



PORT ORANGE CITY COUNCIL WORKSHOP

LAKESIDE COMMUNITY CENTER

1999 CITY CENTER CIRCLE

Tuesday, March 31, 2015 @ 6:30 PM

WORKSHOP AGENDA

Pursuant to Section 3.06 of the Charter of the City of Port Orange, the Mayor has called a **Workshop** of the City Council to be held for the following purposes:

A. OPENING

1. Pledge of Allegiance
2. Invocation
3. Roll Call

B. DISCUSSION ITEMS

4. Joint Workshop with the Parks and Recreation Advisory Board
5. Cypress Head Golf Course Country Club
6. Lights in Trees at City Center
7. Discussion regarding City Purchasing Procedures

C. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED.

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 03/31/2015

Consent item: No

SUBJECT: Joint Workshop with the Parks and Recreation Advisory Board

DEPARTMENT: Parks & Recreation

RECOMMENDED MOTION:

SUMMARY: The Parks & Recreation Advisory Board would like to discuss the following items with Council:

- 1) Budgeting for Capital Improvements
- 2) Board Priorities (in no particular order) as follows:
 - a) Linear Parks
 - b) Park Expansion/Consolidation
 - c) Riverwalk completion
 - d) Sports Complex
 - e) Plan for competitive teams
 - f) Community Center
 - g) Foundation
 - h) Spruce Creek Kayak launch
- 3) 1, 3, and 5 year Plan
- 4) Council recommendations/direction

Project	Funding Account
No.:	No.:

ATTACHMENTS:

Fenwick, Robin
Lovallo, Susan
Harden, David

Created/Initiated - 03/19/2015
Approved - 03/20/2015
New -



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 03/31/2015

Consent item: No

SUBJECT: Cypress Head Golf Course Country Club

DEPARTMENT: Parks & Recreation

RECOMMENDED MOTION: This is a discussion item in order to provide direction to staff on the renovations of the clubhouse at cypress head

SUMMARY: Per City Council direction we are moving forward with renovation of the Cypress Head Golf Course. A simultaneous renovation to the club house was planned, but Council has requested further discussion on the purpose and goals of the clubhouse beforeproceeding wiht the clubhouse renovation. This presentation provides information on the current concept and proposed cost. It also presents considerations related to other options the Council may want to consider as well.

Staff is requesting direction on the goals and timing of the clubhouse renovation and restaurant management in order to move forward with the project.

Project	Funding Account
No.:	No.:

ATTACHMENTS:

1.	Clubhouse Renovation Presentation	Presentation for Club House.pdf
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Fenwick, Robin
Lovallo, Susan
Harden, David

Created/Initiated - 02/19/2015
Approved - 03/26/2015
Final Approval - 03/26/2015

Cypress Head Club House

City Council Workshop

March 31, 2015



Discussion Topics

- **Restaurant Operations**
- **Club House Renovations**

Restaurant Operations

Golf Restaurant Management Comparisons

City	Restaurant Manager
Port Orange	Contracted along with golf operations
Belle Glade	Contracted along with golf operations
Delray Beach – Municipal Golf Club	Contracted along with golf operations
Delray Beach – Lakeview Golf Course	Contracted along with golf operations
Ormond Beach	Contracted along with golf operations
Daytona Beach	Individual contract for restaurant operations
New Smyrna Beach	Individual contract for restaurant operations

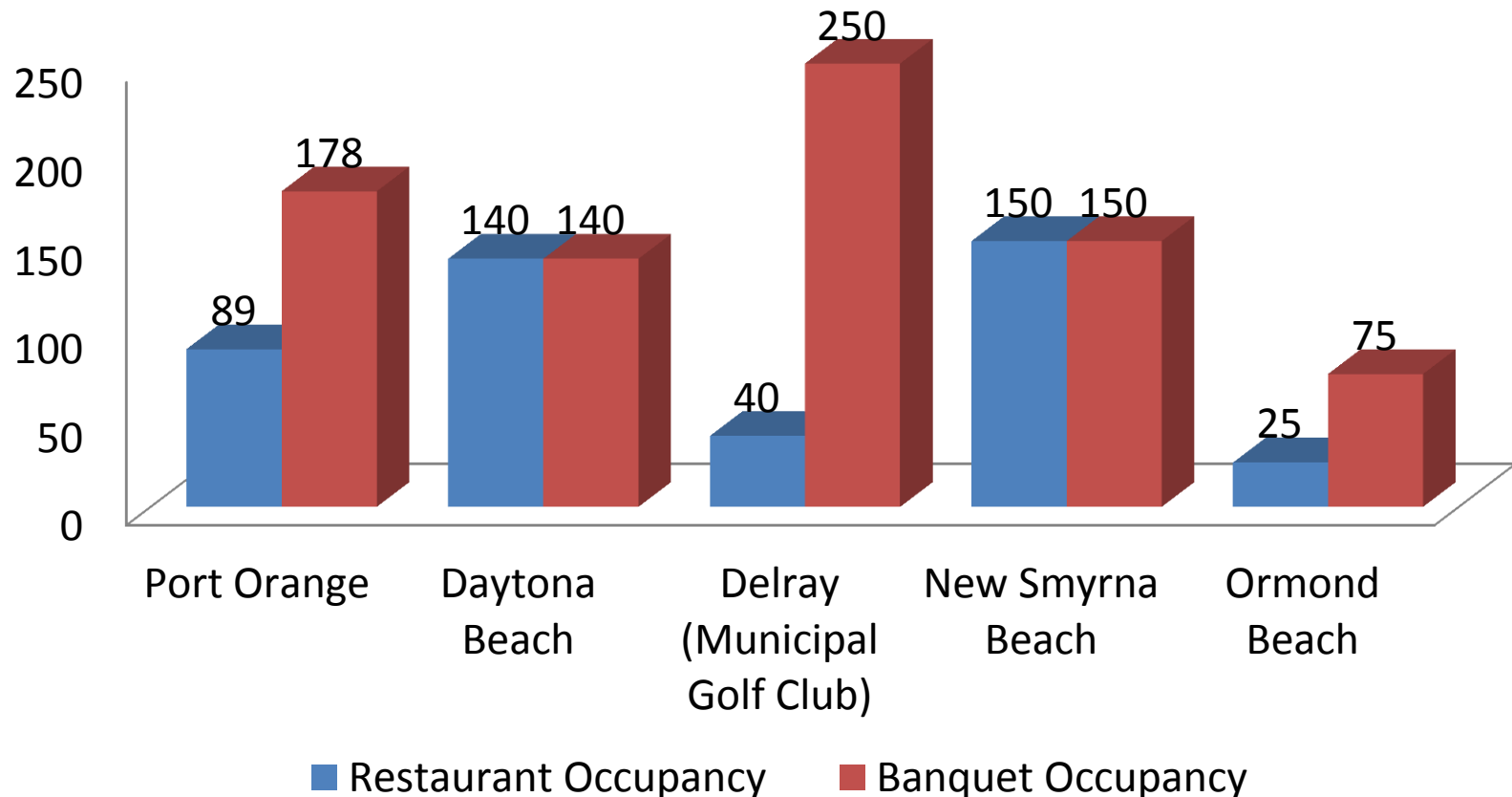
Restaurant Operations

Golf Restaurant Service Comparisons

City	Service Hours/Type
Port Orange	Open: 11-6 most days Menu: mostly bar fare
Belle Glade	Only snack bar
Delray Beach – Municipal Golf Club	Open: 7am-9pm (summer) Only lunch food Menu: sandwiches, burgers, drinks, salads
Delray Beach – Lakeview Golf Course	Only snack bar
Ormond Beach	Open: 10-4 most days. Menu: Menu mostly bar food, sandwiches and drinks
Daytona Beach	Open: 6:30 am – 8 pm Menu: American for breakfast and lunch; Italian for dinner
New Smyrna Beach	Tiano's Restaurant: Open: 10-9, Lunch and Dinner Menu: Italian

Restaurant Operations

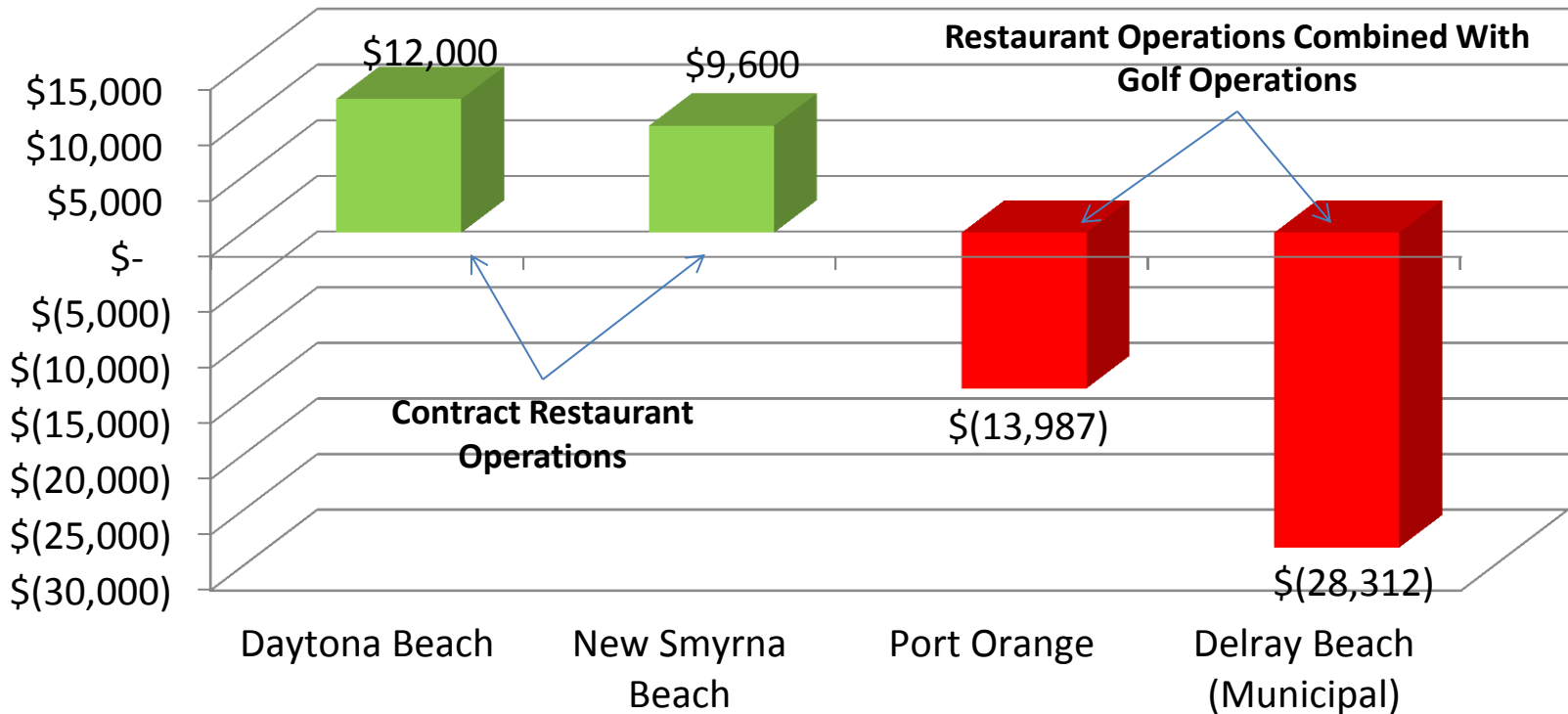
Golf Restaurant Capacity Comparisons



Restaurant Operations

Golf Restaurant Revenue Comparisons

Net Annual Revenue



Restaurant Operations

- **Current Management Structure**
 - Managed and Operated by Kemper Sports Management
- **Possible Management Structures**
 - Keep as-is
 - Provide more specified food service expectations in new contract
 - Separate operation and management from golf course management
 - Lease to restaurateur
 - Eliminate restaurant and banquet facilities leaving only snack service
 - Eliminate restaurant or banquet facilities, leaving only one
 - Retain preparation and serving capabilities for catering when needed

Restaurant Operations

- **Obstacles to Divesting Food Service Responsibility**
 - Must wait until current contract ends Sept. 20, 2017
 - Negotiate changes with current management company

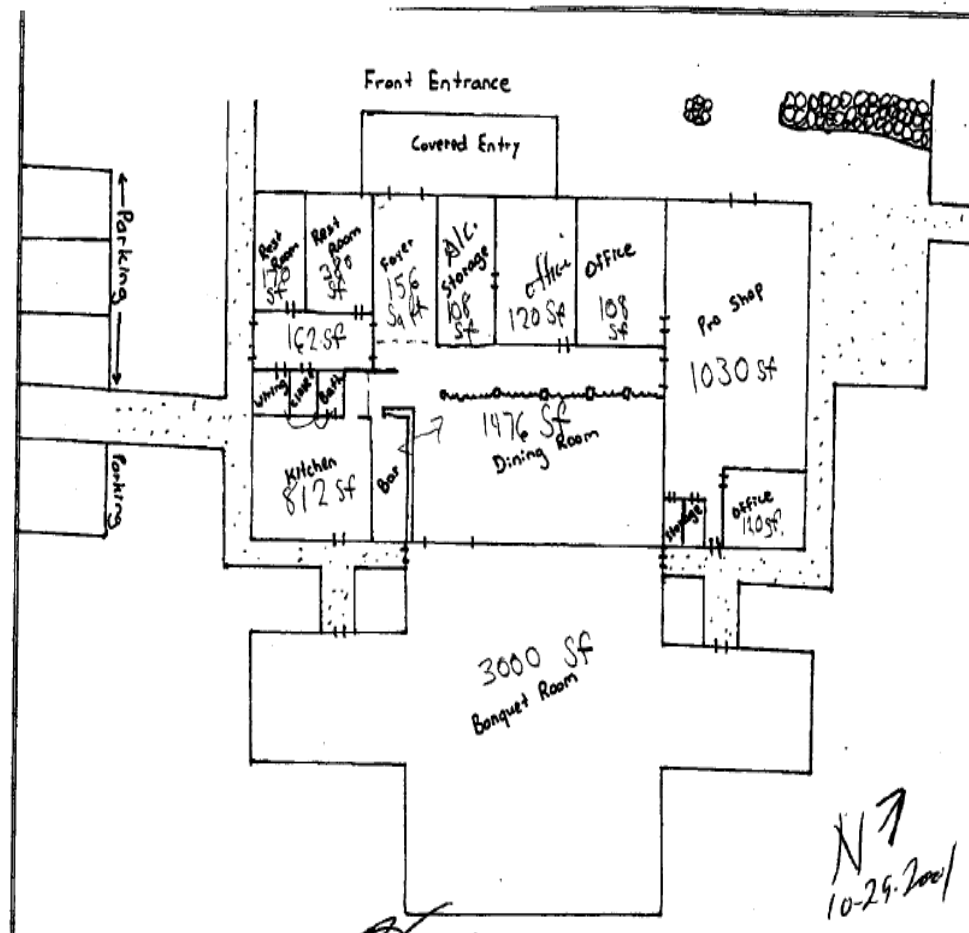
Restaurant Operations

- **Benefits to Contracting Food Service Separately**
 - Possibility of obtaining restaurateur specializing in food service
 - Less likely to incur operational losses
- **Drawbacks to Contracting Food Service Separately**
 - Unknown market for this service
 - Possibility of less coordination with golf operations

