

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF FEDERAL LAW ENFORCEMENT FORFEITURE FUNDS (TREASURY) PURSUANT TO THE FEDERAL COMPREHENSIVE CRIME CONTROL ACT OF 1984 AND TO ISSUE A PURCHASE ORDER TO ALAN JAY FLEET SALES FOR THE PURCHASE OF TWO NISSAN ALTIMAS, ONE DODGE GRAND CARAVAN, ONE NISSAN PATHFINDER, ONE JEEP GRAND CHEROKEE LAREDO, AND ASSOCIATED EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$127,000.00 BASED UPON SOURCEWELL'S CONTRACT NUMBER 2020-120716 NAF IN ACCORDANCE WITH SECTION 38.40(C)(5) OF THE CITY'S PURCHASING ORDINANCE (PIGGYBACK).

WHEREAS, the Police Department desires to purchase five new vehicles 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 purchase of two Nissan Altimas, one Dodge Grand Caravan, one Nissan Pathfinder, and one Jeep Grand Cherokee Laredo has been determined to be a legitimate and permissible expenditure under the federal asset sharing guidelines for forfeiture funds; and

WHEREAS, the Department of Justice's Equitable Sharing Guidelines ("Guidelines") sets forth that Federal Law Enforcement Forfeiture Funds may be expended on permissible uses such as the costs associated with the purchase, lease, maintenance, or operation of law enforcement equipment for use by law enforcement personnel that supports law enforcement activities, provided that the purchase is not a budgeted item and it is not supplanting a normal operating need/expectation of the law enforcement agency; and

WHEREAS, the Guidelines require that the Police Department obtain approval for such expenditures from the City Commission; and

WHEREAS, the funding source for the purchase of two Nissan Altimas, one Dodge Grand Caravan, one Nissan Pathfinder, and one Jeep Grand Cherokee Laredo will be Federal Law Enforcement Forfeiture Funds (Treasury) pursuant to the Federal Comprehensive Crime Control Act of 1984, thus incurring no cost to the taxpayers of the City, and such expense is a permissible use of such funds; and

WHEREAS, the requested vehicles were competitively bid through Sourcewell pursuant to Contract Number 2020-120716 NAF, for the use and reliance of government entities within the State of Florida; and

WHEREAS, award was made to Alan Jay Fleet Sales as the lowest and best responsive bidder by specification, manufacturer and by zone; and

WHEREAS, Alan Jay Fleet Sales has agreed to provide the requested vehicles as listed in the Sourcewell Contract Number 2020-120716 NAF to the City under similar pricing, terms and conditions; and

WHEREAS, the City's Purchasing Ordinance, Section 38.40(C)(5), allows the Director to procure, without following formal procedures, all goods and services which are subject of contracts with the state, its political subdivisions, the United States government, other governmental entities, or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, provided that the goods and services are (i) the subject of a price schedule negotiated by the state or the United States government, or (ii) the subject of a contract with another governmental entity or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, which contract is based strictly on competitive bids or competitive proposals and not on any preference; and

WHEREAS, funding is available in the Fund Balance of the Law Enforcement Forfeiture Fund (Fund 112) (Treasury), which is to be recognized and appropriated for the specific permissible uses as described; and

WHEREAS, the Chief of Police and the Director of Procurement and Contract Compliance recommend that the City Commission approve and authorize the issuance of Purchase Orders to Alan Jay Fleet Sales for five vehicles for the Police Department in an amount not to exceed \$127,000.00.

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 expenditure of Federal Law Enforcement Forfeiture Funds (Treasury) pursuant to the Federal Comprehensive Act of 1984 in order to purchase two Nissan Altimas, one Dodge Grand Caravan, one Nissan Pathfinder, and one Jeep Grand Cherokee Laredo, and associated equipment in an amount not to exceed \$127,000.00 in accordance with the City's Purchasing Ordinance.

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Section 3: That it approves and authorizes the issuance, by the appropriate City officials, of Purchase Orders to Alan Jay Fleet Sales, 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.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2019.

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