CITY OF HOMER
HOMER, ALASKA

ORDINANCE 89-5

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING TITLE 14 OF
THE HOMER MUNICIPAL CODE, CHAPTERS 14.16 SEWER CONTRACTORS
STATE REGISTRATION AND CHAPTER 14.20 SEWER CONTRACTORS BOND.

WHEREAS, Ordinance 88-12 changed HMC 13.08.110 deleting the
one thousand dollar bond requirement for sewer contractors; and

WHEREAS, Chapter 14 needs to be brought into conformance
with the change made to Chapter 13; and

WHEREAS, additional clarification is needed pertaining to
the registration and other qualifying requirements;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

SECTION 1. Section 14.16.010 is hereby amended as follows:

Sections:

14.16.010   State certificate [of registration] required.

14.16.010   State certificate [of registration] required.   A
contractor working for the City, or within the public right-of-
way within the City shall file a copy of [his] their current
State Contractor's Certificate [Certificate of Registration] with
the office of the City Clerk.

SECTION 2.   Section 14.20.010 Bond Requirement is hereby
amended as follows:

Sections:

14.20.101   Bond requirement or cash deposit.

14.20.010   Bond [requirement] or cash deposit.   Every
person, firm or corporate entity carrying on the business of
[constructing] construction and connecting to City sewer and/or
water [in] within the City may be required to deposit a bond or
cash deposit in favor of the City in an amount and under such
conditions deemed appropriate by the City Manager or his designee
to cover damages of any kind resulting from the contractor's
operations.   All such sewer or water construction and connections
shall be completed in a good and workmanlike manner in accordance
with the specifications required by the City.   The bond or cash
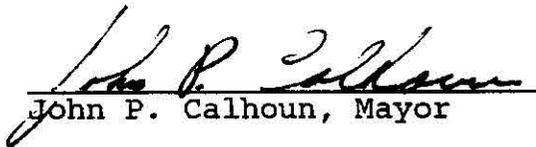deposit shall be further conditioned that the principal shall

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repair any damage done to the public sewer or water system on account of such work and shall return the surface of the ground, street, road, building, facility, right-of-way or easement to its original condition insofar as possible and in accordance with the requirements of the City.

      b. The contractor shall also be required to prequalify on the basis that he has or can demonstrate the ability, capacity and skill to perform the work as specified by reputation, experience and prior performance. As part of such prequalification, the contractor shall present evidence that he carries liability insurance in the aggregate amount of not less than five hundred thousand dollars ($500,000) or as may be additionally required in an amount in excess of five hundred thousand dollars ($500,000) as may be deemed necessary for the work by the City Manager or his designee to cover the insurance requirement of the work.
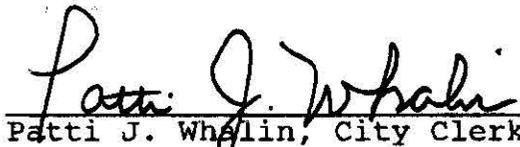
      c. To obtain the information specified in subsection (b) of this section, the City may require a contractor to complete a confidential qualifying questionnaire and provide a list of references. [shall file a bond with two good and sufficient individual sureties or a surety company authorized to do business within the State in the sum of one thousand dollars in favor of the City and conditioned that all such sewer or water lateral construction and connections shall be completed in a good and workmanlike manner in accordance with the specifications required by the City. The bond shall be further conditioned that the principal shall repair any damage done to the public sewer or water on account of such work and shall return the surface of the ground, street, road, right-of-way or easement to its original condition insofar as possible and in accordance with the requirements of the City.]

SECTION 3. This ordinance shall become effective at 12:01 a.m. on the day following adoption.

City of Homer

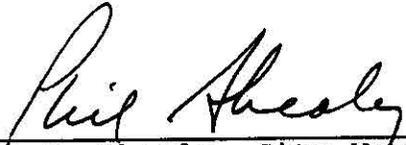John P. Calhoun, Mayor

ATTEST:

Patti J. Whalin, City Clerk

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First Reading: 1/9/89

Public Hearing: 1/23/89

Date of Adoption: 2/13/89

Effective Date: 2/14/89

Reviewed and approved as to form and content:

_____
PHil C. Shealy, City Manager

Date: 2/15/89

_____
Attorney for City of Homer

Date:_____