

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN GILLY NATIONAL INC. DBA GILLY VENDING, INC. AND THE CITY OF HOLLYWOOD TO PROVIDE AND SERVICE HEALTHY BEVERAGE AND SNACK VENDING MACHINES AND PRODUCTS CITYWIDE.

WHEREAS, the City of Hollywood requires the services of a qualified firm to furnish, install, stock, replenish and maintain healthy beverage and snack vending machines that offer a large variety of healthy products at various City facility locations; and

WHEREAS, the City currently has approximately thirty (30) beverage vending machines and fifteen (15) snack vending machines located at various City facility locations provided and serviced by Gilly Vending, Inc.; and

WHEREAS, City staff researched available current Healthy Vending Machine Services contracts awarded by other governmental agencies to identify a contract award which provided the City's required various vending machine services, the desired large variety of healthy beverage and snack products and which also provides an additional revenue source to the City; and

WHEREAS, the required services were competitively bid by Pasco County, Florida, Bid Number IFB-SS-14-019 – Countywide Healthy Vending Machine Services, and was awarded by their Board of County Commissioners on April 9, 2014 to Gilly National Inc. DBA Gilly Vending, Inc. of Miami, Florida for an initial five (5) year period with two (2) one (1) year renewal option periods; and

WHEREAS, the Pasco County contract requires the awarded vendor, Gilly National Inc. DBA Gilly Vending, Inc., to provide a payment to the County in a fixed amount of \$12.50 per machine, per month; and

WHEREAS, the Pasco County bid requires the awarded vendor to provide a minimum of thirty percent (30%) of vending items in each machine shall meet all of the American Heart Association – Recommended Standards for Procurement of Food and Beverages Offered in the Workplace; and

WHEREAS, an additional twenty percent (20%) of vending items in each machine shall meet at least one (1) the American Heart Association – Recommended Standards for Procurement of Food and Beverages Offered in the Workplace; and

WHEREAS , although the proposed agreement, which provides for the City to receive, rather than pay, money and is not subject to the competitive bid and competitive proposal requirements of the Purchasing Ordinance, Section 38.40 (C)(5) of the Purchasing Ordinance allows the Director to procure, without following formal procedures, all goods and services which are 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, provided however, the goods and services are: (i) the subject of a price schedule negotiated by the state or the United States government, or (ii) the subject of a contract with another governmental entity or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, which contract is based strictly on competitive bids or competitive proposals and not on any preference; and

WHEREAS, Gilly National Inc. DBA Gilly Vending Inc. has agreed to provide the same services and products to the City of Hollywood under the same pricing, terms and conditions of the Pasco County award; and

WHEREAS, the City of Hollywood has utilized the vending machine services provided by Gilly Vending, Inc. since 2007 and their services have been satisfactory; and

WHEREAS, award is subject to the City's receipt and approval of all insurance certificates required by the City's Risk Manager, and indemnity to the City; and

WHEREAS, the City may terminate the agreement should the Contractor fail to reasonably perform the services as specified at any time or without cause, upon thirty (30) days written notification;

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

Section 1: That it hereby approves and authorizes the execution, by the appropriate City Officials, of an agreement embodying the terms and conditions approved by the City Commission this date between Gilly Vending, Inc. and the City of Hollywood, in a form acceptable to the City Manager and approved as to form and legality by the City Attorney.

RESOLUTION AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN GILLY NATIONAL INC. DBA GILLY VENDING, INC. AND THE CITY OF HOLLYWOOD TO PROVIDE AND SERVICE HEALTHY BEVERAGE AND SNACK VENDING MACHINES AND PRODUCTS CITYWIDE.

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.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

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

JEFFREY P. SHEFFEL, CITY ATTORNEY