

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE THE ATTACHED BLANKET PURCHASE ORDER WITH ENTERPRISE FM TRUST, A DELAWARE STATUTORY TRUST, AND EXECUTE AN OPEN-END (EQUITY) LEASE RATE QUOTE FOR THE LEASE OF VEHICLES TO SERVE THE CODE COMPLIANCE DIVISION FOR A 14 MONTH TERM, FOR AN ESTIMATED TOTAL AMOUNT OF \$139,448.92, BASED UPON THE CITY OF LAUDERDALE LAKES RFP NO. 15-1301-02R AND IN ACCORDANCE WITH SECTION 38.40(C)(5) OF THE CODE OF ORDINANCES (PIGGYBACK); AMENDING THE FISCAL YEAR 2019 ADOPTED OPERATING BUDGET.

WHEREAS, the Public Works Department, Fleet Division, on behalf of the Code Compliance Division, requests approval of the attached lease rate quote for the purpose of leasing 36 pick-up trucks to replace prior leased vehicles that will be returned to Enterprise FM Trust, a Delaware Statutory Trust ("Enterprise"); and

WHEREAS, Enterprise was contacted regarding availability of 36 GMC Sierra pickup trucks, to be delivered via two, seven month lease cycles, and the vendor advised City staff that they can provide these vehicles to the City pursuant to an open-end lease program; and

WHEREAS, the pilot program, approved by the City Commission pursuant to Resolution No. R-2016-375, was successful in meeting operational demands, maintaining fleet vehicles, customer support, and the equity rebate as outlined in the original agreement; 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 the 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 that 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 that 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 lease is an open-end equity lease for two seven month lease cycles, and 18 vehicles will be provided to the City during the first seven month lease cycle, and at the end of the first seven month term, the first 18 vehicles will be returned and replaced by 18 new vehicles for the second seven month lease term; and

WHEREAS, Enterprise projects a re-sale value exceeding the reduced book value at the end of each seven month term based upon accredited ALG Residual Data, 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 rebate to the City can only be determined after the re-sale of the existing vehicles, which over the past three, seven month lease cycles, have exceeded the purchase price paid by Enterprise; and

WHEREAS, the future rebates are expected to exceed the lease cost (including equipment and registration fees) of \$139,448.92 over the 14 month term; and

WHEREAS, the Director of Public Works, the Code Compliance Manager, and the Director of Procurement Services recommend that the City Commission approve the issuance of a Purchase Order with Enterprise for the leasing of 18 GMC Sierra pick-up trucks for Code Compliance for two 7 month cycles; and

WHEREAS, funding in the amount of \$139,448.92 spans two fiscal years; a portion of the funding for the balance of this fiscal year (five months of the first seven month term) is available in the FY 2019 Adopted Operating Budget; and

WHEREAS, the remainder of the first term funds are being appropriated from the Enterprise Lease rebate anticipated to be received, and the cost of the second seven month term will be provided in a future fiscal year operating budget subject to the approval of the City Commission; and

WHEREAS, certain routine and periodic budgetary transfers and appropriations continue to be appropriate and necessary to ensure prudent financial management during the fiscal year; and

WHEREAS, the monthly lease cost is \$505.66 per vehicle and funding for 16 vehicles is available in account 001.500401.53900.540050.000000.000.000, funding for one vehicle is being provided by the CRA and funding for one vehicle will be provided by the Sanitation Enterprise Fund to cover the lease payments; and

WHEREAS, the Resolution seeks to amend the budget as detailed in the attached Exhibits "1" and "2", which appropriates the future Enterprise Lease rebate in an amount of \$35,000.00 and allocates funds as needed.

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 issuance, by the appropriate City officials, of a Blanket Purchase Order to Enterprise FM Trust, 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 it approves and authorizes the execution, by the appropriate City officials, of the attached Open-End (Equity) Lease Rate Quote with Enterprise FM Trust, 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 4: That the Amendments, Adjustments and Transfers of funding to the FY2019 Operating Budget for the Fiscal Year beginning October 1, 2018 and set forth in detail in the attached Exhibits "1" and "2" are adopted and authorized as Amendments and/or Adjustments to the various Operating Budgets of the Funds of the City of Hollywood, Florida, for the Fiscal Year 2019.

Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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JOSH LEVY, MAYOR

ATTEST:

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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.

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DOUGLAS R. GONZALES, CITY ATTORNEY