

RESOLUTION NO. 91-57

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA REQUESTING THE FLORIDA LEGISLATURE TO AMEND CHAPTER 81-483 (HOUSE BILL NO. 389) LAWS OF FLORIDA (THE LOCAL BIDDING LAW PERTAINING TO THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA) TO CLARIFY THAT SUCH BIDS ARE REQUIRED FOR CONSTRUCTION OF PUBLIC STRUCTURES; AND TO ELIMINATE POSSIBLE HINDERANCES ON THE ABILITY OF THE BOARD TO REJECT ALL BIDS WHEN DEEMED BY THE BOARD TO BE IN THE PUBLIC INTEREST.

WHEREAS, Chapter 81-483 (House Bill No. 389) Laws of Florida (the local bidding law pertaining to the Board of County Commissioners of St. Johns County, Florida) contained archaic language referring to the "building of any house" instead of language referring to the construction of public structures; and

WHEREAS, Chapter 81-483 Laws of Florida did not list all the many and varied situations wherein the rejection of all bids would best serve the public interest

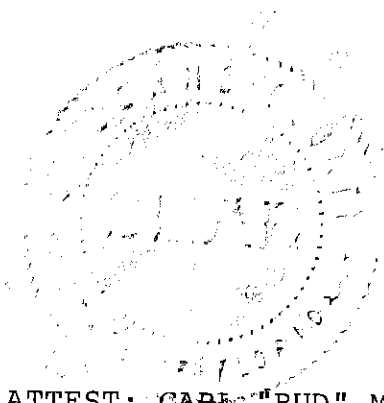
NOW THEREFORE BE IT RESOLVED that the St. Johns County Board of County Commissioners hereby respectfully requests that the Florida Legislature amend Chapter 81-483 (House Bill No. 389) Laws of Florida to read as follows:

The Board of County Commissioners of St. Johns County, Florida, shall not let any contract for the working of any road or street, the construction or building of any bridge, the erecting or building of any public structure ~~house~~, nor shall any goods, supplies or materials for county purposes or use be purchased by the Board of County Commissioners when the amount to be paid therefor by the county shall exceed \$7,500, unless the notice thereof shall be advertised once each week for at least two weeks in some newspaper of general circulation in the county, calling for bids upon the work to be done or for goods, supplies or materials to be purchased by the Board, ~~county~~ and in each such case the bid of the lowest responsible bidder shall be accepted, the availability of service and equipment and reliability to be considered in such acceptance, unless the county rejects all bids; ~~because the same are too high~~ PROVIDED, HOWEVER, the Board of County Commissioners of St. Johns County, may, after an affirmative vote of at least

four commissioners, contract for the above-described construction or work and may purchase goods, supplies or materials for county purposes or use when the amount to be paid therefor exceeds \$7,500 without bids and without notice and advertisement under the following conditions or circumstances: (a) When the goods, supplies or materials are purchased under a lease-purchase or a lease with option to purchase agreement for periods not to exceed 30 years at a stipulated rental to be paid from current or other legally available funds, provided, however, that when the term of the lease-purchase or a lease with option to purchase is for longer than 24 months, the rental and the purchase price shall be payable only from funds arising from sources other than ad valorem taxation; or (b) When the goods, supplies or materials are purchased under terms similar to those obtained and used by the State of Florida or its agencies; or (c) When the goods, supplies or materials are available from only one source; or (e) When, as part of a resolution authorizing the construction contract or the purchase of goods, supplies or materials, the Board of County Commissioners also finds that such construction contract or such goods, supplies or materials are needed to alleviate an existing emergency and that such construction contract or such goods, supplies or materials cannot be obtained in sufficient time if bids, public notice and advertisement are required.

The Clerk is requested to forward a copy of this resolution to each member of the St. Johns County, Florida Legislative delegation.

PASSED AND ADOPTED by the St. Johns County Board of County Commissioners this 12th day of March, 1991.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Donald R. Markel*
Its Chairman

ATTEST: CARB "BUD" MARKEL, CLERK

By: *Carl Bud Markel*
Its Clerk