

made in the normal conduct of religious activity, provided the income from the exempt transaction is also exempt from federal income taxation; the exemption does not apply where such organizations are engaged in business for profit or savings, or competing with other persons engaged in similar business;

T. Resale. Sales of goods to a wholesaler, retailer, or other purchaser if such purchaser resells the same goods, in the same or altered form, and the resold goods will not be exempt from the tax levied under this chapter. To obtain the exemption provided for in this subsection, the purchaser shall display or provide to the seller at the time of the sale a copy of the purchaser's resale certificate. If the purchaser buys goods for resale and for personal or other use at the same time, only the goods that are sold for resale are exempt. Supplies, services, tools, repair services, equipment or other goods or services purchased to support a business but not for resale are not exempt;

U. Tax Cap. The selling price amount of any sale (other than the rental or lease of real or personal property or any provision of services) in excess of five thousand dollars. For purposes of this exemption the following rules apply:

1. For purposes of computing the sales price of multiple items purchased at the same time, which are delivered to the consumer on one date, shall be combined. If the consumer is purchasing a number of items for a construction, improvement, or renovation package the sales price of the multiple items purchased at the same time as a package shall be combined even though delivery or payment for some of the items may be made at different times. A "package" is defined as an arrangement where the buyer or seller have obtained all required permits (i.e., city land use permit or other building permit), and there is a written agreement with seller identifying the total price being paid.

2. Each payment for a single item paid for on an installment basis shall be considered a separate sale with the exception that installment payments for snow machines, ATVs, boats, boat motors, and vehicles that are seller-financed by a business operating within the city or by a financial institution are subject to the sales tax cap on the total amount of the sale.

3. For purposes of computing the amount of any sale or transaction, items purchased on account or on credit on different days shall not be combined and treated as a single sale or transaction.

Section 3. Amendment to Section 4.16.020. Section 4.16.020 of the Dillingham Municipal Code is hereby amended as follows with new text displayed in **bold** and underlined font and deleted text displayed in strike out font.

4.16.020 Definitions.

"Business" means:

A. A person (as defined in Section 4.20.020, partnership, corporation or company of any sort providing goods or services within the city **for a profit** ~~which received gross revenues in excess of ten thousand dollars the preceding calendar year or is expected to receive gross revenues in excess of ten thousand dollars in the current calendar year.~~

“Home business” means the sale of goods or services produced from one’s home and which have not produced gross revenues in excess of ten thousand dollars in any of the preceding calendar years.

Section 4. Amendment to Section 4.16.030. Section 4.16.030 of the Dillingham Municipal Code is hereby amended as follows with new text displayed in **bold** and underlined font and deleted text displayed in strike out font. Items C-E are relabeled as D-F, and a new subsection 4.16.030(C) is inserted to read as follows:

4.16.030 Application for license.

C. An applicant seeking a license for a home business shall also certify that the business satisfies the definition set forth in Section 4.16.020 in all respects.

~~C.D.~~ The city may cause such investigation to be made as it deems necessary.

...(subsections E-F omitted)

Section 5. Amendment to Section 4.16.040. Section 4.16.040 of the Dillingham Municipal Code is hereby amended as follows with new text displayed in **bold** and underlined font and deleted text displayed in strike out font. Item B is relabeled as C, and new subsections 4.16.040(B) and 4.16.040(D) are inserted to read as follows:

4.16.040 Fee.

Each applicant shall be accompanied by the fee or a request for a waiver.

B. Home business (fee waived upon request) and signing of certification by applicant.

~~B.C.~~ All participants in regularly scheduled nonprofit events or nonprofit sponsored events where home craft items are sold, no license shall be required nor sales tax levied.

D. Regularly operated nonprofit events will be required to file an application to be exempted from paying a license fee.

Section 6. Effective Date. This ordinance is effective upon January 1, 2018.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on

_____.

ATTEST:

Alice Ruby, Mayor
[SEAL]

City Clerk

City of Dillingham Information Memorandum

Agenda of: September 7, 2017

Attachment to:

Ordinance No. 2017-08 / Resolution No. _____

Subject:

An ordinance of the Dillingham City Council amending Chapters 4.20 Sales Tax, Section 4.20.050 Exemptions, and Chapter 4.16 Business License to remove exemption for not requiring a business license if sales are less than ten thousand dollars in a calendar year and provide a definition for a home business

City Manager: Recommend Approval

Signature: 

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Copy of the current code sections affected by the proposed changes

Summary Statement:

The Code Review Committee was tasked with reviewing all sales tax exemptions. The review consumed all meetings held in 2017. Committee members were provided with spreadsheets that compared the City of Dillingham's sales tax exemptions with other like communities: cities of Unalaska, Bethel, Cordova, Ketchikan, Nome, and Kenai Peninsula Borough.

The proposed changes made to Chapter 4.16 Business License will reverse an ordinance that was adopted in 2013, which exempted businesses from applying for a license if their sales were less than ten thousand dollars in a calendar year. At the time the city was looking to promote smaller businesses operating within the City by reducing the administrative burden associated with collecting and remitting city tax. It was suggested it be reviewed in a year or so.

This ordinance was reviewed with the city's legal counsel. The Code Review Committee is recommending the Council introduce this ordinance, and suggest several public hearings before it is adopted. The first public hearing would be scheduled for October 5, the second public hearing November 2, and up for adoption November 2. The suggested inception date is January 1, 2018, to allow staff sufficient time to advertise to the public and revise any forms that will be impacted by these changes.



Attachment to: 2017-08
Ordinance No. _____ / Resolution No. _____

Summary Statement continued:

Route to	Department Head	Date
X	Finance Director	
X	City Clerk	

**Chapter 4.16
BUSINESS LICENSE**

4.16.020 Definitions.

When not otherwise indicated by context, the following words and phrases have the following meanings:

“Business” means:

A. A person (as defined in Section 4.20.020), partnership, corporation or company of any sort providing goods or services within the city which received gross revenues in excess of ten thousand dollars the preceding calendar year or is expected to receive gross revenues in excess of ten thousand dollars in the current calendar year.

B. A person (as defined in Section 4.20.020), partnership, corporation or company of any sort providing the service of operating a taxicab or vehicle-for-hire and required to have a business license and remit sales tax regardless of amount of sales.

