

CITY OF HOMER
HOMER, ALASKA

City Manager/City Clerk

ORDINANCE 26-32

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE SECTIONS 3.16.040 ADVERTISING
FOR BIDS AND 3.16.110 COMPETITIVE SEALED PROPOSALS -
NEGOTIATED PROCUREMENT

WHEREAS, The City desires to adopt an online bidding platform to accept bids and proposals and thereby provide access to a wider range of respondents, which requires removing procedural language specific to physical media and in-person submission; and

WHEREAS, Homer City Code requires that all purchases or contracts greater than \$50,000 be procured via bid or sealed proposal and publicly noticed in a newspaper of general circulation; and

WHEREAS, It is in the best interest of the City to revise the advertisement requirement for posting on online bidding platforms; and

WHEREAS, These changes in no way prohibit the City from advertising in a newspaper of general circulation or accepting physical bids and proposals when deemed appropriate.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code section 3.16.040 Advertising for bids, is hereby amended to read as follows:

a. Purchases or contracts having an estimated value of more than \$50,000 may be made only after a notice calling for bids is ~~printed in a newspaper of general circulation within the City limits once a week for~~ **posted on the City Website** not less than two consecutive weeks prior to the date for the bid award, ~~unless another form of media is authorized by the City Manager.~~ **Notices may also be advertised in other appropriate platforms.** The notice will contain a general description of the property, work, or service; state where the bid forms and/or specifications may be obtained; and specify the place for submission of bids and the time by which they must be received.

~~b. The bid closing date will be no sooner than five working days after the last date of advertisement.~~

~~c. b.~~ The purchase or contract will be awarded to the lowest responsive and responsible bidder as determined in HCC 3.16.070.

Section 2. Homer City Code section 3.16.110, Competitive sealed proposals –
Negotiated procurement is hereby amended to read as follows:

a. The City Manager may elect to use a competitive sealed proposal process when the bidding process is not practicable.

b. The City Manager will solicit competitive sealed proposals by issuing a request for proposals. The request for proposals will state, or incorporate by reference, all specifications and contractual terms and conditions to which a proposal must respond, and will state the factors to be considered in evaluating proposals and the relative importance of those factors. Public notice of a request for proposals will be given in accordance with HCC 3.16.040(a) and (b).

c. Sealed proposals ~~will be designated as such on an outer envelope and will be submitted by mail or in person at the place~~ **in the manner specified in the request for proposals** no later than the time specified in the request for proposals. Proposals not submitted ~~at the place~~ **in the manner** or within the time so specified will not be opened or considered.

d. ~~Proposals will be received at the time and place designated in the request for proposals, and will be opened so as to avoid disclosing their contents to competing proposers during the process of negotiation.~~ Proposals, tabulations and evaluations thereof will be open to public inspection only after the contract award. The City Manager will issue a notice of recommendation to award to all responding proposers at least four days prior to approval by the final decision-making authority.

e. In the manner provided in the request for proposals, the City Manager may negotiate with those proposers whose proposals are determined to be responsive and responsible to the request for proposals. Negotiations will be used to clarify and assure full understanding of the requirements of the request for proposals after submission and prior to award to obtain best and final offers. Proposers deemed eligible for negotiations will be treated equally regarding any opportunity to discuss or revise proposals. In conducting negotiations or requesting revisions, no City officer or employee will disclose any information derived from proposals of competing proposers.

f. If fair and reasonable compensation, contract requirements and contract documents can be agreed upon with the most qualified proposer, the contract will be awarded to that proposer.

g. If fair and reasonable compensation, contract requirements and contract documents cannot be agreed upon with the most qualified proposer, the City Manager will advise the

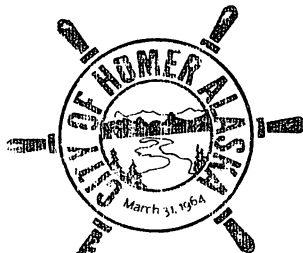
proposer of the termination of negotiations. If the proposals were submitted by one or more other proposers determined to be qualified, negotiations may be conducted with such other proposers in the order of their respective rankings. The contract may be awarded to the proposer then determined to be most qualified and advantageous to the City.

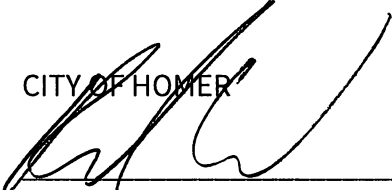
h. Awards will be made by written notice to the proposer whose final proposal is determined to be most advantageous to the City if satisfactory compensation, contract requirements and contract documents are agreed upon pursuant to subsection (g) of this section. No criteria other than those set forth in the request for proposals may be used in proposal evaluation. If the City Manager determines that it is in the best interest of the City to do so, the City Manager may reject all proposals.

i. When the service is routine and repetitious, the cost of the anticipated service will be considered during evaluation of proposals. This subsection will not apply to a qualifications-based selection process.

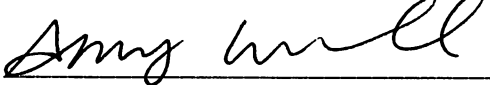
Section 3. This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this 27th day of July, 2026.



CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:



AMY WOODRUFF, CITY CLERK

YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 0

First Reading: 6/22/26

Public Hearing: 7/27/26

Second Reading: 7/27/26

Effective Date: 7/28/26