

Introduced by: Scalzi
Date: 10/11/94
Hearing: 11/29/94
Action: Defeated as Amended
Vote: 3 Yes, 6 No

KENAI PENINSULA BOROUGH
ORDINANCE 94-53

**AN ORDINANCE AMENDING THE BOROUGH PURCHASING CODE
TO LIMIT THE ABILITY OF NON-PROFIT ORGANIZATIONS
TO BID FOR BOROUGH CONTRACTS**

WHEREAS, a strong economy is directly related to the health of the private sector; and

WHEREAS, non-profit organizations provide services where none is provided for by the private sector; and

WHEREAS, in no instance should there be economic competition between the private sector and non-profit organizations;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB 5.28 is amended by adding a new section to read as follows:

5.18.215. Limiting award of bid contracts to non-profit organizations.

Except as provided in this section, no association, cooperative, organization, group or corporation that is organized or incorporated as a non-profit organization under the laws of any state or country or that has obtained a tax exempt status under the U.S. Internal Revenue Code may be awarded a contract to provide goods or services to the borough if the contract was solicited by an invitation to bid under KPB 5.28.210, unless, there are no qualified, responsible and responsive bidders other than such non-profit organizations. However, this section shall not apply if the tax exempt organization is either a tax exempt utility operated by a municipality or regulated by the Alaska Public Utilities Commission, an operator of health care facilities or a provider of health care services, health insurance or other medical benefits.

SECTION 2. That this ordinance shall become effective immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS
29th DAY OF NOVEMBER, 1994.**

Drew Scalzi, Assembly President

ATTEST:

Gaye J. Vaughan, Borough Clerk