

RESOLUTION NO. 08-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, TO PROVIDE COST AND TIME EFFECTIVE ACQUISITION OF BODY ARMOR PRODUCTS BY APPROVING UTILIZATION OF THE NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS MASTER AGREEMENT NO. 2016-181 ISSUED BY THE COLORADO DEPARTMENT OF PERSONNEL & ADMINISTRATION STATE PURCHASING OFFICE AS LEAD AGENCY, AND DECLARING BY A FOUR-FIFTHS AFFIRMATIVE VOTE THAT THE CITY'S REQUIREMENTS THAT USE OF THE SEALED COMPETITIVE BID METHOD OR WRITTEN QUOTATIONS METHOD BY ANY GOVERNMENTAL ENTITY WITHIN THE STATE OF FLORIDA OR THE UNITED STATES GOVERNMENT FOR THE PURCHASE IS NOT IN THE BEST INTEREST OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the Police Department's current protective vests are manufactured by Point Blank Enterprises, Inc. and sold by authorized distributors; and

WHEREAS the Federal Eastern International Inc. is an authorized distributor for Point Blank Enterprises Inc. for our region; and

WHEREAS the State of Florida has replaced the previously utilized term contract 680-850-11-1 that was utilized for purchases of protective vests with a National Association of State Procurement Officials (NASPO) Master Agreement Number 2016-181 issued by the Colorado Department of Personnel & Administration State Purchasing Office as lead agency; and

WHEREAS, the NASPO ValuePoint is unified, nationally focused cooperative alliance aggregating the demand of all 50 states, the District of Columbia and the organized US territories, their political subdivisions and other eligible entities; and

WHEREAS, the NASPO ValuePoint facilitates public procurement solicitations and agreement using a lead state model where each lead state awards its contract to supplier/suppliers after a competitive solicitation process designed to ensure that Participating States receive the highest quality products and services at the lowest possible prices; and

WHEREAS, it is in the City's best interest to utilize the NASPO contract to ensure uninterrupted purchases of the protective vests for the officers in the most cost and time effective manner; and

WHEREAS, Section 36.02(c)(7) of the City's Code of Ordinances provides that the City may acquire or contract for non-real property, goods or services without utilizing a Sealed Competitive Method or the Written Quotation Method through utilization of contracts of other State entities or the US Government and Section 36.02(c)(11) where the City Commission declares by at least a four-fifth (4/5) affirmative vote that the Sealed Competitive or the Written Quotation Method is not in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct factual findings and are made a specific part of this Resolution.

Section 2. The City Commission of the City of Delray Beach hereby declares, by a minimum four-fifths affirmative vote, that the City’s Sealed Competitive Method or Written Quotations Procurement Method is not in the best interest of the City. Additionally, the City Commission waives the requirement that utilization of another governmental contract for the procurement of goods and services be subject to a competitive bidding process conducted either within the State of Florida or by the United States Government. The City Commission declares that the acquisition of body armor from Federal Eastern International Inc. through the National Association of State Procurement Officials’ (NASPO) ValuePoint alternate source contract No. 46151504-NASPO-17-ACS is in the best interest of the City.

Section 3. The City Manager is authorized to do all things necessary and expedient to carry out the aims of this Resolution.

Section 4: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Commission of the City of Delray Beach this the _____ day of _____, 2017.

MAYOR

ATTEST:

City Clerk