

CITY OF VALDEZ, ALASKA

ORDINANCE NO. 22-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ,
ALASKA, AMENDING CHAPTER 2.80, SECTION 2.80.075, TITLED
OPEN MARKET PURCHASES/PROCUREMENTS

WHEREAS, the following amendments to Section 2.80.075 create exceptions to the competitive bidding process recommended by city administration to facilitate current initiatives related to housing development, procurement processes related to unanticipated maintenance, and non-responsive bids.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA THAT the following amendments are made to Chapter 280, Section 2.80.075 of the Valdez Municipal Code:

Section 1. Section 2.80.075 is hereby amended to read as follows:

2.80.075 Open market purchases/procurements.

The following may be purchased without competitive bidding:

- A. Supplies, materials, equipment or contractual services when combined cost does not exceed five thousand dollars in a single transaction;
- B. Supplies, materials, equipment or contractual services which can only be furnished by a single dealer, or which has a uniform price wherever bought;
- C. Supplies, materials, equipment or contractual services procured from another unit of government at a price deemed below that obtainable from private dealers, including war surplus;
- D. Contractual services procured from a public utility corporation at a price or rate determined by state or other government authority;
- E. Contractual services of a professional nature, such as medical services, or insurance policies whose nature demands immediate action;
- F. Supplies, materials or equipment which cannot be procured locally and which can be procured from a source selected by another unit of government pursuant to competitive bidding procedures to provide the same or similar supplies, materials or equipment if:
 - 1. The award was made by the governmental unit; and

2. The item(s) can be procured at the same price plus additional freight or delivery charges if applicable;

G. The city encourages local procurement whenever practicable. Procurements made under this section shall only be made after a reasonable attempt to evaluate procurement options from a local source;

H. Professional services; provided, that the procedures set out in Section 2.80.080 are followed.

I. Contractual services for infrastructure, including required facilities set forth in VMC 16.20.020, pursuant to an agreement for the development of housing. Work completed under such agreements must satisfy applicable public construction contract payment requirements under state and federal law.

J. Contractual services where the competitive bidding process has failed to yield responsive bids or proposals.

K. Contractual services provided subject to a services agreement for unanticipated maintenance, alterations, and repairs for city facilities that are not part of a planned Capital Infrastructure Project (CIP) or Major Maintenance Project where the underlying services agreement provides that compensation shall not exceed \$40,000.

Section 2. This ordinance shall take effect immediately following final approval and adoption by the Valdez City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this _____ day of _____, 2022.

CITY OF VALDEZ, ALASKA

Sharon Scheidt, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

Jake Staser, City Attorney
Brena, Bell, & Walker, P.C

First Reading:
Second Reading:
Adoption:
Ayes:
Noes:
Absent:
Abstain: