

**RESOLUTION NO. 2023 – 4088**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING THE PURCHASE OF ADDITIONAL SUPPLY SERVICES FOR GASOLINE AND DIESEL FUEL FOR THE CITY'S DEPARTMENTAL VEHICLES FROM PRO ENERGY LLC IN AN AMOUNT NOT TO EXCEED \$100,000 FOR FISCAL YEAR 2022-23 UTILIZING THE TERMS AND CONDITIONS OF MIAMI-DADE COUNTY RTQ-00676 PURSUANT TO SECTION 31-11(E)(5) OF THE CITY CODE; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Springs (the "City") is in need of additional supply of gasoline and diesel fuel for the City's departmental vehicles (the "Supplies"); and

**WHEREAS**, Miami-Dade County has an agreement with Pro Energy LLC (the "Vendor") for the Supplies pursuant to RTQ-00676 (the "County Contract"); and

**WHEREAS**, Section 31-11(E)(5) of the City's Code of Ordinances (the "Code") provides that purchases of supplies, materials, or contractual services under the provisions of state or local government, or private sector cooperative purchasing or not-for-profit companies, bids or contracts shall be exempt from the competitive bid requirements otherwise applicable to such purchases; and

**WHEREAS**, in accordance with Section 31-11(E)(5) of the City Code, the City currently has an open purchase order with the Vendor for the Supplies in an amount not to exceed \$180,000 consistent with the terms and conditions of the County Contract; and

**WHEREAS**, due to rising costs of fuel, the City requires an additional \$100,000 in order to receive the Supplies for the remainder of the fiscal year; and

**WHEREAS**, the City Council desires to approve the purchase of the Supplies from the Vendor in an amount not to exceed \$100,000 consistent with the terms and conditions of the County Contract, for a total not to exceed \$280,000 for the Supplies for fiscal year 2022-23; and

**WHEREAS**, the City Council finds that this Resolution is in the best interest and welfare of the residents of the City.

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

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

**Section 2. Approval.** That the City Council hereby approves the purchase of the Supplies from the Vendor consistent with the terms and conditions of the County Contract in an additional amount not to exceed \$100,000 pursuant to Section 31-11(E)(5) of the City Code.

**Section 3. Authorization.** That the City Council hereby authorizes the City Manager to execute any purchase order or required documentation for the purchases described in this Resolution, subject to approval by the City Attorney as to form, content, and legal sufficiency, and to expend funds in an amount not to exceed \$280,000 for the Supplies for fiscal year 2022-23 and budgeted funds in future fiscal years.

**Section 4. Effective Date.** That this Resolution shall be effective immediately upon adoption.

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

Vice Mayor Jorge Santin	<u>YES</u>
Councilmember Jacky Bravo	<u>YES</u>
Councilmember Dr. Victor Vazquez, Ph.D.	<u>YES</u>
Councilmember Dr. Walter Fajet, Ph.D.	<u>YES</u>
Mayor Maria Puente Mitchell	<u>ABSENT</u>

PASSED AND ADOPTED this 8<sup>th</sup> day of May, 2023.

  
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MARIA PUENTE MITCHELL  
MAYOR

ATTEST:

  
\_\_\_\_\_  
ERIKA GONZALEZ, MMC  
CITY CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

A handwritten signature in blue ink, appearing to read "Hayden", is written over a horizontal line.

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