



RESOLUTION NO. 142-2001

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

(A RESOLUTION IDENTIFYING ITEMS EXEMPT FROM COMPETITIVE BIDDING WHICH MEET THE EXEMPTION CRITERIA STATED IN COUNTY ORDINANCE CODE SECTION 3.12.132)

WHEREAS, County Ordinance Code Section 3.12.132 provides that competitive bidding for county supplies and materials may be dispensed with when the Purchasing Agent determines that (1) competitive bidding is not in the public interest because of an emergency, or (2) the unique nature of property or services precludes competitive bidding, or (3) competitive bidding would produce no economic benefit to the county; and

WHEREAS, the exemption from competitive bidding applies only as to the purchase of items that have been identified by resolution of the Board of Supervisors; and

WHEREAS, the Board of Supervisors has previously promulgated Resolution No. 336-2000, which sets forth certain items to be exempted from bidding requirements; and

WHEREAS, it is desired to add one (1) new item to the list of items previously identified as specified below; and

WHEREAS, the Board of Supervisors does hereby designate below those items which may be exempted from competitive bidding pursuant to County Ordinance Code Section 3.12.132. An analysis justifying such exemptions is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, that this Board finds that it is in the public interest and therefore delegates to the Purchasing Agent the authority to determine when, pursuant to County Ordinance Code Section 3.12.132 and this resolution, competitive bidding is not required with respect to the following items:

- Automotive Repair Parts/Labor
- Books
- Drugs/Pharmaceuticals (proprietary)
- Equipment Rental (heavy)
- Equipment Repair Parts/Labor (heavy)
- Insurance
- Lumber and Building Materials, Plumbing and Electrical Supplies
- Mail Pick-up, Sorting and Posting Services
- Postage/Postage Meters
- Produce (fresh)
- Software (proprietary)
- Subscriptions
- Telecommunications Equipment (Telephone Switching Equipment)
- Training Seminars/Classes
- Travel Expenses (ordinary)
- Utilities (public)
- Video Recordings
- Weatherization Materials

BE IT FURTHER RESOLVED, nothing shall preclude the Purchasing Agent from requiring competitive bids for any item to be procured with public funds if deemed in the best interest of the County to do so.

BE IT FURTHER RESOLVED, the Purchasing Agent may issue Blanket Purchase Orders in amounts up to departmental approved budgets for items on the list above, without advance approval of the Board of Supervisors.

BE IT FURTHER RESOLVED, that Resolution No. 336-2000 be hereby amended.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 12th day of June, 20 01, by the following vote of said Board:

Ayes: SUPERVISORS: RUSTY DUPRAY, HELEN K. BAUMANN, CARL BORELLI, PENNY HUMPHREYS, DAVID A. SOLARCI

ATTEST

DIXIE L. FOOTE

Clerk of the Board of Supervisors

By Margaret B. Meedy
Deputy Clerk

Noes:
Absent:

NONE
NONE

Penny Humphreys
Chair, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE _____

ATTEST: DIXIE L. FOOTE, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

EXHIBIT "A"
Analysis
(Items Exempt from Competitive Bidding)

CRITERIA (from County Ordinance Code Section 3.12.132):

- (1) Competitive bidding would not be in the public interest because of emergency; or,
- (2) Unique nature of the property or services required precludes competitive bidding; or,
- (3) Competitive bidding would produce no economic benefit to the County.

Automotive Repair Parts/Labor (1) (3)

Vehicles requiring repair must be immediately taken "out-of-service" for safety purposes. Parts unique to individual manufacturers are available only through regional authorized dealers. After-market parts vary widely in quality, therefore, must be individually selected from specific distributors in order to obtain the lowest "life cycle cost".

Books (2)

Publishers distribute exclusively by subject, construction or format (media). Specialty books are procured from individual sources based on applications such as "Durable", Hardcover, Paperback, Fiction or Reference.

Drugs/Pharmaceuticals (2) (3)

Categories of drugs, and related medical (testing) supplies, must be procured on an emergency basis in the interest of public health. Specific pharmaceutical preparations (No Substitutions) are sole-source commodities.

Equipment Rental (heavy) (1) (2)

Snow removal and road construction affect public safety. In the event of unforeseen equipment breakdown, sources and availability of temporary replacements are limited within geographical areas.

Equipment Repair Parts/Labor (heavy) (1) (2)

Snow removal and road construction equipment requiring repair must be immediately taken "out-of-service" for safety purposes. Parts unique to individual manufacturers are available only through regional authorized dealers. After-market parts from return sources are not available.

Insurance (1) (3)

Certain types of insurance must be procured on an emergency basis in order to minimize exposure to immediate risk. Other coverages must be individually negotiated to meet declaration, insuring agreement, conditions, and exclusion requirements.

Lumber and Building Materials, Plumbing and Electrical Supplies (2) (3)

There are limited sources of supply within the County and it is not possible to estimate the annual needs for a competitive bid; the expense of formal bidding or acquiring outside of the County exceeds expected savings.

Mail Pick-up, Sorting and Posting Services (3)

The accurate and timely processing of outgoing U.S. mail is critical to most County programs. Availability of U.S. Postage Service certified services for mail pick-up at the Government Center in Placerville, zip-sorting for postage discounts, and posting of unmetered bulk mail is sore-source in the greater Sacramento area.

Postage/Postage Meters (2)

The postage of stamps, metering postage and the rental of postage meters are only available through the United States Postage Service.

Produce (fresh) (2) (3)

Availability driven by weather conditions, and fluctuates by season. Pricing extremely volatile; vendors will not quote firm pricing beyond specific short-term orders.

Software (2)

Proprietary software installed on "host" computer systems is an application-driven, sole-source commodity.

Subscriptions (2)

Distributors offer subscriptions exclusively by title (subject) or format (media). Specialty publications are procured from licensed sources.

Telecommunications Equipment (2)

The County owned telephone switches require the use of Lucent-specific replacement parts and equipment, available only from Lucent certified distributors. It is less costly to purchase refurbished, certified parts on the secondary market; however, the pricing and limited availability requires the County to commit to purchase in time frames shorter than allowed by use of formal bidding.

Training Seminars/Classes (2)

Vendors offer training seminars on subjects of interest at specific dates, times and locations. Consultants who conduct on-site classes are selected on the basis of competency in a specific subject of timely need.

Travel Expenses (3)

Travel prices fluctuate on a frequent basis, depending on season and competition. Advance notice for reservations, number of passengers, destination (including accommodations) and length of stay all affect cost.

Utilities (public) (1) (2) (3)

Availability based on sole-source within geographical areas, with control exercised by the Public Utilities Commission.

Video Recordings (2)

Production companies vary widely in expertise, capabilities, flexibility and quality of product to meet specific needs.

Weatherization Materials (2) (3)

Products vary widely for each facility project; pricing extremely volatile. Specifications are subject to change without notice (Federal contract reimbursements depend on meeting exact commodity and installation specifications).