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ORDINANCE 95 - 03

AN ORDINANCE OF LIBERTY COUNTY, FLORIDA, PROVIDING A BID BOND FOR CERTAIN BIDS SUBMITTED FOR CONSTRUCTION, IMPROVEMENT, REMODELING OR REPAIR OF PUBLIC PROJECTS; PROVIDING FOR A PERFORMANCE BOND FOR CERTAIN CONTRACTS FOR CONSTRUCTION, IMPROVEMENT, REMODELING OR REPAIR OF PUBLIC PROJECTS, PROVIDING FOR A PAYMENT BOND FOR CERTAIN CONTRACTS FOR CONSTRUCTION, IMPROVEMENT, REMODELING OR REPAIR OF PUBLIC PROJECTS, PROVIDING FOR A MINIMUM CONTRACT PRICE FOR THE REQUIREMENT OF BID BONDS AND PERFORMANCE AND PAYMENT BONDS; PROVIDING FOR A TIME PERIOD FOR THE SUCCESSFUL BIDDER TO RETURN THE EXECUTED CONTRACT TOGETHER WITH A PAYMENT BOND AND A PERFORMANCE BOND; PROVIDING FOR A START OF CONSTRUCTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Board of County Commissioners of Liberty County, Florida routinely requests bids for construction, improvement, remodeling, or repair of public buildings; and

WHEREAS, requests for bids do not require a bid guaranty in the form of a bid bond or require the furnishing of a performance bond or a payment bond by the successful bidder; and

WHEREAS, Liberty County, Florida seems in to be in the best interest of the County to require such bonds.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA AS FOLLOWS:

Section 1. All bids submitted to Liberty County, Florida for construction, improvement, remodeling or repair of public projects, in excess of the amount of \$25,000.00, shall be accompanied by a bid guaranty in the form of a bid bond in the amount of 5% of the bid made payable to the Board of County Commissioners of Liberty County, Florida.

Section 2. A bid submitted to Liberty County, Florida for construction, improvement, remodeling or repair of public projects without being accompanied by a bid bond in the amount of 5% of the bid will not be considered as meeting the bid requirements and will not be acceptable to Liberty County and will not be considered for the award of the contract.

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Section 3. Prior to the commencement of construction and after award of the bid to the successful bidder or contract, and after receipt of the contract by the successful bidder or contract, the successful bidder or contractor shall return the executed contract to the Board of County Commissioners of Liberty County, Florida within ten (10) days accompanied by a performance bond and payment bond equal to 100% of the amount of the contract price made payable to the Board of County Commissioners of Liberty County, Florida. The Board of County Commissioners of Liberty County, Florida shall have the option of withdrawing the award of the bid if this paragraph is not complied with in all respects.

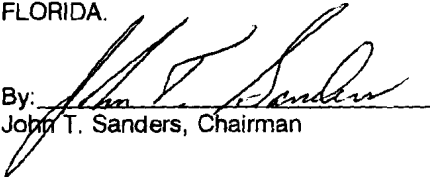
Section 4. Conflict. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.


Section 5. Effective Date. This Ordinance shall take effect as provided by law.

DULY PASSED AND ADOPTED by the Board of County Commissioners of Liberty County, Florida, this 8th day of June, 1995.

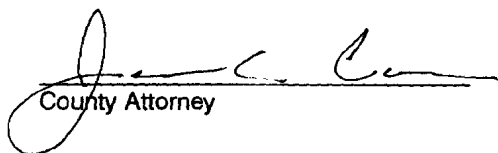
BOARD OF COUNTY
COMMISSIONERS, LIBERTY COUNTY,
FLORIDA.

By: 
John T. Sanders, Chairman

ATTEST:


Vernon Ross, Clerk of the Circuit Court

APPROVED AS TO FORM:


County Attorney