CITY OF CORDOVA, ALASKA
ORDINANCE 1087

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA, AMENDING CORDOVA MUNICIPAL CODE SECTION 5.12.100 TO AUTHORIZE ADDITIONAL METHODS FOR PROCURING CONSTRUCTION, SUPPLY AND/OR DESIGN SERVICES ON CITY OF CORDOVA PROJECTS

WHEREAS, Cordova Municipal Code Chapter 5.12 generally requires the City of Cordova ("City") to award general-contractor construction management contracts, inter-governmental contracts, technical services agreements, real estate services agreements and other agreements in which the lowest responsive bidder does not necessarily correspond with the most efficient and capable bidder; and

WHEREAS, this lowest bidder requirement deprives the City of the necessary flexibility to devise the most beneficial and efficient agreement for construction, supplies and/or services; and

WHEREAS, it is in the City's best interest to expand the available procurement options so long as these options are still subject to City Council approval via ordinance and public discussion;

NOW, THERFORE, BE IT ORDAINED by the City Council of the City of Cordova, that:

Section 1. Cordova Municipal Code Chapter 5.12 is amended to add Section 5.12.135 to read as follows:

5.12.135 Innovative Procurement Process

A. If the City Manager determines in writing that competitive sealed bidding or proposals are not in the best interests of the City, the City may procure supplies, services or construction by innovative procurement procedures under this Section.

B. Conditions for Use of Innovative Procurement.

(1) A request to use an innovative procurement procedure shall be submitted to the Council in writing by the City Manager. The written request must include an explanation of the proposed innovative procurement procedure, how this procedure will achieve the best value, or why it is advantageous to the City due to new City needs, unique City needs, changed industry practice or new technologies.

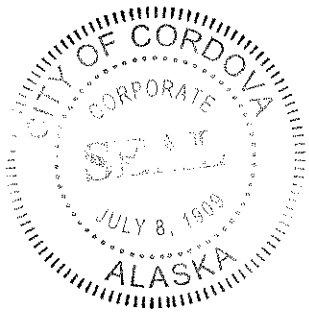
(2) Following approval under (1) of this section, the City Manager shall submit a detailed procurement plan to the City Attorney for review and approval before issuing public notice as required under Section 5.12.110(B). The plan shall, at a minimum, address the method of solicitation, scope, method of award, protest procedures, and proposed contract provisions. If the plan is submitted for a construction contract, the plan may address the use of a bonus in lieu of preferences.

C. Procurement Methods. Innovative Procurement Process would include, but not be limited to, such procurement methods as "design/build" and "General Contractor/Construction Manager" ("GC/GM").

Section 2. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published in a newspaper of general circulation in the City, within ten (10) days after its passage.

1st reading: September 7, 2011
2nd reading and public hearing: September 21, 2011

PASSED AND APPROVED THIS 21st DAY OF SEPTEMBER, 2011.



James Kallander, Mayor

ATTEST:

Susan Bourgeois, City Clerk