

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RATIFYING THE CITY MANAGER'S APPROVAL OF A PURCHASE ORDER TO FERGUSON WATERWORKS, INC. FOR THE PURCHASE OF 25 FIRE HYDRANTS IN THE AMOUNT OF \$82,038.10 IN ACCORDANCE WITH SECTION 38.41(C)(1) OF THE CITY'S PROCUREMENT CODE. (EMERGENCY PURCHASES)

WHEREAS, the Department of Public Utilities ("Department") needed to purchase a minimum of 25 fire hydrants to ensure sufficient functioning hydrants were available for rapid installation, to satisfy conditions of the City's Insurance Service Office fire rating, to preserve current insurance rates, and to protect the public health and safety; and

WHEREAS, Ferguson Waterworks, Inc. ("Ferguson") is the only authorized distributor and sole provider of American Darling fire hydrants in the State of Florida; and

WHEREAS, according to the City's Fire Department, the American Darling fire hydrant is essential to providing reliable, cost-competitive, and effective fire protection; and

WHEREAS, on July 12, 2023, the Office of Procurement and Contract Compliance posted a Notice to Sole Source Number NTSS-088-23 for the fire hydrants and issued an electronic notification to various vendors, with the notice having a posting expiration date of May 17, 2023; and

WHEREAS, the Office of Procurement and Contract Compliance received no responses to Notice to Sole Source Number NTSS-088-23; and

WHEREAS, the 25 fire hydrants were purchased as an emergency measure during preparations for a later bulk purchase of a larger quantity of hydrants; and

WHEREAS, the City is utilizing Ferguson to acquire 25 fire hydrants, and the amount being paid to Ferguson has exceeded \$100,000.00 for Fiscal Year 2023, so City Commission approval is required for the payment of this purchase pursuant to Section 38.38 of the Procurement Code; and

WHEREAS, Section 38.41(C)(2) of the City's Procurement Code exempts sole-source goods, supplies, materials, equipment, and services, such as unique, patented, or franchised goods, supplies, materials, equipment, or services, from the competitive bid requirements if the Chief Procurement Officer determines, after conducting a good faith review of available sources, that the particular supply or service is available from one source; and

WHEREAS, the Director of the Department and the Chief Procurement Officer recommend that the City Commission approve and ratify the issuance of a Purchase Order to Ferguson for the purchase of 25 fire hydrants in the amount of \$82,038.10; and

WHEREAS, funding for the Purchase Order was available in FY 2023 Operating Budget in account number 442.400201.53600.552270.000000.000.000.

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 ratifies the City Manager's approval of a purchase order to Ferguson Waterworks, Inc. for the emergency provision and delivery of 25 fire hydrants in an amount of \$82,038.10.

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

PASSED AND ADOPTED this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY