

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A BLANKET PURCHASE AGREEMENT WITH FERGUSON ENTERPRISES, LLC. FOR THE PURCHASE OF NEPTUNE METERS IN AN ESTIMATED ANNUAL AMOUNT OF \$350,000.00 PURSUANT TO SECTION 38.41(C)(2) OF THE PROCUREMENT CODE ("SOLE SOURCE").

WHEREAS, the Department of Public Utilities ("Department") maintains and operates the City's water meters; and

WHEREAS, the Department stocks water meters, spare parts, and accessories as regular stock items to perform repairs, replace obsolete units, and install new water service connections; and

WHEREAS, the Department is currently utilizing Neptune meters, and these meters are sold exclusively through the authorized representative Ferguson Enterprises, LLC. ("Ferguson"); and

WHEREAS, the Department has been using Neptune meters for the past 25 years and has standardized the use of Neptune meters due to being reliable and compatible with the Aclara AMI system; and

WHEREAS, the Department determined that using the Neptune meters lowers the cost of personnel training, inventory carrying costs, and Aclara data management systems programming; and

WHEREAS, on January 9, 2022, Ferguson provided a quote for the purchase of star fixed network automatic meter reading system single port and dual port meter transmission units for an estimated annual expenditure of \$350,000.00 for a one-year period commencing upon the execution of a blanket purchase agreement, with an option to renew for two additional one-year periods, if determined to be in the best interest of the City; and

WHEREAS, on January 27, 2022, the Division of Procurement Services posted a Notice to Sole Source Number NTSS-028-22 electronically on BidSync for five business days with an expiration date of February 3, 2022, which did not receive any inquiries or comments relating to the notice; and

WHEREAS, Section 38.41(C)(2) of the Procurement Code provides that sole-source goods, supplies, materials, equipment and services, such as unique, patented, or franchised goods, supplies, materials, equipment or services are exempt from competitive bid and competitive proposal requirements; and

WHEREAS, funding in the amount of \$350,000.00 will be made available in account number 442.400201.53600.552260.000000.000.000 subject to the adoption of a companion budget amendment resolution.

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 execution, by the appropriate City officials, of the attached blanket purchase agreement to Ferguson Enterprises, LLC., together with such non-material changes as may be subsequently agreed to by 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 _____, 2022.

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