

SECTION 7: OUTSIDE CONSTRUCTION SERVICES

7.1 Competitive Bidding Policy

Construction services under level four authorization from outside contractors by County departments may at the discretion of the Project Sponsoring Department (PSD) be acquired through informal telephone or informal written bids. The only exceptions permitted by this policy are those authorized in other sections of this manual.

7.2 Outside Construction Services Under \$100,000.00

Construction services through \$100,000.00 may, at the discretion of the Procurement Management Office and/or the department/division director or designee, be acquired through informal telephone or informal written bids.

- 1) To acquire construction services through \$100,000.00, a REQUISITION should be submitted to Procurement Management.
- 2) If informal telephone or informal written bids are not being taken, the Project Sponsoring Department should, before submitting their REQUISITION, contact Procurement Management to verify that the proposed contractor is properly licensed and has insurance on file.

Upon Procurement approval and once the REQUISITION has been received in Purchasing Services, the PURCHASE ORDER shall be issued.

- 3) If informal written bids are to be obtained, they can be solicited by the Project Sponsoring Department or Procurement Management, upon request.
 - a) Competitive bidding procedures shall be used to select a contractor.
- 4) After selecting the contractor for the project, the Project Sponsoring Department or Procurement will complete the award process.
 - a) Procurement will verify proper license and obtain appropriate insurance.
- 5) Once everything has been completed the Project Sponsoring Department may issue the REQUISITION.

7.3 Outside Construction Services, Over \$100,000.00

Construction/construction related services which are anticipated to be over \$100,000.00 will be acquired through formal advertised sealed bids approved by the Board of County Commissioners.

- 1) To acquire construction/construction related services with estimates that exceed \$100,000.00, the Project Sponsoring Department will prepare a memorandum requesting such, and submit it to Procurement Management, along with any necessary documents and the expenditure account string.
- 2) Procurement will then complete the bidding document package and solicit formal advertised sealed bids from contractors for the requested service.
- 3) After a contractor has been selected, Procurement Management will prepare the PURCHASE ORDER for the service following the applicable required procedures.

7.4 Bid Waiver

Certain construction/construction related services that are anticipated to be over \$100,000.00 may be acquired through informal bids if a waiver of the requirement for formal advertised sealed bids has been submitted for approval as follows:

- 1) A waiver of formal sealed bids may be approved when there is an urgent need for the service, or when there is only a single source for a service or other documented special circumstances.
- 2) For bid waivers on services that are anticipated to be over \$100,000.00, the Project Sponsoring Department will prepare a memorandum of justification detailing the conditions which indicate that a waiver is appropriate, including their expenditure account string and forward it to Procurement Management for processing to obtain Board approval.
- 3) When the bid waiver request is approved, Procurement will proceed to acquire the requested services; and,
 - a) If required, Procurement will obtain all necessary paperwork from the Contractor (contracts, insurance, public construction bond).
- 4) When all necessary paperwork has been completed Procurement, will issue a Notice to Proceed to the Contractor.

7.5 Construction Service Award Procedure

After a Contractor has been selected, Procurement Management will complete the award process as noted below:

- 1) Procurement will notify the selected contractor of the award of the contract.
- 2) Procurement will obtain the contracts, insurance and public payment & performance bond (if required) from the contractor.

7.5 Construction Service Award Procedure (Continued)

- 3) When all contracts have been completed, Procurement will issue a Notice to Proceed to the Contractor.
- 4) Procurement will prepare a PURCHASE ORDER following the applicable required procedures.

7.6 Emergency Service Policy

While the Contract Manual procedures involving competitive bidding are desirable for most projects, when an emergency arises, it will be necessary to short-cut the normal procedures. For this reason, the County has adopted the following emergency service procedure.

1) Definition of an Emergency

An emergency is defined as: an unforeseen situation in which there is a breakdown of County service and there is an urgent need to restore such service in order to avoid serious and adverse consequences affecting the life, safety, health, welfare or property of the citizens of Lee County.

2) Emergency Service Authorization

Emergency projects are authorized when there is an emergency, and there is an immediate need for services in response to the emergency.

- a) If the emergency occurs during normal working hours, the department must attempt to obtain appropriate authorization for the project through telephone or verbal communications by notifying Procurement Management and submitting a REQUISITION following the applicable required procedures.
- b) In an emergency situation, the County Manager may authorize an emergency project of Board level authorization and waive any bidding requirement.
- c) If the emergency occurs at night, on weekends, or on holidays, the department/division director may initiate independent action as appropriate to the circumstances.

3) Emergency Services of Board Level Authorization

For emergency projects of Board level authorization, the department must obtain the authorization of the County Manager (or designee).

- a) The division director will notify the appropriate department director who will notify the County Manager (or designee) of the emergency, requesting verbal authorization to make the emergency purchase.

3) Emergency Services of Board Level Authorization (Continued)

- b) With authorization from the County Manager (or designee), the department director or division director may make the necessary purchases of the needed services.
- c) If the project is authorized, the County Manager (or designee) will recommend to the Board of County Commissioners its “after the fact” approval of the project at its next regularly scheduled meeting.
 - 1) Procurement will be responsible for preparing the necessary paperwork for Board approval.

4) Emergency Service Under Board Level Authorization

For emergency projects under Board level authorization, the division director must obtain the authorization of the appropriate department director.

- a) The division director will notify the department director of the emergency and request authorization to make the emergency purchase.
- b) With authorization from the department director, the division director, or his designee, may make the necessary purchases of the needed services.

5) Emergency Purchase Follow-up

When an emergency purchase has been made, within 72 hours afterward, the department will follow-up the purchase with the preparation and submission of a REQUISITION.

- 1) The department will prepare and submit a REQUISITION following the applicable required procedures.
 - a) The fact that the purchase was an emergency purchase should be “highlighted” at the top of the description area on the form and justification must be completed in the description area.
 - b) Applicable authorization levels will apply to emergency projects.
- 2) Emergency purchases under \$100,000.00 only need authorization by the issuance of a REQUISITION once all necessary approvals have been obtained. Emergency purchases over level four will require “after the fact” approval by the Board.