

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE A PURCHASE ORDER TO ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST, FOR THE PURCHASE OF 45 VEHICLES IN THE AMOUNT OF \$2,313,610.36 ON A 36 MONTH LEASE-TO-OWN BASIS UNDER THE MASTER EQUITY LEASE AGREEMENT (PREVIOUSLY APPROVED BY RESOLUTION NO. R-2016-375), THE LEASE PACKAGE AND OPEN-END EQUITY LEASE RATE QUOTE NUMBERS 4958314 AND 4958391, IN ACCORDANCE WITH SECTION 38.41(C)(9) OF THE PROCUREMENT CODE. (BEST INTEREST)

WHEREAS, the Department of Public Works, Fleet Management Division, on behalf of the Police Department, desires to lease 45 new vehicles with an option to purchase in order to replace a portion of those vehicles that have reached or surpassed their life expectancy and road worthiness by age, mileage and wear, and can no longer be relied upon to perform at required operational levels; and

WHEREAS, the Police Department is specifically requesting the lease of 45 Chevrolet Tahoe 1500 RWD 2021 Police Patrol Vehicles (CC10706/9C1/PPV) ("45 Vehicles"), with the ability to purchase at the end of the lease term; and

WHEREAS, the Public Works Department and the Police Department have determined that it is in the best interest of the City to purchase the 45 Vehicles from Enterprise on a lease-to-own basis, after a 36 month lease period, because the 45 Vehicles are currently unavailable from any other source and the next available date to place orders for these vehicles will be in approximately six months due to manufacturer supply issues; and

WHEREAS, on December 14, 2016, the City Commission passed and adopted Resolution Number No. R-2016-375 that authorized the execution of a Master Equity Lease Agreement with Enterprise FM Trust, a Delaware Statutory Trust ("Enterprise"), along with the issuance of a purchase order for specific vehicles for the Code Compliance Division based upon a lease package; and

WHEREAS, the Master Equity Lease Agreement is still valid and in effect and allows for the leasing of vehicles pursuant to specific lease package schedules and addenda; and

WHEREAS, the City has a positive history of leasing vehicles from Enterprise and receiving competitive governmental pricing; and

WHEREAS, due to the above factors and circumstances of obtaining the specific vehicles, the Department of Public Works and Police Department reached out to Enterprise to see if such vehicles were available; and

WHEREAS, Enterprise has provided the City with the attached proposed lease package that can satisfy the Police Department's operational needs; and

WHEREAS, under the Lease Agreement, the City will be responsible for the maintenance of the 45 Vehicles in accordance with all manufacturer's instructions and warranty requirements; and

WHEREAS, the 45 Vehicles will be entitled to warranties established by the manufacturer, including but not limited to Bumper to Bumper Warranties, Major Component Warranties, Corrosion Warranties and Roadside Assistance Warranties; and

WHEREAS, Section 38.41(C)(9) of the City Code provides that when the City Commission declares by a 5/7ths vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from the competitive bidding and competitive proposal requirements; and

WHEREAS, the Director of Public Works, the Chief of Police and the Chief Procurement Officer recommend that the City Commission approve and authorize the issuance of the attached Purchase Order to Enterprise FM Trust for 45 Vehicles for the Police Department in the amount of \$2,313,610.36, of which the anticipated cost for the lease of the 45 Vehicles for the remaining five months of this fiscal year (May to September) is \$269,440.45; and

WHEREAS, funding for the annual debt service payment in the amount of \$646,656.36 is currently included in the Debt Service Fund (Fund 223) of the FY 2021 Adopted Operating Budget, and will be requested in subsequent fiscal years to cover the cost of the 45 Vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the issuance, by the appropriate City officials, of the attached Purchase Order to Enterprise FM Trust, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE A PURCHASE ORDER TO ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST, FOR THE PURCHASE OF 45 VEHICLES IN THE AMOUNT OF \$2,313,610.36 ON A 36 MONTH LEASE-TO-OWN BASIS UNDER THE MASTER EQUITY LEASE AGREEMENT (PREVIOUSLY APPROVED BY RESOLUTION NO. R-2016-375), THE LEASE PACKAGE AND OPEN-END EQUITY LEASE RATE QUOTE NUMBERS 4958314 AND 4958391, IN ACCORDANCE WITH SECTION 38.41(C)(9) OF THE PROCUREMENT CODE. (BEST INTEREST)

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance of
the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY