Presented by: The Manager
Presented: 6/9/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-19

An Ordinance Amending the Purchasing Code to Remove the Juneau Bidder Preference.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Chapter. Chapter 53.50, Purchasing of supplies and services, is amended to read:

Chapter 53.50 PURCHASING OF SUPPLIES AND SERVICES

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53.50.010 Definitions.

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~~*Juneau bidder* and *Juneau proposer* mean a person who:~~

~~(1) Submits a bid or proposal under the name of the business appearing on the bidder's or proposer's City and Borough business registration required under CBJ 69.05.170;~~

~~(2) Has maintained, for a period of six months immediately preceding the date of the bid or proposal deadline, a place of business within the City and Borough staffed by the bidder or proposer or an employee of the bidder or proposer;~~

~~(3) Provides in the normal course of business, goods or services of the general nature being solicited and adds value to those goods or services by manufacturing, assembling, creating, performing, controlling, managing, or supervising the goods or services provided;~~

~~(4) As of the date and time of the bid or proposal deadline, is in compliance with the registration and filing requirements for sales tax and business personal property tax on account of that business; and~~

~~(5) As of the date and time of the bid or proposal deadline, is not delinquent in the payment of any taxes or associated penalties, interest, or fees, or any special assessments, owing to the City and Borough on account of that business.~~

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53.50.050 Contract amounts.

Unless otherwise prohibited by this Code:

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(c) All professional services shall be purchased as follows:

(1) Contracts in an amount estimated to be greater than $5,000.00 but not more than $25,000.00 shall be made when practicable in the open market by written proposal, without observing the procedure prescribed for the award of formal competitive sealed bid purchases. Such open market contracts, whenever practicable, shall be based on at least three proposals and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The method for determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation, or grant requirements~~, provide that five percent of the total points possible for each proposal be awarded if and only if the proposal is submitted by a Juneau proposer~~.

(2) Contracts in an amount estimated to be more than $25,000.00 but not more than $50,000.00 shall be by written proposal and follow the informal public solicitation process. After public notice, contracts shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The method for determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation, or grant requirements~~, provide that five percent of the total points possible for each proposal be awarded if and only if the proposal is submitted by a Juneau proposer~~.

(3) Contracts in an amount estimated to be more than $50,000.00 shall be by formal competitive sealed proposal after public notice and shall be awarded to the responsive and responsible offeror whose proposal is determined to be the most advantageous to the City and Borough. The process shall be as described in 53.50.060. The method for determining the most advantageous proposal shall be set forth in the request for proposals, shall be based upon a numerical point score, and shall, unless contrary to applicable state or federal statute, regulation, or grant requirements~~, provide that five percent of the total points possible for each proposal be awarded if and only if the proposal is submitted by a Juneau proposer~~.

(CBJ Code 1970, § 53.50.050; Serial No. 71-45, § 4, 1971; Serial No. 80-23, § 2, 1980; Serial No. 93-11am, § 8, 1993; Serial No. 93-44, § 3, 1993; Serial No. 2004-25, § 2, 7-29-2004; Serial No. 2005-08c, § 3, 4-25-2005; Serial No. 2020-23(b), § 4, 6-8-2020, eff. 7-9-2020; Serial No. 2022-60(b), § 3, 12-11-2023, eff. 1-11-2024)

53.50.060 Competitive sealed bid procedure.

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(e) *Award.* A contract or purchase for which competitive bids are required shall be awarded by the manager to the lowest qualified bidder taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, except that:

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(2) A bid shall be awarded ~~to a Juneau bidder if its bid is not more than five percent higher than the lowest responsive nonresident bidder's, but shall be awarded~~ to a bidder with disabilities if its bid is not more than ten percent higher than the lowest responsive nondisabled bidder's, unless the bid is for a capital construction improvement or such an award is contrary to state or federal law or regulations. A bid shall be rejected if it contains a material alteration or an erasure. The manager may reject the bid of a bidder who failed to perform on a previous contract with the City and Borough. The manager may reject any and all bids and waive any informalities or minor irregularities in the bids. Where all bids are rejected, and new bids are called for on substantially the same purchase or contract, each of the bidders whose bids were rejected shall be timely notified

of the new call for bids and of changes, if any, in the specifications and requirements.

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Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 28 day of July, 2025.

Beth A. Weldon, Mayor

Attest:

Breckan L. Hendricks, Municipal Clerk