

**An Ordinance of the Haines Borough amending Haines Borough Code Title 3 Sections 3.60.100 and 3.60.130 to require a Haines Borough business license prior to contract award rather than at the time of bid submission and to require a noncollusion affidavit when submitting a bid.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment 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 Section 3.60.100. Section 3.60.100 of the Haines Borough Code is hereby amended as follows:

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

**HBC 3.60.100 Contract bid requirements.**

All contract bids must contain:

- A. Copies of a current Alaska business license ~~and a borough business license~~;
- B. Copy of an Alaska contractor's certificate of registration, if appropriate;
- C. Acknowledgement of all addenda;

**D. Noncollusion Affidavit:**

~~DE~~. A bid bond of at least five percent of the amount of the bid or a certified check drawn to the Haines Borough in like amount. The assembly may increase this percentage or exempt a project from a bid bond, depending upon the job. Checks and bid bonds will be returned to unsuccessful bidders.

Section 5. Amendment of Section 3.60.130. Section 3.60.130 of the Haines Borough Code is hereby amended as follows:

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

**3.60.130 Requirements for contract award.**

- A. The requirements for awarding a contract are:
  - 1. Contract document;
  - 2. ~~Noncollusion affidavit~~ **Borough business license**;
  - 3. Proof of worker's compensation insurance;
  - 4. Performance and payment bond in amount of contract or a certified check to the Haines Borough in like amount as provided under AS 36.25.010; and
  - 5. Any overdue unpaid debts owed the borough must be current prior to award.

B. If the successful bidder fails to enter into the contract and furnish the performance bond and payment bond within 14 working days from the date on which the bidder is notified of being the successful bidder, the bid bond or check and the amount thereof shall be forfeited to the borough.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 14<sup>th</sup> DAY OF JULY, 2015.



*Janice Hill*  
Janice Hill, Mayor

ATTEST:

*Julie Cozzi*  
Julie Cozzi, MMC, Borough Clerk  
*Deputy Clerk for J. Cozzi*

Date Introduced: 06/09/15  
Date of First Public Hearing: 06/23/15  
Date of Second Public Hearing: 07/14/15 - Adopted