

RESOLUTION No. 21-114

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, PURSUANT TO SECTION 2-321 OF THE CITY'S CODE OF ORDINANCES, WAIVING THE COMPETITIVE BID PROCESS IN FAVOR OF NMS MANAGEMENT SERVICES, PHYSICIANS HEALTH SERVICES, AND AIRPORT MEDICAL SOLUTION; AUTHORIZING THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH NMS MANAGEMENT SERVICES INC. AND ENTER INTO PROFESSIONAL SERVICES AGREEMENTS WITH PHYSICIANS HEALTH SERVICES AND AIRPORT MEDICAL SOLUTION FOR DRUG AND ALCOHOL SCREENING SERVICES, IN AN AMOUNT NOT TO EXCEED \$30,000.00; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral has used the services of NMS Management Services, Inc., for drug and alcohol testing since 2010; and

WHEREAS, on December 9, 2020, the City Manager renewed and executed a Professional Services Agreement with NMS Management Services, Inc., to continue providing drug and alcohol screening for pre-employment and post-accident drug and alcohol for its job candidates and employees; and

WHEREAS, the current contract remains in effect through September 30, 2022, and stipulates that in no event shall the fees exceed \$14,900.00, and

WHEREAS, NMS Management Services, Inc., continues to provide the City with an exceptional outcome thorough its familiarity with our City and willingness to maintain the original, scope of services, quality and reliability since 2010; and

WHEREAS, the Human Resources Department will begin the necessary work to issue an RFP in the coming months, in order to award a competitively bid contract in Fiscal Year 2021/2022, as outlined in the City of Doral Code, Section 2-319, Competitive Bidding Procedure; and

WHEREAS, section 2-321 of the City of Doral Code of Ordinances authorizes the wavier of the City's competitive bidding process, upon the recommendation of the City Manager based on the City's best interest and nature of the good and/or services; and

WHEREAS, based on the proposal rate and continued quality services provided, the staff recommends to the City Manager that the City waive the competitive bid process in favor of NMS Management Services, Inc., Physicians Health Services and Airport Medical Solution, as it is in the City's best interest; and

WHEREAS, to achieve this object, a transfer of \$1,458.00 is needed from the Human Resources Department's Account Fund #001.20005.500540 to the Human Resources Department's Account Fund #001.20005.500340; and

WHEREAS, the City Manager recommends that the Mayor and City Council approve amending the existing Professional Services Agreement with the aforementioned City vendor to provide drug and alcohol services and enter into Professional Services Agreements with Physicians Health Services and Airport Medical Solution in an amount not to exceed \$30,000.00 (including the funds already expended for this fiscal year).

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

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

Section 2. Waiver. Pursuant to Section 2-321 of the City Code, and upon the recommendation of the City Manager, the competitive bid process is hereby waived in favor of NMS Management Services, Inc., Physicians Health Services and Airport Medical

Solutions. This waiver in and of itself, absent an agreement, does not vest NMS Management Services, Inc., Physicians Health Services and Airport Medical Solution with any contractual rights

Section 3. Approval. The City Manager is hereby authorized to amend the existing agreement on behalf of the City of Doral with NMS Management Services, Inc., and enter into agreements with Physicians Health Services and Airport Medical Solution upon approval from the City Attorney as to form and legal sufficiency, for the provision of drug and alcohol screening services through September 30, 2022, in an amount not to exceed \$30,000.00 for this fiscal year.

Section 4. Authorization. The City Manager is authorized to execute the work orders and expend budgeted funds on behalf of the City.

Section 5. 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 6. Effective Date. This Resolution shall take effect immediately upon adoption.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 12 day of May, 2021.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

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



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY