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RESOLUTION 90-43

RESOLUTION ESTABLISHING PROCEDURES AS  
REQUIRED BY FLORIDA STATUTES 218.70  
KNOWN AS THE "FLORIDA PROMPT PAYMENT ACT"

WHEREAS the Nassau County Board of County Commissioners is to comply with F.S. 218.70 known as the "Florida Prompt Payment Act."

WHEREAS the statute requires procedures be established for documenting receipt of invoices and resolution of disputes.

NOW, THEREFORE be it resolved by the Board of County Commissioners, Nassau County, Florida the following procedures:

Section 1. Definitions

(a) "proper invoice" - invoice which conforms with all statutory requirements and contains at a minimum:

1. vendor name and address;
2. description of services performed or goods billed for including dates, quantities, and prices of individual charges;
3. purchase order number, contract order number, or job reference;
4. all other information required by applicable contract, purchase order, or similar instrument;
5. state whom check is to be made payable to and address if different than 1.

(b) "department" - county department for whom invoice was initiated for.

(c) "County" - Nassau County Board of County Commissioners.

(d) "purchase" - purchase of goods or services, the purchase or lease of personal property, or the lease of real property.

(e) "vendor" - any person or company who sells goods or services, sells or leases personal property, or leases real property to the County.

Section 2. PROCEDURES FOR PAYMENT

(a) Departments are to stamp invoices when received in the lower left corner of invoice.

(b) Authorized department personnel shall approve invoice and send to the Finance Department no later than seven (7) business

days after receipt.

(c) Finance Department shall process the invoice for payment and remit payment to vendor with seven (7) business days of receipt from department, but no later than forty-five (45) days.

(d) The time at which payment shall be due to vendor shall be at the latest forty-five (45) days from:

(1) the date on which a proper invoice is received by the chief disbursement officer of the county after approval by the Board, if required; or

(2) if a proper invoice is not received by the county, the date:

(a) on which delivery of personal property is accepted by the department;

(b) on which services are completed;

(c) on which the rental period begins; or

(d) on which the county and vendor agree in a contract which may provide dates relative to payment periods;

whichever is latest.

SECTION 3. IMPROPER INVOICES/DISPUTES

(a) In any case in which an improper invoice is submitted by a vendor, the department shall, within ten (10) days after the improper invoice is received by it, notify the vendor that the invoice is improper and indicate what corrective action on the part of the vendor is needed to make the invoice proper.

(b) In the event a dispute occurs between a vendor and the department/county concerning payment of an invoice, such disagreement shall be finally determined by county as provided in this section:

(1) the department shall contact the vendor via written form describing the dispute within ten (10) days after receipt of invoice in dispute;

(2) within fourteen (14) days after initial written contact, if corrective action is not taken by vendor, then the department is to contact the vendor again, via registered receipt mail, setting up a date and time for proceedings to resolve the dispute

to commence;

(3) the proceedings to resolve the dispute shall commence no latter than forty-five (45) days after the date on which the proper invoice was received and shall be concluded by final decision of the Board no later than sixty (60) days after receipt. The department head, appropriate constitutional officer, and vendor representative shall be required at the proceeding. Minutes are to be taken of the proceedings in tape and written form;

(4) documentation shall be kept for each dispute detailing all contacts made, proceedings, problems, etc. by the department. Forms FD-7 and FD-8 are to be utilized.

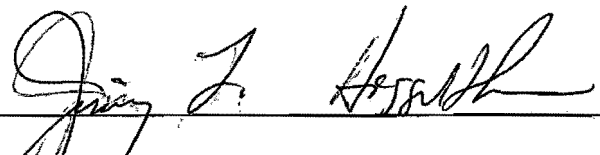
(5) If the dispute is resolved in favor of the county, then interest charges shall begin to accrue fifteen (15) days after the county's final decision. If the dispute is resolved in favor of the vendor, then interest shall begin to accrue as of the original date the payment became due and charged to the department.

SECTION 4. REPORT OF INTEREST


(a) During December of each year, a report to the Board shall be made by Finance detailing the number of interest payments made during the preceding fiscal year and the total amount of such payments.

ADOPTED this 12th day of December, 1989.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
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CHAIRMAN

ATTEST:

  
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EX-OFFICIO CLERK