiving formal procurement procedures. Mayor LaFrance approved the waiver on Wednesday, April 16 at 4:45pm. Solid Waste Services requests the waiver of Title 7 to procure emergency design and construction services for a landfill gas collection control system at Merrill Field Airport, a historic closed landfill. In accordance with Anchorage Municipal Code:

### **7.20.090 Emergency procurements and waiver of formal procurement procedures.**

- A. The municipality may award a contract for supplies, services, professional services, or construction without competition, formal advertising or other formal procedure if:
1. The mayor determines in writing that an emergency threatening the public health, safety or welfare requires that the contract be awarded without delay; or
  2. The mayor waives, in writing, the formal procedures of this title when time is of the essence and there is not sufficient time to bring the request to a regular meeting of the assembly, and the best interests of the Municipality will be served by such action.

### **Justification**

This situation qualifies under **AMC 7.20.090 A.1 and A.2** for a waiver, as:

- The health and safety of the public are at immediate risk.
- The standard procurement timeline would hinder compliance with state regulatory expectations and escalate risk to life and property.
- Waiving the process serves the best interest of the Municipality by enabling urgent and necessary remediation.

One of Anchorage's original municipal landfills (1940's) lies beneath what is now Merrill Field Airport (MFA). Over time, this site was buried, compacted, capped with asphalt, and built upon. While these actions were

taken in good faith, the site was never formally regulated under current state statute AS 60.805 due to its historic status.

In the 1990s, Solid Waste Services (SWS) voluntarily installed a passive landfill gas migration system — despite no regulatory requirement — to mitigate potential risks and protect public safety. Since then, SWS has conducted routine gas monitoring. However, recent readings have revealed that methane levels in occupied buildings now exceed the lower explosive limit (LEL) and are in violation of current Alaska statutes particularly for health and safety.

Although no official record confirms previous explosions, there have been longstanding community concerns and anecdotal reports of gas-related incidents at the site. These historical concerns, coupled with current exceedances, highlight the potential danger and reinforce the need for immediate action.

The urgency escalated in January, when a severe windstorm caused power surges that damaged core components of the gas collection and control system. Several pipes are now crushed or filled with condensate, and the system as a whole is beyond repair, with some parts no longer manufactured. This situation has evolved into serious infrastructure failure with health and safety implications. SWS provided gas monitors in each of the buildings in question, and tenants were told to actively ventilate the buildings keeping windows open with fresh air circulating inside.

On March 11, 2025, the Alaska Department of Environmental Conservation (ADEC) issued a formal request requiring SWS to submit a design and construction timeline to address the issue. SWS is working in close coordination with ADEC to ensure full transparency and rapid resolution. While initial design work can be completed pursuant to an existing contract, a construction contract must be entered into in order to move forward with addressing the issue. Construction must begin during the 2025 season to remain compliant with this directive and avoid further risk to tenants, staff, and surrounding infrastructure.

### **All Contract Costs**

Health and safety are the highest priorities for SWS and the Municipality. To act without delay, we request a waiver from the competitive procurement process under Title 7. The estimated cost of the project is \$3,129,500.00, which will be funded through SWS equity. The amount has already been included in Q1 budget revisions.

### **Proposed Contractor: SCS Engineers**

SWS intends to award the contract to SCS Engineers, a long-term partner with deep experience in landfill gas systems. Their team includes former SWS leadership — including a past Director and Engineer — who possess intimate knowledge of the Merrill Field site. SCS's institutional memory and technical expertise will ensure the design and execution are both fast and thorough.

SCS also brings national experience in air quality compliance, regulatory reporting, and engineering design. Their existing familiarity with this site allows for immediate mobilization — a critical factor in meeting the 2025 construction window and satisfying ADEC's directive.

### **Conclusion**

This is not a routine request — it is a matter of immediate health, safety, and legal compliance. Methane levels have surpassed state regulatory thresholds. Infrastructure has failed. And the timeline to act is narrow. SWS is committed to full transparency and cooperation with ADEC and other agencies.

SWS will provide regular updates to the IEUOC committee and full assembly.