

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, RESCINDING RESOLUTION 21-187; AUTHORIZING THE PURCHASE OF FOUR (4) ELLIPTICAL CONTROL VALVES AND RELATED EQUIPMENT FROM KERSHNER ENVIRONMENTAL TECHNOLOGIES, LLC ON A SOLE SOURCE BASIS, AND IN THE BEST INTERESTS OF THE CITY, PURSUANT TO SECTION 2-797(1) AND 2-797(4) (b) OF THE CODE OF ORDINANCES, IN A TOTAL AMOUNT NOT TO EXCEED \$94,024.00; AUTHORIZING NECESSARY BUDGET TRANSFERS OR ADJUSTMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission previously approved Resolution 21-187 authorizing the purchase of Elliptical Control Valves direct from the manufacturer Binder Engineering GmbH, but the transaction was not opened due to issues with payments to foreign banks; and

WHEREAS, Section 2-796 of the Code of Ordinances requires competitive bidding for purchases or services in excess of \$50,000.00; and

WHEREAS, City staff and contractors determined that Kershner Environmental Technologies, LLC is the sole source distributor of elliptical style control valves with the precision required for use at the Richard A. Heymann Environmental Protection Facility. the equipment is cost-effective, energy efficient and the best choice for the City's purposes; and

WHEREAS, pursuant to City Code Section 2-797(4) (b), the City Manager finds that exceptional circumstances exist to exempt a purchase from the competitive bid requirements in the best interests of the City; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That Resolution 21-187, which had previously approved the purchase of elliptical control valves direct from the manufacturer, Binder Engineering, GmbH is hereby rescinded.

Section 2: That the purchase of four (4) elliptical control valves plus related equipment from Kershner Environmental Technologies, LLC is hereby approved on a sole source basis, pursuant to Code of Ordinances Section 2-797(1), and Section 2-797(4) (b), best interests of the City, in an amount not to exceed \$94,024.00.

Section 3: That this purchase is funded in budget account Sewer/WWTP/CIP account 401-3804-535-6500 (Project SE35042002). Any necessary budget adjustments or amendments are hereby authorized.

Section 4: That the City Manager is authorized to execute any necessary documents related to this procurement upon consent of the City Attorney.

Section 5: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Filed with the Clerk on \_\_\_\_\_, 2022.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK