

RESOLUTION NO. 16-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PURCHASE OF AN EMERGENCY BACK-UP GENERATOR FOR GOVERNMENT CENTER FROM PANTROPIC POWER, INC. IN AN AMOUNT NOT TO EXCEED BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO ACCESS THE NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACT WITH CATERPILLAR, INC. PURSUANT TO SECTION 7 OF ORDINANCE 12-142 (THE TOWN'S PROCUREMENT ORDINANCE); AUTHORIZING THE TOWN MANAGER TO IMPLEMENT TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes, Florida ("the Town") desires to purchase an emergency back-up generator for Government Center, located at 6601 Main Street; and

WHEREAS, on February 17, 2016, the Town issued Invitation to Bid 2016-09, which yielded a single bid response in the amount of \$163,500; and

WHEREAS, the Town's Procurement Department then researched alternative purchasing options for the emergency back-up generator and found that the generator was available at a 37% discount through a National Joint Powers Alliance ("NJPA") contract with Caterpillar, Inc. ("Caterpillar"), to wit: Contract No.: 080613-CAT (Electrical Energy Generation Equipment With Related Accessories, Services, and Supplies)("Contract 080613-CAT"); and

WHEREAS, the Town is a member of the NJPA and can access various contracts for commodities and services which have been competitively bid for the use of public entities; and

WHEREAS, Section 7 of 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, where the contracts have resulted from a formal competitive procurement process; and

WHEREAS, the Town intends to access NJPA Contract 080613-CAT with Caterpillar, whose local authorized dealer is Pantropic Power, Inc. ("Pantropic"), as the best source for the

purchase of the Town's emergency back-up generator, which will allow the Town to obtain an exclusive, free four-year extended warranty offer; and

WHEREAS, the Procurement Manager has conducted a market analysis to determine that the pricing from Pantropic under the NJPA Contract 080613-CAT with Caterpillar is the most advantageous procurement method available to the Town; and

WHEREAS, Pantropic will furnish and provide service coverage for the emergency back-up generator; and

WHEREAS, the Town Manager recommends authorization to purchase the Town's emergency back-up generator by utilizing Contract 080613-CAT between the NJPA and Caterpillar, in an amount not to exceed budgeted funds; and

WHEREAS, the Town Council approves of the Town Manager's recommendations and authorizes the Town Manager to enter into contract 2016-38 with Pantropic by accessing Contract 080613-CAT between the NJPA and Caterpillar, in an amount not to exceed budgeted funds, to purchase the emergency back-up generator for Government Center.

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

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

Section 2. Approval of Contract. The Town Council hereby approves and authorizes the Town Manager to purchase an emergency back-up generator for Government Center, by accessing Contract 080613-CAT between the National Joint Powers Alliance and Caterpillar, Inc., and to execute a contract on behalf of the Town with Pantropic Power, Inc. as the local authorized Caterpillar, Inc. dealer based upon Contract 080613-CAT, in substantially the form attached hereto as **Exhibit "A,"** and to execute any required agreements and/or documents to implement the terms and conditions of the contract and to execute any extensions and/or amendments to the contract, subject to approval as to form and legality by the Town Attorney.

Section 3. Authorization of Town Officials. 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 contract with Pantropic Power, Inc., as the local authorized Caterpillar dealer.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager by the Town's Purchasing Procedures Ordinance, the Town

Manager is authorized to expend budgeted funds to implement the terms and conditions of the contract with Pantropic Power, Inc. for the Town's emergency back-up generator for Government Center.

Section 5. Execution of the Contract. The Town Manager is authorized to execute a contract in substantially the form attached hereto as **Exhibit "A"** with Pantropic Power, Inc. for the purchase of an emergency back-up generator for Government Center, subject to approval as to form and legality by the Town Attorney.

Section 6. Effective Date. This Resolution shall be effective immediately upon adoption.

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Passed and adopted this 7th day of June, 2016.

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 Michael A. Pizzi, Jr. | _____ |
| Vice Mayor Tim Daubert | _____ |
| Councilmember Manny Cid | _____ |
| Councilmember Tony Lama | _____ |
| Councilmember Ceasar Mestre | _____ |
| Councilmember Frank Mingo | _____ |
| Councilmember Nelson Rodriguez | _____ |

Michael A. Pizzi, Jr.
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

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

EXHIBIT “A”