

4.04.060 - Bid procedure.

4.04.070 - Competitive proposals.

4.04.080 - Professional service contracts.

4.04.090 - Protest and remedies.

4.04.100 - Appeal.

4.04.010 - Definitions.

The following words, terms and phrases when used in this chapter and Chapter 4.08 shall have the meanings ascribed to them except where the context clearly indicates a different meaning:

"Nonresident" means a person, firm, corporation, partnership or sole proprietorship not having a principal place of business in the Borough for at least six months immediately preceding a bid opening date.

"Principal place of business" means a firm, corporation, partnership or sole proprietorship having its main business office located in the corporate limits of Petersburg Borough.

"Professional services contract" is a formal written and executed document expressing expected services that may include analysis, evaluation, prediction, planning or recommendations resulting in the production of a report, plan, drawings or completion of a task.

"Public interest," also referred to as "interest of the Borough," means the greatest benefit, right or advantage to be obtained for the Borough population as a whole.

"Purchase" means and includes buying personal property and contracting for the construction, extension and repair of public improvements.

"Purchasing Agent" means the Borough Manager or the Manager's delegee.

"Resident" means a person, firm, corporation, partnership or sole proprietorship having a principal place of business in the Borough for at least six months immediately preceding a bid opening date.

4.04.020 - Authorization and when competitive bidding is required.

A. An administrative officer or their designee shall be authorized to make purchases costing five thousand dollars or less without a written purchase order. The coding and approval for the purchases shall be the responsibility of the administrative officer or their designee.

B. A purchase costing more than five thousand dollars but less than thirty thousand dollars shall be authorized by the Borough manager. In the event of the Borough manager's absence, the manager shall delegate the authority to the acting Borough manager with the approval of the mayor, or in the mayor's absence, the deputy mayor.

C. Purchases costing thirty thousand dollars or more shall be made only after competitive bids have been solicited. The Borough Assembly, by resolution, may waive bid requirements for purchases costing thirty thousand dollars or more, but less than one hundred fifty thousand dollars, subject to Section 4.04.040

D. Competitive bid procedures for purchases estimated to cost one hundred fifty thousand



dollars or more may not be waived by the Assembly except if the Borough manager, as incident commander, implements the Petersburg emergency preparedness plan.

4.04.030 - Funding required before purchase.

Unless specific Borough Assembly approval is given by budget revision, no purchase shall be made, or change order authorized, unless it can be paid for from non-obligated and unexpended funds from the current approved budget.

4.04.040 - Exceptions to bidding.

Competitive bidding shall not be required for the following:



A. Purchases at a sales price of thirty thousand dollars or more, but less than one hundred fifty thousand dollars, upon Assembly resolution as set out in section 4.04.020C;

B. Emergency Purchases. "Emergency" as used in this chapter shall be defined as (1) an unforeseen occurrence or condition, usually a sudden, unexpected happening, and is something more than expediency or convenience. In an emergency, the Assembly shall waive the bid procedure by resolution which shall identify the emergency; or (2) if the Borough manager, as incident commander, implements the Petersburg emergency preparedness plan as provided in Chapter 3.72 of this code;

C. Single Supplier. When there is a single supplier of goods or product to be purchased, the Assembly may waive the bid procedure by resolution. This may occur when it is believed that a product is uniquely suitable, only a specific brand is compatible with an existing Borough supply or system, is specified in capital construction contracts or manufacturer's warranties, or when it is determined to be in the Borough's best interest and most cost-effective to purchase from a single supplier;

D. Contracts for Equipment Maintenance and Repair. Contracts for the maintenance, repair or overhaul of Borough equipment do not require the public bid process when the furnishing of parts or materials is incidental to furnishing of services or labor. The term "equipment" for these purposes shall mean a single unit whether or not attached as a fixture;

E. Contracts for professional services, as set out in section 4.04.080;

F. Placement of insurance contracts;

G. 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, a cooperative purchasing association composed of government agencies, or the United States, where such supplies, equipment or services are being provided to the other governmental unit or association on the basis of competitive bids submitted; and where the Borough contract is on substantially the same terms as those bid; or to contract with or through such other governmental unit or association so that the benefit of the responsible bid accrues to the Borough;

H. When competitive procedures have been followed, but no bids or quotations are received. In such a case, the Borough Manager may proceed to have the services performed or the supplies purchased without further competitive bidding; and

I. Where contracts are to be awarded by competitive proposals under section 4.04.070.