

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE ASSIGNMENT OF THE AGREEMENT FOR LIGHT POLES, FIXTURES AND BASES BETWEEN THE CITY AND HD SUPPLY POWER SOLUTIONS, LTD. (a/k/a ANIXTER POWER SOLUTIONS, LLC), TO ANIXTER INC., AS THE SUCCESSOR-IN-INTEREST TO ANIXTER POWER SOLUTIONS, LLC BY MERGER; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ASSIGNMENT AND ASSUMPTION OF AGREEMENT AND CONSENT TO ASSIGNMENT AND ASSUMPTION OF AGREEMENT, SUBSTANTIALLY IN THE FORM ATTACHED TO THIS RESOLUTION.

**WHEREAS**, on March 5, 2014, pursuant to Invitation to Bid (ITB) No. 2014-069-SW, the Mayor and City Commission approved the award of a contract to HD Supply Power Solutions Ltd., to provide the City with light poles, fixtures and bases; and

**WHEREAS**, the certification of contract between the City and HD Supply was executed on March 27, 2014 (the "Agreement"); and

**WHEREAS**, on January 4, 2016, HD Supply Power Solutions, Ltd., following a name change to Anixter Power Solutions, LLC, completed a merger transaction with Anixter, Inc. ("Anixter"), with Anixter emerging as the surviving corporate entity and successor-in-interest to Anixter Power Solutions; and

**WHEREAS**, pursuant to the Agreement, any assignment or transfer of the Agreement, or of any interest related thereto, requires the written consent of the Mayor and City Commission; and

**WHEREAS**, Anixter seeks the City's consent to the assignment or transfer of the Agreement to Anixter; and

**WHEREAS**, the Administration has conducted its due diligence and recommends that the Mayor and City Commission approve the Assignment and Assumption of the Agreement (the Assignment), and the Consent to Assignment and Assumption of the Agreement, substantially in the form attached as Exhibit "A" hereto; and

**WHEREAS**, pursuant to the Assignment, Anixter will assume all of HD Supply's obligations and responsibilities under the Agreement.

**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 the assignment of the Agreement between the City and HD Supply Power Solutions, Ltd. (a/k/a Anixter Power Solutions, LLC), for Light Poles, Fixtures and Bases to Anixter Inc., as the successor-in-interest to Anixter Power Solutions, LLC by merger; and further authorize the Mayor and City Clerk to execute the Assignment and Assumption of Agreement and Consent to Assignment and Assumption of Agreement, substantially in the form attached to this Resolution.

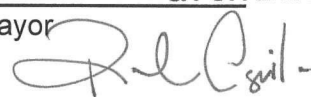
**PASSED AND ADOPTED** this 11<sup>th</sup> day of January, 2017.

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

\_\_\_\_\_  
Philip Levine, Mayor

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

 12-13-16  
\_\_\_\_\_  
City Attorney RRP Date