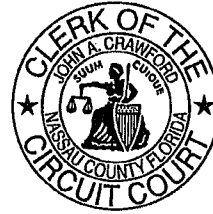




John A. Crawford  
Clerk of the Circuit Court  
Nassau County



July 24, 2006

The Honorable Tom Branan, Chairman  
Nassau County Board of County Commissioners  
Post Office Box 1010  
Fernandina Beach, FL 32035

Dear Chairman Branan:

I am writing to you to express my concerns about the amendments to your present purchasing ordinance being recommended by your staff. However, we have had some good and meaningful time meeting with your staff to discuss how to make the purchasing ordinance more efficient while protecting the public. As you know, the most fundamental tenet of public procurement is fair and open competition. Because we are dealing with the taxpayers' dollars, the techniques we must depend upon to give the public confidence that we are always operating above board and in a trustworthy manner are not always the most convenient to the purchasing staff. I know you share with me the belief that there is a cost for earning the public's trust, whether it is enduring inconvenience or even paying more at times to protect the public's interest. For these reasons I am making the following recommendations, if you find it clearly in the public's best interest to liberalize your purchasing ordinance:

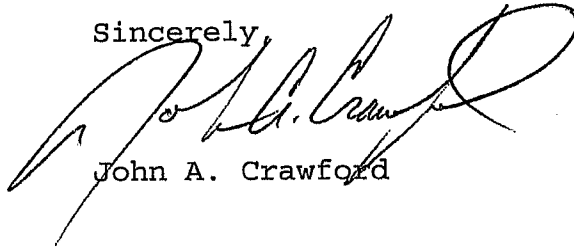
1. The new provision for single source purchases must be clearly identified in its title and definition as an ordinance exception and that its use is restricted and to be sparingly used. This exception must not be viewed as a way of circumventing the intent of the purchasing ordinance nor should it be viewed as a convenience.
2. Purchasing ordinance exceptions inherently create opportunities for violating the public's right to fair and competitive purchases. In fact, without adequate controls in place, this ordinance lends itself to an

unscrupulous purchasing agent having the ability to make illegal or unethical relations with vendors. For the Board's and the public's protection and to uphold my constitutional and statutory responsibilities, my recommendation is that you specify that the Clerk review the rationale statement for using a single source purchase exception prior to the Board receiving the request for approval. This will help the Board at its public meetings avoid the embarrassment or delay that could be caused if we have to require additional substantiation when bypassing the competitive purchase process under this exception.

3. Finally, while there may be larger purchases that would be necessarily made using the proposed purchase ordinance exception, I would recommend that you limit those purchases to \$25,000 at least until you have a clear history of the provision not being abused by staff.

Thank you for inviting the input of Clerk's staff as you move to improve your purchasing ordinance provisions. As always, we remain committed to providing the checks and balances role designed to assist the Board and to protect the public.

Sincerely,

A handwritten signature in cursive script, appearing to read "John A. Crawford".

John A. Crawford

jgb