



ORDINANCE NO. 2009- 02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE NO. 98-26, AS AMENDED, WHICH AMENDED ORDINANCE NO. 81-8, AS AMENDED, WHICH ADOPTED A PURCHASING POLICY FOR THE UNINCORPORATED AREAS OF NASSAU COUNTY; SPECIFICALLY AMENDING SECTION 3, DEFINITIONS, TO INCLUDE LOBBYING SERVICES AS AN EXEMPTION UNDER PROFESSIONAL SERVICES WITHIN THE DEFINITION OF PURCHASE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has established a purchasing policy for the unincorporated areas of Nassau County, Florida; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has requested that the ordinance be amended to include lobbying services as an exemption under Professional Services within the definition of Purchase; and

NOW, THEREFORE, BE IT ORDAINED this 9th day of February, 2009, by the Board of County Commissioners of Nassau County, Florida, that Ordinance No. 98-26, as amended, shall be further amended as follows:

1. SECTION 3 - DEFINITIONS

1. BOARD - The Board is the Nassau County Board of County Commissioners.
2. CLERK - The Clerk is the Clerk of the Circuit Court who serves as Ex-Officio Clerk to the Board of County Commissioners and Chief Financial Officer of the County.

3. PURCHASING AGENTS - The Purchasing Agents are employees or officers designated by the Board of County Commissioners as having authority to make purchases.
4. COUNTY COORDINATOR - The individual who is designated by and is under contract to the Board of County Commissioners to fill this position.
5. DEPARTMENT HEADS - The Department Heads are those individuals who are designated by the Board to be heads of various departments of the Board.
6. PURCHASE - A Purchase is defined as an acquisition by contracting in any manner, whether by rent, lease, lease/purchase, or outright purchase, with a source of supply for commodities or for both services and commodities. Within the meaning of this definition, the following are not purchases or commodities:
  - a. Transfer, sale or exchange of personal property between governmental agencies;
  - b. Utilities;
  - c. Public Communications, i.e., telephone, telegraph, newspaper ads, etc.
  - d. Transportation of persons or things;
  - e. Educational seminars/workshops;
  - f. Overnight lodging;
  - g. Professional Services - Services of a professional nature, including engineering, land surveying, architectural, and landscape architectural services

controlled by Section 287.055, Florida Statutes, and medical, ~~and~~ legal, and lobbying services. Other services of a professional nature, where estimated cost does not exceed Twenty Five Thousand Dollars (\$25,000) are also exempt. For landscape architects, plans may only be submitted by persons registered as landscape architects in Florida under Chapter 481, Part II, Florida Statutes. ~~For medical and legal services, where feasible, an attempt will be made to select a contractor through competitive negotiation.~~

(When a contract has been signed and amount is determinable, a purchase order shall be obtained and funds shall be encumbered.)

- h. Any rental or lease of property or buildings for less than twelve (12) calendar months with a non-renewable lease.
- 7. FORMAL BID - A Formal Bid is defined as a sealed bid within the title, date, and hour of the public bid opening designated.
- 8. INFORMAL BID - An Informal Bid is defined as a written quotation not requiring a public opening of such bid at specific time or date.
- 9. COMPETITIVE BID - Competitive Bids shall mean two or more valid responses to a bid invitation.
- 10. EMERGENCY - An Emergency is defined as a situation in which there is a threat to life, a threat to property or a

situation that exposes the county to material financial loss or liability.

11. EMERGENCY PURCHASE - An Emergency Purchase is defined as when the circumstances surrounding the emergency can only be rectified by the immediate purchase of commodities or service. The immediate purchase of the commodity or service will alleviate, improve or render null and void the county's exposure to life threat, property threat or financial loss/risk. An emergency is defined as a situation in which there is threat to life, a threat to property or a situation that exposes the county to material financial loss or liability.
12. PURCHASE REQUISITION - A formal written or electronically transmitted request to procure commodities or services on behalf of a department. Requisitions must be signed or authorized by a properly authorized designated person, and must be filed with the Finance Department. The requisitioner shall complete the request and submit it to the Finance Department.
13. PURCHASE ORDER - The County document to formalize a purchase transaction with a vendor. The purchase orders should be numbered consecutively and contain statements regarding the quantity, description, and price of goods and services ordered; applicable terms as to payment, discount, date or performance, and transportation; and other factors or suitable references pertinent to the purchase such as

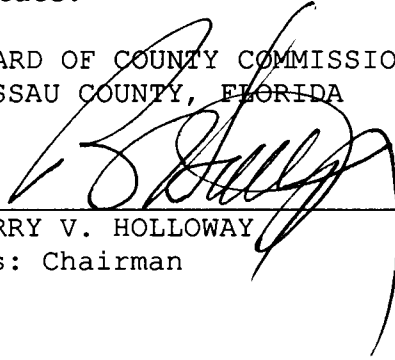
bid number or contract number and should be signed by the purchaser.

14. SOLE SOURCE - The commodity or service is available from one and only one source. Use of brand names and model numbers does not constitute sole source.
15. SINGLE SOURCE EXCEPTION - The commodity or service can be purchased from multiple sources, but in order to meet certain functional or performance requirements, there is only one economically feasible source for the purchase (i.e. compatibility, quality, warranty issues, service support, etc.)

**2. EFFECTIVE DATE**

This ordinance shall become effective upon its being filed in the office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



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BARRY V. HOLLOWAY  
Its: Chairman

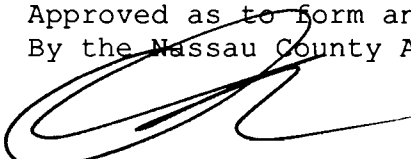
Attest as to Chairman's Signature:



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JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form and legality  
By the Nassau County Attorney:



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DAVID A. HALLMAN