

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 HUBER TECHNOLOGY, INC. FOR THE SUPPLY OF BAR SCREEN REPAIR PARTS AND FIELD SERVICES IN AN AMOUNT NOT TO EXCEED \$300,000.00 IN ACCORDANCE WITH 38.41(C)(2) OF THE CITY'S PROCUREMENT CODE ("SOLE SOURCE").

WHEREAS, Tropical Storm Alex impacted South Florida on June 4, 2022 and caused serious flooding throughout Broward County; and

WHEREAS, the Southern Regional Wastewater Treatment Plant ("SRWWTP") received large inflows that contained high volumes of solids and non-flushable waste, resulting in damage to the two bar screens; and

WHEREAS, the Department of Public Utilities ("Department") evaluated the options for longer-term repairs and decided to repair the east bar screen and install hydraulic lift systems for both east and west bar screens, which will provide for rapid and flexible response to potential future heavy sewage inflow events; and

WHEREAS, the Department and the Chief Procurement Officer have determined that Huber Technology, Inc. ("Huber") is a sole source supplier since they are the sole manufacturer of these patented bar screens; and

WHEREAS, Department staff requested a proposal from Huber to provide parts and field services; and

WHEREAS, on December 6, 2022, the Office of Procurement and Contract Compliance posted a Notice to Sole Source Number NTSS-037-22 for the repair of bar screens and did not receive any timely inquiries or comments; 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 only one source; and

WHEREAS, the Director of the Department and the Chief Procurement Officer recommend that the City Commission approve and authorize the issuance of a Purchase

Order to Huber for the supply of bar screen repair parts and field services in an amount not to exceed \$300,000.00; and

WHEREAS, funding for the Purchase Order was included in the amended FY 2023 Capital Improvement Plan, and is available in account number 442.409903.53600.552240.000701.000.000; and

WHEREAS, it is estimated that the period to complete this work is 9 months after receipt of the issued Purchase Order.

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 a Purchase Order with Huber embodying the terms and conditions approved by the City Commission this day, in a form acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

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 AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY