

**ORDINANCE NO. 6304, AS AMENDED**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE CHAPTER 54  
PROCUREMENT, SECTIONS 54-39 AND 54-241, TO CLARIFY THE COUNCIL  
NOTIFICATION REQUIREMENT FOR SOLE SOURCE PURCHASING**

**WHEREAS**, Fairbanks General Code Sec. 54-39(a) gives authority to the purchasing agent to award contracts in the amount of \$50,000 or less and specifies that the purchasing agent must notify the Council of such awards when competitive bidding is not deemed possible; and

**WHEREAS**, Fairbanks General Code Sec. 54-39(c) gives authority to the mayor to award contracts in the amount of \$250,000 or less; and

**WHEREAS**, Fairbanks General Code Sec. 54-39(d) states that all other contracts may be awarded by the City Council and that, when competitive bidding is not deemed possible, the Council will cite the reasons why in the resolution for award; and

**WHEREAS**, all sole source contracts awards made by the purchasing agent or the mayor should be reported to the City Council on a regular basis, and the report should include a citing of the reasons and findings.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY  
OF FAIRBANKS, ALASKA, as follows:**

**Section 1.** That Fairbanks General Code Section 54-39 Contract award authority, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

**Sec. 54-39. - Contract award authority.**

- (a) The purchasing agent may award contracts funded with identifiable appropriations made by the city council when the amount is \$50,000.00 or less, ~~provided the purchasing agent notifies the city council when competitive bidding is not deemed to be possible and recite the reasons and findings.~~
- (b) **Unless otherwise provided by law,** ~~the~~ purchasing agent may award the sale, trade, or disposal **dispose** of all personal property which has become surplus, obsolete, or unusable.
- (c**e**) The mayor may award contracts funded with identifiable appropriations made by the city council when the contract amount is \$250,000.00 or less.
- (d**e**) The city council may award all other contracts. When competitive bidding is not deemed to be possible, the city council shall, in the resolution for award, recite the reasons why.

**Section 2.** That Fairbanks General Code Section 54-241 Sole source purchasing, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strike through~~ font]:

**Sec. 54-241. - Sole-source purchasing.**

- (a) A contract may be awarded for supplies, services, professional services or construction without competitive sealed bidding, competitive sealed proposals or other competition in accordance with this article. A contract may be awarded under this section only when the purchasing agent determines in writing that there is only one source for the required purchasing or construction. A sole-source purchase may not be made if a reasonable alternative source exists. The written determination must include findings which support the determination that only one source exists. The authority to make the determination and findings required by this subsection may not be delegated.
- (b) The using department shall submit written evidence to support a sole-source determination. The purchasing agent may also require the submission of cost or pricing data in connection with an award under this section.
- (c) The purchasing agent shall negotiate with the single supplier, to the extent practicable, to obtain the most advantageous contract to the city.
- (d) The purchasing agent must provide a quarterly report to the city council of all sole-source purchases made in the amount of \$250,000 or less when competitive bidding is not deemed possible and recite the reasons and findings.**

**Section 3.** That the effective date of this ordinance is six days after adoption.





David Pruhs, City Mayor

AYES: Cleworth, Marney, Ringstad, Sprinkle, Therrien, Tidwell  
NAYS: None  
ABSENT: None  
ADOPTED: February 10, 2025

ATTEST:

APPROVED AS TO FORM:

  
D. Danyelle Snider, MMC, City Clerk  
Thomas A. Chard II, City Attorney