

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A PURCHASE ORDER WITH VORTEX USA INC., FOR INSTALLATION OF THE NEW SPLASH PAD AT MARA BERMAN GIULIANTI PARK, IN AN AMOUNT UP TO \$453,841.24, BASED UPON THE NPPGOV AND THE LEAGUE OF OREGON CITIES CONTRACT PS-21115-NPP, IN ACCORDANCE WITH SECTION 38.41(C)(5) OF THE PROCUREMENT CODE. (PIGGYBACK)

WHEREAS, the Department of Design and Construction Management ("DCM") desires to procure Vortex USA Inc. ("Vortex") for the manufacturing and installation of the splash pad at Mara Berman Giulianti Park; and

WHEREAS, a competitive process was done through NPPGov, a national cooperative procurement organization offering publicly solicited contracts to government entities nationwide, and the League of Oregon Cities ("LOC") Purchasing System Request for Proposal ("RFP") number 2060; whereby Vortex Aquatic Structures International was awarded a contract valid from March 15, 2021 through March 15, 2027; and

WHEREAS, the Master Price Agreement, LOC contract number PS-21115-NPP, between LOC and Vortex Aquatic Structures International was amended to change the company name to Vortex USA Inc., the name the company uses in the United States; and

WHEREAS, NPPGov and LOC have agreed to allow the City to piggyback from LOC contract number PS-21115-NPP under the same terms, conditions, and pricing; and

WHEREAS, Section 38.41(C)(5) of the Procurement Code allows the Chief Procurement Officer to procure, without following formal solicitation procedures, all goods, supplies, materials, equipment, and services that are the 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 ("piggyback"), provided that the goods, supplies, materials, equipment, or services are the subject of a price schedule negotiated by the entities listed above and is based strictly on competitive bids, quotations, or competitive proposals and not on any preference. Utilization of other governmental entities' contracts shall be permitted only during the term of the other governmental entity's contract; and

WHEREAS, the Director of DCM recommends that the City Commission approve and authorize the appropriate City officials to issue a purchase order with Vortex, based

upon NPPGov and LOC contract number PS-21115-NPP, for the manufacturing and installation of the splash pad at Mara Berman Giuliani Park in an amount up to \$453,841.24; and

WHEREAS, an owner contingency of \$21,267.76 is added to the proposal for unforeseen conditions including, but not limited to, special inspections, revisions, unforeseen utilities, and/or other conditions and shall only be used as requested by staff and the remaining value is to be returned to the City; and

WHEREAS, funding for this project was included in the amended FY 2025 Capital Improvement Plan, and is available in account number 301.309902.57200.563010.001390.000.000.

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 Vortex USA Inc., together with such non-material changes as may be subsequently 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 _____, 2025.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DAMARIS HENLON
INTERIM CITY ATTORNEY