



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *hpf for MN*

FROM: Valentina Sustaita, Purchasing and Contracting Director *V. Sustaita*

DATE: July 20, 2017

SUBJECT: Ordinance 2017-21, Amending the Purchasing Code at KPB 5.28.260(A) to Align the Code with State Statute Regarding School Boards and the Acquisition of Other Professional Services for Service Areas (Mayor)

The borough code at KPB 5.28.250 provides the standard process for soliciting proposals for professional services where bidding is not practicable. Under this provision the purchasing officer solicits proposals using requests for proposal, works with the affected department to coordinate evaluating the proposals, and issues notices of awards.

KPB 5.28.260(A) provides some different procedures than those in KPB 5.28.250 for architectural and engineering services for capital projects for the school district and borough designated service areas. AS 14.14.060 has provisions governing the award of such contracts for school district facilities, and this section should reference that statute to ensure that the process followed is consistent with the statute.

Additionally, KPB 5.28.260(A) provides that service area boards are responsible for preparation, solicitation of the service area requests for proposal and subsequent review and negotiations with the assistance of the purchasing and contracting director. This is inconsistent with other provisions in the code which authorize the purchasing and contracting director to perform these functions. Purchasing is a specialized field and authorizing the service area boards to perform these functions is not consistent with current practice and could expose the borough to responsibility for errors in the solicitation and award process.

This ordinance would amend the code to include a reference to AS 14.14.060 for school district solicitations for architectural and engineering services for capital projects and delete the reference to service area board responsibility for preparation and solicitation of these requests for proposal and review and negotiation with the proposers. Your approval would be appreciated.