

RESOLUTION NO. 17-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO UTILIZE STATE CONTRACT NO. 43230000-15-02 AND FEDERAL GSA CONTRACT GS-35F-059DA FOR INFORMATION TECHNOLOGY PURCHASES; WAIVING THE PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO ACCESS THE STATE AND FEDERAL CONTRACTS AND TO IMPLEMENT THEIR TERMS AND CONDITIONS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”) uses Microsoft and Dell products for its computers and servers, and other IT equipment needs and as such it is required to purchase licenses, warranties, and other hardware or peripheral equipment to continue basic office operations; and

WHEREAS, Section 7 of the Town of Miami Lakes Ordinance 12-142 (“the Town’s Procurement Ordinance”) authorizes the purchase of goods and services from current contracts of other public, governmental, state/federal funded or non-profit entities that have resulted from a formal competitive procurement process; and

WHEREAS, the State of Florida Department of Management Services has negotiated a Microsoft Business Agreement with reseller SHI International Corp. to provide Microsoft licenses and services to the State, a copy of which is attached as Exhibit “A” (the “SHI Contract”); and

WHEREAS, the Federal General Services Administration has negotiated Contract GS-35F-059DA with Dell Marketing L.P. to provide computer equipment and other peripheral hardware to the Federal Government, a copy of which is attached as Exhibit “B” (the “Dell Contract”); and

WHEREAS, continued operations within the Town require authorization to access these contracts beyond the \$25,000 limitation provided for in Section 7 of the Town’s Procurement Ordinance for the procurement of Microsoft licenses, Dell computers, and other peripheral IT hardware; and

WHEREAS, the Town Council approves of the Town Manager’s recommendations, authorizes access beyond the \$25,000 limitation provided for in Section 7 of the Town’s Procurement Ordinance as it pertains to procurements made under the SHI and Dell Contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. **Approval of the Contracts.** The Town Council hereby approves the access of the SHI and Dell Contracts for the purchase of IT equipment and software on an as-needed basis in an amount not to exceed budgeted funds.

Section 3. **Authorization of Town Officials.** The Town Manager and/or his designee are authorized to take all steps necessary to utilize the SHI and Dell. The Town Manager and/or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contracts with SHI International Corp. and Dell

Marketing L.P. for the purchase of IT equipment and software on an as-needed basis per budgeted funds.

Section 4. **Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Town Manager by the Town's Procurement Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of this Resolution and the contracts with SHI International Corp. and Dell Marketing L.P. for the purchase of IT equipment and software on an as-needed basis per budgeted funds.

Section 5. **Execution of the Contract.** The Town Manager is authorized to execute the Contracts in substantially the form attached hereto as Exhibits "A" and "B" with SHI International Corp. and Dell Marketing L.P. respectively, and to execute any required agreements and/or documents to implement the terms and conditions of the contracts and to execute any extension and/or amendments to the contracts, subject to approval as to form and legality by the Town Attorney.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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Resolution No. _____

Passed and adopted this _____ day of _____, _____.

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Manny Cid _____

Vice Mayor Nelson Rodriguez _____

Councilmember Luis Collazo _____

Councilmember Timothy Daubert _____

Councilmember Ceasar Mestre _____

Councilmember Frank Mingo _____

Councilmember Marilyn Ruano _____

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

State Contract No. 43230000-15-02

EXHIBIT B

Federal GSA GS-35F-059DA