“Nonprofit sponsored event” means an event by a nonprofit organization meeting all requirements of state and federal law.

“Regularly scheduled nonprofit event” means an event scheduled daily, weekly or monthly and permanently staffed by paid or volunteer but keeping scheduled hours. Example: thrift store, gift shop owned by nonprofit businesses, bingo or other games of skill and chance.

“Taxicab” or “vehicle-for-hire” means a motor vehicle regularly employing a seating capacity of fifteen persons or less, including the driver, used to transport passengers for a fee whether furnished pursuant to a lease agreement, rental agreement or any other kind of agreement, however communicated. The seating capacity of a taxicab or vehicle-for-hire is limited to the number of manufacturer’s installed seat belts. Notwithstanding the foregoing, the term “taxicab” or “vehicle-for-hire” shall not include motor vehicles used to provide passengers a sightseeing experience or used incident to an organized tourist excursion.

4.16.030 Application for license.

A. All applicants for a Dillingham business license shall supply the following facts on a form provided by the finance department:

1. Name under which the business is to be conducted;

2. Name of applicant, including the president and chief executive officer of corporations, or partners and owners when applicable;
3. Mailing and street address;
4. Nature of business (short description, and attach a copy of state license or the number and type of business license issued by the state).

B. The applicant shall also certify that the business has or has applied for an Alaska business license if required by state law, has all necessary permits and licenses required by state and federal law, that all of the statements made in the application are true and made as an inducement for the issuance of the license, and that the business agrees to comply with all applicable city ordinances.

C. The city may cause such investigation to be made as it deems necessary.

D. The license shall be issued or denied within thirty days after the application has been made and the fee paid or waived. If the license is refused, the reasons for the refusal will be stated in writing to the applicant.

E. A business refused a license may request a hearing before the finance director up until twenty days after service of the notice and, if hearing is timely requested, one shall be held after notice to the business. If still aggrieved, the business shall have ten additional days in which to appeal to the city council.

4.16.040 Fee.

Each application shall be accompanied by the fee.

- A. Regular licensing fee of fifty dollars per year.
- B. All participants in regularly scheduled nonprofit events or nonprofit sponsored events where home craft items are sold, no license will be required nor sales tax levied.

**Chapter 4.20
SALES TAX**

4.20.050 Exemptions.

The tax levied shall not apply to the following:

- A. The sale of insurance policies, bonds of guaranty and fidelity, and banking services rendered;
- B. Funeral charges and services, the sale of medical, dental, optometric or other practices of the healing arts as defined by law, the sale of hospital or assisted living services, the sale of hearing aids, and the sale of prescriptions. This exemption shall not apply to services rendered by veterinarians, barbers, cosmeticians, or masseurs;
- C. Except as provided in Section 4.20.020 under "Sale," subsection (3)(n), the sale of property, goods, or services by churches, except where such religious organizations are engaged in business for profit or savings, or competing with other persons engaged in the same or similar business; provided, however, that the tax shall not apply to the sale of religious publications, Bibles, hymn books, prayer books, vestments and ceremonial raiments, altar and other religious paraphernalia, sacramental chalices, icons and similar church service equipment;
- D. Except as provided in Section 4.20.020 under "Sale," subsection (3)(n), sales to churches and bona fide religious and charitable organizations, but not to the individual members or employees thereof for their own personal consumption, use or accommodation;
- E. The transportation of students to and from elementary, junior high and high schools in motor or other vehicles;
- F. The sale of food and beverages in public, high school or college cafeterias and lunchrooms operated primarily for teachers and students, and not operated primarily for the public or for profit;
- G. Carrier sales made directly to consumers or users of newspapers and periodicals;
- H. Sales, which the municipality is prohibited from taxing under the respective constitutions and laws of the United States and of the state;
- I. Sales to the United States government, the state and its political subdivisions, the city or any department thereof; provided, however, that the exemption shall not be applicable to the sale of materials and supplies to contractors for the construction or manufacture of property for government agencies on a contract bid award, in which the contractor shall be deemed the buyer or consumer or user subject to payment of the tax;
- J. Dues, fees, or tuition paid to clubs, labor unions and fraternal or religious organizations;
- K. An isolated sale not made in the regular course of business of the seller;

L. Commissions or fees charged by brokers or agents in the sales of real and personal property which exceed two thousand dollars per transaction;

M. Sales of property at temporary venues for annual civic events which serve to promote Dillingham to residents of Bristol Bay villages or to tourists;

N. Sale of all arts and crafts designed or produced in the Bristol Bay region; this exemption shall apply to all businesses including those with a fixed location which sell Bristol Bay arts and crafts as dealer, broker, or agent;

1. This exemption for all arts and crafts designed and produced in the Bristol Bay region shall apply to all businesses with total yearly sales of less than twenty thousand dollars for all goods sold;

O. Sales of fish subject to tax under Chapter 4.21;

P. Steamship and air transportation services;

Q. Charges for long distance telephone conversations; provided, however, that the furnishing of telephone service to subscribers within the city is taxable. Telephone service furnished to subscribers whose primary residence or business is located outside the city is not taxable;

R. Sales to public or private charitable institutions operating primarily as bona fide homes for homeless, delinquent, or dependent children of others;

S. The selling price amount of any sale (other than the rental or lease of real or personal property or any provision of services) in excess of two thousand dollars. For purposes of this exemption the following rules apply:

1. For purposes of computing the sales price of multiple items purchased at the same time, which are delivered to the consumer on one date, shall be combined. If the consumer is purchasing a number of items for a construction, improvement, or renovation package the sales price of the multiple items purchased at the same time as a package shall be combined even though delivery or payment for some of the items may be made at different times. A "package" is defined as an arrangement where the buyer or seller have obtained all required permits (i.e., city land use permit or other building permit), and there is a written agreement with seller identifying the total price being paid.
2. Each payment for a single item paid for on an installment basis shall be considered a separate sale with the exception that installment payments for snow machines, ATVs, boats, boat motors, and vehicles that are seller financed by a business operating within the city or by a financial institution are subject to the sales tax cap on the total amount of the sale.

3. For purposes of computing the amount of any sale or transaction, items purchased on account or on credit on different days shall not be combined and treated as a single sale or transaction;
- T. Dump fees;
 - U. Wharfage and handling at the city dock;
 - V. Fees earned for child care services;
 - W. The sale from a business recognized by the city, to another recognized business within the city, of an item to be used as an ingredient or component part of an end product may be tax exempt provided the buyer has a valid certificate of exemption;
 - X. The sale of boat harbor fees;
 - Y. Sales of goods and services made within that portion of the city annexed to the city after January 1, 2012;
 - Z. The sale of fruits, vegetables, flowers, and herbs or their plant starts grown or harvested in the Bristol Bay region as well as locally raised livestock and products derived from those livestock;
 - AA. Sales of goods and services made by persons not required to obtain a business license under Chapter 4.16;
 - BB. Sales of electricity if the customer's physical location of service is not within the city;
 - CC. Professional services provided to a customer or client whose principal residence or place of business is not within the city of Dillingham if the services are provided or performed primarily or entirely outside the city;
 - DD. Personal property, food products, and other household goods not intended for resale or commercial use that are shipped by a seller located outside the city of Dillingham for delivery within the city.

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2017- 35

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A LONG TERM ENCROACHMENT PERMIT FOR NUSHAGAK COOPERATIVE TO INSTALL UTILITIES TO BBHA'S NEW HOME DEVELOPMENTS AT THE DAVE MCCLURE AND CEDAR SUBDIVISIONS

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way or other property dedicated to a public use; and

WHEREAS, Nushagak Cooperative received request to install residential utility services to the Bristol Bay Housing Authority's new home developments at Dave McClure Subdivision and Cedar Subdivision; and

WHEREAS, there are no objections to the installation as proposed; and

WHEREAS, it is in the public interest to allow this installation; and

WHEREAS, staff approved short-term encroachment permits (2017-05 for McClure Subdivision and 2017-06 for Cedar Subdivision) for utility construction to begin; and

WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way or other property dedicated to a public use, for longer than one year; and

WHEREAS, on August 23, 2017, the Dillingham Planning Commission adopted PC Resolution 2017-05 recommending the City Council authorize the long term encroachment;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment at the BBHA development with the following conditions:

- That any underground electric infrastructure be buried at least 42" throughout the right of way;
- That the property owners notify the City of Dillingham Administration, Public Works Department, and the Public Safety Department 48 hours in advance of any work on public lands or in the public rights of way;
- That the property owners restore the public land or public right of way to this former condition or better after completing the utility installations; and
- That Nushagak Cooperative provides updated documentation in the form of as-built, documenting the actual location of the utilities within one month following construction.

PASSED AND ADOPTED by a duly constituted quorum of the Dillingham City Council
September 7, 2017.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: September 7, 2017

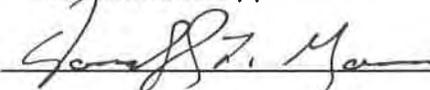
Attachment to:

Ordinance No. _____ / Resolution No. 2017-35

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A LONG TERM ENCROACHMENT PERMIT FOR NUSHAGAK COOPERATIVE TO INSTALL UTILITIES TO BBHA'S NEW HOME DEVELOPMENTS AT DAVE MCCLURE AND CEDAR SUBDIVISIONS

City Manager: Recommend Approval

Signature: 

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- STE 2017-05 Short Term Encroachment Permit for Nushagak at McClure Subdivision
- STE 2017-06 Short Term Encroachment Permit for Nushagak at Cedar Subdivision
- PCR 2017-05 Supporting a LTE permit for the properties being developed by the Bristol Bay Housing Authority at both Dave McClure and Cedar Subdivisions

Summary Statement:

The Bristol Bay Housing Authority is building five (5) new homes in Dillingham this construction season. Four homes are in the newly developed Dave McClure Subdivision which is off Waskey Road and the fifth home is in Cedar Subdivision near the intersection of Kakanak and Wood River Roads.

Nushagak applied for LTEs to serve the new homes with utility services, but we were not having a Planning Commission meeting in June and July. Therefore, staff issued Short Term Encroachment permits for the utility installation to occur and presented the LTE to the Planning Commission at their meeting on August 23, 2017 via PCR 2017-05.

The Planning Commission adopted PC Resolution 2017-05 and is recommending the City Council approve the Long Term Encroachment.

Attachment to:
Ordinance No. _____ / Resolution No. 2017-35 _____

Summary Statement continued:

Route to	Department Head	Date
	Finance Director	
X	Planning Director	
X	Public Works Director	
X	City Clerk	



SHORT TERM ENCROACHMENT

PERMIT 2017- 05

This encroachment Permit is authorized by the City of Dillingham as specified by Chapter 12.08 of the Dillingham Municipal Code.

It is issued to:

NAME: Nushagak Cooperative PO Box 350 Dillingham, AK 99576

PROJECT ADDRESS: Dave McClure Subdivision Dillingham AK

TELEPHONE: 907-842-5251

SHORT TERM (ONE YEAR):

The City Manager authorizes installation of utility services by Nushagak Cooperative, in the form of underground and overhead electric, telephone and cable television services.

Other special conditions:

1. The short-term permit is valid until May 16, 2018, a long-term permit will be processed by the City administration as soon as possible.
2. That any underground electric infrastructure be buried at least 42" throughout the right of way;
3. That the property owners notify the City of Dillingham Administration, Public Works Department, and the Public Safety Department 48 hours in advance of any work on public lands or in the public rights of way;
4. That the property owners restore the public land or public right of way to this former condition or better after completing the utility installations; and
5. That property owner provides updated documentation in the form of as-built, documenting the actual location of utility services within one month of completed construction.

ISSUED BY:



City Manager

May 16, 2017

Date



Encroachment Permit Application
City of Dillingham
PO Box 889, Dillingham, Alaska 99576

2017-05

Application received: 12 / May / 17

Fee Paid \$: PO# 17-01-01

Applicant Name: Nushagak Cooperative

Phone Number: 907-842-5251

Owner's Name: Nushagak Cooperatie

Mailing Address: box 350

City, State, Zip Code: Dillingham, Alaska 99576

Phone Number: 907-842-5251 Fax: 907-842-2790

Email: wchaney@nushagak.coop

Property Location/Description: Waskey Road, McClure Subdivision

Basis for encroachment permit request: Overhead and underground power, Telephone, and CATV

Other special conditions: Purchase order # 17-01-01

Short Term Permit Long Term Permit Period requested: from 5 / 11 / 17 to - / - / -

Provide all requested information above and attach appropriate as-built survey. You must include the \$75.00 non-refundable encroachment permit fee with your application to be processed.
Information included in this permit application is, to the best of my knowledge, true and complete. I acknowledge and will comply with the requirements set forth by this encroachment permit. I acknowledge that this permit does not grant approval to any other federal, state, or city permits that may be required.

Applicant's signature: William Chaney Date: 5-12-17

Landowner's signature: _____ Date: _____

To Be Completed By City:

<u>Jenni Williams, Acting</u> City Manager	<u>5/12/17</u> Date
<u>[Signature]</u> Planning Director	<u>16 May 2017</u> Date
<u>[Signature]</u> Public Works Director	<u>5-16-2017</u> Date
Action Taken by City: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Incomplete, return to applicant	



SHORT TERM ENCROACHMENT

PERMIT 2017- 06

This encroachment Permit is authorized by the City of Dillingham as specified by Chapter 12.08 of the Dillingham Municipal Code.

It is issued to:

NAME: Nushagak Cooperative PO Box 350 Dillingham, AK 99576

PROJECT ADDRESS: Lot 7 Cedar Subdivision, 1758 Cedar Circle Dillingham AK

TELEPHONE: 907-842-5251

SHORT TERM (ONE YEAR):

The City Manager authorizes installation of utility services by Nushagak Cooperative, in the form of overhead electric, telephone and cable television services.

Other special conditions:

1. The short-term permit is valid until May 16, 2018, a long-term permit will be processed by the City administration as soon as possible.
2. That the property owners notify the City of Dillingham Administration, Public Works Department, and the Public Safety Department 48 hours in advance of any work on public lands or in the public rights of way;
3. That the property owners restore the public land or public right of way to this former condition or better after completing the utility installations; and
4. That property owner provides updated documentation in the form of as-built, documenting the actual location of utility services within one month of completed construction.

ISSUED BY:

Janice Williams

Acting City Manager

May 16, 2017

Date



Encroachment Permit Application
 City of Dillingham
 PO Box 889, Dillingham, Alaska 99576

#2017-06
 2017.06e

Application received: 12 May 17

Fee Paid \$: ✓ PO 17-01-01

Applicant Name: Nushagak Cooperative
 Phone Number: 907-842-5251
 Owner's Name: Nushagak Cooperatie
 Mailing Address: box 350
 City, State, Zip Code: Dillingham, Alaska 99576
 Phone Number: 907-842-5251 Fax: 907-842-2790
 Email: wchaney@nushagak.coop
 Property Location/Description: Cedar Subdivision

Basis for encroachment permit request: Overhead power, Telephone, and CATV

Other special conditions: Purchase order # 17-01-01

Short Term Permit Long Term Permit Period requested: from 5 / 11 / 17 to - / - / -

Provide all requested information above and attach appropriate as-built survey. You must include the \$75.00 non-refundable encroachment permit fee with your application to be processed.

Information included in this permit application is, to the best of my knowledge, true and complete. I acknowledge and will comply with the requirements set forth by this encroachment permit. I acknowledge that this permit does not grant approval to any other federal, state, or city permits that may be required.

Applicant's signature: *William Chaney* Date: 5-12-17

Landowner's signature: _____ Date: _____

To Be Completed By City:

<u><i>James Williams, Acting</i></u> City Manager	<u>5/16/17</u> Date
<u><i>Coarty</i></u> Planning Director	<u>16 May 2017</u> Date
<u><i>Sto</i></u> Public Works Director	<u>5/17/2017</u> Date
Action Taken by City: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Incomplete, return to applicant	

**RESOLUTION 2017-05
A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION**

**Supporting a long term encroachment permit for the properties being developed
by the Bristol Bay Housing Authority at both Dave McClure and
Cedar Subdivisions**

WHEREAS, the Bristol Bay Housing Authority (BBHA) is building five new homes in Dillingham;
and

WHEREAS, four homes are being developed in Dave McClure Subdivision, off of Waskey Road,
and one in Cedar Subdivision near the intersection of Wood River and Kakanak roads; and

WHEREAS, there is a request for Nushagak Cooperative to provide electric and
telecommunications utility services at these properties; and

WHEREAS, there is no objection to the installation as proposed; and

WHEREAS, staff approved short-term encroachment permits (2017-05 for McClure Subdivision
and 2017-06 for Cedar Subdivision) for utility construction to begin; and

WHEREAS, the Dillingham Planning Commission is required to make a recommendation to the
city council for long term encroachments and for excavation and construction in city rights-of-way
and city property per DMC 12.08.020 (C) and DMC 12.08.070;

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Dillingham,
Alaska, recommends the City Council approve Long Term Encroachment permit 2017-08 to allow
Nushagak Cooperative to connect electric and telecommunication utilities at the properties at
McClure and Cedar Subdivisions, with the following conditions:

- That any underground electric infrastructure be buried at least 42" throughout the right of way;
- That the property owners notify the City of Dillingham Administration, Public Works Department, and the Public Safety Department 48 hours in advance of any work on public lands or in the public rights of way;
- That the property owners restore the public land or public right of way to this former condition or better after completing the utility installations; and
- That Nushagak Cooperative provides updated documentation in the form of as-built, documenting the actual location of the utilities within one month following construction.

ADOPTED by the Dillingham Planning Commission on this 23rd day of August, 2017.

Gregg Marxmiller, Chair	Courtenay Carty, Recorder

CITY OF DILLINGHAM, ALASKA

RESOLUTION 2017-36

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ADVERTISE A REQUEST FOR PROPOSALS FOR DESIGN OF THE DILLINGHAM SEWER LAGOON AERATION PROJECT

WHEREAS, the City of Dillingham received a Notice of Violation for the Dillingham Lagoon on June 26, 2017; and

WHEREAS, in an effort to address the NOV, the City Council adopted Resolution 2017-25 and subsequent Action Memorandum 2017-12 which allowed staff to receive bids and award a contract for the Lagoon and Dock Lift Station Improvements Project; and

WHEREAS, in order to continue addressing the Notice of Violation it is imperative that the City design and construct an aeration system at the lagoon; and

WHEREAS, if this project is designed it will be considered shovel ready, and, therefore, eligible for any State and/or Federal money that becomes available; and

WHEREAS, the City will begin advertising the RFP once funds are available for the design and expect to award a contract at a future Council meeting;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council authorizes the City Manager to advertise a RFP for design of the Dillingham Lagoon Aeration System.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on September 7, 2017.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: September 7, 2017

Attachment to:

Ordinance No. _____ / Resolution No. 2017-36

Subject:

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ADVERTISE A REQUEST FOR PROPOSALS FOR DESIGN OF THE DILLINGHAM SEWER LAGOON AERATION PROJECT

City Manager: Recommend Approval

Signature: 

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- None

Summary Statement:

As part of the ongoing effort to correct the violations outlined in the City's Notice of Violation from AKDEC regarding discharges at the Dillingham Sewer Lagoon, the City is pursuing upgrades to the 1980s aeration system.

The City is working to address these violations in a multi-faceted approach. CRW Engineering Group LLC is under contract to do some upgrades at the Lagoon which will include installing new blowers and an effluent flow meter. Bristol Engineering Services Corp. is under contract to help the City staff address the permit violation and bring its data into compliance.

Moving towards a substantial overhaul to the aeration system is another mechanism to show DEC that the City is addressing the NOV seriously and in a timely fashion. This resolution will be submitted to DEC as part of our response to the NOV which is due on October 1st.

The City has secured an engineer's estimate of \$90,000 for the engineering design for the aeration system improvements. The Alaska Native Tribal Health Consortium (ANTHC) has given oral approval that the aeration project is eligible for ANTHC funding from the existing City of Dillingham grant no. AN 15-N3E.

Attachment to:
Ordinance No. _____ / Resolution No. 2017-36

Summary Statement continued:

Route to	Department Head	Date
X	Finance Director	
X	Public Works Director	
X	Planning Director	
X	City Clerk	

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2017-37

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING AND INSTRUCTING THE CITY MANAGER AND CITY CLERK TO TAKE ALL NECESSARY ACTIONS TO COLLECT DELINQUENT PERSONAL PROPERTY TAXES OWED BY CERTAIN INDIVIDUALS FOR TAX YEARS 2016 AND EARLIER BY DISTRAINT AND SALE OF PERSONAL PROPERTY

WHEREAS, Alaska Statute 29.45.310 allows the collection of delinquent property tax to be paid through distraint and sale of the delinquent's taxpayer's personal property; and

WHEREAS, Section 4.15.230 of the Dillingham Municipal Code authorizes the City Clerk to issue a warrant for the seizure, distraint, and sale of such personal property belonging to delinquent taxpayers as necessary to satisfy the tax, penalty, interest, costs, and expenses of sale if the taxpayer fails to make payment of personal property taxes as required by Dillingham Code; and

WHEREAS, such warrant must be issued pursuant to the procedures set forth in DMC 4.15.230, which include notice to the taxpayer and at least thirty days to cure the deficiency; and

WHEREAS, on or about July 18, 2017, the City Clerk caused to be delivered by certified mail notices of delinquency and a demand for payment, within thirty days, of the amount of tax due, the penalty and interest, and the total thereof to the following delinquent taxpayers: Daniel Hall, Adolph Roehl Sr., and Steve Wassily (hereafter, "delinquent taxpayers"); and

WHEREAS, the notice stated that failure to remit payment within thirty days would cause the delinquent taxpayers' personal property to be subject to distraint and sale; and

WHEREAS, the delinquent taxpayers have failed to respond or remit payment within thirty days as required by law and as advised in the notice delivered to each of them on or about July 18, 2017; and

WHEREAS, the City Council has determined that distraint and sale of the delinquent taxpayers' personal property is appropriate, if required, in order to recover the taxes, interest, penalty, and fees that are owed the City;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council:

1. The City Clerk is hereby authorized and directed to issue warrants to the Dillingham Police Department, or such other enforcement officer as the City Manager determines is appropriate, authorizing

- a. the seizure, levy, distraint and sale of assessed and levied upon personal property of each delinquent taxpayer in order to satisfy the tax debt owed to the City, and
 - b. if the same is not sufficient to satisfy the tax, penalty, interest, costs and expenses of sale, the seizure, levy, distraint and sale of such other personal property of the person against whom the tax was assessed as required to satisfy the tax, penalty, interest, costs and expenses of sale.
2. If full payment of the tax, penalty, interest, costs and expenses of sale (as specified in DMC 4.15.230(C)(2)(b)(iv)) is not made prior to sale, all property so seized shall be sold to the highest bidder for cash at public auction, after notice as required by DMC 4.15.230(C)(2)(b).

PASSED and ADOPTED by the Dillingham City Council on September 7, 2017.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: September 7, 2017

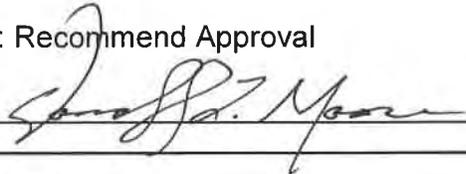
Attachment to:

Ordinance No. _____ / Resolution No. 2017-37

Subject:

A resolution of the Dillingham City Council Authorizing the City Manager and City Clerk to take all necessary actions to collect delinquent personal property taxes owed by certain individuals for tax years 2016 and earlier by distraint and sale of personal property

City Manager: Recommend Approval

Signature: 

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- None

Summary Statement:

This resolution was provided by the city's legal counsel. The three delinquent boat owners mentioned in the resolution would have received monthly reminders in the form of a statement. In addition, this summer for sure, the names of the boat owners were on the Denied Services List, and each was mailed a letter informing them they would be denied access to harbor and dock services unless their account was brought current. Unfortunately, possibly due to the timing, the boats were launched without payment, and, in one case, not accompanied by the owner. Staff misunderstood the vessel itself was denied access to the harbor.

Between the period July 18 and July 24, 2017, the boat owners were sent a letter, regular mailing and certified mailing, instructing them on the status of their delinquent account. Below is an excerpt from that letter. To date one of the certified receipts has yet to be returned.

"It is not too late to bring this account current before we have to ask the Council to approve legal action against you, which may include distraint and sale of the vessel. Per DMC 4.15.230(C)(2) (a), if you fail to pay the delinquent taxes, penalty, interest, and fees within 30 days from the date of this letter, your personal property will be subject to distraint and sale. Therefore, we strongly urge you to contact the Finance Dept. in order to arrange payment of this debt and avoid legal action."

The city can legally collect debt owed on personal property up to six years back.

Daniel Hall	as of July 24, 2017	2011-2016	\$2,493.16	F/V Ora
Adolph Roehl Sr.	as of July 18, 2017	2011-2016	\$3,992.30	F/V Corinthian
Steve Wassily Jr.	as of July 18, 2017	2013-2016	\$2,156.02	F/V Lady Amalia



Attachment to:
Ordinance No. _____ / Resolution No. 2017-37

Summary Statement continued:

Route to	Department Head	Date
X	Finance Director	
X	City Clerk	

Janice Williams

Subject: FW: Library Term

From: Erica Tweet
Sent: Friday, August 18, 2017 7:48 PM
To: Janice Williams
Subject: Re: Library Term

Attn: Mayor Alice Ruby

I am writing this email in regards to my current Library Advisory Board seat that is due to expire in September. I would like to express my interest in continuing to serve on the board. I have been on the board for four years or so and have thoroughly enjoyed this time. I look forward to continuing that work as we are constantly ensuring that the library is meeting the needs of the community.

Thank you for your consideration.
Sincerely,
Erica Tweet

Action Memorandum No. 2017-15

Subject:

Authorize the City Manager to enter into a contract with Bristol Alliance Fuels for the City's FY18 petroleum needs.

City Manager: Recommend Approval

Signature: 

Fiscal Note: Yes No Funds Available: Yes No

Other Attachments:

- RFP/ITB 2017-09 Furnish Petroleum Fuels for FY18
- RFP/ITB 2017-09 Addendum 1
- RFP/ITB 2017-09 Bid Sheet Summary
- RFP/ITB 2017-09 Notice of Intent to Award

Summary Statement:

The City of Dillingham, Alaska, solicited bids to furnish petroleum fuels for city needs for the FY18 fiscal year.

The invitation to bid was issued on July 17, 2017. One addendum was issued to include the City's propane needs as part of the bid package.

Bids closed on August 18, 2017 at 2:00 PM.

Three bids were received, from Bristol Alliance, Vitus Terminals and Delta Western.

Bristol Alliance Fuels submitted the low bid at \$318,078.75
The contract amount for FY17 was \$244,025, awarded to Bristol Alliance Fuels.

To clarify the increase in contract amount, it is important to note that this year the City is purchasing 5,000 gallons more of both diesel #2 and unleaded gasoline for a total volume increase of 10,000 gallons. In addition to purchasing a larger quantity of fuel and receiving bids on propane; the prices of diesel and gasoline have increased since FY17 as follows:

- Diesel #1 - \$0.32/gallon
- Diesel #2 - \$0.52/gallon
- Unleaded Gasoline - \$0.46/gallon

Action Memorandum No. 2017-15

Summary Statement continued:

PASSED and APPROVED by a duly constituted quorum of the Dillingham City Council on _____.

Mayor

ATTEST: [SEAL]

City Clerk

Route to	Department Head	Date
X	Finance Director	
X	Public Works Director	
X	Planning Director	
X	City Clerk	

City of Dillingham
Fiscal Note

Agenda Date: September 7, 2017

Contract w/ Bristol Alliance Fuels for the purchase of fuel for the period 10/2/17-10/1/18.

ORIGINATOR: Don Moore

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT REQUESTED: <p style="text-align: right;">\$318,078</p>	FUNDING SOURCE General & Special Revenue Funds
FROM ACCOUNT 2200 7385 30 81 \$257,580 1000 7385 30 32 \$60,498	Project Fuel for the period 10/2/17-10/1/18
TO ACCOUNT:	VERIFIED BY: <u>Navin Bissram</u> Date: <u>8/30/2017</u>

EXPENDITURES

OPERATING	FY18			
Personnel				
Fringe Benefits				
Gravel				
Road Maintenance Products				
Land/Buildings				
Fuel	\$318,078			
TOTAL OPERATING	\$ 318,078	\$ -	\$ -	\$ -

CAPITAL				
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REVENUE				
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FUNDING

General & Special Rev. Funds	\$318,078			
State/Federal Funds				
Other				
TOTAL FUNDING	\$ 318,078	\$ -	\$ -	\$ -

POSITIONS

Full-Time				
Part-Time				
Temporary				

ANALYSIS: (Attach a separate page if necessary)

See Action Memorandum 2017-15

PREPARED BY: Navin Bissram

August 30, 2017

DEPARTMENT: Finance Director



INVITATION TO BID

ITB 2017-09 Furnish Petroleum Fuels FY18

The City of Dillingham is soliciting sealed bids for furnishing and delivering petroleum fuels to various City facilities for the period October 2, 2017 through October 1, 2018. The selected firm or individual will enter into a term contract for a period of one year.

Inquiries should be directed to:

Public Works Director
City of Dillingham
PO Box 889
Dillingham, AK 99576
907 842-4598
Email: publicworks@dillinghamak.us

SPECIFICATIONS

Submittal Requirements and Information

To be considered, please submit a completed copy of the following documents which are part of this bid proposal packet:

- Attachment A, Company Information
- Attachment B, Petroleum Fuel Bid
- Attachment C, Locations and Fuel Delivery Information

Please submit them to the address below on or before the deadline no later than 2:00 p.m. on Tuesday, August 15, 2017, and mark the envelope to identify the project:

ITB 2017-09 Furnish Petroleum Fuels FY18

Packages should indicate the company's name, contact person, and phone number.

Delivery instructions – mail or hand deliver in a sealed envelope to:

City Planner's Office
City of Dillingham
PO Box 889
Dillingham, AK 99576

Electronic and faxed proposals will not be accepted.

Notice of Intent to Award

The City shall notify all bidders of its intent to award. A contract to award will be confirmed at the September 7, 2017 Regular Council meeting.

Scope of Work

Contract will be awarded to the Contractor with the lowest fuel price for either diesel or gasoline. The contract can be written for all the City's fuel needs or a portion of the proposal.

1. Contractor agrees to deliver all the City's fuel:

<u>Description</u>	<u>Estimated Gallons</u>
No. 1 Heating/Diesel	75,000
No. 2 Heating/Diesel	30,000
Unleaded Gasoline	20,000

Refer to Attachment C for the list of facilities receiving petroleum fuels.

2. Petroleum fuel will be delivered to the list of City of Dillingham facilities under one of the following two conditions:
 - "Keep Full" - the petroleum contractor shall be responsible for monitoring, at least every two weeks, the fuel levels in the storage tank to ensure a constant supply.
 - Upon an oral or written request from City personnel, the petroleum contractor shall furnish and deliver the requested fuel within four hours (4) of said request.
3. Bids may be provided for either No.1 & 2 Heating/Diesel and/or Unleaded Gasoline fuel types. Contract may be awarded to the lowest bid for diesel or gasoline.
4. All fuel tickets must include the date of delivery and be signed by City Personnel.

Conditions of Offering and Acceptance

This is a Request for Proposal/Bid only and is not a guarantee the City of Dillingham will purchase any or all of the products or services indicated in this invitation.

The City of Dillingham reserves the right to reject or accept any and all bids, to waive irregularities or informalities in the procurement process, and to give particular attention to the qualifications of the proposer.

The City reserves the right to revise or clarify the Request for Proposal/Bid, respond to questions, and/or extend or shorten the due date of proposals.

The City retains the right to cancel the Request for Proposal/Bid if the City determines it is in their best interest. Any cost incurred by proposers for the preparation and submittal of the bid is the sole responsibility of the bidder.

A bid may be corrected or withdrawn by a written request received prior to the deadline for receipt of bid proposals.

All bid proposals and other material submitted become City property and may be returned only at their option.

The City assumes no responsibility or liability for the transmission, delay, or delivery of bid proposals by either public or private carriers.

Any and all media announcements pertaining to this ITB require the City's prior written approval.

The bidder agrees to allow the City at least 30 days from the bid date to enter into a contract with the selected bidder for the price offered by the bidder.

The City intends to award a contract, subject to negotiation of a satisfactory agreement based upon the City's standard professional services contract form.

Gasoline will be dispensed from the bidder's pump. Authorized City personnel will "self serve" into City vehicles and equipment requiring gasoline.

Contractor shall in performance of a contract, comply with all applicable federal, state and local laws, ordinance, orders, rules and regulations applicable to its performance.

Contractor must be in compliance with Dillingham Municipal Code 4.20.240, Tax Delinquent List

Attachment A. Company Information

**City of Dillingham
PETROLEUM FUEL BID – FY18**

Contractor's Name _____ Title _____
Authorized Agent

d.b.a. Company Name _____

City Business License Number# _____

Alaska State Business License Number# _____

Signature _____ Date _____
Authorized Agent Above

Mailing Address _____

Email Address _____

Phone Contact _____

Attachment B. Petroleum Fuel Bid

Furnish Petroleum Fuels – Period Covering October 2, 2017 through October 1, 2018.

The furnishing and delivery of petroleum products shall be in accordance with the Invitation to Bid and Specifications for the term of the contract. The price per gallon shall include the entire supplier costs associated with providing petroleum fuels, storage, and delivery. **Bids may be provided for either No.1 & 2 Heating/Diesel and/or Unleaded Gasoline fuel types. Contract may be awarded to the lowest bid for diesel or gasoline.**

This contract shall remain in effect from the date of execution through October 1, 2018.

Description	Estimated Quantity	Option A Fixed Price
No. 1 Diesel	75,000 gallons	\$ _____ per gallon \$ _____ Total
No 2 Diesel	30,000 gallons	\$ _____ per gallon \$ _____ Total
Unleaded Gasoline	20,000 gallons	\$ _____ per gallon \$ _____ Total
	Total Bid	\$ _____

Company _____ Date _____

Signature _____ Title _____

Attachment C. Locations and Fuel Delivery Information

TANK SITES

- | | | |
|--------------------------------|----------------------------------|----------------------------|
| #1 CITY HALL | #2 POLICE STATION | #3 FIRE STATION DOWNTOWN |
| #4 FIRE STATION LAKE ROAD | #5 FIRE STATION AIRPORT | #6 SENIOR CENTER |
| #7 CARLSON HOUSE | #8 LIBRARY | #9 DOCK SMALL OFFICE |
| #10 DOCK LARGE OFFICE | #11 HARBOR OFFICE/ANIMAL SHELTER | #12 HARBOR BATH HOUSE |
| #13 DOCK EQUIPMENT TANK | #14 DOCK EQUIPMENT TANK | #15 WWTP LAGOONS |
| #16 WATER TREATMENT BLDG. | #17 GENERATOR WTP | #18 PUBLIC WORKS EQUIP. |
| #19 PUBLIC WORKS SHOP | #20 PUBLIC WORKS QUONSET | # 21 LANDFILL INCINERATOR |
| #22 LANDFILL OFFICE | # 23 LANDFILL EQUIPMENT | #24 COMM. SVC. INCINERATOR |
| #25 PUBLIC SAFETY VEHICLE FUEL | | |

Location: #1 City Hall Address: 141 Main Street Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1000 Gallon Tank FILL CYCLE: BI WEEKLY	Location: #2 Police Station Address: 404 D Street Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1000 Gallon Tank FILL CYCLE: BI WEEKLY
Location: #3 Fire Station Downtown Address: 511 D Street Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1000 Gallon Tank FILL CYCLE: BI WEEKLY	Location: #4 Fire Station Lake Road Address: 1335 Aleknagik Rd Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1000 Gallon Tank FILL CYCLE: BI WEEKLY
Location: #5 Fire Station Airport Address: 743 Airport Rd Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: WEEKLY	Location: #6 Senior Center Address: 515 1 st Avenue Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1000 Gallon Tank FILL CYCLE: BIWEEKLY
Location: #7 Carlson House Address: 308 C Street Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: BIWEEKLY	Location: # 8 Library Address: 304 D Street Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: WEEKLY
Location: #9 Dock Small Office Address: 151 1 st Avenue Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: BIWEEKLY	Location: #10 Dock Large Office Address: 34 A Street Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: BIWEEKLY
Location: #11 Harbor Office/Animal Shelter Address: 240 Harbor Master Rd Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: BIWEEKLY	Location: #12 Harbor Bath House Address: 240 Harbor Rd Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: BIWEEKLY

Attachment C. Locations and Fuel Delivery Information (Continued)

<p>Location: #13 Dock Equipment Tank Address: 151 1st Street Fuel Type: #1 Heating (Diesel) Tank Size: 1500 Gallon Tank FILL CYCLE: WEEKLY (MAY – OCT)</p>	<p>Location: #14 Dock Equipment Tank Address: 151 1st Street Fuel Type Unleaded Gasoline Tank Size: 500 Gallon Tank FILL CYCLE: WEEKLY (MAY – OCT)</p>
<p>Location: #15 Waste Water Treatment Lagoons Address: 826 Tower Rd Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: WEEKLY</p>	<p>Location: #16 Water Treatment Plant Address: 524 Central Ave Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: WEEKLY</p>
<p>Location: #17 Water Treatment Plant Generator Address: 524 Central Ave Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: BIWEEKLY</p>	<p>Location: #18 Public Works Equipment Address: 808 2nd Avenue Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1500 Gallon Tank FILL CYCLE: WEEKLY</p>
<p>Location: # 19 Public Works Shop Address: 810 2nd Avenue Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1000 Gallon Tank FILL CYCLE: WEEKLY</p>	<p>Location: #20 Public Works Quonset Bldg. Address: 808 2nd Avenue Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 1000 Gallon Tank FILL CYCLE: WEEKLY</p>
<p>Location: #21 Municipal Landfill Incinerator Address: Landfill Rd Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: VARIES SEASONALLY</p>	<p>Location: #22 Municipal Landfill Transfer Shack Address: Landfill Rd Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 300 Gallon Tank FILL CYCLE: WEEKLY</p>
<p>Location: #23 Landfill Equipment Tank Address: Landfill Road Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 500 Gallon Tank FILL CYCLE: WEEKLY</p>	<p>Location: # 24 Comm-service Incinerator Tank Address: Landfill Road Fuel Type #1 Heating Oil – Winter #2 Heating Oil - Summer Tank Size: 300 Gallon Tank FILL CYCLE: BIWEEKLY</p>
<p>Location: # 25 Public Safety Fuel Depot Address: 404 D Street Fuel Type: Unleaded Gasoline Tank Size: 1500 Gallon Tank FILL CYCLE: WEEKLY</p>	<p>Other Buildings as the need arises following written notification from the City.</p>



INVITATION TO BID

ITB 2017-09 Furnish Petroleum Fuels FY18

Addendum #1 – Issued August 11, 2017

The City of Dillingham is soliciting sealed bids for furnishing and delivering petroleum fuels to various City facilities for the period October 2, 2017 through October 1, 2018.

We are amending the current ITB to include quotes for our liquid propane needs. Propane is delivered to the Senior Center and tanks are also filled at the pump, as needed, for both the Dock and Public Works crews. City staff has reviewed annual propane purchases for the Dock, Public Works and the Senior Center and estimates the following propane needs for the upcoming year:

Propane Delivered to the Senior Center	375 gallons
Propane at the Pump, as needed for Dock and Public Works	150 gallons

Publication of this addendum requires and extension of the bid due date. As such, the City will accept bids until 2:00 PM Friday, August 18, 2017, followed by the bid opening.

For questions, please contact Courtenay Carty, Planning Director at 907-842-3785 or via email: planner@dillinghamak.us

Attachment D. Liquid Propane Bid Sheet

This form is supplemental to Attachment B. Petroleum Fuels Bid Sheet

Furnish Petroleum Fuels – Period Covering October 2, 2017 through October 1, 2018.

The furnishing and delivery of petroleum products shall be in accordance with the Invitation to Bid and Specifications for the term of the contract. The price per gallon shall include the entire supplier costs associated with providing petroleum fuels, storage, and delivery. **Contract may be awarded to the lowest bid for diesel, gasoline, and/or propane.**

This contract shall remain in effect from the date of execution through October 1, 2018.

Description	Estimated Quantity	Option A Fixed Price
Propane Delivered to the Senior Center	375 gallons	\$ _____ per gallon \$ _____ Total
Propane Filled at the Pump	150 gallons	\$ _____ per gallon \$ _____ Total
	Total Bid	\$ _____

Company _____ Date _____

Signature _____ Title _____



NOTICE OF INTENT TO AWARD

ISSUE DATE: August 18, 2017
RFP NUMBER AND TITLE: ITB 2017-09 Furnish Petroleum Fuels for FY18
RFP DEADLINE: August 18, 2017 at 2:00 PM
BIDDERS OF RECORD INCLUDE:

-Vitus Terminals -Bristol Alliance Fuels -Delta Western

Based on the criteria established in the Request for Proposal (RFP), the City of Dillingham hereby provides notice of its intent to award the contract to:

Bristol Alliance Fuels, LLC
PO Box 1529
Dillingham, AK 99576

Any bidder who believes the contract has been improperly awarded may file a protest with the City Clerk, Janice Williams, within 5 days from the date of this notice and appear in person before the City Council according to the provision of the Dillingham Municipal Code Section 4.30.100 E.

The entire Dillingham Municipal Code can be found on the City's website.

Prior to issuance of a Notice to Proceed, the successful bidder must provide the licensing and insurance documents as outlined in RFP 2017-08, to the City of Dillingham prior to C.O.B on August 25, 2017.

The successful vendor is instructed not to begin work, purchase materials, or enter into subcontracts relating to the project until both the recipient and the City have signed the contract and a Notice to Proceed has been issued. AS 36.30.365.

Sincerely,

Donald L. Moore
City Manager
(907) 842-5148

