

ORDINANCE NO. 2017-2

A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE PURCHASE OF A FIRE APPARATUS AND EQUIPMENT FROM PIERCE MANUFACTURING, INC.; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (“Village”) Fire Rescue Department requires a new fire apparatus and equipment in order to better serve the Village in emergency situations and as a replacement to its existing apparatus and equipment; and

WHEREAS, the Village Council desires to purchase the new equipment and apparatus (the “Equipment”) from Pierce Manufacturing, Inc. (the “Pierce”) consistent with the proposal attached hereto as Exhibit “A” (the “Proposal”); and

WHEREAS, the Village Council finds that it is impractical, pursuant to Section 2-85 of the Village Code of Ordinances, to apply the Village’s competitive bidding procedures for the purchase of the Equipment as the type of purchase contemplated by the Village has already been competitively bid by the Florida Association of Sheriffs (the “State Bid”), which resulted in contract number FSA16-VEF12.0 (the “Contract”); and

WHEREAS, the Village Council authorizes the Village Manager to execute the Proposal, in substantially the form attached hereto as Exhibit “A,” provided by Pierce consistent with the terms and conditions of the State Bid and the Contract; and

WHEREAS, the Village Council finds that this Ordinance is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Waiver of Competitive Bidding. The Village Council hereby waives the Village’s competitive bidding procedures for the purchase of the Equipment pursuant to Section 2-85 of the Village Code.

Section 3. Pierce Purchase Approved. The Village Council hereby approves the purchase of the Equipment from Pierce consistent with the Proposal, in substantially the form attached hereto as Exhibit “A,” in an amount not to exceed \$960,000.00.

Section 4. Village Manager Authorized. The Village Manager is hereby authorized to execute the Proposal, in substantially the form attached hereto as Exhibit “A,” with Pierce for the Equipment in an amount not to exceed \$960,000.00, consistent with the terms and conditions of the State Bid and Contract and subject to the Village Attorney’s approval as to form, content and legal sufficiency.

Section 5. Implementation. The Village Council hereby authorizes the Village Manager to take any and all action necessary to implement the intent and purpose of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED on first reading this 21st day of February, 2017.

PASSED AND ADOPTED on second reading this 14th day of March, 2017.

Mayra Peña Lindsay
MAYOR MAYRA PEÑA LINDSAY

ATTEST:

Conchita H. Alvarez

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Old Firm

VILLAGE ATTORNEY





PUBLIC NOTICE

Pursuant to Section 4.03(9) of the Village Charter notice is hereby given that on March 14, 2017, at 7:00 p.m. in the Village Council Chamber at 560 Crandon Boulevard, Key Biscayne Florida, a public hearing on the second and final reading of a Capital Project Authorizing Ordinance for the purchase of a Fire Apparatus and Equipment for the Fire Rescue Department shall be heard by the Village Council.

Capital Project: Purchase of a Fire Apparatus and Equipment for the Fire Rescue Department.

Cost: The cost of the purchase of the Fire Apparatus and Equipment shall not exceed \$999,211.00. The funding for this purchase has been allocated in the FY2016-17 General Fund Budget.

For any questions on this item please contact the Village Clerk at (305) 365-5506 or visit the Village website at www.keybiscayne.fl.gov

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (F.S. 286.0105).

PROPOSAL FOR FURNISHING FIRE APPARATUS

November 22, 2016

Key Biscayne

The undersigned is prepared to manufacture for you, upon an order being placed by you, for final acceptance by Pierce Manufacturing, Inc., at its home office in Appleton, Wisconsin, the apparatus and equipment herein named and for the following prices:

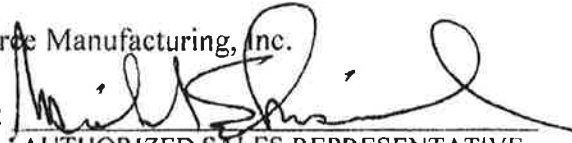
One (1) Pierce Enforcer 107' Ascendant based on FSA16-VEF12.0 Spec #9	\$ 727,807.00
Options per attached Proposal Option List #586	226,932.00
6.5% Discount on options	(14,450.00)
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Travel for 2 trips to factory for 3 personnel, includes hotel, meals and airfare Inc	
Optional Department NFPA Equipment SVQ17881 = \$73,652.42	73,652.42
Manufacturer discount for factory pre-engineering savings.	(14,730.00)
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OPTIONAL Pre Payment	
\$954,493.00 Paid ten day from P.O. will include a 44,718.00 discount	
Pre Payment includes 100% Performance Bond	Total \$ 999,211.00

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or intentional conflict, failures to obtain chassis, materials, or other causes beyond our control not preventing, within about 14 months after receipt of this order and the acceptance thereof at our office at Appleton, Wisconsin, and to be delivered to you at Key Biscayne, FL.

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are interlined prior to the acceptance by the company of the order to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

The proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications. Any increased costs incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customers as an addition to the price set forth above.

Unless accepted within 30 days from date, the right is reserved to withdraw this proposition.

Pierce Manufacturing, Inc.
 By: 
 AUTHORIZED SALES REPRESENTATIVE
 Michael Schneider



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