

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED MASTER EQUITY LEASE AGREEMENT PACKAGE, AND ISSUE THE ATTACHED BLANKET PURCHASE ORDER, BETWEEN ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST ("ENTERPRISE") AND THE CITY OF HOLLYWOOD, FOR THE LEASE OF VEHICLES TO SERVE THE CODE COMPLIANCE DIVISION FOR A TOTAL 14 MONTH TERM AT AN ESTIMATED TOTAL AMOUNT OF \$112,544.00.

WHEREAS, the Public Works Department, Fleet Division, on behalf of the Code Compliance Division, is requesting the approval of the attached lease agreement for the purpose of leasing pick-up trucks to replace sixteen (16) vehicles that have reached or surpassed their life expectancy and road worthiness by age, mileage and wear and can no longer be relied upon to perform at required operational levels; and

WHEREAS, Enterprise was contacted regarding availability of the GMC Sierra pick-up truck and the vendor advised City staff that they can provide GMC Sierras as needed by the City via an open-end lease program; and

WHEREAS, the Enterprise Vehicle Lease Agreement was competitively procured through the City of Lauderdale Lakes, Florida, pursuant to RFP No. 15-1301-02R, and Enterprise has agreed to provide these vehicles under similar pricing terms and conditions; and

WHEREAS, 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, the Master Equity Lease Agreement package is attached and includes the Open-end Equity Lease Quote with Vehicle Specifications and Fair Price Estimates, Termination Value Schedule, Master Equity Lease Agreement, Amendment

to Master Equity Lease Agreement Addendum, a Self-Insurance Addendum and Maintenance Agreement; and

WHEREAS, the proposed lease instrument is an open-end equity lease for 32 vehicles to be operated in increments of 16 vehicles at a time for a total 14 month term, of which at the end of the first 7-month term, the first 16 vehicle increment will be returned and replaced by 16 new vehicles for the second 7-month term; and

WHEREAS, Enterprise projects a re-sale value exceeding the reduced book value at the end of each 7 month term based upon accredited ALG Residual Data (Automotive Lease Guide); and combined with Enterprise's buying and purchasing power and the manufacturer's government incentives, Enterprise projects that savings from the re-sale will cover the City's lease cost over the 14 month program; and

WHEREAS, the specific lease units sale price can only be determined after the re-sale value of the existing vehicles is deducted from the value of the leased vehicles, and the lease cost of \$112,544.00 over the 14 month term is considered a worst-case scenario in which the re-sale value obtained equals the reduced book value; and

WHEREAS, the Director of Public Works, the Code Compliance Manager, and the Director of Procurement Services recommend that the City Commission approve the attached lease agreement package and the issuance of the attached Purchase Order agreement with Enterprise for the leasing of the GMC Sierra pick-up trucks for Code Compliance; and

WHEREAS, funding for the attached Blanket Purchase Order in the amount of \$112,544.00 spans two fiscal years and the funding for the 7-month term that is included in FY 2017 will be provided through a companion Resolution R-2016-XXX and the cost of the second 7-month term will be provided in a future fiscal year operating budget subject to the approval of the City Commission;

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 the Master Equity Lease Agreement package and the issuance, by the appropriate City officials, of the attached Blanket Purchase Order between Enterprise FM Trust and the City of Hollywood, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

A RESOLUTION APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED MASTER EQUITY LEASE AGREEMENT PACKAGE, AND ISSUE THE ATTACHED BLANKET PURCHASE ORDER, BETWEEN ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST ("ENTERPRISE") AND THE CITY OF HOLLYWOOD, FOR THE LEASE OF VEHICLES TO SERVE THE CODE COMPLIANCE DIVISION.

Section 2: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2016.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

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

JEFFREY P. SHEFFEL
CITY ATTORNEY