

RESOLUTION NO. 23-11-124

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING FISCAL YEAR 2023-2024 EXPENDITURES FROM COMMERCIAL ENERGY SPECIALISTS, LLC. TO PROVIDE AQUATIC FACILITY SUPPLIES AND SERVICES TO THE PARKS AND RECREATION DEPARTMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING A WAIVER OF COMPETITIVE BIDDING; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands, Florida (the "Village") operates and maintains an Olympic size competitive swimming pool with a diving well (the "Pool") and a Splash Pad at the Ron Levy Aquatic Center in Founders Park; and

WHEREAS, the water chemistry of a public pool and pool facility must be maintained to the Florida Department of Health standards; and

WHEREAS, the Pulsar equipment installed in the Pool requires specific chemicals and supplies for proper care and maintenance; and

WHEREAS, Commercial Energy Specialists, LLC. ("CES") is the sole source provider/distributor in the State of Florida for Pulsar equipment, parts and supplies and service (the "Purchases") and also provides training on the use of the equipment, parts and supplies; and

WHEREAS, pursuant to Section 2-328(1) of the Village's Code of Ordinances concerning waiver of competitive bidding, the requirements of Section 2-327 relating to competitive bidding may be waived by the Village Council upon a documented finding that the purchase of the particular goods or services without competitive bidding is in the best interest of the Village; and

WHEREAS, the Village Council finds that approval of Fiscal Year 2023-2024 not to exceed amount of \$60,000.00 for such purchases from CES and a waiver of competitive bidding is in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. **Approval of Fiscal Year Expenditures.** The Village Council hereby approves an amount not to exceed Sixty Thousand Dollars (\$60,000.00) during Fiscal Year 2023-2024 for Purchases from the CES.

Section 3. **Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds for the Purchases from CES in an amount not to exceed \$60,000.00 during Fiscal Year 2023-2024.

Section 4. **Approval of Waiver of Competitive Bidding.** In accordance with Section 2-238(a) and (c) of the Village Code, the Village Council waives the purchasing provisions of the Village Code for the Purchases from CES without conducting a competitive bid process.

Section 5. **Effective Date.** This Resolution shall take effect immediately upon adoption.

Motion to adopt by Mark Gregg, second by Elizabeth Jolin.

**FINAL VOTE AT ADOPTION
VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

Mayor Joseph B. Pinder III	<u>Yes</u>
Vice Mayor Sharon Mahoney	<u>Yes</u>
Councilwoman Elizabeth Jolin	<u>Yes</u>
Councilman Mark Gregg	<u>Yes</u>
Councilman Henry Rosenthal	<u>No</u>

PASSED AND ADOPTED THIS 7th DAY OF NOVEMBER, 2023.

DocuSigned by:

Joseph B. Pinder III

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JOSEPH B. PINDER, III, MAYOR

ATTEST:

DocuSigned by:

Marne K. McGrath

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MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND
LEGALITY FOR THE USE AND BENEFIT
OF ISLAMORADA, VILLAGE OF ISLANDS:

DocuSigned by:

John J. Quick

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JOHN J. QUICK, INTERIM VILLAGE ATTORNEY

