

RESOLUTION NO. 2023-3238

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AND AUTHORIZING THE PURCHASE OF FOUR (4) 2023 FORD POLICE INTERCEPTOR UTILITY VEHICLES TOGETHER WITH EMERGENCY LIGHTING EQUIPMENT AND RADIO EQUIPMENT FOR THE POLICE VEHICLES; WAIVING COMPETITIVE BIDDING FOR THE POLICE VEHICLES PURSUANT TO SECTION 3-12 OF THE TOWN CODE; FINDING THAT THE PURCHASE OF THE EMERGENCY LIGHTING EQUIPMENT AND RADIO EQUIPMENT ARE EXEMPT FROM COMPETITIVE BIDDING PURSUANT TO SECTION 3-13(3) OF THE TOWN CODE; DECLARING AS SURPLUS PROPERTY THE EXISTING POLICE VEHICLES LISTED ON EXHIBIT "D" HERETO, AND AUTHORIZING THE TOWN MANAGER TO PROVIDE FOR THE SALE OR DISPOSITION OF THE SURPLUS VEHICLES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Surfside ("Town") Police Department is in need of four new 2023 Ford Police Interceptor Utility Vehicles (collectively, the "Police Vehicles") to enhance patrol of the Town for the safety of its residents and visitors and facilitate the provision of day-to-day operations of the Police Department; and

WHEREAS, the Town has historically purchased police vehicles through vehicle purchasing contracts competitively bid the Florida Association of Sheriffs, which most recently competitively awarded Contract No. FSA23-VEL31.0 ("Sheriffs' Contract") to various dealers throughout Florida; and

WHEREAS, due to a nationwide vehicle shortage and the current closure of Ford factories due to a union strike, the Police Vehicles are not available for purchase from a Florida dealer under the Sheriffs' Contract; and

WHEREAS, the Town has been able to locate the Police Vehicles from a State of Georgia dealership, Legacy Ford of McDonough, Inc. ("Legacy Ford"); and

WHEREAS, Legacy Ford has provided the Town with a quote, attached hereto as Exhibit "A," for the Police Vehicles in the amount of \$206,488.00 (the "Vehicle Purchase"), consistent with the pricing that would have been afforded through the Sheriffs' Contract; and

WHEREAS, pursuant to Section 3-12 of the Town Code of Ordinances ("Code"), the Town Commission may waive competitive bidding procedures upon the recommendation of the Town Manager that it is in the best interest of the Town to do so in order to obtain goods and services which cannot be acquired through the normal purchasing procedures due to insufficient time, the nature of the goods or services, or other factors; and

WHEREAS, the Town Manager recommends waiving competitive bidding procedures for the Vehicle Purchase as the Police Vehicles are currently needed and it is currently unknown when the Police Vehicles will enter manufacturing due to the strike; and

WHEREAS, the Town Commission desires to waive competitive bidding procedures for the Vehicle Purchase in accordance with the recommendation of the Town Manager and authorize the Vehicle Purchase from Legacy Ford in an amount not to exceed \$206,488.00, consistent with the quote attached hereto as Exhibit "A" and the pricing that would have been afforded under the Sheriffs' Contract; and

WHEREAS, the Town Police Department has ten (10) existing vehicles, as listed in Exhibit "D" attached hereto, that are beyond their operational lifespans; and

WHEREAS, the Town may sell or dispose of inoperable equipment as surplus property, which is no longer cost effective to maintain or repair due to its age, technical capabilities, and condition; and

WHEREAS, the Town Commission declares the existing vehicles listed on Exhibit "D" (the "Surplus Vehicles") as surplus property, as they have become obsolete, outlived their usefulness, become inadequate for the public purposes for which they were intended, or will no longer be needed for public purposes; and

WHEREAS, the Town Commission further authorizes the Town Manager to sell or dispose of the Surplus Vehicles, in accordance with applicable law and procedures; and

WHEREAS, the Town Commission further desires to authorize the purchase and installation of emergency lighting equipment ("Lighting") and radio equipment ("Radio") for the Police Vehicles; and

WHEREAS, the Town Commission finds that the purchase of the Lighting is exempt from competitive bidding under Section 3-13(3) of the Town Code pursuant to a contract awarded by the Seminole County to HG2 Emergency Lighting LLC ("HG2") for the Lighting through the competitively bid Contract CA No. 2021-02 ("Seminole County Contract"); and

WHEREAS, the Town Commission wishes to authorize the Town Manager to purchase the Lighting for the Police Vehicles at a total cost of \$49,372.00 from HG2, consistent with the quote attached hereto as Exhibit "B" ("Lighting Purchase"); and

WHEREAS, the Town Commission finds that the purchase of the Radio is exempt from competitive bidding under Section 3-13(3) of the Town Code pursuant to the contract

awarded by Miami-Dade County to Motorola Solutions, Inc. ("Motorola") for the Radios through Contract No. D-10253 (the "County Contract"); and

WHEREAS, the Town Commission desires to authorize the Town Manager to purchase one Radio from Motorola at a cost of \$7,223.53, consistent with the quote attached hereto as Exhibit "C" (the "Radio Purchase"); and

WHEREAS, the Town Commission finds that this Resolution is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Approval and Authorization to Purchase Police Vehicles, Together with Lighting and Radio Equipment. The Town Commission hereby approves and authorizes the Vehicle Purchase from Legacy Ford in the amount of \$206,488.00, consistent with the quote attached hereto as Exhibit "A" and the pricing that would have been afforded under the Sheriffs' Contract. The Town Commission further approves and authorizes the Lighting Purchase for the Police Vehicles from HG2 in an amount not to exceed \$49,372.00 in accordance with the quote attached hereto as Exhibit "B" and the Radio Purchase for the Police Vehicles from Motorola in an amount not to exceed \$7,223.53 in accordance with the quote attached hereto as Exhibit C". The Police Vehicle Purchase, the Lighting Purchase, and the Radio Purchase are for a total collective amount not to exceed \$263,083.53.

Section 3. Waiver of Competitive Bidding. The Town Commission hereby waives the competitive bidding procedures based upon the recommendation of the Town Manager that it is in the best interest of the Town to do so for the Vehicle Purchase pursuant to Section 3-12 of the Town Code.

Section 4. Surplus Property; Disposal Authorized. The Surplus Vehicles owned by the Town and listed in Exhibit "D" attached hereto have become obsolete, outlived their usefulness, or have become inadequate for the public purposes for which they were intended, and are no longer needed for public purposes, and accordingly are hereby declared by the Town Commission to be surplus property of the Town. The Town Manager is hereby authorized to dispose of the Surplus Vehicles through a sale or disposition of the surplus property, in accordance with applicable law and procedures and as determined by the Town Manager.

Section 5. Exemption from Competitive Bidding. The Town Commission hereby finds that the Lighting Purchase utilizing the Seminole County Contract and the Radio Purchase utilizing the County Contract are exempt from competitive bidding pursuant to Section 3-13(3) of the Town Code.

Section 6. Implementation. That the Town Commission hereby authorizes the Town Manager to execute any purchase order or required documentation for the purchases described in this Resolution, subject to approval by the Town Attorney as to form and legality, and to take any action which is reasonably necessary to implement the purpose of this Resolution.

Section 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 14th day of November, 2023.

Motion By: Vice Mayor Rose
Second By: Commissioner Landsman

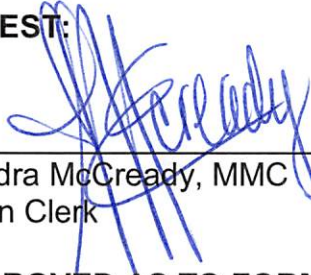
FINAL VOTE ON ADOPTION:

Commissioner Fred Landsman	<u>Yes</u>
Commissioner Marianne Meisheid	<u>Absent</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Vice Mayor Jeffrey Rose	<u>Yes</u>
Mayor Shlomo Danzinger	<u>Yes</u>



Shlomo Danzinger, Mayor

ATTEST:



Sandra McCready, MMC
Town Clerk



**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney