

An Ordinance of the Haines Borough amending Haines Borough Code Subsection 3.60.160(A) to established a tiered local bidder preference and to include an exception when a local preference is disallowed by the project's funding source.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendments shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Subsection 3.60.160(A). Subsection 3.60.160(A) of the Haines Borough Code is hereby amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED.
STRIKETHROUGH ITEMS ARE DELETED

3.60.160 Award of contract – Lowest bidder – Evaluation and exception – Negotiation.

A. Lowest Responsible and Responsive Bidder. A contract shall be awarded to the lowest responsible bidder. In determining the lowest responsible bidder, in addition to price, there shall be considered:

1. The ability, capacity and skill of the bidder to perform the contract;
2. Whether the bidder can perform the contract within the time specified, without delay or interference;
3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
4. The quality of performance of previous contracts for the borough by the bidder;
5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract;
6. The sufficiency of the financial resources and ability of the bidder to perform the contract;
7. The number and scope of conditions attached to the bid;
8. If a bid by a responsible and responsive bidder whose principal place of business is within the borough is ~~up to three percent~~ higher than that of the lowest bid by a responsible and responsive bidder, preference may be given to the local bidder, as follows:

- a. \$500,000 or less - 7% local preference.
- b. \$5,000,000 or less - 5% local preference, or
- c. Over \$5,000,000 - 2% local preference.

No local bidder preference shall be allowed if such an award is contrary to state or federal regulations.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ____ DAY OF _____, 2016.

Haines Borough
Ordinance No. 15-12-425
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ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 12/15/15 – Referred to Finance Committee
Date of First Public Hearing: 01/26/16
Date of Second Public Hearing: 02/09/16