



## ***KENAI PENINSULA BOROUGH***

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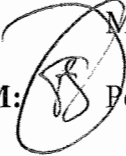
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**DAVID R. CAREY  
BOROUGH MAYOR**

### **MEMORANDUM**

**TO:** Pete Sprague, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:**  Pete Sprague, Assembly President

**DATE:** August 5, 2010

**SUBJECT:** Ordinance 2010-32, amending 5.28.320 regarding appeals from contract awards

Since the enactment of Ordinance 2003-10, which significantly expanded the procedures for appealing the award of a contract in a competitive solicitation process, it has become apparent that a few changes are needed. This ordinance would clarify that the record on appeal should include all correspondence to or from all parties. Also, it would virtually eliminate the opportunity for testimony during the hearing, which is consistent with the intent that appeals be based on the record. Finally, it would clarify that no new evidence may be submitted. Your consideration and approval of this ordinance would be appreciated.