

## **RESOLUTION 18-58**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, REJECTING THE BIDS RECEIVED PURSUANT TO INVITATION TO BID #18-010 FOR THE REHABILITATION OF TWO AQUIFER STORAGE AND RECOVERY FILTERS AT THE CITY'S SOURCE WATER FACILITY, LOCATED AT 7130 COLLIER BLVD, NAPLES, FL; WAIVING COMPETITIVE PURCHASING REQUIREMENTS, AS IN THE BEST INTEREST OF THE CITY; AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO ST. CLOUD WELDING AND FABRICATION, INC. IN AN AMOUNT NOT TO EXCEED \$214,590; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Marco Island ("City") publicly solicited bids for the rehabilitation of the Aquifer Storage and Recover ("ASR") filters ("Work") through the Invitation to Bid #18-010 ("ITB"); and

**WHEREAS**, only one bid was received and opened on June 14, 2018; and

**WHEREAS**, the amount of the bid, \$295,880 was materially higher than expected; and

**WHEREAS**, thereafter on June 15, 2018, upon request by the City, St. Cloud Welding and Fabrication, Inc. submitted a proposal to the City for the rehabilitation of two ASR filters at the City's Source Water Facility totaling \$214,590, which includes a \$20,000 contingency allowance; and

**WHEREAS**, Section 2-260 of the City's Purchasing Code allows the City to reject bids, if they are materially higher than expected; and

**WHEREAS**, Section 2-255(c)(8), of the Marco Island Code of Ordinances, permits noncompetitive purchases when competitive purchasing would not otherwise be in the best interest of the City; and

**WHEREAS**, due to the materially higher bid amount received by the City, the City finds that competitive purchasing is not in the best interests of the City; and

**WHEREAS**, City Council does hereby find that performing the work for less cost as proposed by St. Cloud Welding and Fabrication, Inc., is in the best interest of the City of Marco Island; and

**WHEREAS**, City Council does hereby find that it is in the best interests of the City to reject the bid received pursuant to the ITB, waive competitive purchasing requirements as in the best interests of the City, and authorize the issuance of a purchase order to St. Cloud Welding and Fabrication, Inc. for the rehabilitation of two ASR filters at the City's Source Water Facility in an amount not to exceed \$214,590.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Marco Island, Florida, that:

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** Pursuant to Section 2-260, of the Marco Island Code of Ordinances, the City Council of the City of Marco Island rejects the bid received by the City on June 14, 2018 pursuant to ITB #18-010.

**Section 3.** Pursuant to Section 2-255(c)(8), of the Marco Island Code of Ordinances, City Council finds that competitive purchasing would not otherwise be in the best interest of the City and waives competitive purchasing requirements for the Work.

**Section 4.** The City Manager is hereby authorized to expend budgeted funds on behalf of the City to issue a purchase order to St. Cloud Welding and Fabrication, Inc., for the rehabilitation of two ASR filters, in an amount not to exceed \$214,590, which includes a \$20,000 contingency.

**Section 5.** This Resolution shall take effect immediately upon its adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 6<sup>th</sup> day of August 2018.

**ATTEST:**

**CITY OF MARCO ISLAND, FLORIDA**

By: \_\_\_\_\_  
Laura M. Litzan, City Clerk

By: \_\_\_\_\_  
Jared Grifoni, Chairman

Approved as to form and legal sufficiency:

By: \_\_\_\_\_  
Alan L. Gabriel, City Attorney