

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;

MAY 17 2023



**JOHNSON COUNTY
COMMISSIONERS COURT**

BY April Long County Clerk, Johnson County Texas
DEPUTY

Christopher Boedeker
County Judge

Rick Bailey
Commissioner
Precinct 1

Kenny Howell
Commissioner
Precinct 2

Mike White
Commissioner
Precinct 3

Larry Woolley
Commissioner
Precinct 4

THE STATE OF TEXAS

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§
§

ORDER 2023-37

COUNTY OF JOHNSON

COMMISSIONERS COURT ORDER GRANTING AN EXEMPTION UNDER SECTION 262.024, LOCAL GOVERNMENT CODE, FROM THE BIDDING REQUIREMENTS OF SECTION 262.023, LOCAL GOVERNMENT CODE, UPON THE COMMISSIONERS COURT FINDING THAT THE PURCHASE OF A FIRE ALARM SYSTEM FOR THE GUINN JUSTICE CENTER IS A PURCHASE NECESSARY BECAUSE OF UNFORESEEN DAMAGE TO PUBLIC PROPERTY AND IS AN ITEM NECESSARY TO PRESERVE OR PROTECT THE PUBLIC HEALTH OR SAFETY OF THE RESIDENTS OF JOHNSON COUNTY

The Johnson County Commissioners Court met on May 17, 2023 in an emergency called session for the consideration of deliberating the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices at the Guinn Justice Center. The Commissioners Court finds that the purchase of a fire alarm system for the Guinn Justice Center is a purchase necessary because of unforeseen damage to public property and is an item necessary to protect the public health or safety of the residents of the county and that the Commissioners Court may grant an exemption under Section 262.024, Local Government Code, from the competitive bidding requirements of Section 262.023, Local Government Code.


A motion was made by Commissioner Woolley, Pct. 4 and seconded by Commissioner Bailey, Pct. 1 that "The Commissioners Court finds that the purchase of a fire alarm system for the Guinn Justice Center is a purchase necessary because of unforeseen damage to public property and is an item necessary to protect the public health or safety of the residents of the county and that the Commissioners Court may grant an exemption under Section 262.024, Local Government Code, from the competitive bidding requirements of Section 262.023, Local Government Code and enter an Order to that effect and that the Commissioners Court approve the purchase of a fire alarm system from Elyon Fire & Life Safety, LLC."

Said motion was approved by a vote of the Commissioners Court on the 17TH DAY OF MAY, 2023.

NOW THEREFORE BE IT RESOLVED AND ORDERED:

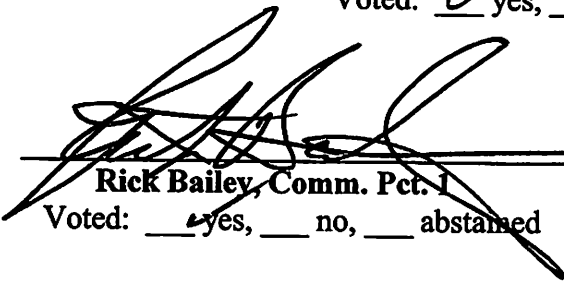
The Commissioners Court of Johnson County, Texas does hereby enter this Order granting an exemption under Section 262.024, Local Government Code, from the bidding requirements of Section 262.023, Local Government Code, upon the Commissioners Court finding that the purchase of a fire alarm system from Elyon Fire & Life Safety, LLC for the Guinn Justice Center is a purchase necessary because of unforeseen damage to public property and is an item necessary to protect the public health or safety of the residents of the county and that the Commissioners Court may grant an exemption under Section 262.024, Local Government Code, from the competitive bidding requirements of Section 262.023, Local Government Code.

WITNESS OUR HAND THIS, THE 17TH DAY OF MAY 2023.



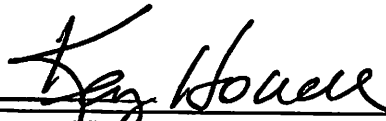
Christopher Boedeker, Johnson County Judge

Voted: yes, no, abstained



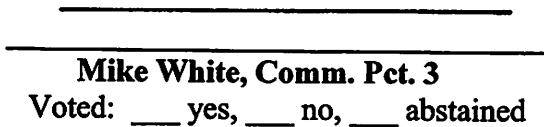
Rick Bailey, Comm. Pct. 1

Voted: yes, no, abstained



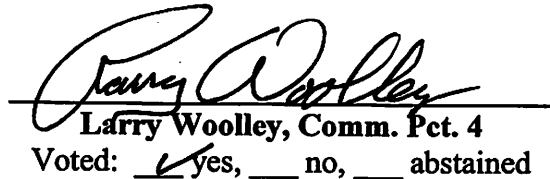
Kenny Howell, Comm. Pct. 2

Voted: yes, no, abstained




Mike White, Comm. Pct. 3

Voted: yes, no, abstained



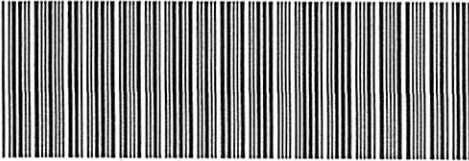
Larry Woolley, Comm. Pct. 4

Voted: yes, no, abstained



ATTEST: April Long, County Clerk





VG-92-2023-13564

Johnson County
April Long
Johnson County Clerk

Instrument Number: 2023 - 13564

Real Property Recordings

Recorded On: May 17, 2023 03:58 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$0.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2023 - 13564
Receipt Number: 20230517000128
Recorded Date/Time: May 17, 2023 03:58 PM
User: Susan L

Record and Return To:

JOHNSON COUNTY
RM 120 - RACHEL SITLER

Station: ccl06

CLEBURNE TX 76031



STATE OF TEXAS
Johnson County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Johnson County, Texas

April Long
Johnson County Clerk
Johnson County, TX