

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RATIFYING THE CITY MANAGER'S APPROVAL OF TWO PURCHASE ORDERS TO AIRGAS USA, LLC FOR THE EMERGENCY PROVISION AND DELIVERY OF LIQUID OXYGEN TO THE SOUTHERN REGIONAL WASTEWATER TREATMENT PLANT IN AN AMOUNT UP TO \$623,894.72 IN ACCORDANCE WITH SECTION 38.41(C)(1) OF THE CITY'S PROCUREMENT CODE. (EMERGENCY PURCHASES)

WHEREAS, the Department of Public Utilities ("Department") Southern Regional Wastewater Treatment Plant ("SRWWTP") Cryogenic Facility, which produces Liquid Oxygen ("LOX"), experienced a loss of pressure and purity on August 28, 2023, which interrupted the oxygen production process and required repairs and the temporary purchase of LOX during repairs; and

WHEREAS, LOX is critical to the SRWWTP's wastewater treatment process and required by the SRWWTP's operating permit; and

WHEREAS, the Department urgently needed to procure LOX for use at the SRWWTP while the cryogenic plant was under repair; and

WHEREAS, Section 38.41(C)(1) of the Procurement Code exempts from competitive bid and competitive proposals emergency purchases that receive prior administrative approval except for the most urgent situations presenting a clear and present substantial threat to life or property where immediate action is required; and

WHEREAS, the City Manager authorized the delivery of bulk LOX to the SRWWTP from AIRGAS USA, LLC ("Airgas"), via Memorandum No. PU-24-09, in an amount up to \$500,000.00; and

WHEREAS, Memorandum No. PU-24-40 authorized the reimbursement of Airgas for additional delivered LOX in an amount up to \$123,894.72; and

WHEREAS, funding for the purchase orders was available in account numbers 442.400601.53600.552240.000000.000.000 and 442.400602.53600.552240.000000.000.000; and

WHEREAS, the Department Director and the Chief Procurement Officer recommend that the City Commission ratify the City Manager's approval of the issuance of purchase orders to Airgas for the emergency provision and delivery of LOX to the

SRWWTP in a total amount up to \$623,894.72.

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 ratifies the City Manager's approval of two purchase orders to Airgas for the emergency provision and delivery of LOX to the SRWWTP in an amount up to \$623,894.72, pursuant to Section 38.41(C)(1) of the City's Procurement Code.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY