

NOVEMBER 28, 1989

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, November 28, 1989, at 2:14 p.m.

Present were Commissioners:
Patricia M. Glass, Chairman
Edward W. Chance, Vice-Chairman
Kathy A. Snell, Chairman Pro Tem
Kent G. Chetlain

Absent was Commissioner: Maxine M. Hooper

Also present were:
August V. Ellis, County Administrator
H. Hamilton Rice, Jr., County Attorney
Susan G. French, Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

The meeting was called to order by Chairman Glass.

CONCURRENCY MANAGEMENT COMPUTER SYSTEM - AWARD OF BID

August V. Ellis, County Administrator, requested authorization to award Bid No. 905001 for a Computer System for Planning and Zoning Department for the Graphics Area and Administration and Strategic Planning Workstations, to the lowest responsive, responsible bidder meeting specifications, Allied Computer Systems, for a not to exceed cost of \$59,691.05.

Steve Logan, Assistant County Administrator, stated the item was pulled from the November 21, 1989, agenda following notification by a law firm representing one of the bidders that a protest would be initiated, however, a formal protest has not yet been acknowledged.

The issue arises as a result of one piece of equipment which was not bid properly thereby creating a difference between the bottom line amount proposed by the winning applicant and the amount which should have been bid.

The computer system is needed for Planning and Zoning to implement Concurrency Management, which is mandated effective December 1, 1989.

Provision exists in Ordinance 87-17 which provides "that the County Administrator may make written determination to proceed if the award of a contract without delay is necessary to protect the substantial interest of the County".

H. Hamilton Rice, Jr., County Attorney, stated his office received a statement from the lawfirm of the protesting bidder in objection to the awarding of the bid. He advised that the Procurement Code requires any objection/protest of a bid to be filed with the Purchasing Department/agent. Mr. Rice further advised that the purchasing director had heard the protester's claim and had determined that under the terms of the protest, the bid should be awarded to Allied Computer Systems.

The protester and his lawyer were present for questions.

Discussion: Procedures have been followed for the equipment purchase.

Mr. Chance moved that the Board authorize the bid award for computer system to Allied Computer System for \$59,691.05. Motion was seconded by Ms. Snell.

NOVEMBER 28, 1989

(Cont'd)

Discussion: Consequences of not awarding the bid; County liability would be the amount it cost to prepare the bid, in addition to whatever profit made from the bid, if court order ruled in favor of the protester; request for the Board to look at the issue of due process in bidding procedures.

Motion carried unanimously.

LAWSUIT: JACK K. COLE V. MANATEE COUNTY

Tedd N. Williams, Chief Assistant County Attorney, requested authorization for the County Attorney's Office to submit a notice of intent to sue the Department of Health and Rehabilitative Services, Department of Natural Resources and the State of Florida in connection with the lawsuit filed by Jack K. Cole against Manatee County involving Mr. Cole who, while snorkeling off Coquina Beach, was run over by a motorboat.

The County has taken the position that the injuries are derived from the negligence of the boat operator and/or Mr. Cole and that Manatee County has no responsibility. If government responsibility exists, it may be that the one of the above-named parties should bear some or all of the responsibility.

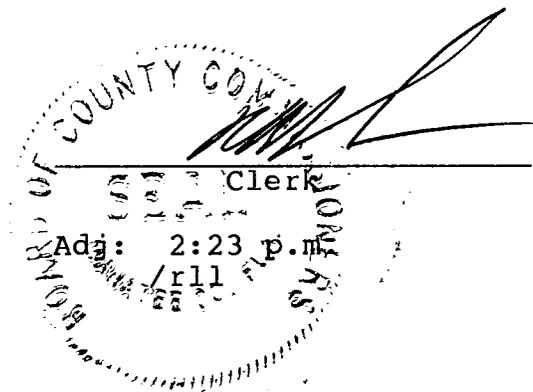
Ms. Snell moved authorization to prepare notice of intent to sue the State of Florida, Department of Natural Resources and Department of Health and Rehabilitative Services in the case Jack Cole v. Manatee County. Motion was seconded by Mr. Chetlain and carried unanimously.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



Sanicla M. Glass
Chairman 1/30/90