

INDIAN RIVER COUNTY  
OFFICE OF MANAGEMENT AND BUDGET  
PURCHASING DIVISION

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**DATE:** January 31, 2017

**TO:** BOARD OF COUNTY COMMISSIONERS

**THROUGH:** Jason E. Brown, County Administrator  
**THROUGH:** Mike Smykowski, Director, Office of Management and Budget

**FROM:** Jennifer Hyde, Purchasing Manager

**SUBJECT:** Modification to Cone of Silence Policy

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**BACKGROUND:**

The current Purchasing Manual (Policies and Procedures) includes the following Cone of Silence policy, mirroring policies utilized by other municipalities:

***Cone of Silence.*** Potential bidders/respondents shall not communicate in any way with the Board of Commissioners, County Administrator or any County staff other than Purchasing personnel from the time of bid advertisement through and including bid award. Such communication may result in disqualification.

As visibility of the policy has increased, so has confusion about its highly restrictive nature. Therefore, pursuant to his authority in Section 105.06 of the Indian River County Code of Ordinances, Purchasing Policies and Procedures, the County Administrator has effected the following modifications to the policy:

***Cone of Silence.*** Potential bidders/respondents and their agents shall not communicate in any way with the Board of Commissioners, County Administrator or any County staff other than Purchasing personnel in reference or relation to a solicitation. This restriction shall be effective from the time of bid advertisement ~~through and including bid~~ until the Board of County Commissioners meets to authorize award. Such communication may result in disqualification.

**RECOMMENDATION**

No action is required by the Board.