

CODE ORDINANCE

Sponsored by: Borough Manager  
Introduced: 11/16/21  
Public Hearing: 12/07/21  
Adopted: 12/07/21

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 21-114**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING  
MSB 3.08.220, SOLICITATION AND ACCEPTANCE OF BIDS; AND  
MSB 3.08.260, COMPETITIVE SEALED PROPOSALS; NEGOTIATED  
PROCUREMENT.

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WHEREAS, as part of a continuing review of required procedures outlined in code as well as comparison to modern government procurement policies and procedures several updates and changes to MSB 3.08 have been identified; and

WHEREAS, these changes will increase efficiency of operations, provide for enhance document distribution and allow for state of the art bid and proposal submission.

BE IT ENACTED:

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

Section 2. Amendment of section. MSB 3.08.220 is hereby amended to read as follows:

(B) Public notice of the invitation for bids shall be published [AT LEAST ONCE IN A NEWSPAPER OF GENERAL CIRCULATION IN THE BOROUGH] at least 14 calendar days before the last day on which bids shall be accepted. Notice shall also be posted at the Borough's purchasing

office. The contents of the notice shall be sufficient to inform interested readers of the general nature of the supplies, services or construction being procured and the procedure for submitting a bid. The purchasing officer shall [MAIL OR OTHERWISE] deliver notices to a sufficient number of prospective bidders from a current bidders and vendors mailing list maintained in the purchasing office to afford equitable opportunity for competition. The failure of any person to receive notice under this subsection shall not affect the validity of any award or contract.

(E) Sealed bids [SHALL BE DESIGNATED AS SUCH ON THE OUTER ENVELOPE AND SHALL BE SUBMITTED BY MAIL OR IN PERSON AT THE PLACE AND] **shall be submitted in the manner specified in the bidding document, and** no later than the time specified in the invitation for bids. Bids not submitted [AT THE PROPER PLACE] **in the manner specified** or within the time specified shall not be opened or considered and shall be returned to the respective bidders.

(F) Bids shall be opened [PUBLICLY] in the presence of one or more witnesses at the time and place designated in the invitation for bids. Any bidder, prior to award,

may review bids after the purchasing officer has tabulated or summarized them. The purchasing officer shall tabulate the amount of each bid and shall record other information as may be necessary or desirable for evaluation together with the name of each bidder. The tabulation shall be open to public inspection, and a copy of the tabulation shall be furnished to each bidder upon request.

Section 3. Amendment of section. MSB 3.08.260 is hereby amended to read as follows:

(C) Sealed proposals [SHALL BE DESIGNATED AS SUCH ON AN OUTER ENVELOPE AND] shall be submitted [BY MAIL OR IN PERSON AT THE PLACE,] in a manner specified, and no later than the time, specified in the request for proposals. Proposals not submitted [AT THE PLACE] in the manner specified or within the time specified shall not be opened or considered.

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 7 day  
of December, 2021.

  
EDNA DeVRIES, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Hale, Nowers, McKee, Yundt, Tew, Sumner, and  
Bernier