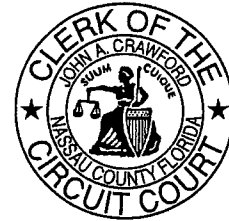




John A. Crawford
Clerk of the Circuit Court
Nassau County



November 17, 2008

Nassau County Board of County Commissioners
96160 Nassau Place
Yulee, FL 32097

Dear Commissioners:

I am writing regarding the article in the November 7, 2008 Fernandina Beach News Leader concerning the City of Fernandina hiring the law firm of Jacobs, Scholz & Associates for state and federal lobbying services, as part of an interlocal agreement between the City and Nassau County. To assure the public's best interests are being served, Florida Statutes § 287.001 states that:

"The Legislature recognizes that fair and open competition is a basic tenet of public procurement; that such competition reduces the appearance and opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically; and that documentation of the acts taken and effective monitoring mechanisms are important means of curbing any improprieties and establishing public confidence in the process by which commodities and contractual services are procured. It is essential to the effective and ethical procurement of commodities and contractual services that there be a system of uniform procedures to be utilized by state agencies in managing and procuring commodities and contractual services; that detailed justification of agency decisions in the procurement of commodities and contractual services be maintained; and that adherence by the agency and the vendor to specific ethical considerations be required."

I sent a letter to the County Attorney dated October 30, 2008 addressing an issue wherein the County is contemplating an arrangement between Harts Road, LLC and Nassau County that is inconsistent with the County's purchasing policy. In this instance, the County is considering awarding a project to a company without utilizing the statutory bidding process.

Under "Procurement of commodities or contractual services," Florida Statutes § 287.057(1)(a) states:

"Unless otherwise authorized by law, all contracts for purchase of commodities or contractual services in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO (**\$25,000**) shall be awarded by competitive sealed bidding." (Emphasis added).

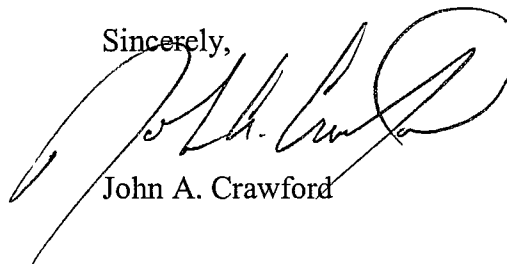
Section 287.057(5) continues that:

"When the purchase price of commodities or contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO (**\$25,000**), no purchase of commodities or contractual services may be made without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies." (Emphasis added).

My concern is that it appears that the County is beginning to circumvent the competitive bidding process. In these harsh economic times, it is necessary that county officials seek to obtain services for projects that will prove to be the most cost-effective for the citizens of Nassau County. We also have a mandate to place these projects out into the open market for competitive bid to assure that everyone has an opportunity to submit bids for these projects.

I am sure you will agree with me that we must follow the statutory requirements set out in the law. This will assure that fairness will be maintained, thereby guaranteeing that projects performed for Nassau County will be the most economical and will be performed by those who are most qualified.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Crawford", written over a large, stylized circular flourish.

John A. Crawford

JAC/ks

cc: David Hallman, Esq.
Mr. Ed Sealover