

MAY 11, 1999

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, May 11, 1999, at 9:04 a.m.

Present were Commissioners:

Stan Stephens, Chairman
Gwendolyn Y. Brown, First Vice-Chairman (entered during meeting)
Joe McClash, Second Vice-Chairman
Jonathan Bruce, Third Vice-Chairman
Patricia M. Glass

Absent were Commissioners:

Lari Ann Harris (illness)
Amy Stein (illness)

Also present were:

Ernie Padgett, County Administrator
Teddy N. Williams, Jr., County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

ORDINANCE 99-37 - PURCHASING CODE

Public hearing (continued from May 4, 1999) was held to consider

ORDINANCE 99-37 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, ADOPTING A PURCHASING CODE FOR MANATEE COUNTY FOR THE PURPOSE OF ESTABLISHING CRITERIA, REGULATIONS, AND PROCEDURES FOR THE PURPOSE OF SECURING GOODS (Advertised as SUPPLIES), SERVICES, CONSTRUCTION, AND REAL PROPERTY; PROVIDING DEFINITIONS; PROVIDING FOR PUBLIC ACCESS TO PURCHASING INFORMATION; PROVIDING THE AUTHORITY FOR THE FORMULATION OF REGULATIONS AND PROCEDURES TO IMPLEMENT THE PROVISIONS OF THE PURCHASING CODE; ESTABLISHING THE OFFICE AND THE AUTHORITY AND DUTIES OF THE PURCHASING DIRECTOR; PROVIDING FOR THE DELEGATION TO OTHER COUNTY OFFICIALS OF SUCH AUTHORITY AND DUTIES; PROVIDING SANCTIONS FOR UNAUTHORIZED PURCHASES OR CONTRACTS; PROVIDING THAT UNAUTHORIZED PURCHASES OR CONTRACTS SHALL NOT BE BINDING ON THE COUNTY; PROVIDING METHODS OF SOURCE SELECTION; PROVIDING FOR TYPES OF CONTRACTS AND CONTRACT ADMINISTRATION; PROVIDING FOR PROCEDURES TO ASSURE MAXIMUM COMPETITION; PROVIDING GROUNDS, PROCEDURES, AND AUTHORITY FOR DEBARMENT OR SUSPENSION FROM CONSIDERATION FOR AWARD OF CONTRACTS; PROVIDING FOR SUPPLY MANAGEMENT; PROVIDING AUTHORIZATION FOR THE TRANSFER AND DISPOSAL OF SURPLUS PROPERTY; PROVIDING FOR COOPERATIVE PURCHASING AND INTERGOVERNMENTAL RELATIONS; PROVIDING FOR AFFIRMATIVE ASSISTANCE TO SMALL AND DISADVANTAGED BUSINESSES; PROVIDING FOR APPEALS AND REMEDIES; PROVIDING ETHICAL STANDARDS AND SANCTIONS AND PENALTIES FOR VIOLATION THEREOF; REPEALING ALL PRIOR ORDINANCES AND FOR THE REPEAL OF ANY CONFLICTING RESOLUTIONS, REGULATIONS, PROCEDURES AND POLICIES RELATING TO PROCUREMENT; PROVIDING AN EFFECTIVE DATE (Ordinances 84-02, 87-17, 87-18, 90-31; 90-41, 92-63, and 93-47 are repealed, but provisions therein which establish policies not included herein shall continue as policies of the Board where not in conflict with this Ordinance until replaced by subsequent determinations or policies covering the same topic).

Patricia McVoy, Senior Assistant County Attorney, highlighted certain changes in the Ordinance from the May 4, 1999, public hearing:

- Delete definition of "bidders" and "proposers" and add definition of "offeror," which would include bidders, proposers or other submissions in response to a solicitation.
- Add definition of "goods" and substitute "goods" for personal property and materials where these terms appear.
- Add board policies to the exclusion found in 1-103(5). This provision excluded from the ordinance purchases governed by general law or County ordinance.
- The defined term "cooperative purchasing" has been deleted as there is a section which is self-explanatory.
- Amend language in Section 4-104/Cancellation of Solicitations regarding rejection by the County of bids, RFP's, etc.

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(Continued)

She also referred to revised language for consideration in Section 3-102/Lobbying, which would prohibit communication between offerors or their representatives, and County officers, agents or employees, other than the Purchasing Director or his designee, after issuance of any solicitation or during renegotiations of existing contracts.

RECORD S46-2072

(Enter Ms. Brown)

Discussion: Managed procedure for lobbying; language provides for renegotiations of expired contracts with vendors as if it were a new contract; monetary negotiations with contract renewals; Board or Purchasing Director to determine commencement of contract renegotiations; Purchasing Director has authority to approve purchases up to \$25,000 and contract claims up \$10,000; reason for changing words "personal property" to "goods," etc.

Mr. McClash moved to adopt Ordinance 99-37 rescinding Ordinance 84-02, as amended, and establish a new Purchasing Code for Manatee County, Florida, with the inclusion of Section 3-102 concerning the renegotiations of existing contracts. Mr. Bruce seconded the motion.

Discussion: Lobbying aspect of Ordinance will better serve the public with keeping renegotiations in a public setting.

Motion carried 5 to 0.

RECORD S46-2073

COMPUTER AIDED DISPATCH SYSTEM

Rob Cuthbert, Purchasing Manager, requested to expedite the purchase of console furniture for the 911 computer aided dispatch (CAD) system being installed by GTE (for the Public Safety Department).

After response that funds have been budgeted for the purchase, motion was made by Mr. Bruce, seconded by Mr. McClash, and carried 5 to 0, to approve the sole source purchase of CAD console furniture from Watson Furniture Systems.

AIR POLLUTION

Mr. McClash reported that Governor Bush will be determining which counties will be included in the non-attainment areas for the Environmental Protection Agency Clean Air Act. He recommended the County notify the Department of Environmental Protection prior to May 30, 1999, requesting the County not be included in the same air shed with Hillsborough County.

Discussion: TECO in Hillsborough County is major polluter; conveying information in letter that Tampa is large polluter and should clean up; cooperating with Hillsborough regarding rules, etc.

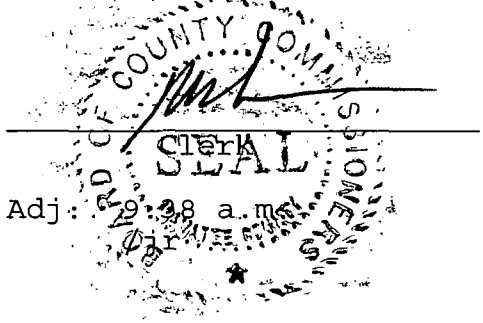
Without objection, letters will be sent to the appropriate parties, including the Governor and the Tampa Bay Regional Planning Council, that the County does not want to be a part of Hillsborough County's area.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


CLERK


Chairman 7/27/99

Adj: 6:29:38 a.m.