

Introduced by: Borough Assembly
Drafted by: Assembly Member Williams
Introduced on: 05/19/2022
Public Hearing Date:06/02/2022
Amended: 06/02/2022
Adopted on: 06/02/2022

**KODIAK ISLAND BOROUGH
ORDINANCE NO. FY2022-20**

**AN ORDINANCE OF THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH AMENDING
TITLE 3 REVENUE AND FINANCE, CHAPTER 3.30 CONTRACT, PURCHASE, SALE, AND
TRANSFER PROCEDURES SECTION 3.30.030 OPEN MARKET PROCEDURES**

WHEREAS, KIBC 3.30.020 Limitation on Manager's Authority states the manager may not make an acquisition, sale, transfer, or contract authorized by KIBC 3.30.010 if the value of the property, service, or contract exceeds a \$25,000 without first obtaining assembly approval with the exception of utility bills, which may be paid without assembly approval; and

WHEREAS, KIBC 3.30.030(b) Open Market Procedures states market purchases, sales, and contracts for over \$500.00 shall, whenever possible, be based on at least two quotes and shall be awarded to the lowest responsible bidder, or in the case of a sale, the highest responsible bidder, except a local preference shall be allowed for purchases of \$15,000 or less if that bid does not exceed the lowest responsible bid by more than ten percent; and

WHEREAS, there is a gap between the manager's purchasing authority cap in KIBC 3.30.020 at \$25,000 and the dollar amount that the local preference shall be allowed for in KIBC 3.30.030(b) at \$15,000; and

WHEREAS, it is in alignment with KIBC 3.30.060 Local Preference, to give the Manager authority to, at his/her discretion, direct an award of a contract for the purchase of personal property or services after competitive bidding to a responsible bidder who maintains a business office or store within the borough from which the property or service would be provided, if that bid does not exceed the lowest responsible bid by more than ten percent for the totality of his/her purchasing authority cap.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that:

Section 1: This ordinance is of a general and permanent nature and shall become a part of the Kodiak Island Borough Code of Ordinances.

Section 2: Title 3 Revenue and Finance, Chapter 3.30 Contract, Purchase, Sale and Transfer Procedures Section 3.30.030 Open Market Procedures is hereby amended to read as follows:

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3.30.030 Open Market Procedures

- A. Purchases, sales, or contracts authorized by KIBC 3.30.010 having an estimated value less than \$25,000 shall be made in the open market without newspaper advertisement.
- B. Market purchases, sales, and contracts for over \$500.00 shall, whenever possible, be based on at least two quotes and shall be awarded to the lowest responsible bidder, or in the case of a sale, to the highest responsible bidder, except a local preference for purchasing shall be allowed for purchases of ~~\$15,000~~ \$25,000 or less if that bid does not exceed the lowest responsible bid by more than 10 percent.
- C. The manager, or authorized designee, may solicit oral or written bids for open market purchases or sales, and shall maintain a record of all bids received.
- D. The sale of all surplus, obsolete, or unusable personal property shall be advertised by electronic means or in a newspaper of general circulation in the borough unless authorized to the contrary by the assembly.
- E. The purchase of utilities is exempt from this section.


Effective Date: This ordinance takes effect upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS SECOND DAY OF JUNE, 2022.**

KODIAK ISLAND BOROUGH



William Roberts, Mayor

ATTEST:


Nova M. Javier, Interim Borough Clerk

VOTES:
Ayes: Griffin, Smiley, Smith, Turner, Arndt, Delgado
Absent: Williams