

RESOLUTION No. 15-240

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, PURSUANT TO SECTION 2-322 OF THE CITY CODE OF ORDINANCES, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH BV OIL COMPANY, INC., SUBJECT TO APPROVAL BY THE CITY ATTORNEY AS TO FORM AND LEGAL SUFFICIENCY, VIA THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AGREEMENT NO. 4600003324, FOR A PERIOD OF ONE (1) YEAR WITH AN OPTION TO RENEW FOR TWO (2) ONE (1) YEAR PERIODS, FOR THE PROVISION OF FUELS FOR THE CITY'S FLEET AND EQUIPMENT IN AN AMOUNT NOT TO EXCEED THE DEPARTMENTAL BUDGETED AMOUNTS; AUTHORIZING THE CITY MANAGER TO EXPEND BUDGETED FUNDS IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, since the inception of the original agreement (approved by Resolution No. 13-59), BV Oil Company, Inc., has been providing fuels for City of Doral (the "City") vehicles and equipment in a satisfactory manner and on-schedule deliveries, further agreeing to provide the City of Doral with priority fuel deliveries and in-house fueling during emergencies and Hurricane events; and

WHEREAS, on June 9, 2015, City Council approved Resolution No. 15-114, extending the agreement for a period of six (6) months; and

WHEREAS, the six (6) month agreement extension expires on December 9, 2015; and

WHEREAS, section 2-322 of the City Code authorizes the City Manager to enter into bids or contracts entered into by other governmental authorities, provided that the governmental authority has followed a competitive bidding procedure leading to the award of the bid or contract in question which is substantially similar to the competitive bidding procedure outlined in this article; and

WHEREAS, BV Oil Company, Inc., has an active agreement with the South Florida Water Management District (Agreement No. 4600003324), dated September 14, 2015, which was competitively entered into in a manner consistent with Chapter 2 of the City Code; and

WHEREAS, pursuant to Section 2-322, City staff has recommended the City to utilize the South Florida Water Management District's fuel contract with BV Oil Company, Inc., for the purchase and delivery of fuels at reduced rates not to exceed departmental budgeted amounts, in an effort to continue the provision of fuels for the City's fleet and equipment in a timely and cost efficient manner and to preserve priority fuel deliveries during emergency situations.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Approval. Pursuant to section 2-322 of the City Code, the procurement of fuels for City vehicles and equipment from BV Oil Company, Inc., via South Florida Water Management District Agreement No. 4600003324, in amount not to exceed departmental budgeted amounts, is hereby approved, subject to the conditions specified herein. This approval, in and of itself, does not create any contractual rights with BV Oil Company, Inc.

Section 3. Authorization. The City Manager is authorized to enter into an agreement with BV Oil Company, Inc., subject to the conditions stated herein and the approval of the City Attorney as to form and legal sufficiency, for the procurement of fuels

for City Vehicles and equipment for a period of one (1) year, with the option to renew for two (2) one (1)-year periods, and to expend budgeted funds in furtherance hereof.

Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

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

The foregoing resolution was offered by Councilmember Cabrera who moved its adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	Yes

PASSED and ADOPTED this 2 day of December, 2015



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE
USE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY