

Introduced by:	Mayor
Date:	08/01/17
Hearing:	09/05/17
Action:	Enacted
Vote:	8 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2017-21**

**AN ORDINANCE AMENDING THE PURCHASING CODE AT KPB 5.28.260(A) TO
ALIGN THE CODE WITH STATE STATUTES REGARDING SCHOOL BOARDS AND
THE ACQUISITION OF OTHER PROFESSIONAL SERVICES FOR SERVICE AREAS**

WHEREAS, KPB 5.28.260(A) provides that architectural and engineering services for capital projects pertaining to Kenai Peninsula Borough School District or to borough designated service areas may be awarded by the borough assembly upon the recommendation of the school board or the appropriate service area board; and

WHEREAS, AS 14.14.060 states the school board is responsible for the design criteria of school buildings and, subject to assembly approval, shall select the appropriate professional personnel to develop designs and submit preliminary and subsequent designs for school buildings to the assembly for approval or disapproval ; and

WHEREAS, KPB 1.20.010(B) reflects this statutory requirement; and

WHEREAS, to ensure consistency between the borough code and state law it is appropriate to reference the applicable Alaska statute in the borough purchasing code; and

WHEREAS, KPB 5.28.250 currently establishes the procedure for procuring all professional service contracts with the exception of those for legal services and architectural and engineering services for school districts and service areas; and

WHEREAS, under other current code provisions the purchasing officer, not service area boards, has the responsibility and authority to approve, prepare, solicit or negotiate the award of professional architectural and engineering services; and

WHEREAS, to avoid confusion the borough's best interests are served by amending the code to require service area architectural and engineering services contract solicitations and awards to be processed the same manner as most other such solicitations and awards;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. KPB 5.28.260(A) is hereby amended as follows:


5.28.260. Professional services.

Professional services shall be procured in accordance with Section 5.28.250 of this code, with the following exceptions:

- A. Architectural and engineering services for capital projects specifically pertaining to the Kenai Peninsula Borough School District [OR TO BOROUGH-DESIGNATED SERVICE AREAS] may be awarded by the borough assembly upon the recommendation of the school board and in accordance with AS 14.14.060 and KP.B 1.20.010 [OR THE APPROPRIATE SERVICE AREA BOARD]. Preparation and solicitation of the request for proposal, and subsequent review and negotiation shall be the responsibility of the school [RESPECTIVE] board, with the assistance of the purchasing and contracting director.


SECTION 2. That this amendment shall become effective upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5TH DAY OF SEPTEMBER, 2017.

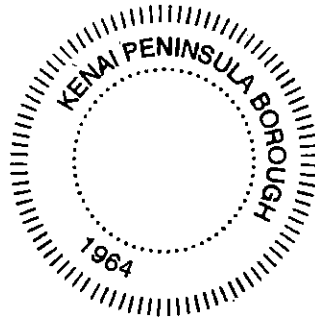


Kelly Cooper, Assembly President

ATTEST:



John Blankenship, MMC, Borough Clerk



Yes: Bagley, Carpenter, Dunne, Fischer, Hibbert, Ogle, Schaefer, Cooper
No: None
Absent: None