

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 XYLEM WATER SOLUTIONS U.S.A. INC. FOR FLYGT BRAND PUMPS AND PARTS FOR LIFT STATIONS IN AN AMOUNT UP TO \$340,000.00, IN ACCORDANCE WITH SECTION 38.41(C)(2) OF THE PROCUREMENT CODE. (SOLE SOURCE)

WHEREAS, the Department of Public Utilities ("Department") desires to purchase Flygt brand Lift Station pumps and parts because Flygt equipment is already in use at Department-owned Lift Stations, and standardization of equipment allows staff to service these stations more easily and cost-effectively; and

WHEREAS, the Flygt brand of submersible pumps, mixers, and other fluid-handling technology that are currently in use by the Department are manufactured by Xylem Water Solutions USA, Inc. ("Xylem"), the Sole Authorized Source for Flygt pumps and other parts; and

WHEREAS, Notice to Sole Source Number NTSS-204-24 was posted electronically on OpenGov from May 20, 2024 through May 28, 2024, and received no inquiries; and

WHEREAS, the Department Director and the interim Chief Procurement Officer recommend that the City Commission approve and authorize the issuance of a Purchase Order to Xylem for Flygt brand pumps and parts in an amount up to \$340,000.00; 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, funding for the Purchase Order is available in account number 442.400603.53600.564531.000000.000.000.

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 approves and authorizes the issuance, by the appropriate City officials, of a Purchase Order to Xylem, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form 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 _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY