

RESOLUTION NO. R2025

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A PURCHASE ORDER WITH FLUID CONTROL SPECIALTIES INC. FOR THE SOLE SOURCE PURCHASE OF ZEZURIK, RED VALVE & ROTORK SERVICE AND REPLACEMENT PARTS IN AN ESTIMATED BUDGETED AMOUNT NOT TO EXCEED \$555,108, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; 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, Section 3-4.5 of the Code of Ordinances City of North Miami Beach, Florida 2008 (“Code”) provides that purchases of the following material and services shall be exempt from the bidding process and subject to the spending limitation provided in subsection 3-3.14a. “Sole Source Purchase”, which states “sole source supplies and services, such as unique, patented, or franchised supplies or services are exempt if the Purchasing Agent determines, after conducting a good faith review of available sources, that the particular supply or service is available from one (1) source;” and

WHEREAS, A Notice to Sole Source (Ref: NTS-2025-019-KC), was published on the OpenGov E-Procurement portal outlining the City’s intention to proceed with the sole-source procurement methodology for the purchase of DeZURIK, Red Valve & Rotork Service and Replacement Parts from Fluid Control Specialties, Inc. During that period, the city did not receive and or could not substantiate the same products or services from alternate vendors; and

WHEREAS, the Norwood Water Treatment Plant is in need of service and replacement parts for its Nano and Reverse Osmosis water plants. These specialized parts are necessary for ensuring compliance with water quality standards, avoiding system downtime and ensuring compatibility and optimal performance.

WHEREAS, Fluid Control Specialties, Inc. (“Fluid Control”) is the authorized manufacturer’s representative for DeZURIK, Inc. brands and products including Red Valve and the sole and exclusive municipal representative for Rotork actuators in the State of Florida; and

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

WHEREAS, the City Manager and the Chief Procurement Officer recommend that the City Commission approve a sole-source purchase in an estimated budgeted amount not to exceed \$555,108 for the purchase of DeZURIK, Red Valve & Rotork service and replacement parts; and

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WHEREAS, the Mayor and City Commission believe it is in the best interests of the City to approve a sole source purchase in an estimated budgeted amount not to exceed \$555,108 for DeZURIK, Red Valve & Rotork service and replacement with Fluid Control.

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 sole source purchase, in substantially the form attached as Exhibit “A”, for the purchase of DeZURIK, Red Valve & Rotork service and replacement parts in an estimated budgeted amount not to exceed \$555,108 with Fluid Control Specialties, Inc. subject to budget appropriation and availability of funds is hereby approved.

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 effect 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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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **15th day of April 2025**.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

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

GREENSPOON MARDER, LLP.

By: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission