

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO AMEND THE EXISTING BLANKET PURCHASE ORDERS BETWEEN, BERGERON EMERGENCY SERVICES, INC., AND CERES ENVIRONMENTAL SERVICES, INC. AND THE CITY OF HOLLYWOOD FROM \$2,000,000.00 TO A NOT TO EXCEED AMOUNT OF \$13,000,000.00 FOR EMERGENCY RESPONSE AND RECOVERY SERVICES FOR DEBRIS REMOVAL EFFORTS AS A RESULT OF DECLARED EMERGENCY HURRICANE IRMA; AMENDING THE FISCAL YEAR 2018 OPERATING BUDGET (R-2017-288) AS DETAILED IN THE ATTACHED EXHIBIT 1.

WHEREAS, the Public Works Department has existing agreements from qualified contractors which establish a pre-need, pre-position contract for Emergency Response and Recovery Services to assist in a variety of disaster related services such as large scale debris removal, separation, staging and disposal; demolition work, construction and demolition debris removal; hazardous waste handling; tree trimming, erection, stump grinding and removal; marine salvage operations; sand removal from roads, streets and right-of-ways; beach sand screening and replacement, and emergency berm construction when needed; and

WHEREAS, on May 13, 2013, Notices of RFP Availability were mailed and RFP-4361-13-IS was advertised on-line via the City's website and DemandStar in accordance the City's Purchasing Ordinance, Section 38.42(A)(1); and

WHEREAS, RFP No. 4361-13-IS provided for an initial contract award for a one (1) year period with four (4) additional one (1) year renewal periods under the same prices, terms, and conditions; and

WHEREAS, in 2013, six (6) Blanket Purchase Orders were established with Arbor Tree & Land, Inc., AshBritt, Inc., Bergeron Emergency Services, Inc., Ceres Environmental Services, Inc., Crowder Gulf Joint Venture, Inc. and DRC Emergency Services, LLC, (the "Contractors") each in the estimated dollar amount of \$25,000.00 for the initial one (1) year period to be activated upon the declaration of an emergency, at which time City Commission approval would be requested for additional emergency funding; and

WHEREAS, in 2014, the six (6) established Blanket Purchase Orders awarded to the Contractors were renewed for the first one (1) year renewal period in the estimated dollar amount of \$25,000.00 to be activated upon the declaration of an

emergency, at which time City Commission approval would be requested for additional emergency funding; and

WHEREAS, on July 8, 2015, the City Commission passed and adopted Resolution Number R-2015-205, which authorized the issuance of Blanket Purchase Orders renewing the Agreements with the Contractors for the second one (1) year renewal period, in the amount of \$25,000.00 each, and the increase for a combined amount of \$2,000,000.00 to be used in the event of an emergency declaration; and

WHEREAS, on July 6, 2016, the City Commission passed and adopted Resolution Number R-2016-224, which authorized the issuance of Blanket Purchase Orders renewing the Agreements with the Contractors for the third one (1) year renewal period, in the amount of \$25,000.00 each and the increase for a combined amount of \$2,000,000.00 to be used in the event of an emergency declaration; and

WHEREAS, on July 3, 2017, the City Commission passed and adopted Resolution Number R-2017-208, which authorized the issuance of Blanket Purchase Orders renewing the Agreements with the Contractors for the fourth and final one (1) year renewal period, in the amount of \$25,000.00 each and the increase for a combined amount of \$2,000,000.00 to be used in the event of an emergency declaration; and

WHEREAS, the Contractors' pricing structure based on unit pricing is lower than the established FEMA Cost Code Listing by region and state for performing the required services during an event; and

WHEREAS, as a result of Hurricane Irma, the City has an estimated 350,000 Cubic Yards of debris estimated at approximately \$9,500,000 requiring additional authorization above the original \$2,000,000.00.

WHEREAS, the existing agreement does not include disposal services necessary for final vegetative debris disposal and the City wishes to open a Temporary Debris Management Site (TDMS) separate from the Broward County operated locations at an estimated disposal expense of \$3,500,000.00.

WHEREAS, the City desires to dispose of vegetative debris at a secondary TDMS location operated by Bergeron Emergency Services, Inc. to improve efficiency for the debris hauling operation; and

WHEREAS, Bergeron Emergency Services, Inc. and Ceres Environmental Services, Inc. are willing and able to provide emergency debris disposal services to the City; and

WHEREAS, Section 38.40(C)(1) entitled "*Emergency purchases*" provides in urgent cases of compelling emergency which require the immediate purchase of supplies or contractual services, the City Manager is empowered to authorize the Director to secure by open market procedure as herein set forth, at the lowest

obtainable price, any supplies or services meeting the competitive bid requirement. All such emergency purchases must receive prior approval of the City Commission, except for the most urgent situation presenting a clear and present substantial threat to life or property where immediate action is required and a quorum of the Commission for an emergency special meeting cannot be obtained before the deadline for action; and

WHEREAS; the increased debris service and the disposal costs will increase the amount requested to \$13,000,000.00; and

WHEREAS, the need for debris removal services and the addition of the TDMS present an urgent situation which is a clear and substantial threat to the City of Hollywood and immediate action is required by the City Commission; and

WHEREAS, certain routine and periodic budgetary adjustments and transfers are appropriate and necessary; and

WHEREAS, the Fiscal Year 2018 Operating Budget was adopted and approved by the City Commission pursuant to Resolution R-2017-288 and subsequently amended; and

WHEREAS, funding for these agreements will be provided for in the Fiscal Year 2018 Operating Budget in Fund 68 Emergency/Disaster Relief Fund as detailed in the attached Exhibit 1;

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

Section 1: That it hereby authorizes the amendment of the Blanket Purchase Orders with Ceres Environmental Services, Inc. and Bergeron Emergency Services, Inc. for a combined total not to exceed \$13,000,000.00 for the debris removal effort as a result of declared emergency Hurricane Irma, 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.

Section 2: That it hereby approves and authorizes the Amendments, Adjustments and Transfers to the operating Budget of the City of Hollywood for the Fiscal Year beginning October 1, 2017, as detailed in Exhibit 1, attached hereto and by this reference made a part hereof, are hereby approved, adopted and accepted as Amendments to the Operating Budget of the City of Hollywood, Florida for Fiscal Year 2018.

Section 3: That it hereby authorizes the appropriate City Official to execute the attached Letter Agreement between Bergeron Emergency Services, Inc. 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.

RESOLUTION AUTHORIZING INCREASE IN THE AUTHORIZED PURCHASE ORDER AMOUNTS FROM \$2,000,000.00 TO \$13,000,000.00 EACH FOR EMERGENCY RESPONSE AND RECOVERY SERVICES FOR DEBRIS REMOVAL EFFORTS AS A RESULT OF HURRICANE IRMA.

Section 4: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, 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.

ALAN FALLIK, ACTING CITY ATTORNEY