Club House

Area/Room	Square Feet
Banquet Room	3,000
Dining Room/Bar	1,476
Pro Shop	1,030
Kitchen	812
Rest Rooms	550
Offices	348
Hallway	162
Foyer	156
Storage	108
Total	7,642

Club House



Club House Renovations

- **Original plan**

- Renovate club house simultaneously with course renovation
- Completion of both in November 2015
- Architectural contract tabled March 3, 2015
- Architecture firms are currently okay with waiting for a decision (short-term)

Club House Renovations

- **Facility Inspection**

- Revised as of March 16th, 2015
- All A/C units appear to be in good condition.
 - All units were manufactured between 2001 – 2014
 - All units are being serviced on a routine basis
 - Units manufactured between 2001 – 2006 will require a new interior air handler when the outside compressors are replaced.

Club House Renovations

- **Facility Inspection**

- Gravel Courtyards at Banquet Room
 - Continue to be problematic during rain events
 - Corrections include:
 - Roofing over the patio areas ~ \$60,480
 - Removing vinyl window system with something more permanent ~\$31,800
 - Alternative is to install large gutter system in each courtyard and construct a masonry wall to support windows would be 60% - 75% less
 - However, this option would not provide the same results

Club House Renovations

- **Facility Inspection**

- Shingle roof is in good condition and should not need replacement for 8 – 10 years.
- Exhaust fans in the roof of the kitchen area will need maintenance this year
- The Building finishes are in good condition
- Management is doing a good job in regards to cleaning and maintaining the structure

Club House Renovations

Current Renovation Plan

Item	Cost as of July 2014
Over-frame roof to fix water intrusion	\$60,480
Provide walls, doors, windows instead of vinyl walls	\$31,800
Mechanical Upgrades	\$46,000
Electrical upgrades	\$15,650
Provide 2 new bathrooms	\$39,500
Repair existing columns and headers	\$4,800
Carpet and Vinyl Base	\$6,000
Interior painting	\$5,200
Overhead, profit, contingency, supervision, Architectural, permits and fees	\$114,604
Estimated Total Cost	\$324,034

Club House Renovations

- **Current “Alternative” Renovation Plan**
 - Expanding the kitchen
 - Enhancing entry way
 - Create a hallway from front entry to banquet room
 - Relocate bar
- **Neither plan included additional square footage**

Club House Renovations

Project Timing if Approved 4/21/15

Steps in Clubhouse Renovation Project	Apr	May	Jun	Jul	Aug	Sep	Oct
Council approves contract with architecture firm	21 st						
Execute contract and provide notice to proceed	24 th						
Architecture firm creates design, scope and bid package	24 th	-	4 th				
Architecture firm provides design, scope and bid package to City			5 th				
City releases bid			12 th				
City opens bids				10 th			
Council approves contract to renovate clubhouse					4 th		
City executes contract and records bond					7 th		
City issues notice to proceed					10 th		
Contractor reaches substantial completion						18 th	
Contractor completes, and City closes project							16 th

Coincides with opening of golf course.
Further delays will not coincide with opening of course.

Club House Renovations

Simultaneous Vs. Staggered Renovation

Simultaneous Renovation

- Open to full capacity when complete
- Possibility of more golfers if clubhouse is complete
- Cannot wait much longer for club house concept

Staggered Renovation

- “Soft” open until clubhouse is complete
- Possible loss of revenue due to golfers opting for different location while clubhouse is being constructed
- No deadline to decide on clubhouse vision



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 03/31/2015

Consent item: No

SUBJECT: Lights in Trees at City Center

DEPARTMENT: Parks & Recreation

RECOMMENDED MOTION:

SUMMARY: During the recent Family Days event, some residents and council members asked why the tree lights around the city center were not utilized. Staff from the Parks and Recreation Department were able to get most of the lights in working for the last days of the event. While the tree lights were originally installed to be used during the holiday season, some council members were interested in the ability to keep the lights in working order all year long for special events. Staff has prepared optional business plans for the tree lights including logistical information and funding options for discussion.

Project	Funding Account
No.:	No.:

ATTACHMENTS:

1.	Tree Light Presentation	Tree Lightspresentation.pdf
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Fenwick, Robin
Lovallo, Susan
Rosen, Alan
Harden, David

Created/Initiated - 03/19/2015
Approved - 03/26/2015
Approved - 03/26/2015
Final Approval - 03/26/2015



City Center Tree Lights

History

- Tree lights were installed to be displayed during the month of December to celebrate the holiday season.
- Consensus was that if lights were permitted to be used year round it would not create that special time and place during the holidays.

