RESOLUTION R - 09-177

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RESCINDING THE PURCHASING RULES AND INSTRUCTION MANUAL ADOPTED BY RESOLUTION 01-36; PRESERVING OTHER BOARD ACTIONS; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Manatee County's purchasing code has historically contemplated that the Board of County Commissioners would adopt purchasing regulations by resolution in addition to its purchasing policies as established in the purchasing code; and

WHEREAS, pursuant to this historical process the County Commission adopted Resolution 01-36, adopting a Purchasing Rules and Instruction Manual; and

WHEREAS, with the passage of time, the adoption of administrative procedures related to purchasing by the County Administrator, and the adoption of amendments to the purchasing code since then, this manual has become redundant, outdated and inconsistent with these other sources of Manatee County purchasing law and practice; and

WHEREAS, the Manatee County Commission finds that simplification of the regulatory scheme is in the County's best interests, as well as the best interests of the business community which must interact with the County and understand its policies and rules; and

WHEREAS, pursuant to this finding, the County Commission concludes that there shall be only two main areas of regulatory authority with respect to purchasing, the primary being the County's purchasing code, as adopted and amended by the County Commission, along with a detailed set of administrative procedures and forms adopted and regularly updated by the County Administrator and Purchasing Official.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

1. The Manatee County Purchasing Rules and Instruction Manual, previously adopted by Resolution 01-36, is hereby repealed, and the County Administrator shall ensure any procedures, implementing regulations or forms shall be developed, maintained and updated by administrative action, as authorized by the purchasing code.

2. Nothing herein shall be deemed to have repealed or otherwise altered the procurement categories and delegated authority provided to the administration by the Commission in Resolutions 08-298 and 09-73, and such category levels and authority shall remain in effect until further action by the County Commission.

BE IT FURTHER RESOLVED that this Resolution shall be effective upon adoption.
BE IT FURTHER RESOLVED that any existing Resolution or portion thereof of the Board of County Commissioners which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this Resolution shall, as to such terms or provisions, be deemed as superseded by this Resolution.

BE IT FURTHER RESOLVED that the provisions of this Resolution are severable such that the invalidity of any one provision shall not operate to invalidate any other provision.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, this 28th day of July, 2009.

ATTEST:
R.B. SHORE
CLERK OF THE CIRCUIT COURT

By: [Signature]
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: [Signature]
Donna Hayes
Second Vice-Chairman