

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE A PURCHASE ORDER ALONG WITH AN AMENDMENT TO THE PURCHASE ORDER TERMS AND CONDITIONS TO SCHWING BIOSET INC. FOR THE PURCHASE, INSTALLATION AND START-UP OF LIME STABILIZATION EQUIPMENT IN THE AMOUNT OF \$2,944,300.00; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A FIVE YEAR MAINTENANCE AGREEMENT INCLUDING THE SUPPLYING OF PARTS IN THE AMOUNT OF \$891,532.00, FOR A TOTAL COST OF \$3,835,832.00, BASED UPON SECTION 38.41(C)(2) OF THE CITY'S PROCUREMENT CODE (SOLE SOURCE); APPROVING AN AMENDMENT TO THE FISCAL YEAR 2020 CAPITAL IMPROVEMENT PLAN.

WHEREAS, the Department of Public Utilities is requesting to purchase, install and perform start-up of lime stabilization equipment and parts, as well as maintenance services for the new equipment, as the current equipment is dilapidated and has reached its useful years of service; and

WHEREAS, the equipment is used to process and treat biosolids to be mixed with lime to stabilize sludge to produce a Class AA EQ fertilizer product; and

WHEREAS, the equipment and parts offered are proprietary and Schwing Bioset, Inc. ("Schwing") is the only authorized distributor and authorized training facility/provider in the United States; and

WHEREAS, in addition to installing the equipment, Schwing will provide maintenance services for a five year period, and the cost for the maintenance will be \$541,532.00; and

WHEREAS, on April 9, 2020, the Office of Procurement Services posted a Notice to Sole Source Number NTSS-022-20 to purchase lime stabilization equipment, issued an electronic notification to various vendors, and identified April 28, 2020 as the posting expiration date; and

WHEREAS, the Office of Procurement Services received no inquiries or comments on the Notice to Sole Source Number NTSS-022-20; and

WHEREAS, Section 38.41(C)(2) of the City's Procurement Code exempts sole-source supplies and services, such as unique, patented, or franchised supplies or services, from the competitive bid requirements; and

WHEREAS, the Director of Public Utilities and the Chief Procurement Officer recommend that the City Commission approve and authorize the issuance of the attached purchase order, along with the amendment to the Purchase Order, to Schwing Bioiset, Inc. for the purchase, installation and start-up of lime stabilization equipment in the amount of \$2,944,300.00, along with the execution of a five year maintenance services agreement in the amount of \$541,532.00, and the supply of parts in the amount of \$350,00.00, for a total maintenance cost of \$891,532.00, bringing the total aggregate project purchase price to \$3,835,832.00; and

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

WHEREAS, it is necessary to amend the approved FY 2020 Capital Improvement Plan and allocate funding as set forth in the attached Exhibit "A".

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 purchase order along with the attached amendment to the purchase order terms and conditions with Schwing Bioiset, Inc., 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 maintenance agreement with Schwing Bioiset, Inc., 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 it approves and authorizes an amendment to the approved FY 2020 Capital Improvement Plan, as more specifically set forth in the attached Exhibit "A".

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE A PURCHASE ORDER ALONG WITH AN AMENDMENT TO THE PURCHASE ORDER TERMS AND CONDITIONS TO SCHWING BIOSET INC. FOR THE PURCHASE, INSTALLATION AND START-UP OF LIME STABILIZATION EQUIPMENT IN THE AMOUNT OF \$2,944,300.00; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A FIVE YEAR MAINTENANCE AGREEMENT INCLUDING THE SUPPLYING OF PARTS IN THE AMOUNT OF \$891,532.00 FOR A TOTAL COST OF \$3,835,832.00, BASED UPON SECTION 38.41(C)(2) OF THE CITY'S PROCUREMENT CODE (SOLE SOURCE); APPROVING AN AMENDMENT TO THE FISCAL YEAR 2020 CAPITAL IMPROVEMENT PLAN.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
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