

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2012-134**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, WAIVING THE CITY'S PROCUREMENT POLICIES AND PROCEDURES AND AUTHORIZING THE SOLE SOURCE PURCHASE OF A NEW CITY PUMP-OUT VESSEL IN AN AMOUNT NOT TO EXCEED \$124,000.00 FROM PUMPOUT USA, INC.; APPROVING THE TRADE IN OF THE CITY'S CURRENT 2001 PUMP-OUT VESSEL FOR A CREDIT OF \$31,000.00 TO BE APPLIED AGAINST THE PURCHASE OF THE NEW PUMP-OUT VESSEL; AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT IN CONNECTION THEREWITH AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, to reduce pollution from vessel sewage discharges, the City of Marathon provides pump-out services to boaters in Boot Key Harbor, however, the pump-out vessel the City purchased in 2001 is in disrepair and in need of replacement; and

**WHEREAS**, the City applied for and received a Department of Environmental Protection Clean Vessel Act Grant to purchase a new pump-out vessel; and

**WHEREAS**, due to the volume of sewage discharge collected daily by the City's pump-out vessel, after extensive inquiry by City Marina staff only one vendor is able to able to manufacture the pump-out vessel required by the City (vendor is on DEP's approved vendor list); and

**WHEREAS**, PumpOut USA, Inc. ("PumpOut") provided the City with a quote to manufacture and deliver a new pump-out vessel in an amount not to exceed \$124,000.00; and PumpOut will take the City's 2001 pump-out vessel as a trade-in valued at \$31,000.00; and

**WHEREAS**, the City Manager recommends the City Council waive the City's purchasing policies and procedures due to the sole source status of PumpOut.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

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

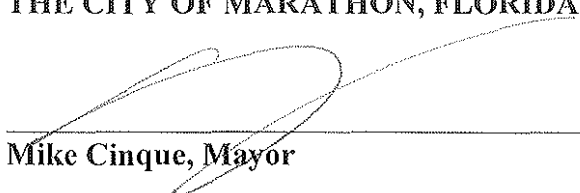
**Section 2.** Based upon the recommendation of the City Manager the City Council finds that PumpOut is a sole source provider of the pump-out vessel the City needs in order to properly provide sewage pump-out services to the boaters in Boot Key Harbor. Accordingly, the City's purchasing policies and procedures are hereby waived and the City Council approves the purchase of a new pump-out vessel from PumpOut in an amount not to exceed \$124,000.00; and further approves the trade-in of the City's current pump-out vessel for a credit of \$31,000.00 to be applied

against the purchase of the new pump-out vessel. The City Manager is authorized to execute the purchase agreement for the new pump-out vessel and expend budgeted funds on behalf of the City.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 27<sup>th</sup> DAY OF NOVEMBER, 2012.**

**THE CITY OF MARATHON, FLORIDA**



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**Mike Cinque, Mayor**

AYES: Bull, Keating, Ramsay, Snead, Cinque  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**



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Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



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City Attorney