



Levy County Board of County Commissioners Agenda Item Summary Form

Instrument # 713005
OR BK: 1672 PG: 462-7pg(s)
REC: 1/18/2023 9:30 AM
Danny J. Shipp, Levy County Clerk, Florida
Rec: \$61.00
Deputy Clerk MBASS1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

ORDINANCE
NUMBER 2023-4

AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF LEVY COUNTY, FLORIDA RELATING TO PROCUREMENT; BY INCREASING PURCHASING THRESHOLDS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.

WHEREAS, by adoption of Ordinance No. 2018-005 on October 2, 2018, the Board of County Commissioners of Levy County (the "Board") determined it necessary and desirable to establish a procurement code to provide for the fair and equitable treatment of persons dealing with the County's procurement system, to foster effective broad-based competition within the free enterprise system, and to obtain goods and services of satisfactory quality and quantity at reasonable cost to the County;

WHEREAS, at its November 8, 2022 Regular Meeting, the Board heard a request from the County Procurement Coordinator to revise the purchasing thresholds due to increased inflation and directed County Staff to prepare this ordinance to amend County Code;

WHEREAS, at least ten (10) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing in the Levy County Government Center in Bronson, Florida; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Levy County, Florida, that:

SECTION 1. Section 2-195(a) is amended to read as follows. Except as amended herein, the remainder of Sec. 2-195 remains in full force and effect.

Sec. 2-195. - Exemptions from competitive procurement.

- (a) The provisions of this section shall not limit the ability of the board to follow any competitive procurement procedures in the procurement of goods or services listed in any of the exemptions in this section, if desired and directed by the board or the county coordinator, or if otherwise allowed or required by law. In

Note: Additions shown underlined, deletions shown striken.



Levy County Board of County Commissioners Agenda Item Summary Form

1 addition, contracts for procurement of any of the goods or services listed in the
2 exemptions contained in subsections (b)(2) through (b)(18) below, the cost of
3 which to the county is ~~\$20,000.00~~ \$25,001 or more, shall be subject to the
4 approval of the board. The procurement of any goods or services listed as
5 exemptions in this section must still comply with the requirements and other
6 provisions of this article unrelated to competitive procurement procedures,
7 including but not limited to the provisions of section 2-196(a) that such
8 procurement be performed through the procurement department with the
9 cooperation of the applicable county department.
10

11
12 **SECTION 2.** Section 2-197(a) and (b) are amended to read as follows. Except as
13 amended herein, the remainder of Sec. 2-197 remains in full force and effect.
14

15 **Sec. 2-197. - Authority and duty of county coordinator, procurement coordinator**
16 **and department directors.**
17

18 (a) Unless otherwise provided for in this article, the procurement of goods and
19 services shall be under the supervision and management of the procurement
20 coordinator, with the cooperation of the applicable county department utilizing
21 or requesting the procurement of such goods or services. It shall be the duty,
22 responsibility, and authority of the procurement coordinator to:
23

24 (1) Procure or supervise the procurement of all goods and services, except as
25 otherwise provided for herein, required by the board and departments for
26 which payment is made from funds of the county or funds granted to the
27 county by any state or federal agency or private person.
28

29 (2) In conjunction with the county departments, prepare and enforce standard
30 specifications which shall apply to all goods or services procured for the use
31 of the county.
32

33 (3) Maintain current files of qualified sources of supply for goods and services
34 required by the county.
35

36 (4) Perform other related duties as may be assigned by the board or the county
37 coordinator.
38

39 (5) Sign and authorize on behalf of the county duly issued purchase orders or
40 assign said responsibility to a designee.
41

42 (6) Sign and authorize purchase or procurement agreements or contracts on
43 behalf of the county which have been reviewed for form by the county
44 attorney, which agreements or contracts are for procurements of less than

Note: Additions shown underlined, deletions shown ~~stricken~~.



Levy County Board of County Commissioners Agenda Item Summary Form

- 1 ~~\$3,000.00~~ \$4,999.99 in total value, for goods or services which have been
2 authorized in the adopted county budget, or assign said authority to a
3 designee.
4
5 (7) Take all reasonable steps to insure that the specifications for an item to be
6 procured are developed to allow competition among providers of the item
7 whenever practicable.
8
9 (8) Maintain a system of accountability and numbering of all contracts for
10 procurement of goods and services under the jurisdiction of the board
11 whether exempt from the procurement procedures or not.
12
13 (9) Reject all bids or proposals in a selection process, and cancel the related
14 competitive sealed bid or proposal process, as may be in the best interest
15 of the county.
16
17 (b) The county coordinator, or his/her designee, will have the authority to sign and
18 authorize purchase agreements or contracts on behalf of the county which have
19 been reviewed for form by the county attorney, which agreements or contracts
20 are for procurements of less than ~~\$20,000.00~~ \$25,000 in total value, for goods
21 or services which have been authorized in the adopted county budget.
22
23

24 **SECTION 3.** The first sentence in Section 2-200 is amended to read as follows. Except
25 as amended herein, the remainder of Sec. 2-200 remains in full force and effect.
26

27 **Sec. 2-200. - Procurement of goods or services.**
28

29 No procurement of goods or services of ~~\$20,000~~ \$25,001 or more shall be made unless
30 upon competitive sealed bids received in the manner hereinafter prescribed, except in at
31 least one of the following circumstances:
32

33
34 **SECTION 4.** Section 2-201 is amended to read as follows.
35

36 **Sec. 2-201. - Micro and small procurements.**
37

- 38 (a) Micro procurements of up to ~~\$3,000.00~~ \$4,999.99. Procurements of goods or
39 services of a value up to but not including ~~\$3,000.00~~ \$4,999.99 shall be
40 authorized to be made by the director of the county department which seeks or
41 needs such goods or services on the open market without bid. Procurements
42 shall be made with notice to and in cooperation with the procurement
43 department. To the extent practicable, the county will distribute such
44 procurements equitably among qualified suppliers. Procurements pursuant to

Note: Additions shown underlined, deletions shown ~~stricken~~.



Levy County Board of County Commissioners Agenda Item Summary Form

1 this subsection may be awarded without soliciting competitive quotations if the
2 county considers the price to be reasonable. In the case of acquisition of
3 construction services subject to the David-Bacon Act, the maximum threshold
4 for micro procurement pursuant to this subsection will be \$2,000.00.

5
6 (b) Small procurements of ~~\$3,000.00~~ \$5,000 up to and including ~~\$19,999.99~~
7 \$25,000. Procurements of goods or services of a value of ~~\$3,000.00~~ \$5,000 or
8 more up to ~~\$19,999.99~~ \$25,000, shall be authorized by the procurement
9 coordinator or the county coordinator. Such procurements shall be based on
10 the solicitation of price or rate quotations, such solicitation to be made by the
11 procurement coordinator or the department which seeks or needs the goods or
12 services in cooperation with the procurement coordinator. Price or rate
13 quotations shall be obtained from an adequate number of qualified sources, in
14 any event no fewer than three if three are possible. Award shall be made on
15 the basis of lowest and best quotation to the lowest responsive, responsible
16 bidder or quoter submitting a quote. The names of all bidders or quoters
17 submitting quotations, and the date and amount of each quotation, shall be
18 maintained as a public record.

19
20 (c) Dividing procurements not allowed. Requirements for procurement procedures
21 and grants of authority contained in this section shall not be avoided or
22 manipulated by artificially dividing goods or services into components that will
23 lessen the requirements or level of authority that would be required if the goods
24 or services were not so artificially divided.

25
26
27 **SECTION 5.** Section 2-202(a) is amended to read as follows. Except as amended
28 herein, the remainder of Sec. 2-202 remains in full force and effect.

29 30 **Sec. 2-202. - Competitive sealed bids.**

31
32 (a) Unless otherwise excepted in this article, competitive sealed bids shall be used
33 for purchases of ~~\$20,000~~ \$25,001 or more. In addition, the competitive sealed
34 bid method is the preferred method for procuring construction, if the conditions
35 in subsection 2-202(b) apply.

36
37
38 **SECTION 6.** Section 2-203(a) is amended to read as follows. Except as amended
39 herein, the remainder of Sec. 2-203 remains in full force and effect.

40 41 **Sec. 2-203. - Competitive sealed proposals.**

42
43 (a) When the goods or services to be acquired are of an estimated value of
44 ~~\$3,000.00~~ \$5,000 or more, and when the nature of the goods or services

Note: Additions shown underlined, deletions shown ~~stricken~~.



Levy County Board of County Commissioners Agenda Item Summary Form

1 dictate that the use of price or rate quotations or competitive sealed bidding is
2 not practicable, reasonable or advantageous to the county or when conditions
3 are otherwise not appropriate for the use of price or rate quotations or
4 competitive sealed bids, a contract may be entered into by the use of
5 competitive sealed proposals. If procurement is by competitive sealed
6 proposals, the following requirements apply:
7
8

9 **SECTION 7.** Sections 2-204(a) and (b) are amended to read as follows. Except as
10 amended herein, the remainder of Sec. 2-204 remains in full force and effect.
11

12 **Sec. 2-204. - Noncompetitive procurements.**
13

14 (a) Noncompetitive procurements in the amount of ~~\$3,000~~ \$5,000 or more may be
15 made through solicitation of a proposal from only one source and may be used
16 only when one or more of the following circumstances apply:
17

18 (1) The item is available only from a sole source, and the department
19 requesting or requiring the goods or services certifies in writing that there is
20 only one source for the goods or services;
21

22 (2) In the event the goods or services or project is funded in whole or in part by
23 federal funds, the federal awarding agency or pass-through entity expressly
24 authorizes noncompetitive proposals in response to a written request from
25 the county; or
26

27 (3) After solicitation of a number of sources, competition is determined
28 inadequate.
29

30 (b) A contract may be awarded for a procurement of goods or services of a value
31 of ~~\$3,000~~ \$5,000 or more through a noncompetitive procurement, even when
32 more than one potential supplier for the goods or services may exist, when the
33 procurement is not funded in whole or in part by federal funds, and when the
34 county coordinator, with the concurrence of the department requesting or
35 needing the goods or services, provides written documentation clearly
36 documenting the advantages of declaring the procurement noncompetitive.
37 The advantages of declaring a procurement noncompetitive may be based on
38 the existence of only one reasonable and practicable source, uniqueness of the
39 goods or services, uniqueness of vendor qualifications, timeliness of the
40 procurement, or other extenuating circumstances, even when more than one
41 supplier exists for the goods or services.
42
43

44 **SECTION 8. Severability.** If any section, subsection, sentence, clause, phrase,

Note: Additions shown underlined, deletions shown striken.



Levy County Board of County Commissioners Agenda Item Summary Form

AFFP
0105 LC ORD NO. 2023-4 1/17

Affidavit of Publication

STATE OF FLORIDA }
COUNTY OF CITRUS }

0105 LC ORD NO. 2023-4 1/17
NOTICE OF ORDINANCE 2023-4

Before the undersigned authority personally appeared Deborah McPherson, who on oath says that she is an Accounting Clerk of the Levy Citizen, a weekly newspaper published at 17 NE 3rd Street, Chiefland, FL in Levy County, Florida; that the attached copy of advertisement, being a legal notice in the matter of 0105 LC ORD NO. 2023-4 1/17, was published in said newspaper by print in the issues of January 05, 2023 or by publication on the newspaper's website, if authorized, on January 05, 2023.

THE BOARD of COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA. NOTICE IS HEREBY GIVEN that the proposed Ordinance adopting amendments to the Procurement Code for Levy County, the title for which here after appears, will be considered for enactment by the Levy County Board of County Commissioners, at a public hearing on Tuesday, January 17, 2023 at 6:00 p.m., or as soon thereafter as the same may be heard at the Levy County Government Center Auditorium, 310 School Street, Bronson, Florida. Copies of said Ordinance may be inspected by any member of the public at the Office of the Board of County Commissioners located at 310 School Street, Bronson, Florida, during regular business hours or contact by phone at (352) 486-5218. On the date, time and place first above-mentioned, all interested persons may appear and be heard with respect to the Proposed Ordinance.

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

ORDINANCE
NUMBER 2023-4

AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF LEVY COUNTY, FLORIDA RELATING TO PROCUREMENT; BY INCREASING PURCHASING THRESHOLDS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.

Deborah McPherson
Affiant

All persons are advised that, if they decide to appeal any decisions made at the public hearing, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring reasonable accommodations to participate in this meeting should contact the County Commissioners Administration Office at (352) 486-5218.
Matt Brooks
Chairman Levy Co. Board of County Commissioners
Published January 5, 2023

Sworn to and subscribed before me this 5th day of January 2023, by Deborah McPherson who is personally known to me.

Maria A. Parks, Notary Public 4/20/2025



Publisher's Fee: \$ 32.74
50002675 50052745

Alicia Tretheway
LEVY COUNTY BOCC-Legals
PO BOX 310
BRONSON, FL 32621