

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, APPROVING A PREQUALIFIED LIST OF VENDORS FOR FUTURE DAILY ROUTINE PURCHASES OF FOOD, SNACKS, RIDES, INFLATABLES AND OTHER NECESSARY PROGRAM EXPENSES, WHICH CANNOT BE COMPETITIVELY PROCURED, FROM LOCAL VENDORS FOR ALL CITY OF MIAMI BEACH PARKS AND RECREATION DEPARTMENTS' AFTER-SCHOOL PROGRAMS, SUMMER CAMPS, SPECIAL EVENTS AND OTHER PROGRAMMED ACTIVITIES; AUTHORIZING THE CITY MANAGER TO ADD VENDORS TO THE LIST AS DEEMED NECESSARY AND APPROPRIATE; AND FURTHER PROVIDING THAT ANY EXPENDITURES TO ANY PREQUALIFIED VENDOR IN THE AGGREGATE AMOUNT EXCEEDING \$100,000 SHALL REQUIRE COMPETITIVE SOLICITATION OR A BID WAIVER IN ACCORDANCE WITH THE CITY CODE.

WHEREAS, the Parks and Recreation Department (the "Department") holds various programs and events throughout the year that require the purchase of food, snacks, rides, inflatables and other necessary program expenses; and

WHEREAS, the funds for these items are allocated annually through the department's approved budget; and

WHEREAS, as part of the After-School Program, No School Days and Summer Camp curriculum, the Department provides free snacks to all participants (estimated average daily attendance of 1,000 children; and

WHEREAS, these snacks are purchased on a bi-weekly to a monthly basis by the park staff at local grocery or wholesale stores; and

WHEREAS, aside from the daily programming, food and miscellaneous program expenses are regularly purchased for athletics, seniors, teens and toddler programs and activities such as Thanksgiving, Holidays, Valentine's Day, New Years, the end of season parties, the special needs population programs; and

WHEREAS, the Department holds multiple events for thousands of residents throughout the year that require the rental of rides and inflatables such as:

- Toddler Events
- Parents Night Out
- Pictures with Santa
- Jingle Jog
- Movies in the Park
- Chess Tournaments
- Parks and Recreation Monthly Events
- Jose Marti Celebration
- Teen Events
- Black History
- Pride Events
- Family Night
- Kid Zones

- Senior Events
- Playground Revue
- Misc. Cultural Events; and

WHEREAS, in the past, staff has found it very difficult to acquire identical quotes from inflatable and ride vendors as not all companies have the same products to offer; and

WHEREAS, the Department also runs into a similar issue when purchasing food and snacks for programs and events, since these items are mostly purchased at local supermarkets and restaurants, which is very difficult to competitively bid; and

WHEREAS, these special events and programs are a very important staple in the City and the Department would like to continue contracting/purchasing these goods and services through the vendors outlined in Exhibit A; and

WHEREAS, at the April 17, 2013 City Commission meeting, Resolution No. 2013-28180 (Exhibit B) was passed approving the waiver, by a 5/7th vote, the formal competitive bidding requirements, finding such waiver to be in the City's best interest, and authorizing the purchase of food and snacks from Publix, Costco, Gordon Foods, and BJ's Wholesale to be consumed by: a) the City's Parks and Recreation Department's participants in their After-School program, summer camps, special events and other programmed activities, and b) other departments and offices citywide, as approved in their respective annual budgets for a period of three (3) years; and

WHEREAS, at the May 11, 2016 City Commission meeting, Resolution No. 2016-29388 (Exhibit C) was adopted approving the waiver, by a 5/7th vote, of the formal competitive bidding requirements, finding such waiver to be in the City's best interest, and authorizing the purchase of food and snacks, rides, inflatables and program expenses from certain specified vendors, to be used and consumed by participants of the City's Parks and Recreation Department's after-school programs, summer camps, special events and other programmed activities; and providing for said waiver for a period of three (3) years, on a year-to-year basis, in an annual amount not-to-exceed \$270,000, contingent upon City Commission's approval of the Department's related budget allocation(s) during the adoption of the City's annual budget; and

WHEREAS, during the September 13, 2017 City Commission meeting, Resolution No. 2017-29976 (Exhibit D) was passed amending Resolution 2016-29388 increasing the annual not-to-exceed amount for program expenses from \$270,000 to \$435,000; and

WHEREAS, at the October 14, 2020 City Commission meeting, Resolution No. 2020-31441 (Exhibit E) was passed accepting the written recommendation of the City Manager (as set forth in the City Commission Memorandum accompanying this Resolution) and waive, by a 5/7th vote, the formal competitive bidding requirement, finding such waiver to be in the City's best interest; and approve and authorize the City's Parks and Recreation Department to use the vendors listed in Exhibit D, attached to this Resolution, for the purchase of food and snacks, rides and inflatables and other program expenses for the participants in the Department's programs; said waiver shall be authorized for a period of three (3) years, on a year-to-year basis, contingent upon City Commission approval of the Department's related budget allocation(s) during the adoption of the City's annual budget, in an annual amount not to exceed \$450,000; and

WHEREAS, at the November 16, 2022 City Commission meeting, Resolution No. 2022-32396 (Exhibit F) was passed amending Resolution No. 2020-31441 for the sole purpose of increasing the annual not-to-exceed amount with respect to the City's purchases from specified

vendors of food and snacks, rides, inflatables and other program expenses for the benefit of participants in the Parks and Recreation Departments' participants in their after-school programs, summer camps, special events and other programmed activities for a period of three (3) years; and approving an increase of the annual not-to-exceed amount for program expenses from \$450,000 to \$630,000, with the final amounts allocated for each year subject to City Commission approval of the Parks and Recreation Department's budget, as part of the City's annual budget process; and

WHEREAS, moving forward, the Department has compiled a list of pre-qualified vendors for the sole purpose of granting the Department authority to purchase daily routine items, such as snacks, food, rides, inflatables and other program expenses, that are unable to be competitively procured; and

WHEREAS, these items are often purchased from local vendors such as Publix, Costco, The Dollar Tree, etc. or they are items which cannot be compared by obtaining quotes from different vendors such as arts and crafts for theme days, costumes for events, etc.; and

WHEREAS, this policy will provide the Department with an avenue to purchase these needs quickly, while ensuring the cost is in the best interest of the City, with the Staff constantly shopping and comparing prices before purchasing goods; and

WHEREAS, the City Manager will have the ability to add additional vendors to the pre-qualified vendor list as deemed necessary and appropriate.

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 a prequalified list of vendors for future daily routine purchases of food, snacks, rides, inflatables and other necessary program expenses, which cannot be competitively procured, from local vendors for all City of Miami Beach Parks and Recreation Departments' After-School programs, summer camps, special events and other programmed activities; authorize the City Manager to add vendors to the list as deemed necessary and appropriate; and further provide that any expenditures to any prequalified vendor in the aggregate amount exceeding \$100,000 shall require competitive solicitation or a bid waiver in accordance with the City Code.

PASSED AND ADOPTED this 18th day of October 2023.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

Date

10-13-23

