

Introduced by: Council Member Hessler
Introduction Date: November 8, 2022
Public Hearing Date: December 13, 2022
Action: Passed
Vote: 7-0

CITY OF BETHEL, ALASKA

Ordinance #22-38

**AN ORDINANCE BY THE BETHEL CITY COUNCIL
AMENDING BETHEL MUNICIPAL CODE CHAPTER 4.20, PURCHASING**

WHEREAS, Bethel Municipal Code (BMC) 4.20.190 requires the city to maintain a public record of the names of businesses submitting the three quotes required for purchases of general equipment, materials, and supplies between five thousand (\$5,000) and ten thousand (\$10,000) dollars;

WHEREAS, BMC 4.20.240 requires competitive bidding for professional services at any dollar amount, be it as low as \$1.00;

WHEREAS, prices have gone up substantially for most materials and services;

WHEREAS, the city is a large enough entity that these dollar thresholds are administratively impractical;

NOW THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska:

SECTION 1. Classification. This is a codified Ordinance of general and permanent nature and shall become part of the Bethel Municipal Code.

SECTION 2. Amendment. Bethel Municipal Code Chapters 4.20.190, General equipment, materials and supplies; and 4.20.240, Professional Services; are amended as follows. New language is underlined, and old language is stricken.

Chapter 4.20
PURCHASING

Article VI. Specific Procurements

4.20.020 Purchasing agent.

A. The finance director or their designee shall serve as the purchasing agent.

Introduced by: Council Member Hessler
Introduction Date: November 8, 2022
Public Hearing Date: December 13, 2022
Action: Passed
Vote: 7-0

B. The purchasing agent shall have the following authority and responsibilities:

1. To procure or supervise the procurements of all supplies, services and construction required by the city;
2. To administer or supervise the sale, trade or other disposal of surplus supplies belonging to the city;
3. To join with other units of government in cooperative purchasing ventures where the best interest of the city would be served thereby;
4. To maintain all records pertaining to the procurement of supplies, services and construction, and the disposal of supplies, by the city in accordance with the city's most recent retention schedule or the retention schedule for the funding source, whichever is later;
5. To prescribe the time, manner, authentication and form of making requisitions for supplies and services; and
6. Any other authorities and responsibilities which this chapter assigns to the purchasing agent.
7. The city manager may delegate authority, in writing, to a department head, to purchase certain supplies, services, or construction if such delegation is deemed necessary for the effective procurement of those items, provided such obligation does not exceed five thousand dollars (\$5,000).
8. When faced with an especially complex procurement, such as a complex construction project, the city may find it necessary to temporarily appoint a highly qualified construction management professional as construction procurement officer for that project. As an alternative, the city may choose to contract for the services of a construction management firm to oversee all phases of the project. As a city contractor, this firm shall be closely supervised in its performance by the purchasing agent or other city official as the city manager deems appropriate. In selecting and utilizing such a project management firm, the city will

ensure that the contractors providing this management function are independent of those contractors providing construction or other project services to the city. Consistent oversight will be essential for the successful completion of such complex construction projects.

4.20.190 General equipment, materials and supplies.

A. *Source Selection.* Except as otherwise provided in BMC 4.20.050, the source selection process for procurement of general equipment, materials and supplies, other than those for construction, shall be as follows:

1. ~~*Twenty Thousand Dollars (\$20,000) and Over*~~ *Fifty Thousand Dollars (\$50,000) and Over.* For the procurement of any single item or purchase order transaction expected to cost ~~twenty~~ fifty thousand dollars ~~(\$20,000)~~ (\$50,000) or more, it shall be required that the request be put out for bid following the process as stated in BMC 4.20.030.

2. ~~*Under Twenty Thousand Dollars (\$20,000). Less than Fifty Thousand Dollars (\$50,000) but twenty thousand dollars (\$20,000) or more.*~~ For the procurement of any single item or purchase order transaction expected to cost ~~ten thousand dollars (\$10,000)~~ less than fifty thousand dollars (\$50,000) but twenty thousand dollars (\$20,000) or more ~~or more but less than twenty thousand dollars (\$20,000), (\$50,000),~~ no less than three (3) businesses shall be solicited to submit written quotations. ~~The names of the businesses submitting quotations shall be recorded and maintained as a public record.~~

3. ~~*Under Ten Thousand Dollars (\$10,000). For the procurement of any single item or purchase order transaction expected to cost five thousand dollars (\$5,000) or more, but less than ten thousand dollars (\$10,000), at least three (3) businesses shall be contacted for a phone quotation. The names of the businesses submitting a phone quotations shall be recorded and maintained as a public record.*~~

4. ~~*Under Five Thousand Dollars (\$5,000). Under Twenty Thousand Dollars (\$20,000),*~~ The purchasing agent shall use judgment based on knowledge of vendors and products to determine whether or not it is necessary or practical or in the best interests of the city to solicit for quotations or bids.

4.20.240 Professional services.

A. *Source Selection.* The method of source selection for professional services shall be made through the solicitation for requests for proposals as provided in BMC 4.20.040.

1. *Fifty Thousand Dollars (\$50,000) and over.* For the procurement of Professional Services expected to cost over fifty thousand dollars (\$50,000), the source selection shall be made

Introduced by: Council Member Hessler
Introduction Date: November 8, 2022
Public Hearing Date: December 13, 2022
Action: Passed
Vote: 7-0

through the solicitation for request for proposals and notice requirements provided for in BMC 4.20.040 -.050

2. Less than Fifty Thousand Dollars (\$50,000) but twenty thousand dollars (\$20,000) or more. For the procurement of Professional Services expected to cost less than fifty thousand dollars, (\$50,000) but twenty thousand dollars (\$20,000) or more no less than three (3) businesses shall be solicited to submit written quotations. The quotations shall be maintained as a public record.

3. Under Twenty Thousand Dollars (\$20,000). The purchasing agent shall use judgment based on knowledge of vendors and products to determine whether it is necessary, practical or in the best interests of the city to solicit for quotations or bids.

~~B. Public Notice.~~ Adequate public notice of the request for proposals shall be given in the same manner as provided in BMC [4.20.050](#). The request for proposal shall describe services required, list the types of information and data required of each offeror, and state the relative importance of particular qualifications.

~~C. Statement of Qualifications.~~ Persons engaged in providing the designated types of professional services may submit statements of qualifications and expressions of interest in providing such professional services. Persons may amend these statements during the filing period by filing a new statement.

~~D. Discussions.~~ The purchasing agent may enter into discussions with those responsible proponents whose proposals are determined to be most responsive in accordance with the procedures laid out in BMC [4.20.040\(D\)](#)

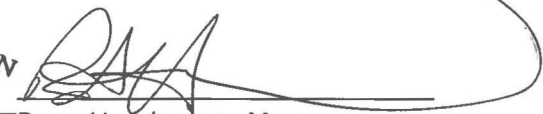
SECTION 3. Effective Date. This ordinance shall become effective upon passage by the Bethel City Council.


ENACTED THIS 13th DAY OF DECEMBER 2022, BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.

ATTEST:


Lori Strickler, City Clerk

City of Bethel, Alaska


Rose Henderson, Mayor


MAYOR HENDERSON
BETHEL, ALASKA

Ordinance #22-38