Current Maintenance

- Each tree is inspected and tagged to be working or not working
- Trimming of each tree's under growth.
- A lift is rented for 28 days to perform the work. \$1,245
- 65 man hours to get all existing trees lit. \$5,560
- Cost of materials for replacement wire, bulbs, breakers etc. \$5,706
- Total current cost for lighting \$12,511

Expected Year-Round Usage

- Three months of early darkness.
- Events generally end at 10pm.
- Currently have 12 events of 33 that could take advantage of lights. However 4 are in the month of December.
- Have had requests for the lights from general public/ private events. (wedding proposals, Weddings, family photos, etc.)

Options for lighting

- **Option A.** Provide access to events and charge a fee to recover some or all of the cost for the lighting.
- **Option B.** Provide the service free of charge.
- **Option C.** Only provide for City and City co-sponsored events.
- **Option D.** Keep with the current structure and only light the trees in December

Option budgets

- **Option A:** Partial cost recovery of \$100 per event (generating \$800). Cost to get lights working for 8 events is \$1,384. Net loss of (\$584).
- **Option B.** Full cost recovery of \$173 per event (estimated revenue of \$1,384).
- **Option C.** Provide lights free of charge for all events where lights are requested
- **Option D.** No changes (December only)

Looking forward

- If it is determined that the lights should be used, staff could look at different materials that would have less effect on staff time and repairs.
- Staff will submit a budget request in the FY16 Budget to move forward with the desired program.

Questions????????????





CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 03/31/2015

Consent item: No

SUBJECT: Discussion regarding City Purchasing Procedures

DEPARTMENT: Finance

RECOMMENDED MOTION:

SUMMARY: Port Orange's Code of Ordinances Chapter 2, Article VI, Division 2 covers "Purchase and Sale Procedure". in the course of implementing this division of the Code staff has found that some of the language creates ambiguity and decreases efficiency.

In order to clarify the intent of the Code of Ordinances, staff would like to present proposals for changing the Code to hopefully eliminate ambiguity and provide staff flexibility to administer operations more efficiently while still making purchases at the best price available. In addition, staff has researched similar cities' purchasing codes and practices to provide context to the discussion.

If Council agrees to the proposed changes, staff will return to Council with suggested code language in ordinance form for adoption.

In addition to these proposed changes, there has been some interest in discussing local preference. If Council discusses this option and would like to see changes to code in this area, staff will return with a proposal on this issue as well.

Project Funding Account
No.: No.:

ATTACHMENTS:

1.	Powerpoint presentation	Streamlining the Procurement Process.pptx
2.	2-2.262- Purchase and Sales procedures	Sec._2_262.___Purchase_and_sales_procedures..docx
3.	2.265 -- Waiver of irregularities	Sec._2_265.___Waiver_of_irregularities..docx
4.	2.267 -- Bidding requirements	Sec._2_267.bidding_requirements..docx
5.	2.271-- Emergency Purchases	Sec._2_271.___Emergency_purchases.-rev2.docx

Rosen, Alan	Approved - 03/06/2015
Gomez, Joseph	Approved - 03/06/2015
Riehm, Tracey	Approved - 03/07/2015
Harden, David	New -

Streamlining the Procurement Process

City of Port Orange
Purchasing Division
March 31, 2015

Overview

- The Purchasing Division conducted a review of the City's current procurement practices, including procedures manual, current code and ordinances, to determine whether any opportunities for improvement existed, or if they reflected a best practice. Several municipalities were benchmarked, and the results validated the observations and opportunities for improvement made by staff.

Improvements

- Revised the internal approval process of requisitions thereby reducing lead time for over 600 requisitions a year.
- Added a sole source and notice of intended action feature to the City website, including protest remedies.



Accomplishments

- Drafted a vendor performance review for automation by Information Technology Department.
- Clarified the contract and insurance requirements for all contracts and modified the requirements for small purchases under \$2,500.
- Revised Purchasing Policies and Procedures Manual to reflect current practices, including City code and ordinance requirements.
- Revised boilerplate language for all bids and request for proposals, and developed templates for standardization.

Accomplishments

- Provided training to all using departments on the use of Florida State Contract as well as WSCA contract for the purchase of MRO items (maintenance, repair and operating) The City will benefit from significant discounts ranging from 13%-48% from MSRP.

Proposed changes to code

- Drafted changes to existing code for purchasing goods and services as follows:
- Section 2-2.62 – Purchase and sales procedures
 - Revised the language to define what types of purchases are subject to the local preference policy, and propose to making it a cost-neutral program in lieu of the current 3% bid preference.
 - Defined local as either (1) a business within the municipal boundaries of the city or (2) a business with a valid business license, issued by a jurisdiction located in Volusia County. Each one would have a different percentage for evaluation purposes.

Proposed changes to code

- Section 2-2.65 – Waiver of irregularities
 - Revised the language to grant the City Manager the authority waive any non-substantial or minor irregularities in any bids or proposals. Any waiver shall be noted in any award recommendation to council.

Proposed changes to code

- Section 2-2.67 – Waiver of bidding requirements
 - Revised the language to clarify the authority granted by Council to the City Manager, to include spend authority; exceptions for categories exempted by code, statutes or regulations, and categories that do not lend themselves to a competitive process such as postage, copyrighted material; professional association fees; public or regulated utility services; sole source, piggyback etc.
 - Included language regarding contract renewals
 - Included language regarding identical bids

Proposed changes to code

- Section 2-2.71-- Emergency purchases
 - Revised the language to clarify the definition of emergency purchase, and outlined the process and documentation requirements.

Sec. 2-262. - Purchase and sales procedures.

- (a) All supplies, equipment and contractual services, except as otherwise provided herein, when the estimated purchase price thereof shall exceed \$25,000.00, shall be purchased from the bidder determined by the city council to be the lowest and best responsible bidder pursuant to the formal bidding procedure.
- (b) No contract or purchase shall be subdivided to avoid the requirements of this article.
- (c) Items with a purchase price of more than \$2,500.00 but less than \$5,000.00 shall be made using verbal quotations. Items with a purchase price of more than \$5,000.00 but less than \$25,000.00 shall be made with three quotations confirmed in writing.
- (d) In the purchase of, ~~or contract for, personal property or contractual goods or~~ services, the city council may give a preference ~~in an amount not to exceed three percent of the bid price~~ to local persons; provided, however, that this section in no way prohibits the right of the city council to compare quality of materials proposed for purchase and to compare qualifications, character, responsibility and fitness of all persons submitting bids. Local persons shall be defined as those whose principal place of business is located within the municipal boundaries of the city for a minimum period of one year.

~~-If not within the municipal boundaries of the city, local business shall be defined as a local vendor who has a valid business license, issued by a jurisdiction located in Volusia County, with its headquarters, manufacturing facility, or locally-owned franchise located within the legal boundaries of Volusia County, for at least twelve (12) months prior to the bid or proposal opening date. Post office boxes are not verifiable and shall not be used for purpose of establishing said physical address. In order to be considered for local preference, vendors must provide a copy of their business license and the local business affidavit of eligibility with their bid or proposal.~~

~~A vendor who misrepresents the local preference status of its firm in a proposal or bid submitted to the City of Port Orange, will lose the privilege to claim preference status, and shall lose eligibility to claim local preference status for a period of one (1) year. The City Manager may also recommend that the firm be recommended for debarment.~~

PROCESS:

Competitive bid:

~~When a responsive, responsible non-local business submits the lowest price bid, and the bid submitted by one or more responsive, responsible local business is within five percent (5%) for business located within the municipal boundaries of the City or three (3%) for the business with jurisdiction located in Volusia County of the price submitted by the non-local business, then each of the aforementioned local businesses shall have the opportunity to submit a best and final bid equal or lower than the amount of the low responsive, responsive bid submitted by the non-local business. Contract award shall be made to the responsive, responsible business submitting the lowest best and final bid. In case of a tie bid, the tie shall be broken in accordance with 2.267 Bidding requirements – Identical Prices-Priorities for Award.~~

Request for Proposals:

~~If following the completion of initial evaluations, a local firm has submitted a proposal and is competing with a non-local proposer(s), then the local vendor(s) shall have the opportunity to proceed to be considered for further evaluation provided the price is within five percent (5%) for the business located within the municipal boundaries of the City, or three percent (3%) for the business with jurisdiction located in Volusia County of the cost proposed by the non-local vendor, all other technical requirements being equal. In the case of a tie in the~~

best and final proposal between a local business, the tie shall be broken pursuant to 2.267 Bidding requirements- Identical Prices—Priorities for Award.

Professional Services:

Local preference policy shall apply to services of which are subject to the Consultants Competitive Negotiation Act, as delineated in F.S. 287.055. If two (2) firms, one local and one non-local are within five percent (5%) for business located within the municipal boundaries of the City, or three percent (3%) for the business with jurisdiction located in Volusia County of each other's qualitative scores, the local firm shall be ranked higher than the non-local firm in the final ranking. In case of a two-tiered evaluation process, the local preference shall also apply at the conclusion of the first tier to allow eligible local proposers within five percent (5%) of the points assigned to those recommended to participate in the second-tier evaluation.

The preference does not apply to goods or services exempted by statute, or prohibited by Federal or State law, or other funding source restrictions.

- (e) All sales of personal property (except trade-in personal property) which has become obsolete or unusable or the sale of which is otherwise determined to be in the best interest of the city, when the estimated value exceeds \$25,000.00, shall be made to the highest responsible bidder pursuant to the formal bidding procedure of this article. Acceptance or rejection of bids for such sales shall be made by the city council. The city council may, by appropriate resolution, authorize the city manager or other city official to execute any and all title transfers, bills of sale or other documents necessary to convey and transfer such property to the successful bidder. In the absence of such authorization by resolution, the mayor and city clerk may execute such instruments.
- (f) All sales of personal property (except trade-in personal property) which has become obsolete or unusable or the sale of which is otherwise determined to be in the best interest of the city, when the estimated value is \$25,000.00 or less, may be sold upon the written approval of the city manager. Notice of such sale shall be posted in city hall and, insofar as is practicable and reasonable, written and sealed bids should be solicited. Notwithstanding the foregoing, such property may be sold by negotiated sale, auction or other procedure approved by the city manager. Formal advertising or compliance with the formal bidding procedure shall not be required. The city manager, or such person as he shall designate in writing, is authorized to execute any and all title transfers, bills of sale or other documents necessary to convey and transfer such property to the purchaser thereof.

(Code 1981, § 8-26; Ord. No. 1997-22, § 2, 5-6-97; Ord. No. 2004-15, § 2, 7-20-04)

Sec. 2-265. - Waiver of irregularities.

The city council ~~shall have grants the City Manager,~~ the authority to waive any and all nonsubstantial or minor irregularities in any and all formal bids. Any waiver will be noted in any award recommendation to council.

(Code 1981, § 8-29)

Sec. 2-267. - ~~Waiver of bidding~~ Bidding requirements.

~~The City Manager~~ shall be responsible for the procurement of supplies, materials, equipment and services paid from ~~City~~ funds. The departments and or offices shall purchase their goods or services through the Division of Purchasing, which is the ~~City's~~ official purchasing agency. All purchases shall comply with State laws, rules, federal regulations or policies. No contract or purchase shall be subdivided to avoid the requirements of this article. ~~The City manager is~~ authorized to purchase commodities or services when the total amount does not exceed \$25,000; however, where more than one purchase or expenditure is made or entered into in connection with and directly related to the same project, the cumulative value of such purchases or expenditures may not exceed \$25,000 without approval ~~of the~~ city council. Expenditures for normal maintenance and operational expenses for city facilities and departments are not considered expenditures for "projects", and therefore not subject to the cumulative value spending limitation. ~~However, these purchases will follow the informal bidding guidelines outlined in the City of Port Orange Purchasing Manual Policies and Procedures, to insure cost efficiency and maximize competition.~~

Purchases exceeding \$25,000 shall be approved by city council except for goods and/or services that do not lend themselves to the normal competitive bidding process wherein the city manager has approved and waived the formal bidding requirements, as follows:

~~Purchases exceeding \$25,000 shall be approved by Council, except that the requirements for formal bidding may be waived and purchases approved by City Manager for the following:~~

~~Purchases of maintenance and/or service contracts, on various types of technical equipment that are offered and/or supplied only by the original manufacturer or its representative, or that are required to maintain the integrity of the manufacturer's warranty, or that are part of the manufacturer's rental-/lease/lease purchase agreements terms and conditions.~~

~~Materials published directly from a producer or publisher, an owner of a copyright, an exclusive agent with the state, a governmental agency or a recognized educational institution.~~

~~Public or regulated utility services or government franchised services.~~

~~Commodities or contractual services determined to be available from a single source. The city shall electronically or otherwise publicly post a description of the commodities or contractual services for a period of a least seven (7) business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described.~~

~~Purchases from other city or county governmental agencies, other school boards, community colleges, Federal agencies, or governmental agencies of any state, when the awarded contract by the other entity permits purchases by the City on the same terms, conditions, and prices (or below such prices) and the purchase is considered economically advantageous to the City.~~

Commodities or contractual services determined to be available from a single source. The City shall electronically or otherwise publicly post a description of the commodities or contractual services for a period of at least seven (7) business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described.

Professional services, except as otherwise provided for in Florida Law, contracts for professional services, (which include but not limited to services provided by attorneys, accountants, actuaries, lobbyists and financial advisors) may be made or entered into by the City Manager without utilizing a sealed competitive method or the written quotations method.

Admission fees

Association fees, Professional Association Dues

License Fees and Agreements

Media Advertising (newspaper, radio, television, etc.)

Permit fees

Petty Cash Replenishment

Postage

Registration Fees

State fees (unemployment compensation)

Travel reimbursement

Insurance coverage or claims expenditures as provided in the insurance fund, excepting however, damage to city owned property.

Supplies, equipment and vehicles purchased at a public auction.

Purchases from other governmental agencies including other school boards, community colleges, federal agencies, and agencies from other states, when the awarded contract by the other entity permits purchases by the city on the same terms, conditions, and prices (or below such prices) and the purchase is considered economically advantageous to the city.

Purchase, sale, lease or rental of real property.

The requirements for formal bidding may be waived for the following:

- ~~(a) Where there is a sole source.~~
- ~~(b) Where standardization is determined to be in the best interest of the city.~~
- ~~(c) Where solicitation of bids is otherwise deemed to be inappropriate.~~
- ~~(d) Where a maximum storage capacity for supplies is not conducive to solicitation of bids.~~
- ~~(e) Where the need for replenishment of supplies on a timely basis is not conducive to solicitation of bids.~~
- ~~(f) Where the market is not conducive to solicitation of bids.~~
- ~~(g) Materials purchased directly from a producer or publisher, an owner of a copyright, an exclusive agent with the state, a governmental agency or a recognized educational institution.~~
- ~~(h) Insurance coverage or claims expenditures as provided in the insurance fund, excepting, however, damage to city owned property.~~
- ~~(i) Commodities from established State of Florida, PRIDE, RESPECT, government pricing or federal General Services Administration contracts.~~
- ~~(j) Purchase, sale, lease or rental of real property.~~
- ~~(k) Certain professional services, design build, guaranteed maximum payment construction or fast track construction, which shall be conducted in accordance with accepted industry practices or as required by state law.~~
- ~~(l) Public utility services.~~
- ~~(m) Supplies, equipment and vehicles purchased at public auction.~~

~~(n)~~ The purchase of certain items for resale ~~are~~ **is** exempt from the requirements for multiple quotations for purchases ~~of less than \$12,000.00 not exceeding the \$25,000~~ formal bid threshold. It should be noted, however, that it is always in the best interest and the intent of the city to obtain the most advantageous pricing possible. These purchases shall comply with the restrictions listed below:

- (1) Items purchased shall be exclusively for resale;
- (2) Items with brand name specifications significant to their retail sales appeal; and
- (3) The items, after reasonable expected resale, will result in no cost to the city.

In such cases, the purchase of materials, supplies, equipment and contractual services may be made by negotiation without regard to the estimated cost, but only with the prior approval of the city council.

Contract Renewals

The City shall have the authority to award bids and reject any or all bids. The City Manager shall have the authority to exercise, in subsequent years, any renewal options initially included in the bid

solicitation, provided terms and conditions as well as current market conditions are favorable for the City. Such renewals are subject to the availability of funds.

Identical Prices-Priorities for Award

When identical prices are received from two (2) or more vendors and all other factors are equal, priority for award shall be given to vendors in the following sequence.

1. Drug Free Workplace- Pursuant to Florida Statute 28-067
2. Certified service-disabled veteran
3. Local vendor
4. Firm with the lowest volume of work on City projects within the last five (5) years. The information will be based on information provided by the Proposer, subject to verification at the City's option.

(Code 1981, § 8-32; Ord. No. 1997-22, § 4, 5-6-97; Ord. No. 2001-86, § 1, 11-13-01)

Sec. 2-271. - Emergency purchases.

Situations may arise whereby an exception to the City's policies and procedures may be required. Emergency purchases represent one of the potential situations. Emergency is defined as an unplanned or unexpected event that requires immediate action in order to prevent or remedy a service outage; or to prevent or remedy a situation that presents an immediate danger to human life, health or safety or a significant loss or damage to property, and where failure to take immediate action would enhance the risk of loss or prolong the delay in restoring service to Customers. Routine repairs and planned refurbishment do not constitute emergencies. Therefore, the City may dispense with requirements for competitive solicitations and the City Manager may acquire or contract for non-real property, goods, or services required in contemplation of, preparation for, or during an emergency. Emergency acquisitions of non-real property, goods or services where the expenditure by the City is estimated to exceed \$25,000.00 shall be subject to ratification by the City Council at the next regularly scheduled meeting or as soon as practicable. The requesting department shall state the reason for the emergency purchase, and what caused the emergency situation, including a statement of financial or operational damage or risk that will occur if needs are not satisfied immediately. Once a determination has been made, the City may procure commodities or contractual services needed. However, such an emergency purchase shall be made by obtaining pricing information from at least two (2) prospective vendors, which must be documented with the purchase request, unless the City determines that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the City.

- ~~(a) In case of any apparent emergency which requires immediate purchase of supplies, equipment or contractual services, the department head is authorized to secure by open market procedure as herein set forth, at the lowest obtainable price, any such supplies, equipment or contractual services. The department heads are hereby given the authority to act in the case of any emergency that might affect the public health, safety and welfare. Such action shall be reported in writing to the purchasing agent at the beginning of the following workday, and such report shall be presented to the city manager.~~
- ~~(b) "Emergency" is defined as an incident or accident or equipment breakdown which jeopardizes public health, welfare and safety. During working hours a verbal authorization by the city manager or finance director is required without a purchase order being required. If an emergency occurs during nonworking hours or on weekends, the appropriate department head or his designee is authorized to correct the problem. Proper paperwork must follow within one working day. "Emergency" is further defined as a situation where probable legal problems and/or adverse financial consequences could result and sufficient time is not available to follow the bid requirements of this article. In a situation such as this, the city manager is granted authority to correct the problem even if the price exceeds \$25,000.00. Unless sole source, at least three telephone bids are required and an immediate written report must be made to the city council if the price exceeds \$25,000.00. Where possible, council approval must be received prior to authorization.~~

(Code 1981, § 8-36; Ord. No. 1997-22, § 7, 5-6-97; Ord. No. 2004-15, § 6, 7-20-04)