

**CITY OF MARATHON, FLORIDA
RESOLUTION 2015-64**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, WAIVING THE CITY'S PURCHASING POLICIES AND PROCEDURES AND APPROVING AN AFTER THE FACT SOLE SOURCE DIRECT PURCHASE OF WASTEWATER TREATMENT MEMBRANE EQUIPMENT AND SUPPLIES FROM OVIVO USA, LLC, IN AN AMOUNT OF \$110,815, AS SPECIFIED IN EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS THEREWITH AND APPROPRIATING FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Ordinance 2015-14, the City Council of the City of Marathon, Florida (the "City"), adopted Purchasing Policies and Procedures after determining that it was fiscally prudent and in the best interests of the City's residents for the City to adopt policies and procedures for City employees and officials regarding the purchasing and acquisition of contractual services, equipment, goods, professional services and other similar types of services; and

WHEREAS, in accordance with Section 2-183 and 2-184(F), the City may waive competitive bidding procedures to obtain goods and services which cannot be acquired through the normal purchasing process, and in this case, where only one vendor possesses the unique and singularly available capability to meet the requirement for wastewater equipment and supplies which are in the City's best interest; and

WHEREAS, the City's wastewater treatment plants and collection systems consist of specialized equipment requiring products and supplies for repairs and maintenance by specified vendors, and Ovivo USA LLC is the sole source of the replacement membranes for the City's wastewater treatment plant, as provided by Exhibit "A", which are distributed solely by Ovivo USA LLC; and

WHEREAS, the City Manager recommends the City Council waive the City's purchasing policies and procedures due to the sole source status of the vendor, Ovivo USA LLC, in an amount of \$110,815, as provided on Exhibit "A" for wastewater equipment and supplies required for repairs and maintenance.

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 are incorporated herein by this reference.

Section 2. Based upon the recommendation of the City Manager the City Council finds that sole source vendor purchases of specialized equipment requiring products and supplies for repairs and maintenance of the City's wastewater treatment systems is in the best interest of the City and approves the purchase.

Section 3. The City's purchasing policies and procedures are hereby waived and the City Council hereby approves sole source purchase of membrane equipment and supplies from Ovivo USA, LLC for repairs and maintenance of the City's wastewater treatment plant. The City Manager is hereby authorized to execute the after the fact purchase with Ovivo USA, LLC attached hereto as Exhibit "A," and expend budgeted funds.

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 23TH DAY OF JUNE, 2015.

THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Bull, Keating, Kelly, Senmartin, Zieg
NOES: None
ABSENT: None
ABSTAIN: None

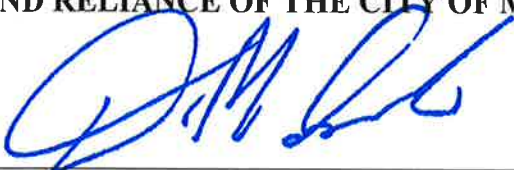
ATTEST:



Diane Clavier, City Clerk

(City Seal)

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



Dirk Smits, City Attorney



CITY OF MARATHON
5805 OVERSEAS HWY
MARATHON, FL 33050

June 15, 2015

To Whom It May Concern:

Ovivo Equipment Supply:

Invoice #8465994 - Item# KLA-234-80; Type 510 Membrane Plates; QTY. 375, TOTAL: \$27,750.00

Invoice #8466005 – Item # KLA-SAW2167-01; Type 510 Membrane Plates; QTY. 1,000, TOTAL \$74,000.00

Invoice #8466008 – Item # KLA-234-80; Type 510 Membrane Plates; QTY. 100, TOTAL \$7,400

Total Freight for all invoices: \$1,665.00

GRAND TOTAL: \$110,815.00

Kind Regards,

April Reyes

MBR Customer Service Group Supervisor

2404 Rutland Drive

Austin, Texas 78758

☎ 512.652.5810

✉ AprilR.Ovivo

✉ april.reyes@ovivowater.com

🌐 www.Eqvue.com

📞 Hotline: 512-652-5848

