

An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.170 to add design-build contracts for public works projects to the list of exceptions to competitive sealed bidding and submission of quotations.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 3.60.170. Section 3.60.170 of the Haines Borough Code is hereby amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

3.60.170: Exceptions to competitive sealed bidding and submission of quotations.

The restrictions and provisions of HBC 3.60.090 and 3.60.160 shall not apply to the following:

- A. Contracts involving the obtaining of professional or specialized services such as, but not limited to, services rendered by architects, attorneys, engineers, and other specialized consultants;
- B. Where calling for bids on a competitive basis is unavailable or impossible, including but not limited to situations where rates are set by statute or ordinance or where like items are traded in, or where used items are being purchased;
- C. Where the borough's requirements can be met solely by an article or process obtainable only from a single source;
- D. Placement of insurance coverage;
- E. When public work is performed by the borough with its own employees;
- F. When it is advantageous to the borough to enter into a contract with a bidder for the same supplies or services such bidder is providing another Alaskan local government, the state of Alaska, or the United States, where such supplies or services are being provided the other governmental unit on the basis of formal bids submitted, and where the borough contract is on substantially the same terms as those bids; or to contract with or through such other governmental unit so that the benefit of the responsible bid accrues to the borough;

G. When a competitive procedure under this chapter has been followed, but no bids or quotations are received. In such case, the assembly may authorize the services to be performed or the supplies purchased without further competitive bidding or quotation;

H. Supplies, materials, equipment or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus- (Ord. 07-08-163);

I. Design-build contracts for public works projects.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____
DAY OF _____, 2019.

ATTEST:

Janice Hill, Mayor

Aleka Fullerton, CMC, Borough Clerk

Date Introduced:
Date of First Public Hearing:
Date of Second Public Hearing: