

RESOLUTION NO. R2023-40

A RESOLUTION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING AN INCREASE IN THE EXPENDITURE OF CITY FUNDS WITH BARTOW FORD FOR THE PURCHASE OF SEVEN (7) DUTY FLEET VEHICLES; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, *Florida Statutes* and Section 1.4 of the Charter of the City of North Miami Beach (“City”), the City shall have all available governmental, corporate, and proprietary powers and may exercise them except when prohibited by law; and

WHEREAS, in keeping with the City’s Strategic Plan of providing excellent municipal services and being a beautiful, safe, and livable community in South Florida, the City Police Department requires additional seven (7) duty vehicles; and

WHEREAS, Section 3-4.3 of the City Code allows for the use of other governmental entities’ contracts upon a determination that the supplies, materials, equipment, or contractual services needed by the City were purchased using solicitation procedures which are substantially equivalent to the City’s Purchasing Guidelines; and

WHEREAS, the Florida Sheriffs’ Association entered into a competitively procured contract with Bartow Ford to purchase vehicles (“Vehicle Contract”), and the City previously used the Vehicle Contract to purchase nine (9) duty vehicles for the City Police Department, and has determined that expanding the scope of the Vehicle Contract is financially advantageous to the City; and

WHEREAS, an expenditure increase in the amount of \$356,332 will secure the purchase of seven (7) additional City Police Department duty fleet vehicles all outfitted with the required law enforcement inclusions as well as all necessary tag and tax fees; and

WHEREAS, Section 3-3.14 of the Code of Ordinances City of North Miami Beach, Florida, 2008 (“Code”) requires that purchases exceeding \$50,000.00, shall be approved by the City Commission; and

WHEREAS, the City Manager, the Police Chief and the Chief Procurement Officer recommend that the City Commission approve and authorize the City Manager or designee to increase the previously approved Vehicle Contract purchase amount by \$356,332.00 for seven (7) additional City Police Department duty fleet vehicles.

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

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Resolution; all exhibits attached hereto are made a specific part of this Resolution.

Section 2. The City authorizes the City Manager or designee to expand the previously approved Vehicle Contract purchase scope in the sum of \$356,332.00 to purchase seven (7) City Police Department duty fleet vehicles.

Section 3. The City Manager or designee is authorized to do all things necessary to effectuate this Resolution.

Section 4. All Resolutions or parts of Resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. Any scrivener or typographical errors that do not affect intent may be corrected with notice to, and the authorization of the City Attorney and City Manager without further process.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given affect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 7. This Resolution shall take effect immediately upon adoption.

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[SIGNATURE PAGE TO FOLLOW]

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **16th day of May 2023**.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

ANTHONY F. DEFILLIPO
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF NORTH
MIAMI BEACH ONLY:

JOHN R. HERIN, JR.
INTERIM CITY ATTORNEY

Sponsored by: Mayor & Commission