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RESOLUTION NO. 2011-50

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO PARKS AND RECREATION; AUTHORIZING AN EMERGENCY PURCHASE FOR THE PROCUREMENT AND INSTALLATION OF A FOUL-BALL NETTING SYSTEM AT PALMETTO BAY PARK IN AN AMOUNT NOT TO EXCEED \$65,000; AND FURTHER AUTHORIZING THE VILLAGE MANAGER TO ISSUE A PURCHASE ORDER TO THE LOWEST, MOST-RESPONSIVE BIDDER PURSUANT TO BID NO. 2011-PR-001; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council remains committed to the safety of all visitors and resident to Palmetto Bay Park and has consistently upgraded and enhanced this outstanding softball/baseball facility; and,

WHEREAS, the lack of a sufficient backstop or foul-ball netting system at Palmetto Bay Park has placed the safety and welfare of our many park patrons in jeopardy, and the need for such a safety system is imperative in order to protect and prevent injury to spectators and players, hopefully prior to the start of the fall play season; and

WHEREAS, the proposed netting system as engineered by C3TS Architects and Engineering Planners, black nylon netting supported by suspended cables connected to the existing backstops and concession/quad building, offers complete overhead protection for walkway and concession areas, and ball retrieval, not currently afforded by the existing structure; and,

WHEREAS, the scheduled opening of the Invitation to Bid for this urgent project shall not take place until after the July 11, 2011, Council Meeting; and given the fact that no subsequent Council meetings are scheduled until September, it is recommended that the Council deem this an Emergency Procurement in order to effectuate award and installation prior to the upcoming Fall softball season; and

WHEREAS, Section 2-175(h) of the Village Code defines Emergency Procurements as follows: "Notwithstanding any other provision of this division, the Village Manger may make emergency procurements of goods and services when there exists a threat to public health, welfare, or safety; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. The Village Manager may also make emergency procurements of design, engineering, construction management and construction services as provided by F.S. & 255.20. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, a listing of the item(s) procured under the contract, and the identification number of the contract file."

1 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
2 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
3

4 **Section 1.** The foul-ball netting system project for Palmetto Bay Park, as described
5 in Invitation to Bid No. 2011-PR-001, is hereby deemed to be an
6 emergency procurement pursuant to Village Code, Section 2-175(h).
7

8 **Section 2.** The Village Manager is authorized to complete the procurement process,
9 including an award of bid and issuance of a purchase order for installation
10 of the described foul-ball netting system, to the lowest, most-responsive
11 bidder pursuant to Invitation to Bid No. 2011-PR-001. The Manager
12 shall report the final outcome to the Council at the first meeting following
13 completion of the bid award process.
14

15 **Section 3.** This Resolution shall take effect immediately upon approval.
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17 **PASSED and ADOPTED** this 11th day of July, 2011.
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21 Attest: Meighan Alexander
22 Meighan Alexander
23 Village Clerk
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25
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27 Shelley Stanczyk
28 Shelley Stanczyk
29 Mayor
30

31 APPROVED AS TO FORM:
32

33
34
35 Eve A. Boutsis
36 Eve A. Boutsis,
37 FIGUEREDO & BOUTSIS, P.A., as Office
38 of the Village Attorney
39

40 FINAL VOTE AT ADOPTION:
41

- | | |
|--|------------|
| 42 Council Member Patrick Fiore | <u>YES</u> |
| 43 Council Member Howard J. Tendrich | <u>YES</u> |
| 44 Council Member Joan Lindsay | <u>YES</u> |
| 45 Vice-Mayor Brian W. Pariser | <u>YES</u> |
| Mayor Shelley Stanczyk. | <u>YES</u> |