

tive officer is authorized, subject to the direction of the County Executive, to waive the formal bid procedure and auction such property to the highest responsible bidder after due public notice when, in his opinion, the return to the county will be increased by this procedure.

(c) No purchase or sale shall be subdivided to avoid the intent of this section.

(d) When deemed necessary by the chief administrative officer, subject to the direction of the County Executive, bid deposits may be required. A successful bidder shall forfeit any deposit required upon failure on his part to enter a contract within ten days after the notice of award is mailed.

(e) The chief administrative officer may, subject to the direction of the County Executive, reject all bids or parts of bids when the public interest will be served thereby.

(f) Tie bids shall be resolved by drawing lots in public.

(g) The successful bidder shall ordinarily be required to furnish surety in the form of certified or cashiers' check or bond for the faithful performance of the contract in the amount specified in the bid form; provided, that bidders who regularly do business with the county shall be permitted to file with the county an annual bid bond and an annual performance bond in an amount to be established by the county in lieu of furnishing surety with each individual transaction.

(h) In addition to surety for faithful performance, the successful bidder shall furnish a labor and material men's bond, or surety in the form of cash or certified cashier's check to guarantee the payment of all labor performed and all materials used on a capital improvement project.

(i) In addition to price, the following factors shall be considered in determining the "lowest responsible bidder":

(1) The ability, capacity, organization, facilities, and skill of the bidder to perform the contract or provide the goods and services required.

(2) Whether the bidder can perform the contract or provide the service within the time specified, without delay or interference.

(3) The integrity, reputation and experience of the bidder.

(4) The quality of performance of previous contracts or services. Past unsatisfactory performance, due to failure to apply necessary tenacity or perseverance to do an acceptable job, shall be sufficient to justify a finding of nonresponsibility.

(5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.

(6) The sufficiency of the financial resources of the bidder to perform the contract or provide the service.

(7) The availability of parts and maintenance service.

(8) The number and scope of conditions attached to the bid.

(9) Maintenance and service requirements which shall include, but not be limited to, the following: availability, cost, quality and delivery of parts.