

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER, PURSUANT TO SECTION 2-391 OF THE CITY CODE, TO NEGOTIATE AND EXECUTE AGREEMENTS FOR THE PURCHASE OF CITY STANDARDIZED WASTE AND STORMWATER PUMP EQUIPMENT, PARTS, SOFTWARE, AND SERVICE FOR THE CITY'S PUMP STATIONS, WITH (1) XYLEM WATER SOLUTIONS USA, THE MANUFACTURER AND SOLE DISTRIBUTORS OF THE "FLYGT" BRAND PUMP EQUIPMENT, PARTS, SOFTWARE, AND SERVICE; AND (2) HYDRA SERVICE, THE SOLE AUTHORIZED MANUFACTURER'S AGENT FOR THE "SULZER" BRAND PUMP EQUIPMENT, PARTS, SOFTWARE, AND SERVICE, WITH SUCH AGREEMENTS HAVING A TERM NOT TO EXCEED FIVE (5) YEARS; FURTHER, AUTHORIZING PURCHASES OF PUMP EQUIPMENT, PARTS, SOFTWARE AND SERVICES FROM THE FOREGOING VENDORS IN AN AMOUNT NOT TO EXCEED THE AMOUNT APPROPRIATED ANNUALLY FOR THESE PRODUCTS THROUGH THE CITY'S BUDGETING PROCESS.

WHEREAS, the City of Miami Beach operates and maintains over 100 submersible pumps within the Wastewater and Stormwater Division of the Public Works Department ("Department"); and

WHEREAS, the standardization of equipment allows the City to continue to service existing pump stations, while lowering costs through a reduction in inventory and maximizing volume for service and equipment contracts.; and

WHEREAS, pursuant to Section 2-391 of the City Code, where standardization is determined to be desirable by the Procurement Director, the purchase of goods and services may be by negotiation with the written approval of the City Manager, and subject to City Commission approval for goods and services at amounts in excess of the formal bid thresholds (in this case, \$100,000); and

WHEREAS, on March 1, 2017, the City Manager recommended and the Mayor and City Commission approved Resolution No. 2017-29783 and Resolution No. 2017-29784, standardizing Sulzer and Flygt brand pump equipment, parts, software, services and related items for use in the City's pump stations; and

WHEREAS, Flygt is a brand of submersible pumps, mixers, and fluid handling technology manufactured by Xylem Water Solutions USA, Inc.; and

WHEREAS, Xylem Water Solutions USA, Inc. has confirmed in writing (attached hereto as Exhibit S) that it is the sole authorized source for Flygt brand pump equipment; and

WHEREAS, staff negotiated an agreement with Xylem Water Solutions U.S.A, Inc., attached hereto as Exhibit A, which established a 5% percent discount from Manufacturer's Suggested Retail Price (MSRP) for annual sales up to \$500,000, a 7.5% percent discount from MSRP for annual sales from \$500,001 to \$750,000, and a 10% percent discount from MSRP for annual sales over \$750,001 with a term of five (5) years; and

WHEREAS, Sulzer Pump Solutions, Inc. has confirmed in writing (attached hereto as

Exhibit B) that Hydra Service, Inc. is the sole authorized source for Sulzer brand of pump equipment; and

WHEREAS, staff negotiated an agreement with Hydra Service, Inc. which established a 10% percent discount for pumps and parts for annual sales from the Manufacturer's Suggested Retail Price (MSRP) with a term of five (5) years; and

WHEREAS, both vendors have demonstrated the ability to service the submersible pumps in a timely manner and provide products with the adequate support needed for long-term operational use of the equipment; and

WHEREAS, the City Manager recommends it is in the City's best interest to continue the previously approved standardized pump equipment and parts, and recommends the execution of agreements for Flygt and Sulzer brand manufactured submersible pumps; and

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the City Manager, pursuant to Section 2-391 of the City Code, to negotiate and execute agreements for the purchase of City standardized waste and stormwater pump equipment, parts, software, and service for the City's pump stations, with (1) Xylem Water Solutions USA, the manufacturer and sole distributors of the "Flygt" brand pump equipment, parts, software, and service; and (2) Hydra Service, the sole authorized manufacturer's agent for the "Sulzer" brand pump equipment, parts, software, and service, with such agreements having a term not to exceed five (5) years; further, authorize purchases of pump equipment, parts, software and services from the foregoing vendors in an amount not to exceed the amount appropriated annually for these products through the City's budgeting process.

PASSED AND ADOPTED this _____ day of _____ 2020.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Sal Gr. T 1-24-20
City Attorney RAP Date