

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE PURCHASE OF TWO FIBERGLASS STORAGE TANKS FROM PLAS-TANKS INDUSTRIES, INC. IN AN AMOUNT NOT TO EXCEED \$93,012.00, ON A BRAND NAME BASIS, AND IN THE BEST INTERESTS OF THE CITY, PURSUANT TO SECTION 2-844, 2-797(1) AND 2-797(4)(b) OF THE CODE OF ORDINANCES; AUTHORIZING ANY NECESSARY BUDGET ADJUSTMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, two fiberglass ferric sulfate storage tanks at the wastewater treatment plant require replacement, and City staff has identified that Plas-Tank brand storage tanks would replace the original tanks as an exact fit, and thereby avoid additional or increased costs caused by any need for piping or foundation redesign and construction to accommodate differently configured storage tanks; and

WHEREAS, Key West Code of Ordinances section 2-797(1) permits the purchase of goods and services without competition on a sole source basis under certain specified conditions; and

WHEREAS, Key West Code of Ordinances section 2-844(a) provides "Since use of a brand name specification is restrictive of product competition, it may be used only when the purchasing agent makes a written determination that only the identified brand name item will satisfy the city's needs;" and

WHEREAS, the purchase of fiberglass storage tanks from Plas-Tank Industries, pursuant to the brand name specifications provisions of Key West Code of Ordinances section 2-844 is permitted; 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 the purchase and shipping of two fiberglass storage tanks from Plas-Tanks Industries, Inc. in an amount not to exceed \$93,012.00, on a brand name basis and in the best interests of the City, pursuant to Sections 2-844, 2-797(1) and 2-797(4)(b) of the code of ordinances, is hereby approved.

Section 2: That funds adequate for this purchase are budgeted in FY 21/2022 in account No. 401-3504-535-6500 for the replacement of the tanks and control units.

Section 3: That the City Manager is authorized to execute any necessary documents, upon consent of the City Attorney.

Section 4: 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