

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
EMERGENCY MEETING
March 23, 2012

The Board met this date in emergency session. Present were Chairman Hines Boyd, Commissioners Betsy Barfield (via telephone), Stephen Fulford, Danny Monroe and John Nelson. Also present were County Coordinator Roy Schleicher, County Attorney Buck Bird and Clerk of Court Kirk Reams

1. Attorney Buck Bird stated that no bidders for the Recreation Park lighting project carried out the requirements of applying for local preference. Attorney Bird presented four options for the Board to consider. Option 1: to refuse all bids and re-bid with a copy of the local preference provision and requirements; Option 2: to waive the requirement of bidders to require certification of local preference and allow county staff to make the determination; Option 3: to accept that no respondents were properly qualified as local businesses; and Option 4: to abandon the project.
2. Attorney Bird stated that bidder BC Power has filed a formal objection, stating that the Board has no real reason to object to the bids and that it is the low bidder entitled to the project. Commissioner Fulford stated that the lighting project was no longer a time-sensitive matter due to Parks Director Mike Holm stating lights would not be needed until adult softball season was underway. Attorney Bird stated that the Board had accepted the recommendation at the previous meeting that another bidder qualified under local preference and BC Power states it is local as well. Commissioner Fulford stated that if the condensed timeline was eliminated, costs could potentially be reduced. Chairman Boyd stated that since the project was more expensive than originally anticipated, the scope could potentially be modified. Commissioner Barfield commented that unless the scope was changed, rejecting the bids would not pass the "smell test." Engineer Alan Wise stated that the low bidder did come in higher than the construction budget and that time constraints could be pulled out in order to facilitate a lower cost.
3. Commissioner Nelson inquired as to the status of the firm that was originally awarded the bid. Attorney Bird responded that the Board made a decision under the impression that the local preference requirements had been satisfied, when in fact no firm had met the qualifications. Chairman Boyd expressed concern about the cost of the project and stated that the Board should consider pulling back the scope and re-assessing ways to do the project more cost effectively.
4. **On motion by Commissioner Monroe, seconded by Commissioner Fulford and unanimously carried, the Board rescinded the action of March 15, 2012 on the basis that no bidders qualified for the local preference provision.**
5. **Commissioner Barfield made a motion to award the contract to the lowest bidder without local preference, to which Commissioner Nelson seconded for discussion.** Chairman Boyd stated that the Board had new information with bids higher than expected and a short timeline no longer necessary. Commissioner Barfield responded that this would be the third time the Board had modified this project. Commissioner Fulford stated that the intent of the local preference policy would be satisfied with BC Power meeting it and being the low bidder regardless. Attorney Bird reminded the Board that under the

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Rules of Procedure for Board meetings, it was allowable for a member to participate telephonically under terms suitable to the Chairman. **The above mentioned motion passed 4 to 1 (Boyd opposed).**

6. Attorney Bird recommended that the Board follow Florida Statutes 120.57, considering the Board had no provisions for protesting bids in its purchasing policy.

7. **On motion by Commissioner Fulford, seconded by Commissioner Nelson and unanimously carried, the meeting was adjourned.**

Chairman

Attest: _____
Clerk