

**RESOLUTION No. 18-59**

**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, APPROVING THE PURCHASE OF GOODS AND SPECIALIZED REPAIR SERVICES FROM TRANE US, INC. VIA THE HARFORD COUNTY PUBLIC SCHOOLS (MARYLAND) AGREEMENT #15-JLP-023, ON AN AS-NEEDED BASIS, IN AN AMOUNT NOT TO EXCEED ANNUAL BUDGETED FUNDS FOR THE REFERENCED GOODS AND SERVICES; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND TO EXPEND BUDGETED FUNDS IN FURTHERANCE HEREOF; PROVIDING FOR IMPLIMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral (the “City”) Government Center is equipped with two (2) Trane intellepacks Heating, Ventilation, and Air Conditioning (HVAC) units and several Variable Air Volume (VAV) boxes that control the air flow of cold or hot air needed in an individual space; and

**WHEREAS**, the Public Works Department (“PWD”) routinely procures goods and specialized repair services from Trane US, Inc when any specific part of the system malfunctions as it is very difficult to predict when an HVAC unit, VAV box, or any component of the system will malfunction or fail; and

**WHEREAS**, the purchase of goods and/or specialized repair services is done with no formal contract in place and each proposal is individually negotiated by the PWD staff on a case by case basis; and

**WHEREAS**, the PWD has reviewed the Harford County Public Schools (Maryland) contract #15-JLP-023 with Trane U.S. (the “Harford/Trane Agreement”) and finds its terms favorable because they reduce the cost of any task associated with materials, equipment, and repair services of the Trane HVAC system; and

**WHEREAS**, pursuant to section 2-322 of the City Code of Ordinances, the City is authorized 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 the City Code of Ordinances; and

**WHEREAS**, pursuant to section 2-322, staff has recommended the City Council authorize the City Manager to enter into an Agreement with Trane US, Inc. in accordance with the terms of the Harford/Trane Agreement.

**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. Approval.** Pursuant to Section 2-322 of the City Code of Ordinance, the purchase of goods and specialized repair services, on an as-needed basis, from Trane US, Inc. via the Harford/Trane Agreement, attached hereto as Exhibit "A", which is incorporated herein and made a part hereof by this reference, in an amount not to exceed annual budgeted funds, is hereby approved.

**Section 3. Authorization.** The City Manager is hereby authorized to negotiate and execute an agreement with Trane US, Inc., subject to approval by the City Attorney as to form and legal sufficiency, 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 Mariaca who moved its adoption.

The motion was seconded by Vice Mayor Rodriguez and upon being put to a vote, the vote was as follows:

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

PASSED AND ADOPTED this 11 day of April, 2018.

  
\_\_\_\_\_  
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

# EXHIBIT “A”

**CONTRACT**

**RFP #15-JLP-023**

THIS AGREEMENT, made this 29<sup>th</sup> day of September, 2015, by and between Board of Education of Harford County, acting herein through its Superintendent, hereafter called "Owner" and Trane U.S. Inc., a corporation located at 10947 Golden West Drive, #100, Hunt Valley, Maryland, hereinafter called "Contractor".

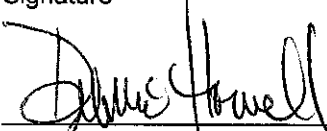
WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the OWNER, the CONTRACTOR, hereby agrees with the OWNER to commence and complete the services described as follows:

**Provide comprehensive HVAC Products, Installation, Services and Related Products and Services on a national scale in indefinite quantities on an as-needed basis in accordance and compliance with all specifications, terms and conditions set forth in RFP # 15-JLP-023.**

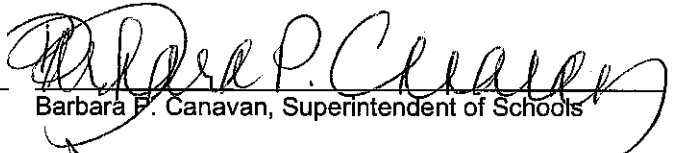
Hereinafter called the Contract, this Agreement shall be for the period October 1, 2015 through September 30, 2018 with renewal options for two additional, two-year periods. Contractor shall perform all duties specified in RFP #15-JLP-023 as they relate to the national scope. This does not include the North Harford Middle School Project, Pricing Project #1. All specifications, Addenda and Proposal are made part of and collectively constitute the Contract.

IN WITNESS WHEREOF, the parties to these presents have executed this Contract in two (2) counterparts, each of which shall be deemed an original.

Signature

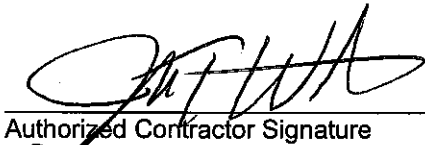
  
Board of Education of Harford County  
Witness

Board of Education of Harford County

  
Barbara P. Canavan, Superintendent of Schools

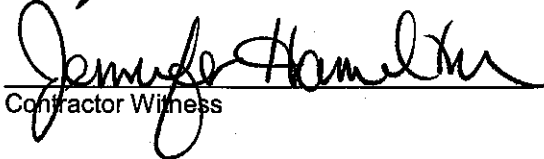
  
Board of Education of Harford County - Board President

Signature

  
Authorized Contractor Signature

Trane  
Company Name

800 Beatty St.  
Address

  
Contractor Witness

DAVIDSON, N.C. 28036  
Address