

PURCHASING OPTIONS

AO 2021-33(S)
Worksession

April 9, 2021

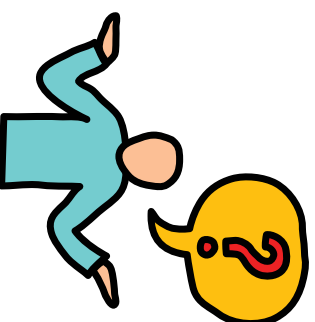


Why do we need more purchasing options?

WHEREAS, during this period of transition, as federal and State disaster and economic relief funds are set to be disbursed to communities, it is expected that there will be enduring issues, such as those surrounding economic recovery, mass care and vaccine distribution that may not warrant continuing the state of emergency but require agility and flexibility to quickly expend relief funds to meet the community's needs and prevent further crises from occurring; and

WHEREAS, the MOA's procurement requirements are intended to produce best value for taxpayer dollars, provide transparency, enable public participation, ensure fairness and satisfy the right to competitive bid, under normal situations it can take months to establish contracts to procure goods and services; and

WHEREAS, to maximize benefit and hasten economic recovery, relief funds need to be quickly disbursed; now, therefore



What happens if Title 7 Purchasing isn't possible?

Section 1. Anchorage Municipal Code section 7.20.090 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

7.20.090 - Emergency and expedited procurements.

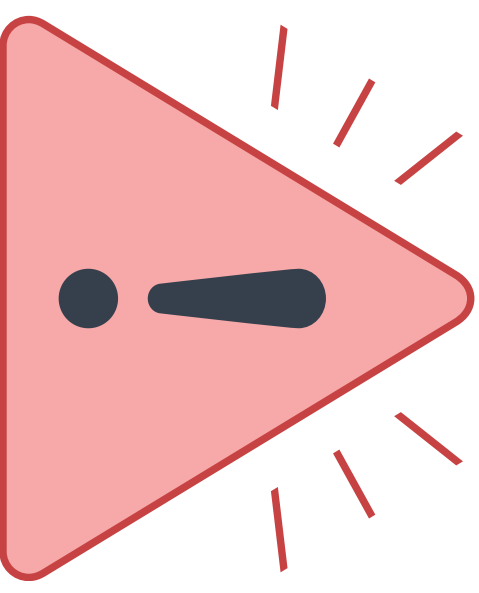


A. The municipality may award a contract for supplies, services, professional services or construction without competition, formal advertising or other formal procedure if: [WHERE]

4 options for emergency or expedited procurement

1

Mayoral Determination
(current code)



1. The mayor determines in writing that an emergency threatening the public health, safety or welfare requires that the contract be awarded without delay; or

4 options – cont.

2

Mayoral Waiver – Time is of the Essence

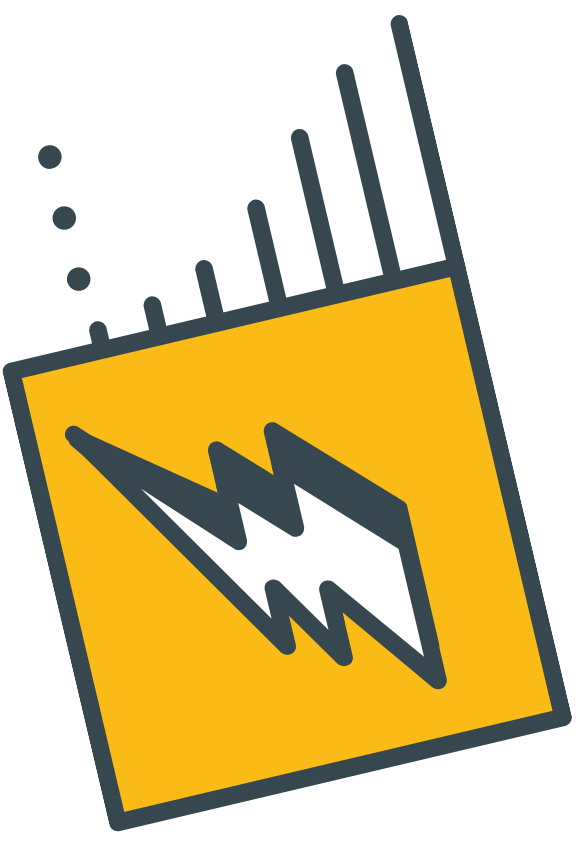
2. The mayor waives, in writing, the formal procedures of this title when time is of the essence and the best interests of the municipality will be served by such action; or



4 options - cont.

