

County of Johnson, Texas



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This correspondence will serve as authorization to make an emergency purchase of a Fire Panel for the Guinn Justice Center to replace the existing one which was damaged during a recent power outage in Johnson County. The purchase is being made in accordance with page 12, Section E. Emergency Purchases of the Johnson County Purchasing Manual which authorizes the County Judge to approve the purchase of a replacement Fire Panel from Elyon Fire and Life Safety LLC. in the amount of \$115,318.00.

A handwritten signature in blue ink, appearing to read "C. Boedeker", is written over a horizontal line.

Christopher Boedeker  
Johnson County Judge

**(b) Evaluation of Qualifications**

An evaluation committee will evaluate the qualifications and if needed conduct further discussions and negotiations with responsible offerors after the opening. All offers are to receive fair and equitable treatment with regard to such discussions and negotiations. An evaluation of qualifications shall be made by an evaluation committee. The evaluation of each service provider will cover such areas as references, qualifications of personnel, background and experience of firm, required disciplines and clarity of submittal.

**(c) Selection**

The selection and award will be made on the basis of demonstrated competence and qualifications to perform the services; and for a fair and reasonable price. The professional fees under the contract must be not higher than the recommended practices and fees published by the applicable professional associations, and may not exceed any maximum provided by law.

**E. Emergency Purchases**

Emergency purchases are authorized in extremely limited circumstances: (a) in the event of public calamity for the benefit of the County citizens or to protect public property; (b) in order to protect the public health or safety of County residents; or (c) when made necessary by unforeseen damage to public property. Depending upon the time of the emergency and type of purchase necessary, one of the following procedures should be followed:

(1) After hour's emergency – for an expenditure of less than \$50,000, the department must take the necessary action to obtain the needed goods or services. If, however, the Department is aware that the purchase involves an expenditure of \$50,000 or more, a reasonable effort should be made to contact the County Judge to notify him or his designated representative that the emergency exists. The next working day the Department should contact purchasing to obtain a requisition and purchase order; procedures applicable to phone in purchase orders may be followed.

(2) Emergency during working hours -- (a) If the purchase is for less than \$50,000 and budgeted funds are available, phone-in purchase order procedures may be utilized; (b) if the purchase is less than \$50,000 and funds are not available, approval of the County Judge must be obtained by Purchasing prior to acquiring the item using the phone in purchase order procedure; or (c) if the purchase is in excess of \$50,000, and funds are available Purchasing must obtain approval of the County Judge or his designated representative for the purchase and then utilize phone in purchase order procedures.

**F. Sole-Source Purchases**

An item valued in excess of \$50,000, which would otherwise be purchased by competitive bidding, may be purchased without the necessity of bidding if it is available from only one source. Typical items in this category include patented or copyrighted material, secret processes, natural monopolies, utility services, captive replacement parts or components for equipment, and films, manuscripts or books. Such items may be purchased from a sole source without competitive bidding only after the Purchasing Administrator, in writing, certifies the existence of only one source to the Commissioners Court and the Court enters an order finding of such in its minutes, and grants an exemption from the bidding requirement.

**G. Equipment Maintenance**

Sec. 262.024. DISCRETIONARY EXEMPTIONS. (a) A contract for the purchase of any of the following items is exempt from the requirement established by Section 262.023 if the commissioners court by order grants the exemption:

(1) an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county;

(2) an item necessary to preserve or protect the public health or safety of the residents of the county;

(3) an item necessary because of unforeseen damage to public property;

(4) a personal or professional service;

(5) any individual work performed and paid for by the day, as the work progresses, provided that no individual is compensated under this subsection for more than 20 working days in any three month period;