

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-03A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA
GENERAL CODE SECTIONS 3.16.030 ENTITLED “OPEN MARKET PROCEDURES”,
3.16.060 ENTITLED “EXCEPTIONS TO COMPETITIVE BIDDING REQUIREMENTS”,
AND ADDING SECTION 3.16.080 ENTITLED “PROCUREMENT MONITORING”

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Procurement Policies and Procedures. This ordinance is intended to become a part of the Sitka General Code (“SGC”).

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstances shall not be affected.

3. **PURPOSE.** It is the intent of the City and Borough of Sitka Assembly to promote local procurement of goods and services whenever practical and in the best interest of the municipality. This ordinance aims to allow that approach.

4. **ENACTMENT. NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC Sections 3.16.030 and 3.16.060 are amended and SGC Section 3.16.080 is added to read as follows (new language underlined; deleted language stricken):

CHAPTER 3.16
PROCUREMENT POLICY

Sections:

- 3.16.010 Contract and purchase procedure.
- 3.16.020 Limitation on administrator’s authority.
- 3.16.030 Open market procedures.
- 3.16.040 Advertising for bids and award to lowest bidder.
- 3.16.050 Processing of bids.
- 3.16.060 Exceptions to competitive bidding requirements.
- 3.16.070 Lowest responsive and responsible bidder.
- 3.16.080 Procurement Monitoring. [Reserved.]
- 3.16.090 [Reserved.]
- 3.16.100 Change orders—Administrator authority.
- 3.16.110 Competitive sealed proposals—Negotiated procurement.
- 3.16.120 Procurement policy procedure manual.

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49 **3.16.030 Open market procedures.**

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C. All purchases less than twenty-five thousand dollars shall be made on the open market with such competition as is reasonable and practical in the circumstances as long as by doing so, does not interfere with the ability of CBS to receive grants and other funding sources. It is the City and Borough of Sitka's intent to promote local purchases whenever the availability, quality, price and delivery is:

58 1. Within a 4% advantage to what is available outside the municipality for purchases
59 under \$2,500; and

60 2. Within a 2% advantage to what is available outside the municipality for purchases
61 \$2,500 and above.

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63 Prior to making any purchases that fall within this section, the City and Borough of Sitka will
64 request bids from local vendors. Bids will be posted and received through an electronic
65 bidding system. The electronic bidding system shall establish a list of registered local
66 vendors and addresses. The registered vendors will be electronically notified and requested to
67 submit their electronic bid as specified.

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3.16.060 Exceptions to competitive bidding requirements.

72 Unless otherwise authorized by law, all procurement actions shall be by competitive bidding.
73 The following is a list of authorized exceptions describing situations in which competitive
74 bidding is not ~~practicable~~ required:

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77 B. Small procurement, below two hundred fifty ~~ten thousand~~ dollars.

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C. ~~Emergency Procurement~~ acquisitions approved by the department head.

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82 J. Sole-Source Procurement.

83 1. Procurement resulting from competitive sealed proposals as defined in Section
84 3.16.110.

85 2. Placement of insurance coverage as defined in this chapter.

86 3. Contracts for electronic data processing and system control software and hardware
87 systems and other software systems shall be by professional services contract;
88 provided, however:

89 a. To be exempt from competitive bidding the service in question must be truly a
90 "system" which is professionally designed.

91 b. The purchase of hardware which is not an inextricable part of the system and
92 can be bid separately shall be competitively bid.

93 c. Software and systems readily available on the open market (i.e., Windows 95)
94 are not subject to this exception. Competition will be sought to the maximum
95 extent practicable.

96 4. Sole-source justified procurement.

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100 **3.16.080 Procurement Monitoring.**

101 CBS purchases covered under this chapter will be tracked by zip code and a local purchase
102 report included in quarterly financial reports to the Assembly.

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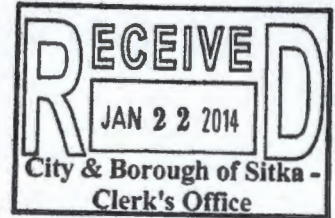
106 5. **EFFECTIVE DATE.** This ordinance shall become effective the day after the
107 date of its passage.

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109 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of
110 Sitka, Alaska this 28th day of February, 2014.

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113 _____
Mim McConnell, Mayor

114 ATTEST:

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116 Colleen Ingman, MMC
117 Municipal Clerk
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GREATER SITKA CHAMBER OF COMMERCE BOARD OF DIRECTORS

RESOLUTION 2014-01

IN SUPPORT OF THE CITY AND BOROUGH OF SITKA PURCHASING GOODS AND SERVICES LOCALLY

WHEREAS, the Board of Directors ("Board") of the Greater Sitka Chamber of Commerce has a responsibility to its members; and

WHEREAS, the Greater Sitka Chamber of Commerce's mission is to promote, support, and facilitate commerce and economic growth in the community; and

WHEREAS, the Greater Sitka Chamber of Commerce recognizes the substantial benefit of shopping local to Sitka's economy; and

WHEREAS, the City and Borough of Sitka has a need to make purchases to operate; and

WHEREAS, the City and Borough of Sitka should support local businesses by shopping locally when possible.

NOW THEREFORE BE IT RESOLVED that the Greater Sitka Chamber of Commerce does hereby request the City and Borough of Sitka determine a policy for all purchases that allow local businesses the opportunity to provide the products and/or services needed; and

BE IT FURTHER RESOLVED that the Greater Sitka Chamber of Commerce does hereby request all businesses to stand behind the proposed ordinance requiring the City and Borough of Sitka to purchase goods and services locally, when possible; and

BE IT FURTHER RESOLVED that this resolution shall be effective immediately; and

BE IT FINALLY RESOLVED that the officers and agents of the Greater Sitka Chamber of Commerce be and are hereby authorized to take all action necessary to effect the foregoing resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by the Greater Sitka Chamber of Commerce in accordance with its organic documents at a Meeting of the Sitka Chamber of Commerce held on MONTH XX, XXXX and said resolution appears in the record of said Meeting as set forth above. Dated this XX day of MONTH, XXXX.

Ptarmica McConnell, President

Jennifer Robinson, Executive Director

Addendum to Proposed Ordinance 2014-03

Efficacy Measurement:

In order to assess the effectiveness of this ordinance, the city administrator or his/her designee shall provide to the City Assembly an accounting of the rate of procurement expenditures in area code 99835 by city departments upon the adoption of the ordinance and subsequently on a semiannual basis. This accounting will therefore establish an on-going baseline of actual financial data as a simple and direct means to determine any future amendments or modifications that may be necessary to assure the success of the intent and purpose of this ordinance.