

RESOLUTION No. 17-82

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, PURSUANT TO SECTION 2-321 OF THE CODE OF ORDINANCES, WAIVING THE COMPETITIVE BID PROCESS FOR THE PURCHASE OF A THOR GUARD LIGHTNING PREDICTION AND WARNING SYSTEM FOR DORAL LEGACY PARK IN AN AMOUNT NOT TO EXCEED \$20,620.00; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND TO EXPEND BUDGETED FUNDS IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Parks & Recreation Department has budgeted funds to install a Thor Guard Lightning Prediction System at Doral Legacy Park; and

WHEREAS, Thor Guard, Inc., is the sole source provider, of Thor Guard Lightning Prediction and Warning System which uses proprietary technology under Patent 4,095,221 and Trademark 2,390,039; and

WHEREAS, pursuant to Sec. 2-321 of the City Code, the City Council may, by majority vote, waive the competitive bidding procedures outlined in this article upon the recommendation of the City Manager that it is in the best interest to do so, to obtain goods and services which cannot be acquired through the normal purchasing process due to insufficient time, the nature of the goods or services or other factors; and

WHEREAS, given the nature of the goods, the City Manager has recommended waiver of the City's competitive bid process; and

WHEREAS, staff has recommended that the City Council authorize the City Manager to enter into an agreement with Thor Guard, Inc. for the purchase a Thor Guard Lightning Prediction and Warning System for Doral Legacy Park in an amount not to exceed \$20,620.00, and to expend budgeted funds in furtherance hereof; and

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 a part hereof by this reference.

Section 2. Waiver. Pursuant to Section 2-321 of the City Code of Ordinances, and upon the recommendation of the City Manager, the competitive bidding procedures outlined in the City's Procurement Ordinance are hereby waived in favor of Thor Guard, Inc. for the purchase of a Thor Guard Lightning Prediction and Warning System.

Section 3. Authorization to Procure Services. The City Manager is hereby authorized to enter into an agreement with Thor Guard, Inc., and expend budgeted funds, for the purchase of one (1) Thor Guard Lightning Prediction and Warning System, in an amount not exceed \$20,620.00, and to expend budgeted fund in furtherance hereof.

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

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

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Absent/Excused
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 10 day of May, 2017.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

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



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY