

**DRAFT RESOLUTION NO.
R2021-XX**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. FOR GEOGRAPHIC INFORMATION SYSTEM MAPPING TOOLS AND SOFTWARE FOR A THREE (3) YEAR TERM IN A TOTAL ESTIMATED BUDGETED AMOUNT OF \$75,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in line with the City of North Miami Beach's ("City") Strategic Plan of providing excellent municipal services and a high performing City organization providing great customer services, the City requires the use of Geographic Information System ("GIS") mapping tools and software produced by Environmental Systems Research Institute, Inc. ("ESRI"); and

WHEREAS, the City's Community Development Division, NMB Water, Planning and Zoning, and Public Works departments currently utilize this software for asset management, permitting, and water system modeling; and

WHEREAS, the software contains unlimited licensing and provides powerful mapping and special data analytic technology which displays data layers and information for parcels, addresses, roadways, utility assets, zoning and future land use layers; and

WHEREAS, ESRI is the sole source provider of all U.S. domestic Small Utility Enterprise Agreements ("EA"), which is a bundled package of term limited software licenses and maintenance that include the right to copy; and

WHEREAS, Section 3-4.5 of the City's Code of Ordinances provides that purchases of certain materials and services, such as unique, patented, or franchised supplies or services, shall be exempt from the bidding process if the City's Purchasing Agent determines, after conducting a good faith review of available sources, that the particular supply or service is available from only one (1) source; and

WHEREAS, the City's Chief Procurement Officer, after exercising due diligence and completing a good faith review of available sources, has concluded that this particular product is available only through ESRI; and

WHEREAS, the annual subscription for GIS mapping tools and software is \$25,000.00 annually, which includes "unlimited" desktop licenses; and

WHEREAS, Section 3-3.14 of the City's Code of Ordinances provides that contracts in excess of \$50,000.00 shall be awarded by the City Commission; and

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WHEREAS, the City Manager, the Interim Director of NMB Water, and the Chief Procurement Officer recommend that the City Commission approve and authorize the City Manager or designee to enter into an agreement with ESRI for the purchase of GIS mapping tools and software in the estimated budgeted amount of \$75,000.00 for a three (3) year term; and

WHEREAS, the Mayor and City Commission believe it is in the best interests of the City to authorize the City Manager or designee to enter into an agreement with ESRI, in a form acceptable to the City Attorney, for the purchase of GIS mapping tools and software in the estimated budgeted amount of \$75,000.00 for a three (3) year term.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Miami Beach, Florida:

Section 1. The aforementioned recitals are true and correct.

Section 2. The Mayor and City Commission hereby authorize the City Manager or designee to enter into an agreement with Environmental Systems Research Institute, Inc., in a form acceptable to the City Attorney, for the purchase of Geographic Information System mapping tools and software in the estimated budgeted amount of \$75,000.00 for a three (3) year term.

Section 3. This resolution shall take effect immediately upon approval.

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **17th day of August, 2021.**

ATTEST:

ANDRISE BERNARD
CITY CLERK

(CITY SEAL)

ANTHONY F. DEFILLIPO
MAYOR

APPROVED AS TO FORM, LANGUAGE
AND FOR EXECUTION

HANS OTTINOT
INTERIM CITY ATTORNEY

SPONSORED BY: Mayor and City Commission

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