

RESOLUTION NO: 2011-02

A RESOLUTION OF THE CEDAR KEY WATER AND SEWER DISTRICT; AMENDING THE DISTRICT'S BID PROCEDURES TO ALLOW THE SUBMISSION OF BIDS BY EMAIL; PROVIDING INSTRUCTIONS TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Board desires to maintain bid procedures that are fair and which accommodate new business practices including widespread use of the internet for communication; and,

WHEREAS, many contractors and suppliers would prefer to submit bids by email rather than by U.S. Mail; and

WHEREAS, it is in the best interest District to allow bids to be submitted by email as well as U.S. Mail.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CEDAR KEY WATER AND SEWER DISTRICT:

Section 1. Section 1.08 of the codified District Resolutions is amended to read as follows:

1.08 Purchasing

- A. Purchases of up to \$1,000.** Purchases of \$1,000 or less may be approved by the General Manager.
- B. Purchases over \$1,000.** Purchases of more than \$1,000 shall be approved by the Board.
- C. Purchases over \$10,000.** All contracts for purchases of \$10,000 or more shall be awarded on the basis of sealed competitive bidding. Provided, however, that if the contract is for the purchase of used goods or equipment, the Board may forego competitive bidding.
- D. Emergency Situations.** Nothing in this Section 1.08 shall apply where the General Manager determines that the failure to make an immediate purchase would jeopardize the health or safety of the public or damage the environment. In such a circumstance, the General Manager shall make necessary purchases and report such purchases to the Board for ratification at the next Board meeting.
- E. Competitive Bidding.** Except where otherwise required by State law, the following competitive bidding procedures shall be followed:

1. An invitation to bid shall be issued and shall include a purchase description and all contractual terms and conditions applicable to the procurement.
2. Adequate public notice of the invitation to bid shall be given a reasonable time prior to the date set forth therein for the opening of bids. Such notice shall involve, at a minimum, publication in the legal notice section of a newspaper of general circulation within the City of Cedar Key.
3. The invitation to bid shall set forth the following rules for responding to the bid:
 - a. Bids shall be submitted by U.S. Mail, private delivery service, hand delivery, or email.
 - b. If submitted in paper form to the District office, the bid shall be in a sealed envelope that clearly identifies the bid request and that it is a bid in response to that request.
 - c. If submitted by email, the “subject” line of the email shall clearly identify the bid request and that it is a bid in response to that request. The actual bid document shall be in the form of a “pdf” attachment to the email. No part of the bid response shall be in the body of the email.
43. Bids shall be opened publicly by the General Manager in the presence of a Board member and one or more witnesses at the time and place designated in the invitation to bid. The amount of each bid, and other relevant information, together with the name of each bidder, shall be recorded. The record and each bid shall be open to public inspection.
54. Bids shall be unconditionally accepted without alteration or correction. Bids shall be evaluated based on the requirements set forth in the invitation to bid, which may involve criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measured, such as discounts, transportation costs, and total or life cycle costs.
65. In awarding purchases or contracts to bidders, contributing factors may justify awarding to a higher more responsible bidder.
76. Contributing factors may include but are not limited to bids exceeding minimum specifications at a relatively minor cost which would better benefit the District; prior history with the District, including favorable

contracts, commodities or services; and residence and place of business of contractor, subcontractors and suppliers.

Section 2. Amendment and Codification.

In Section 1 above, language underlined shall be added; language struck through shall be deleted. The changes in Section 1 above shall be incorporated into the District's codified resolutions.

Section 3. Effective Date.

This Resolution shall take effect upon final adoption.

Passed by a vote of 5 to 0 on the 9th day of May, 2011.

CEDAR KEY WATER
AND SEWER DISTRICT

BY: *Dottie Haldeman*
Dottie Haldeman, Chairperson

ATTEST:

Ann Richburg
Ann Richburg, Secretary

(SEAL)