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Public meeting is partially closed; *Even closed verbal parts, however, can be reviewed later*

By Jeff M. Hardison © Jan. 7, 2019 at 10:08 a.m.

BRONSON – Alicia Tretheway, procurement coordinator for the Levy County Board of County Commissioners, noted for the general public that part of a public meeting is going to be out of the public view on **Friday, Jan. 18.**

Individual vendors on a big road project for Levy County will have an opportunity to speak with county staff members about the project outside the view of the public.

The public presentations/interviews of proposers (vendors) for their proposals for engineering services for the widening and resurfacing of Levy County Road 40 from the Bird Creek Boat Ramp (in Yankeetown) to U.S. Highway 19 is scheduled to be held at the Levy County Emergency Operations Center, 7911 N.E. 90th Street, in Bronson, on Friday, Jan. 18, at 9 a.m.

Tretheway notes in advance via an email sent Monday morning (Jan. 7) that pursuant to Section 286.0113(2), of Florida Statutes that any portion of a meeting at which a vendor makes an oral presentation as part of a competitive solicitation, or at which a vendor answers questions as part of a competitive solicitation, is exempt from public meeting requirements of Section 286.011, Florida Statutes, and Section 24(b), Article I of the Florida State Constitution.

In speaking with Levy County Commission Chairman John Meeks on Monday morning (Jan. 7), he added that the portion of the meeting where proposing vendors will be answering verbal questions or adding to their written offers for engineering services is not going to be with the elected county commissioners.

This process is for staff to bring to the County Commission a recommendation on which firm to select, Chairman Meeks explained.

The need for one part of the meeting to be temporarily closed to the public, he added, is to not allow an unfair advantage to one vendor over another, by the company representative who is making a second or later delivery of a verbal answer to have heard what the previous verbal statements included.

As noted in the law, which is part of what is known as “Florida Sunshine Laws,” of “Florida Open Government” laws, even the “temporarily secret” verbal offers of engineering firms can be heard by any members of the general public and the press at a future point.

As noted in the relevant part of this Florida law:

“A complete recording shall be made of any portion of an exempt meeting. No portion of the exempt meeting may be held off the record.

“2. The recording of, and any records presented at, the exempt meeting are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever occurs earlier.

“3. If the agency rejects all bids, proposals, or replies and concurrently provides notice of its intent to reissue a competitive solicitation, the recording and any records presented at the exempt meeting remain exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision concerning the reissued competitive solicitation or until the agency withdraws the reissued competitive solicitation. A recording and any records presented at an exempt meeting are not exempt for longer than 12 months after the initial agency notice rejecting all bids, proposals, or replies.”