

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE THE ATTACHED BLANKET PURCHASE ORDER RENEWING THE AGREEMENT BETWEEN FERGUSON ENTERPRISES, INC. AND THE CITY OF HOLLYWOOD FOR THE SUPPLY OF FIRE HYDRANTS FOR AN ESTIMATED ANNUAL EXPENDITURE OF \$60,000.00.

WHEREAS, the Department of Public Utilities desires to renew its agreement for the supply and delivery of fire hydrants to be utilized by the Underground Utilities Division; and

WHEREAS, on February 6, 2013, via Resolution Number R-2013-025, the City Commission of the City of Hollywood, acting as lead agency for eleven (11) participating members of the Southeast Florida Governmental Cooperative Purchasing Group, awarded Cooperative Bid Number F-4347-13-JE for the Supply and Delivery of Fire Hydrants to Ferguson Enterprises, Inc. (Ferguson) for a one (1) year period with an option to renew for two (2) additional one (1) year periods; and

WHEREAS, pursuant to Section 38.46 of the City of Hollywood Code of Ordinances, authority is granted to the City to join with other governmental entities in cooperative purchasing plans when the best interest of the City would be served thereby; and

WHEREAS, bid number F-4347-13-JE includes a cost escalation clause that allows for cost adjustments during any renewal term pending industry performance and specifically states that, "Unless very unusual and significant changes have occurred in the industry, such increases/decreases shall not exceed five (5) percent per year or the latest yearly percentage increase in the All Urban Consumer Price Index (CPU-U) (All Items), as published by the Bureau of Labor Statistics, U.S. Department of Labor, whichever is less;" and

WHEREAS, Ferguson requested an 8% increase for the cost of services due to very unusual and significant changes in the industry including increases in raw materials and new Environmental Protection Agency (EPA) no lead regulations; and

WHEREAS, on January 4, 2014, Public Law 111-380, an amendment to the Safe Drinking Water Act, prohibits the use of brass products containing more than 0.25 percent lead; and

WHEREAS, a major contributor to the price increase is the federal mandate which took effect January 4, 2014 requiring lead free products for anyone who sells, manufacturers or installs brass pipes, fixtures or fittings used in portable water installations; and

WHEREAS, with the requested price increase, Ferguson's price remains lower than the next low bidder's price as submitted during the procurement process; and

WHEREAS, Ferguson has provided the required products for the Supply and Delivery of Fire Hydrants to the City for the past nine (9) years in a satisfactory manner; and

WHEREAS, the Director of Public Utilities and the Director of Procurement Services recommend that the City Commission approve the issuance of the attached Blanket Purchase Order renewing the agreement with Ferguson in an estimated amount of \$60,000.00; and

WHEREAS, renewal is subject to the City's receipt and approval of all insurance certificates required by the City's Risk Manager, and indemnity to the City; and

WHEREAS, funding for the attached blanket purchase order will become available in the Inventory Adjustment account number 42.1200.00000.141.980000 as the replacement parts are utilized;

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

Section 1: That it hereby approves and authorizes the issuance, by the appropriate City Officials, of the attached Blanket Purchase Order between Ferguson Enterprises, Inc. and the City of Hollywood, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

A Resolution Authorizing The Appropriate City Officials To Issue The Attached Blanket Purchase Order Renewing The Agreement Between Ferguson Enterprises, Inc. And The City Of Hollywood For The Supply Of Fire Hydrants For An Estimated Annual Expenditure Of \$60,000.00.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2014.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

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

JEFFREY P. SHEFFEL, CITY ATTORNEY