

**COVID-19 IMPACTS TO BID PROCESS**

**Bid Request No. 4836-01-20 – Sanford, North Carolina**

Further COVID-19 Explanation to Bidders:

During this COVID-19 pandemic, Lee County Government strives to be fair and transparent to all potential bidders. While it has been determined that the organization needs to move forward with these projects, it also realizes that the “normal” way of doing business has temporarily been altered. Faced with this unprecedented challenge, Lee County Government is making every effort to devise safe measures to proceed with urgent business while complying with all North Carolina bidding statutes and ensuring all prospective bidders will have the same opportunities so that no one bidder has any advantage over another. Lee County Government cannot ignore the COVID-19 pandemic and the fact that it has a duty to protect the health and safety of its employees, prospective bidders and the public at large, thus for as long as the COVID-19 pandemic poses an imminent risk to the health and safety of the population, Lee County will continue taking any measures deemed necessary to protect any and all persons involved with transacting urgent business of the County.

The COVID-19 pandemic is a respiratory illness that can lead to serious illness or death and impacts could include, but are not limited to, volumes of “suspected coronavirus” patients and the Centers for Disease Control and Prevention has warned of the health threat posed by COVID-19 globally and in the United States. On March 10, 2020 the State of North Carolina, through the Office of the Governor, Roy Cooper, issued Executive Order No. 116 titled “Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19.” On March 13, 2020, the President of the United States declared the COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia. On March 16, 2020, the Lee County Board of Commissioners declared a local state of emergency citing the COVID-19 Pandemic as an imminent threat to the public health and welfare of the citizens of Lee County and authorized the County Manager to make adjustments to public access of all of county owned facilities.

Currently, the County has closed off public access to most county owned property in order to protect its employees and the public. Also, the Centers for Disease Control and the President of the United States has recommended to limit gatherings to no more than ten people in order to help maintain the spread of COVID-19. Further, under Section 3 of EO 121 issued under the Office of the Governor, mass gatherings are limited to no more than ten persons in a single room or single space at the same time as adopted on March 27, 2020.

State law requires a public bid opening and in order to comply with that requirement while taking into account the threat of COVID-19, Lee County Government has adopted additional bid instructions as it relates to this project (Courthouse and Lee County Government Center renovations) to allow meetings for a pre-bid walk through and for a virtual bid opening. Lee County Government is prepared to conduct the bid opening as if the bidders were present by having two staff members present to witness that all bids were sealed prior to the opening and live streaming the process so that all bidders can see the process as if they were there in real time.

LEE COUNTY RENOVATIONS – COURTS COMPLEX AND GOVERNMENT CENTER  
SANFORD, NORTH CAROLINA  
Architect's Project No: 592385

Because COVID-19 sets forth an identifiably present and immediate emergency involving the health and safety of the county, as evidenced by the national, state and local declared emergencies and it is imperative to restrict access to the bid opening to further comply with safety requirements and guidelines issued by authorized agencies, Lee County Government has determined this is the most reasonable option to protect the safety of its employees and the prospective bidders. N.C.G.S. 143-129(e)(2) does provide for an exception to the requirements of Article 8 of Chapter 143 when a special emergency exists involving the health and safety of the people or their property. Given the status of the COVID-19 pandemic and the rapid contagious and potential morbidity of the disease, Lee County Government could rely on this exception. Ultimately, by providing the bidders with these reasonable opportunities to attend the "virtual bid opening", Lee County Government believes it is consistent with the integrity of the bidding statutes and the right of the public's access to attend.

If by the time the bid opening occurs, the national, state and local emergencies have been rescinded due to the reduction in risk posed by COVID-19, a public bid opening will occur and notice will be provided to all bidders