

Presented by: The Manager
Introduced: 04/25/2005
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2005-10

An Ordinance Amending the Purchasing Code Relating to Purchases by Bartlett Regional Hospital.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. Section 2 of this ordinance is of a general and permanent nature and shall become a part of the City and Borough code. Section 3 of this ordinance is a non-code section.

Section 2. Amendment of Section. CBJ 53.50.090 providing for exceptions to competitive sealed bidding and submission of quotations, is amended to read:

53.50.090 Exceptions to competitive sealed bidding and submission of quotations.

The restrictions and provisions of this chapter shall not apply:

- (a) To contracts involving the obtaining of professional or specialized services such as those rendered by architects, attorneys, engineers, and others requiring advanced training and the exercise of independent judgment and discretion. Except as authorized in writing by the purchasing officer, such services shall be obtained by competitive proposal;
- (b) Where calling for bids on a competitive basis is unavailing or impossible, including 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 City and Borough's requirements can be met solely by an article or process obtainable from a known single source. No purchase shall be made pursuant to this subsection except upon written authorization of the purchasing officer certifying that there is no reasonable substitute for the article or process, and that it is clearly obtainable only from a known single source. Notice of the authorization shall be prominently posted in a public place at the offices of the purchasing officer;
- (d) To placement of insurance coverage;
- (e) When public work is performed by the City and Borough with its own employees;
- (f) When it is advantageous to the City and 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 or services are being provided to the other governmental unit or association on the basis of competitive bids submitted, and where the City and 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 City and Borough; according to regulations adopted by the Manager pursuant to CBJ 01.60;

- (g) When either competitive procedure has been followed, but no bids or quotations are received. In such a case, the manager may proceed to have the services performed or the supplies purchased without further competitive bidding or quotation;
- (h) *Reserved;*
- (i) *Reserved;*
- (j) To electronic data processing software and hardware and software systems;
- (k) To the selection and commission of artists and the purchase and execution of works of art for municipal facilities;
- (l) To purchases of supplies, services or construction items during, and for the purpose of alleviating, a class 2 emergency; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the selection of a particular emergency contractor shall be included in the contract file. A record of all emergency procurements shall be made and shall set forth each contractor's name, the amount and type of the contract, a listing of the items procured under the contract, the record of the manager's justification for the procurement, and the identification number of the contract file;
- (m) To contracts involving lobbying services;
- (n) To services provided by personnel of government agencies, schools, and nonprofit agencies, as authorized by Section 9.14(b) of the Charter. Any contract issued pursuant to this section, including those issued by the docks and harbors department and the Airport, must be approved by the city manager;
- (o) To the purchase of supplies, materials, or equipment by Bartlett Regional Hospital through a Group Purchasing Organization;
- (p) To the purchase of supplies, materials, equipment, or contractual services that are medical in nature and necessary to providing medications, treatment procedures, medical diagnosis, or rehabilitation.

Section 3. It is the intent of the Assembly that the benefits of the Group Purchasing Organization be reviewed by the hospital board of directors every five years.

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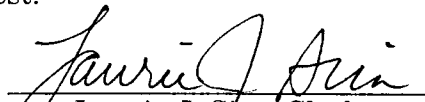
Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 25th day of April, 2005.



Bruce Botelho, Mayor

Attest:



Laurie J. Sica, Clerk