

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE AN EMERGENCY PURCHASE ORDER WITHOUT FORMAL BIDDING PROCEDURES TO AIRSEP PROCESS AND CONTROLS, LLC. TO PERFORM THE INITIAL TROUBLESHOOTING, AND TO PERFORM EMERGENCY REPAIRS TO THE COLDBOX, A MAIN COMPONENT OF THE CRYOGENIC PLANT AT THE CITY OF HOLLYWOOD, SOUTHERN REGIONAL WASTEWATER TREATMENT PLANT, IN A COMBINED AMOUNT OF \$146,806.00; AND APPROVING CONTINGENCY EXPENDITURES RELATED TO POTENTIAL UNFORESEEN MISCELLANEOUS REPAIRS IN AN ESTIMATED AMOUNT NOT TO EXCEED \$50,000.00.

WHEREAS, the City of Hollywood, Department of Public Utilities operates a Cryogenic Plant at the Southern Regional Wastewater Treatment Plant (SRWWTP), located at 1621 North 14<sup>th</sup> Avenue, Hollywood, Florida; and

WHEREAS, the Cryogenic Plant produces the daily liquid oxygen necessary to meet the biological process related to the disinfection of wastewater; and

WHEREAS, as part of the standard maintenance system, the Cryogenic Plant undergoes an in-depth annual turn-around, which has been performed since 2011 by Solutionswerks, Inc. under a blanket purchase order; and

WHEREAS, the turn-around for the Cryogenic Plant took place between October 13, 2014 and October 17, 2014, however, during the final phases of the annual Cryogenic Plant turn-around, Solutionswerks, Inc. informed staff that one of the main components of the plant, the coldbox, had malfunctioned and staff needed to perform additional troubleshooting; and

WHEREAS, Solutionswerks, Inc. worked on different troubleshooting scenarios but was not able to bring the plant back into service; and

WHEREAS, due to the sensitive and critical role of the Cryogenic Plant in the overall wastewater treatment process, and because the SRWWTP must provide the required oxygen by trucking in liquid oxygen at a cost of approximately \$7,000.00 a day, the Department of Public Utilities considers the malfunctioning of the Cryogenic Plant an emergency, and the repairs must take place immediately; and

WHEREAS, on October 20, 2014, the Department of Public Utilities contacted the limited number of companies specialized in cryogenic systems around the country to performed preliminary evaluation or troubleshooting, and to provide a recommendation for repairs to the coldbox, and after several attempts, Public Utilities was able to speak to and reach an understanding for the necessary services with AirSep Process and Controls, LLC., from Niagara Falls, NY; and

WHEREAS, between October 21 and October 22, 2014, a technician from AirSep Process and Controls, LLC. troubleshot the Cryogenic Plant and determined that the coldbox has an internal leak; and

WHEREAS, AirSep Process and Controls, LLC. submitted a proposal, which includes the initial troubleshooting of the plant, detailed inspection of the internal components of the coldbox, and repairs necessary to the standard components of the Coldbox (valves, and specialized vessels are not included), in the amount of \$146,806.00; and

WHEREAS, Section 38.40(C)(1) of the City's Code of Ordinances specifically states that emergency repairs are exempt from the competitive bid requirements of the City's Purchasing Ordinance and authorizes the City Manager to approve such purchases without the prior approval of the City Commission when a quorum of the Commission for an emergency special meeting cannot be obtained; and

WHEREAS, the City Manager attempted to obtain a quorum of the City Commission for an emergency special meeting but was unable to do so; and

WHEREAS, in view of the emergency situation at the SRWWTP and the unavailability of a quorum of the City Commission for an emergency special meeting, the City Manager approved the issuance of an emergency purchase order without formal bidding procedures to compensate AirSep Process and Controls, LLC for the emergency repairs to the Cryogenic Plant coldbox, in the amount of \$146,806.00; and

WHEREAS, the repairs have been completed; and

WHEREAS, the Administration recommends ratification of the emergency purchase order issued to compensate AirSep Process and Controls, LLC. for the emergency repairs to the Cryogenic Plant coldbox; and

WHEREAS, On October 15, 2014, the City Commission adopted R-2014-301 which continued the appropriation for previously approved Capital Projects from FY 14 to FY 15 and included funding for emergency infrastructure repairs in account number 42.4000.86532.536.006302;

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

Section 1: That it hereby ratifies the issuance of the emergency purchase order to AirSep Process and Controls, LLC for the emergency repairs to the Cryogenic Plant coldbox.

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.

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PETER BOBER, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC, CITY CLERK

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

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JEFFREY P. SHEFFEL, CITY ATTORNEY