3

Urgency

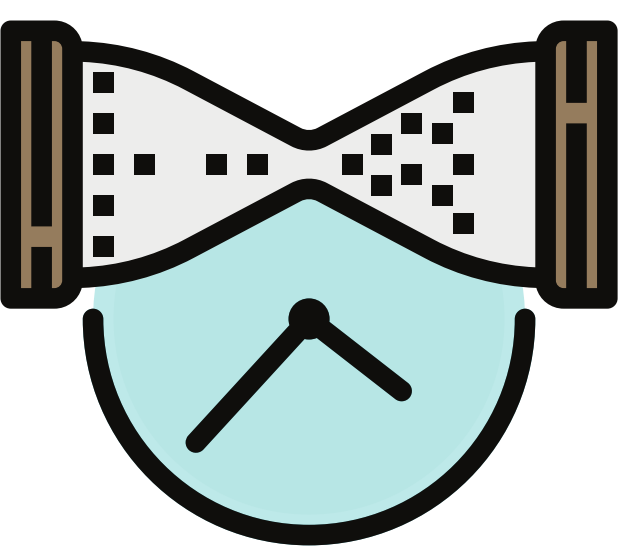


3. The assembly authorizes by resolution the temporary suspension of procurement rules in order to expend federal or state funds expeditiously in accordance with the funding intent and the assembly makes a finding that formal procurement is reasonably likely to frustrate or delay the intent; or

4 options - cont.

4

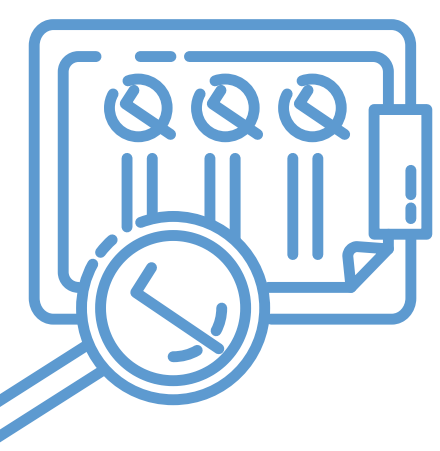
Expiring



4. The assembly authorizes by resolution the temporary suspension of procurement rules in order to expend federal or state funds prior to expiration of spending authority for said funds and the assembly makes a finding that formal procurement is reasonably unlikely to be completed in time to **fully** utilize the funds

Assembly Oversight

B. Contracts awarded under this section shall be reported to the assembly. [IF THE CONTRACT IS OTHERWISE SUBJECT TO SECTION 7.15.040, A REPORT ON SUCH CONTRACT SHALL BE MADE TO THE ASSEMBLY] no later than the second regular meeting following award of the contract. The report shall include justification for the contract, all costs of the contract, and identification of the persons or entity awarded the contract.



Section 2. *(This section newly added in the S version)* Anchorage Municipal Code section 7.20.120 is hereby repealed.

7.20.120 - Waiver of formal procedures. (Repealed)

[THE MAYOR MAY WAIVE, IN WRITING, THE FORMAL PROCEDURES OF THIS TITLE WHEN TIME IS OF THE ESSENCE AND THE BEST INTERESTS OF THE MUNICIPALITY WILL BE SERVED BY SUCH ACTION. ALL CONTRACTS FOR WHICH FORMAL PROCEDURES ARE WAIVED UNDER THIS SECTION SHALL BE REPORTED TO THE ASSEMBLY AT ITS NEXT MEETING. THE REPORT SHALL CONTAIN THE INFORMATION DESCRIBED IN SECTION 7.15.040.A AND SHALL SUMMARIZE THE REASONS FOR PROCEEDING UNDER THIS SECTION.]

Editor's note: The provisions of this section are now included in section 7.20.090.

Section 3[2]. This ordinance shall be effective immediately upon passage and approval by the Assembly.

Conclusion

AO 2021-33(S) provides the Municipality with agility and flexibility to quickly expend relief funds to meet the community's needs and prevent further crises from occurring regardless of whether there is a declared emergency and maximize benefit and hasten economic recovery.



QUESTIONS

