

ORDINANCE NO. 82-3

AN ORDINANCE REGULATING THE PURCHASE OF GOODS, SUPPLIES, MATERIALS, EQUIPMENT AND MACHINERY BY COUNTY OFFICIALS, BOARDS, DEPARTMENT HEADS AND EMPLOYEES; REQUIRING BIDS TO BE SUPPLIED AS PREREQUISITE TO PURCHASE IN CERTAIN CIRCUMSTANCES; REQUIRING WRITTEN PROPOSALS TO BE SUPPLIED AS PREREQUISITE TO PURCHASE IN CERTAIN CIRCUMSTANCES; PROVIDING FOR EMERGENCY PURCHASES; PROVIDING FOR SOLE SOURCE PURCHASES AND STATE CONTRACT PURCHASES; RATIFYING PREVIOUS PURCHASES; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERANCE CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

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SECRETARY OF STATE

SECTION 1. No goods, supplies, materials, equipment or machinery, excluding repair and maintenance items, for County purposes or use shall be purchased by any County official, board, department head or employee when the amount to be paid therefor by the County shall exceed THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00), unless 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 goods, supplies, materials, equipment or machinery to be purchased by the County, and in each such case the bid of the lowest and best responsible bidder shall be accepted, unless the County rejects all bids because the same are too high.

SECTION 2. No goods, supplies, materials, equipment or machinery, excluding repair and maintenance items, for County purposes or use shall be purchased by any County officer, board, department head or employee when the amount to be paid therefor by the County shall exceed ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$1,250.00), unless the County official, board, department head or employee shall have before it three written proposals from three different suppliers for the purchase of said items setting forth the price, specifications and terms for the purchase of said items, and in such case the proposal of the lowest and best responsible supplier shall be accepted, unless the County rejects all proposals because the same are too high. Provided, however, that in the event three written proposals are not reasonably obtainable by good-faith effort, then purchases may be made on the basis of the number of proposals that may be obtained, whether said number be two or one.

SECTION 3. Sections 1 and 2 of this Ordinance shall not apply when the Hernando County Board of County Commissioners determine that an actual emergency exists which, in the interest of the public health, safety or welfare, requires an immediate purchase of such items as designated in Section 1. The determination of such an emergency situation shall be made by a majority vote of a quorum of the Board of County Commissioners or by the governing body authorized to award the contract under the bid.

SECTION 4. Section 1 and 2 of this Ordinance shall not apply to those purchases when the purchase is made on an item at the price set by a state purchase contract. Section 1 and 2 of this Ordinance shall not apply to purchases when the item to be purchased is available only through a sole source.

SECTION 5. All purchases of goods, supplies, materials, equipment or machinery purchased by the County, any County official, board, department head or employee made during the period of time from the repeal of Chapter 125.08, Florida Statutes, until the effective date of this Ordinance, be and the same hereby are, ratified, validated and confirmed.

SECTION 6. All resolutions, ordinances and special acts of the Legislature pertaining to Hernando County, contrary to the provisions of this Ordinance, are hereby repealed.

SECTION 7. Should any section, paragraph, sentence, phrase, clause, or other part or provision of this Ordinance be declared by any court to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 8. This Ordinance shall become effective as provided by law.

SECTION 9. Hernando County Ordinance No. 74-6 is hereby repealed.

ADOPTED in Regular Session this 9th day of February, 1982, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By Frank Fish
FRANK FISH, CHAIRMAN

Attest Harold William Brown
HAROLD WILLIAM BROWN, CLERK