

Introduced by:	Sprague
Date:	01/05/10
Hearing:	02/02/10
Action:	Enacted as Amended
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2010-06**

**AN ORDINANCE AMENDING KPB CHAPTER 5.28 REGARDING PROPRIETARY
PROCUREMENT**

WHEREAS, borough contract awards without competition are allowed under the borough code where the borough's requirements reasonably limit the purchase to a sole source or when the mayor finds that the best interests of the borough to standardize the procurement are compatible with existing borough requirements; and

WHEREAS, recently there has been discussion concerning sole source awards; and

WHEREAS, the borough's best interests would be served by including a public process for the award of sole source contracts; and

WHEREAS, at this time, formal competitive bidding is ordinarily required for contracts expected to cost more than \$15,000; and

WHEREAS, requiring assembly approval of sole source awards costing more than \$15,000 would be consistent with the established standard for formal bid requirements;

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

SECTION 1. That KPB 5.28.280 is hereby amended as follows:

5.28.280. Proprietary procurement.

A. Subject to paragraph B, [A]a
contract for supplies, services, professional services or construction may be awarded by the purchasing officer or agency head without competition under the following conditions:

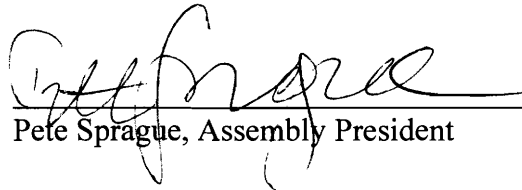
[A]1. Where it is determined by the purchasing officer or agency head that the borough's requirements reasonably limit the procurement to a sole source. The determination will be based on a written justification provided by the requesting agency head;

[B]2. Where it is determined by the mayor that it is in the best interest of the borough to standardize the procurement in order to maintain compatibility with existing borough requirements.

B. Purchases without competition costing more than \$20,000 must first be approved by the assembly by resolution except where the mayor determines an emergency affecting life, health, or safety exists.

SECTION 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF FEBRUARY, 2010.


Pete Sprague, Assembly President

ATTEST:


Johni Blankenship, Borough Clerk

Yes: Fischer, Haggerty, Knopp, McClure, Pierce, Smalley, Smith, Sprague
No: None
Absent: Superman