

5.28.210. - Solicitation and acceptance of bids.

- A. The purchasing officer or designee shall initiate competitive bidding by issuing an invitation for bids. The invitation for bids shall be prepared by the requesting agency and shall state, or incorporate by reference, all specifications and contractual terms and conditions applicable to the procurement.
- B. Public notice of the invitation for bids shall be made accessible through the borough's website, published at the office of the purchasing officer, and at least once in the newspapers of general circulation in the Borough at least 10 days before the last day on which bids will be accepted. The mayor shall determine whether the services or products sought by each individual contract are of a type available from businesses located within the borough, and shall cause additional publication of the invitation for bids within each region of the borough where such availability has been determined to exist. The contents of the notice shall be sufficient to inform interested readers of the general nature of the supplies, services or construction being procured and the procedure for submitting a bid.
- C. The purchasing officer, at the request of the agency head, may provide for a pre-bid conference. At the pre-bid conference or at other times deemed appropriate by the agency head, the terms of an invitation for bids may be modified or interpreted only by written addenda issued by the purchasing officer or appropriate agency head or designee. Addenda to bids shall be sent to each recipient of the original bid documents. Only a bid acknowledging receipt of all addenda may be considered responsive, unless the addendum, in the opinion of the mayor or the agency head, would have no material effect on the terms of the bid.
- D. Unless sealed bids are being submitted through an electronic bidding system sealed bids shall be designated as such on the outer envelope and shall be submitted by mail or in person at the place and no later than the time specified in the invitation of bids. Bids not submitted at the proper place or within the time specified will not be opened or considered and will be returned to the respective bidders. If a bid is inadvertently opened, the bid shall be immediately resealed and an appropriate explanation noted on the envelope; the resealed bid shall be then kept with the other bids submitted.
- E. Sealed bids submitted through an electronic bidding system shall conform to the requirements set forth in the solicitation, including any requirement for electronic signatures.
- F. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The purchasing officer shall tabulate the amount of each bid and shall record such other information as may be necessary or desirable for evaluation together with the name of each bidder. The tabulation shall be open to public inspection, and a copy of the tabulation shall be furnished to each bidder upon request. Any bidder may review the bids after tabulation or summary.
- G. Bids shall be submitted unconditionally in accordance with bid instructions and specifications. No alteration or correction to a submitted bid will be allowed after the specified time for receipt of the bid. For purposes of determining the apparent low bidder and the responsiveness of bids, no criteria except those set forth in the invitation for bids, including all specifications and addenda, may be used.

(Ord. No. 2016-34, § 2, 10-11-16; Ord. No. 92-47, § 1, 1992; Ord. No. 87-29, § 1(part), 1987)



Larry Smith <dlconst.smith@gmail.com>

Intent to Award / Bid Tab

2 messages

Hartley, Patricia <PHartley@kpb.us>

Mon, Jun 13, 2022 at 2:45 PM

To: "steamonwheelsllc@alaska.net" <steamonwheelsllc@alaska.net>, "rchumley@alaska.net" <rchumley@alaska.net>, Larry Smith <dlconst.smith@gmail.com>, "shawn@rivercityconstruction.us" <shawn@rivercityconstruction.us>
Cc: "Uhlin, Dil" <duhlin@kpb.us>, "Painter, Jed" <JPainter@kpb.us>, "Agosti, Elaine" <eagosti@kpb.us>

Good Afternoon,

Attached is the Intent to Award and Bid Tab for ITB22-056 Summer & Winter Maintenance, Central Region, Unit 5.

Thank you!

Patti Hartley

Purchasing Assistant

Ph: (907) 714-2262

KENAI PENINSULA BOROUGH

47140 East Poppy Lane
Soldotna, Alaska 99669



Intent to Award 061322.pdf
262K

Larry Smith <dlconst.smith@gmail.com>

Mon, Jun 13, 2022 at 2:48 PM

To: "Hartley, Patricia" <PHartley@kpb.us>, "Hedges, John" <JHedges@kpb.us>

John,

Please send me copies of all bids for this project. Thank you.

[Quoted text hidden]

--

Larry Smith

President

D & L Construction Co., Inc.

(907) 262-6160

(907) 262-6163 Fax

(907) 398-4284 Cell



Larry Smith <dlconst.smith@gmail.com>

RE: <EXTERNAL-SENDER>Re: Intent to Award / Bid Tab

3 messages

Hedges, John <JHedges@kpb.us>

Tue, Jun 14, 2022 at 2:07 PM

To: Larry Smith <dlconst.smith@gmail.com>, "Hartley, Patricia" <PHartley@kpb.us>

Cc: "Turner, Michele" <MicheleTurner@kpb.us>

Hi Larry,

I'm going to need you to make a public records request for this information. Please see the link below.

<https://www.kpb.us/assembly-clerk/clerks-office/public-record-request>

Thank you,

John Hedges, CHC

Purchasing & Contracting Director

(907) 262-2037

KENAI PENINSULA BOROUGH

47140 East Poppy Lane

Soldotna, Alaska 99669



PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be subject to provisions of Alaska Statutes and may be made available to the public upon request.

From: Larry Smith <dlconst.smith@gmail.com>**Sent:** Monday, June 13, 2022 2:48 PM**To:** Hartley, Patricia <PHartley@kpb.us>; Hedges, John <JHedges@kpb.us>**Subject:** <EXTERNAL-SENDER>Re: Intent to Award / Bid Tab

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and

were expecting the communication.

John,

Please send me copies of all bids for this project. Thank you.

On Mon, Jun 13, 2022 at 2:45 PM Hartley, Patricia <PHartley@kpb.us> wrote:

Good Afternoon,

Attached is the Intent to Award and Bid Tab for ITB22-056 Summer & Winter Maintenance, Central Region, Unit 5.

Thank you!

Patti Hartley

Purchasing Assistant

Ph: (907) 714-2262

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Larry Smith

President

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(907) 262-6160

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(907) 398-4284 Cell

Larry Smith <dlconst.smith@gmail.com>

Tue, Jun 14, 2022 at 2:53 PM

To: "Hedges, John" <JHedges@kpb.us>, "Pierce, Charlie" <cpierce@kpb.us>, "Rhoades, Aaron" <arhoades@kpb.us>, "Kelley, Sean" <skelley@kpb.us>

Cc: "Hartley, Patricia" <PHartley@kpb.us>, "Turner, Michele" <MicheleTurner@kpb.us>

John,

Again, I will call your attention to KPB Ordinance 5.28.210 (F) wherein the last sentence states "Any bidder may review the bids after tabulation or summary." It does not say that the bidder has to file a public records request nor does it say that John Hedges can ignore or circumvent the published Ordinance. Plain and simple, we are a bidder, and I want to review the bids. Either forward the same to me via email or I can stop by your office for a copy. Do your job and make them available.

[Quoted text hidden]

Hedges, John <JHedges@kpb.us>

Tue, Jun 14, 2022 at 3:10 PM

To: Larry Smith <dconst.smith@gmail.com>, "Pierce, Charlie" <CPierce@kpb.us>, "Rhoades, Aaron" <arhoades@kpb.us>, "Kelley, Sean" <skelley@kpb.us>

Cc: "Hartley, Patricia" <PHartley@kpb.us>, "Turner, Michele" <MicheleTurner@kpb.us>, "Sherwood, Todd" <tsherwood@kpb.us>

Larry,

Your summary and interpretation of 5.28.210, F. is noted.

- The intent to award for ITB22-056 provided a copy of the Tabulation to D&L Construction along with all other bidders. That response address all requirements of 5.28.210, F.

As stated below, please submit a public records request for any further information.

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