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**CITY OF MARATHON, FLORIDA
RESOLUTION 2012-41**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, WAIVING THE CITY'S PURCHASING POLICIES AND PROCEDURES AND AUTHORIZING CITY STAFF TO MAKE DIRECT PURCHASES OF LANDSCAPE MATERIALS FROM VARIOUS NURSERIES FOR THE SERVICE AREA 7 WASTEWATER TREATMENT PLANT; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AN AMENDMENT TO THE EXISTING CONTRACT BETWEEN THE CITY AND GONZALEZ LANDSCAPING BROTHERS, INC., TO INSTALL A LANDSCAPING IRRIGATION SYSTEM AND LANDSCAPING MATERIALS AT THE SERVICE AREA 7 WASTEWATER TREATMENT PLANT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDED CONTRACT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on January 25, 2011 the City Council of the City of Marathon, Florida (the "City") authorized and instructed staff to install a landscaping irrigation system and enhanced landscaping at the Service Area 7 Wastewater Treatment Plant (the "Project"); and

WHEREAS, pursuant to Resolution 2003-134, the City adopted purchasing policies and procedures after determining that it was fiscally prudent and in the City's best interest to adopt policies and procedures for City employees and officials regarding the acquisition and purchase of contractual services, equipment, goods, and other similar types of services; and

WHEREAS, the City Council may, by majority vote, waive the procurement procedures if the City Council, after recommendation of the City Manager, determines that it is impractical to use the procurement procedures; and

WHEREAS, the City Manager recommends that the City waive the City's purchasing policies and procedures as a result of the impracticability of bidding out the quantity and quality of the landscape materials that must be purchased for the Project; and

WHEREAS, on March 13, 2012, the City Council authorized using the City's existing landscaping contractor, Gonzalez Landscaping Services, Inc. (the "Contractor") to expedite the Project.

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.

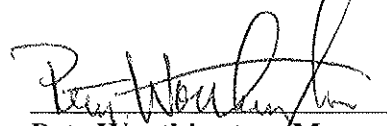
Section 2. Based upon the recommendation of the City Manager the City finds that it is impractical to use the City's purchasing policies and procedures to purchase the landscape materials for the Project. Accordingly, the City's purchasing policies and procedures are hereby waived and the City Manager or his designee is authorized to direct purchase the landscaping materials for the Project.

Section 3. The City Manager and City Attorney are authorized to negotiate an amendment to the Contract between the City and Contractor to expedite the Project. The City Manager is authorized to execute the amended contract and expend budgeted funds on behalf of the City.

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 10th DAY OF APRIL, 2012.

THE CITY OF MARATHON, FLORIDA



Pete Worthington, Mayor

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

ATTEST:



Diane Clavier, City Clerk

(City Seal)

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

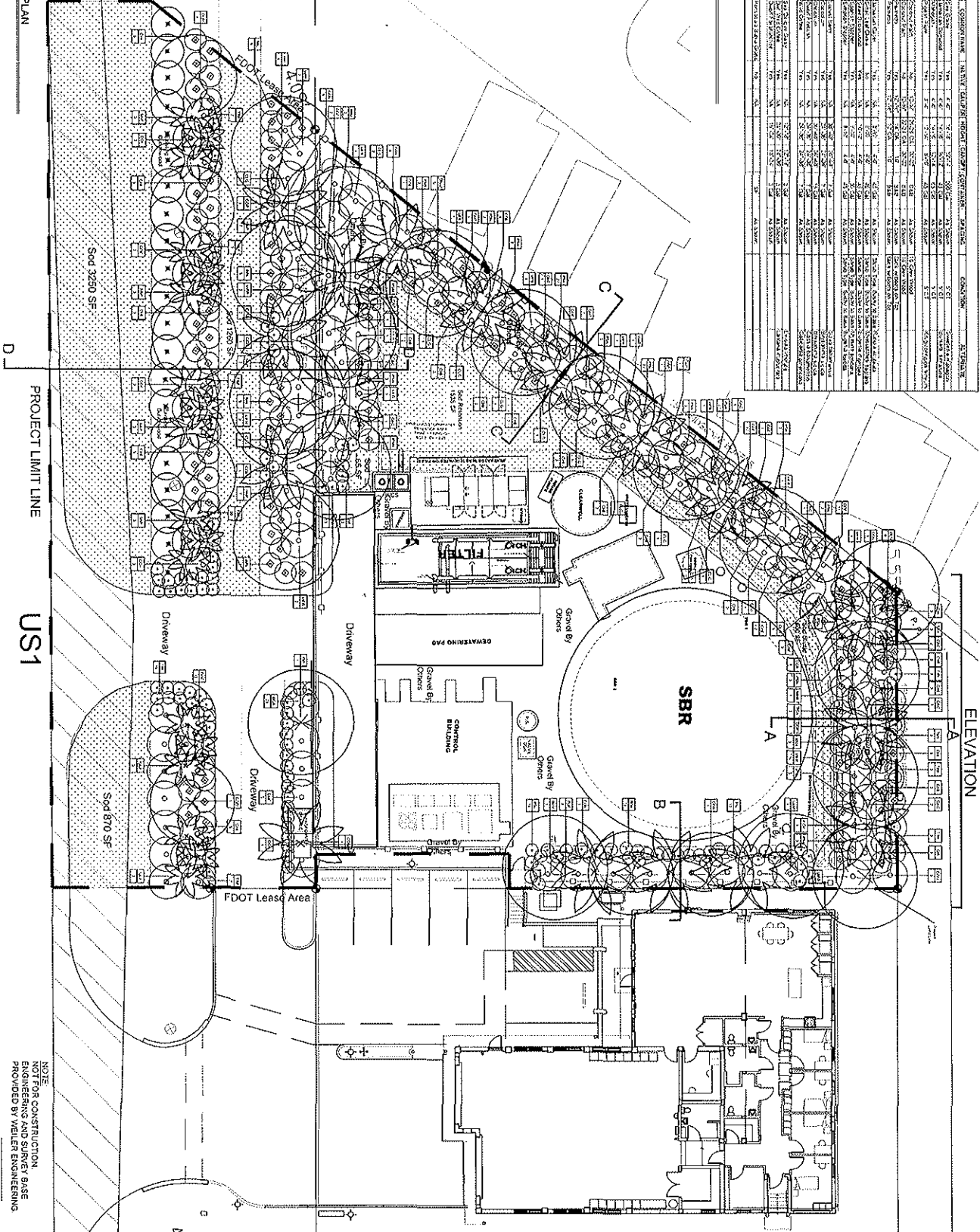


City Attorney

PLANT ID	PLANT NAME	PLANT QUANTITY	PLANT SIZE	PLANT TYPE	PLANT CODE	PLANT DESCRIPTION	PLANT NOTES
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2 PLANT LIST
SCALE: AS SHOWN

1 LANDSCAPE PLAN
SCALE: 1"=20'



NOTE
NOT FOR CONSTRUCTION
ENGINEERING AND SURVEY BASE
PROVIDED BY WELLS ENGINEERING

DATE: 7/20/2013

PROJECT: MARATHON AREA 7 WWTP

CLIENT: ELIZABETH NEWLAND

DESIGNER: WELLS ENGINEERING

SCALE: 1"=20'

PROJECT LIMIT LINE

US1

MARATHON AREA 7 WWTP

MARATHON, FLORIDA

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