

## SECTION 7 DEBARMENT OF BIDDERS

In accordance with Section 2-161 of the County Code, all department complaints against vendor performance shall be directed to the Purchasing Department, which will investigate and take appropriate action to correct the problem(s).

A vendor **Performance Evaluation Form** should be prepared by the originating department when a vendor fails to perform in accordance with the specifications, terms, and conditions of the contract in a manner deemed unsatisfactory by the originating department.

Complaints registered against a vendor should be confirmed in writing to the Purchasing Department, either on a vendor **Performance Evaluation Form** or in a memorandum. If a problem has not been resolved through the accepted "cure" process in a reasonable time frame, the County will take appropriate action, which may include vendor debarment.

- A. A debarment committee, per County Code, may debar a person or firm from consideration for award of contracts or bids for cause. The suspension or debarment shall be for a specified period of time, as per County Code.
- B. Causes for Debarment:
  - 1. Conviction of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract.
  - 2. Conviction under state or federal statutes of any offense indicating a lack of business integrity or business honesty. Examples include, embezzlement, theft, forgery, bribery, collusion and other public entity crimes as stated in Florida Statute 287.133.
  - 3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.
  - 4. Violation of contract provisions of sufficient seriousness that the Director of Purchasing considers debarment appropriate. This would include failure to perform or unsatisfactory performance of a contract or bid.
  - 5. Violation of the County lobbying code (Sec. 2-189).
  - 6. Any other cause that the Director of Purchasing determines to be so serious as to affect responsibility as a contractor to the County.

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- C. Any bidder being debarred by the debarment committee will be notified in writing by the Director of Purchasing. All reasons for the action being taken will be explained.
- D. Any bidder may have the decision to debar, by the debarment committee, reviewed by the County Administrator with 72 hours notice.

The County Administrator may override the decision of the debarment committee through the appeal process. If overridden, the Administrator must state in writing why the override occurred. Otherwise, the decision of the debarment committee is final and non-appealable.