

ORDINANCE No. 05- 06

AN ORDINANCE AMENDING THE TOWN OF FORT MYERS BEACH FINANCE ORDINANCE; AMENDING BID PROTEST PROCEDURES; PROVIDING AUTHORITY; AMENDMENT. SECTION SIX: PURCHASE TRANSACTIONS OVER TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS PARAGRAPH B AND PROVIDING SEVERABILITY AND EFFECTIVE DATE.

IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

SECTION 1. Authority. This Ordinance is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. Amendment. SECTION SIX: Purchase transactions over Twenty Five thousand (\$25,000.00) dollars of The Town Of Fort Myers Beach Finance Ordinance, paragraph B, is hereby amended to read as follows:

11. SECTION SIX: Purchase transactions over Twenty Five thousand (\$25,000.00) dollars.

B. Notices inviting sealed competitive bids shall be published by the Town Manager at least one (1) week prior to bid opening in a newspaper or journal of general circulation in the Town. At least seven (7) calendar days must intervene between the date of publication and the final date for submitting bids. Such notices shall include a general description of the articles to be purchased, state where bid forms and specifications may be secured, and describe the time and place for opening of bids. Bids shall be opened by the Town Manager or Town Manager's designee in the presence of the Town clerk or Town Clerk's designee at the time and place specified in the notice.

SECTION 3. Severability. If any one of the provisions of this ordinance should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this ordinance, and in no way affect the validity of all other provisions of this ordinance.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon

its adoption.

The foregoing ordinance was enacted by the Town Council upon a motion by Council Member Rynearson and seconded by Council Member Massucco and, upon being put to a vote, the result was as follows:

Howard Rynearson	<u>Aye</u>
Don Massucco	<u>Aye</u>
Bill Thomas	<u>Aye</u>
W. H. "Bill" Van Duzer	<u>Aye</u>
Garr Reynolds	<u>Aye</u>

DULY PASSED AND ENACTED this 21st day of March, 2005.

ATTEST:

TOWN OF FORT MYERS BEACH

By: Marsha Segal-George By: Bill Van Duzer
Marsha Segal-George, Town Clerk Bill Van Duzer, Mayor

Approved as to form by:

Richard V.S. Roosa
Richard V.S. Roosa, Town Attorney