

**PETERSBURG BOROUGH
ORDINANCE #2025-16**

**AN ORDINANCE AMENDING CHAPTER 4.04 OF THE MUNICIPAL CODE, ENTITLED
“PURCHASING”, TO UPDATE BID AND PROPOSAL SUBMISSION PROCEDURES**

WHEREAS, the Borough seeks to modernize and clarify its bidding procedures to reflect current practices and technologies;

Therefore, the Petersburg Borough Ordains, Sections 4.04.060 and .070 of the Petersburg Municipal Code are hereby amended to update submission procedures for Invitations to Bid and Requests for Proposals, specifically to allow for electronic submissions.

Section 1. Classification: This ordinance is of a permanent nature and shall be codified in the Petersburg Borough Code.

Section 2. Purpose: The purpose of this ordinance is to modernize and clarify the Borough's purchasing requirements by allowing electronic submission of responses to Invitations to Bid and Requests for Proposals, while maintaining the integrity and confidentiality of the bidding process.

Section 3. Substantive Provisions: Sections 4.04.060, *Bid procedure*, and 4.04.070, *Competitive Proposals*, of the Borough Code are hereby amended to read as follows (the proposed new language is in red and underlined and the language proposed for deletion is struck through):

4.04.060 - Bid procedure.

A. All competitive bids shall be solicited by the borough manager or manager's designee, who shall publish ~~give prospective bidders~~ a notice of invitation to bid not less than two weeks before the date of the opening of bids. Invitations to bid shall be solicited by publication in a newspaper calculated to reach prospective bidders or on an online platform. The publication shall contain at least a general description of the item to be purchased or of the work required and shall designate the place where detailed requirements and specifications may be obtained and the time and place where the sealed bids will be opened. The manager may also solicit bids by sending notice electronically or by mail to any known prospective bidder. The invitation to bid may include criteria to determine the acceptability of bids such as inspection, testing, quality, delivery and suitability for a particular purpose.

B. The borough may elect to accept bids in hard copy form, through an online bidding platform, or both:

1. If accepted in hard copy form: All ~~B~~bids shall be submitted in writing in sealed envelopes that show clearly on the outside of the envelope the item bid and the time for opening. ~~All bids shall be in writing. Hard copy bids, if allowed, Bids may not be submitted by electronic mail or other in~~

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electronic means form will not be accepted, but modifications to hard copy bids already submitted to the borough and not yet opened may be submitted electronically. Modifications shall not reveal the total amount of the original or revised bid. Modifications shall state a plus or minus to the affected bid item or items only.

2. If accepted through an online bidding platform: Bids shall be submitted through the secure online portal designated by the borough.

C. Bids received after the due date and time noticed shall not be accepted and shall not be opened; if received in hard copy form, the late bid shall be returned to the bidder unopened.

D. After bid opening, changes in bid prices or other provisions of bids prejudicial to the interest of the borough shall not be permitted.

E. Bids shall be opened at the time and place designated in the invitation to bid, either in person or via an electronic communications platform that provides real-time video conferencing. Bid openings shall be open to the public and a record made of the bidder name and amount bid.

[There are no changes to paragraphs F through M]

4.04.070 - Competitive proposals.

A. If not awarded by bidding, the borough may make purchase and award contracts by competitive proposals when the borough manager or manager's designee determines the request for proposals is more advantageous to the borough than competitive sealed bids. Competitive proposals allow the borough to subjectively evaluate proposals made for a purchase, or specific scope of work, with award of the purchase or contract based upon qualitative criteria detailed in the request for proposal as well as a proposed price.

B. A request for proposal must contain the date and time for delivering submitting proposals, a specific description of the supplies, construction, services or professional services to be provided and the terms under which the purchases are provided. The request shall provide a description of the factors that will be considered by the borough when evaluating the proposals received including the relative importance of price and other evaluation factors.

C. Notice of request for proposal shall be given in the same manner as notice of invitation to bid.

D. Requests for Proposals may be submitted and accepted in the same manner as provided for Invitations to Bid in paragraphs 4.04.060B(1) and (2) of this Chapter. All proposals shall be

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submitted in sealed envelopes that show clearly on the outside of the envelope the request for proposal title and the deadline for submission. All proposals shall be in writing and shall conform to the requirements of the request for proposals to be considered responsive. Proposals submitted in electronic form will not be accepted, but modifications or additions to proposals already submitted to the borough and not yet opened may be submitted electronically. Modifications or additions shall not reveal the total cost of the original or revised proposal. Modifications to proposed costs shall state a plus or minus to the affected proposal item or items only. Submitted proposals shall be opened, in public, at the designated time and place, either in person or via an electronic communications platform that provides real-time video conferencing.

[There are no changes to paragraphs E through G]

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 17th day of November, 2025.

Bob Lynn, Mayor

ATTEST:

Rebecca Regula, Clerk

Adopted:
Published:
Effective: