AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Bustamante

2. ROLL CALL

   Mayor Ana Ziade
   Vice Mayor Samson Borgelin
   Commissioner Rich Moyle
   Commissioner Lorenzo Wood
   Commissioner Mario Bustamante
   City Manager Ambreen Bhatti
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES – None submitted

4. PRESENTATIONS

5. PROCLAMATIONS


   b. National Boys & Girls Club Week – April 8-12 – Derrick Brown, S. Robert Levine Campus/William E. Slaughter Club

6. PUBLIC DISCUSSION
7. QUASI-JUDICIAL ITEMS

These Quasi-judicial Items 7(a); 7(b) and 7(c) were tabled on March 12, 2019 to a time-certain of March 26, 2019 at 6:00 pm. Staff has requested this item to be tabled again to a time certain of April 9, 2019 at the regular Commission meeting which will convene after the adjournment of a Student Government Mock Commission Meeting which convenes at 5:30 pm.

   7105 W. McNab Rd

Variance request from City Code Section 106-222 (e) regarding allowing bollards where bumper guards, wheel stops or continuous curbing are required within a Community Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc. on behalf of Wawa Florida, Inc.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-222(e) REGARDING THE REQUIRED BUMPER GUARDS, WHEEL STOPS OR CONTINOUS CURBING; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

   7105 W. McNab Rd.

Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc., on behalf of Wawa Florida, Inc.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-467 (11) REGARDING THE DELINEATION OF THE OUTDOOR SEATING AREA BY MEANS OF A BARRIER; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.
c. SUBJECT: Site Plan SPR 19-01 Wawa Florida, Inc.

7105 W. McNab Rd.

Final site plan review to allow a new auto filling station, convenience store and restaurant within a Community Business (B-2) zoning district.

APPLICANT: Wawa Florida, Inc.

MOTION: To approve the final site plan subject to the seventeen (17) conditions set forth in staff memorandum.

d. SUBJECT: SEU 19-01

7308 Southgate Blvd. (Presidential Plaza)

Special Exception Use request to permit the operation of a Primary use retail store with second hand sales as an accessory use in accordance with Section 106-438 (b) and Section 106-468 the Master Business List in an additional bay in a Community Business (B-2) zoning district.

APPLICANT: Stacey Smith - 2,4,6 Thrifts LLC

- All interested parties wishing to speak on this item are sworn in
- Staff presentation (Tammy Reed-Holguin)
- Public Hearing opened
- Public comments
- Public Hearing closed
- Commission discussion
- Commission motion and vote

MOTION: To approve the Special Exception Use request to permit the sale of secondhand goods as an accessory use to a primary retail store in accordance with Section 106-438 (b) and Section 106-468 of the Master Business List in a Community Business (B-2) Zoning District.

8. OTHER BUSINESS

a. SUBJECT - Farmers Market and Presentation of PATCH Program (People’s Access to Community Horticulture)

- Staff presentation (Tammy Reed-Holguin/Nattaliah Earle)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
i. **MOTION:** To approve the establishment of the Farmer’s Market event to be organized and operated by PATCH as the City’s designated vendor contingent upon receipt of indemnity agreement

ii. **MOTION:** To waive the special event application fee of $106

b. **ORDINANCE - First Reading – Creating Purchasing Procedures**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Susan Nabors)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CREATING CHAPTER 3 OF THE CITY’S CODE OF ORDINANCES, TO BE ENTITLED “PROCUREMENT PROCEDURES”; PROVIDING FOR A COMPREHENSIVE PROCUREMENT CODE FOR THE CITY OF NORTH LAUDERDALE; PROVIDING FOR DEFINITIONS; PROVIDING FOR COMPETITIVE PROCUREMENT PROCEDURES FOR GOODS AND SERVICES; PROVIDING FOR COMPETITIVE NEGOTIATIONS; PROVIDING FOR A CONE OF SILENCE; PROVIDING FOR BID PROTEST PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

c. **RESOLUTION - EMS Transport Accounts Receivable Write-Off**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Susan Nabors)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO WRITE-OFF UNCOLLECTED EMERGENCY MEDICAL TRANSPORT CHARGES FOR THE PERIOD OF OCTOBER 1, 2011 TO SEPTEMBER 30, 2013; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
d. **RESOLUTION – Award of Canal Bank Repair - ITB #19-01-376**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (George Krawczyk)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH POSEIDON DREDGE & MARINE INC. FOR THE CANAL BANK REPAIRS AT 717, 719 AND 721 SW 79TH AVENUE, NORTH LAUDERDALE AS OUTLINED IN ITB #19-01-376 IN AN AMOUNT NOT TO EXCEED $603,728.47 WITH A CONTINGENCY OF $60,000.00 FOR ANY OTHER RELATED ITEMS IF NEEDED; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

e. **RESOLUTION – Culvert Cleaning and Repair of Culvert No. 24**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (George Krawczyk)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD A CONTRACT TO AQUA-NAUTIK UNDERWATER-WORK, LLC., TO PROVIDE CULVERT CLEANING SERVICES AND REPAIR OF ONE CULVERT, FOR AN AMOUNT NOT TO EXCEED $74,347.50, USING THE CITY OF SUNRISE CONTRACT, ITB 18-11-01, FOR CULVERT CLEANING AND REPAIRS; AND PROVIDING AN EFFECTIVE DATE.

9. **REPORTS**

a. **Report on new 911 Text Initiative** (Mike Sargis)
10. CITY MANAGER COMMENTS

   a. Upcoming Events:
      - Saturday, April 6 – 12:00-5:00pm – April Pools Day
      - Saturday, April 13 – 10:00-11:45 am – Eggstravaganza Egg Hunt
      - North Lauderdale Days
        o Friday, April 19 – 7:30-9:00 – Pool Party and ABC Circus
        o Saturday, April 20 – Noon-9:00 – Food, Music & Activities –
          Main Music Event – 7:00 pm and Fireworks – 9:00 pm
      - Wednesday, April 24 – 10:00-2:00pm - Senior Expo – Oakbrook Clubhouse

11. COMMISSION COMMENTS

   a. [RESOLUTION - Broward League of Cities Board of Directors Appointments]
      - Motion, second and vote to read
      - Attorney reads title
      - Staff presentation (City Clerk)
      - Commission motion and second to adopt
      - Commission discussion
      - Commission vote

   A RESOLUTION OF THE NORTH LAUDERDALE CITY COMMISSION
   APPOINTING A DIRECTOR, AN ALTERNATE DIRECTOR AND A SECOND
   ALTERNATE TO THE BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS
   EFFECTIVE MAY 18, 2019 THROUGH MAY 2020 PROVIDING THAT A COPY OF
   THIS RESOLUTION BE SENT TO MARY LOU TIGHE, EXECUTIVE DIRECTOR OF
   THE BROWARD LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

   b. Discussion and possible motion to approve attendance at the Broward League of
      Cities’ 62nd Annual Gala Installation Dinner on Saturday, May 18, 2019 at
      Margaretville, Hollywood

   c. Motion to approve scheduling next Commission meeting to begin immediately
      after adjournment of the Student Government Mock Commission meeting set
      for 5:30 pm

12. CITY ATTORNEY COMMENTS

13. ADJOURNMENT
Proclamation

NATIONAL LIBRARY WEEK
APRIL 7-13, 2019

WHEREAS, today’s libraries are not just about books but what they do for and with people;

WHEREAS, libraries of all types are at the heart of cities, towns, schools and campuses;

WHEREAS, libraries have long served as trusted and treasured institutions where people of all backgrounds can be together and connect;

WHEREAS, libraries and librarians build strong communities through transformative services, programs and expertise;

WHEREAS, libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy;

WHEREAS, libraries promote civic engagement by keeping people informed and aware of community events and issues;

WHEREAS, librarians and library workers partner with other civic organizations to make sure their community’s needs are being met;

WHEREAS, libraries and librarians empower their communities to make informed decisions by providing free access to information;

WHEREAS, libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational resources that transform lives and strengthen communities;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that the Mayor and City Commission proclaim April 7-13, 2019 as

NATIONAL LIBRARY WEEK

and encourages all residents to visit the library this week and explore what’s new at your library and engage with your librarian. Because of you, Libraries Transform.

Dated this 26th day of March, 2019

__________________________________________
MAYOR ANA M. ZIADE
PROCLAMATION
National Boys & Girls Club Week
April 8-12, 2019

WHEREAS, the young people of North Lauderdale are tomorrow’s leaders; and many such young people need professional youth services to help them reach their full potential; and

WHEREAS, in 2018, Levine Slaughter/Leo Goodwin Unit served 1,700 youth; of those served were members of families earning less than $20,000 annually, members living in a single family household, or members qualified for free or reduced lunch; and

WHEREAS, Boys & Girls Clubs are places where great futures start. They are at the forefront of efforts in grade progression and graduation, drowning prevention and community service; and

WHEREAS, Boys & Girls Clubs help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, Boys & Girls Club said in fostering academic success with a high percentage of members that graduate from high school, are ready for college, trade school, military and or employment; and

WHEREAS, since 1965, the Boys & Girls Clubs of Broward County has been enabling all young people, especially those who need us most, to reach their full potential as productive, caring and responsible citizens.

NOW THEREFORE, We, the City Commission of the City of North Lauderdale, Florida do hereby proclaim April 8 – April 12, 2019 as

NATIONAL BOYS & GIRLS CLUB WEEK

And call on all citizens of the City of North Lauderdale to join in recognizing and commending the Boys & Girls Clubs of Broward County for providing comprehensive, effective services to the young people in our communities.

Dated this 26th day of March, 2019.

_____________________________________
MAYOR ANA M. ZIADE
TO: Mayor and City Commission

By: Ambreen Bhatti, City Manager

THROUGH: Tammy Reed-Holguin, Community Development Director

DATE: March 26, 2019

SUBJECT: SEU 19-01
7308 Southgate Blvd. (Presidential Plaza)

Special Exception Use request to permit the operation of a Primary use retail store with second hand sales as an accessory use in accordance with Section 106-438 (b) and Section 106-468 the Master Business List in an additional bay in a Community Business (B-2) zoning district.

APPLICANT: Stacey Smith - 2,4,6 Thrifts LLC.

The applicant is requesting a Special Exception Use permit to allow the sale of secondhand goods as an accessory use to the primary sale of new goods at 7308 Southgate Blvd. in the Presidential Plaza. This request is made in accordance with Article XV Businesses District, Division 1 and 2, Limitations on Uses; Section 106-438 (b) that allows the sale of secondhand goods as incidental to the sale of new goods and Master Business List, Section 106-468 that requires the applicant to obtain a special exception use permit.

This facility, 2,4,6 Thrifts LLC, would be in operation from 10:00 A.M. to 7 P.M. Tuesday through Friday and Saturday 9 AM to 5 PM. Sunday and Monday they will be closed. They will operate out of a 1,410 square foot bay in Presidential Plaza, specializing in new and used clothing and household items. The applicant must adhere to Section 106-438 (b) of the City code by providing a ratio of no less than 51% to 49% of new to use goods as detailed in the attached exhibits from the applicant. There can be no outside sale or storage on site and no repairs on site. All sales must be retail; no wholesale and pick up and drop off is restricted to the rear of the building. The specific extent of the anticipated use is explained in the Attachments and made a part of this report.

Economic Analysis
The economic impact would be beneficial to the City of North Lauderdale, since the bay has been vacant for more than a year. The business would be along the Southgate Boulevard, which helps contribute to the goal of the City to increase business vitality.

Traffic/ Parking Analysis
Based on the information provided by the applicant for the proposed retail use of 1,410 square feet of space, the parking requirement for the retail use according to the Section 106-223 (a) 20 of the City’s Code is 6 spaces. The plaza currently has 303 parking spaces. The center therefore
appears to be able to accommodate any anticipated effect on traffic generation, parking demand and road capacities caused by this use.

The Planning and Zoning Board met on March 5, 2019 and after a staff presentation and input from the applicant, the Board recommends approval of this item to the City Commission with a unanimous vote.

**RECOMMENDATION:**
Should the Commission concur with the recommendation for approval from Administration and the Planning and Zoning Board, a motion for approval of the proposed SEU permit subject to the following conditions is in order:

1. That all terms, conditions, and provisions imposed herein, including all life, health, and safety Codes pertaining to this facility are met prior to commencing and during operation.

2. In the event that any problems arise as a result of the operation of this establishment, such as noise, parking, traffic and/or other nuisances, the applicant and property owner shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial/residential areas.

3. Applicant shall obtain proper approval such as Local Business Tax Receipt from the City and any outside agencies such as the County Health Department.

4. That all applicable City and Florida Building Codes regarding such an operation shall be met.

5. The applicant must adhere to Section 106-438 (b) of the City code that allows the sale of secondhand goods incidental to new goods; providing a ratio of no less than 51% to 49% of new to use goods as detailed in the exhibits provided by the applicant.

6. Only retail sales shall be permitted on the premises.

7. No outside storage or sale of goods outside of any kind shall be permitted.

8. Pick up and drop off of any goods is restricted to the rear of the building.

9. No repairs shall be conducted on site.

**MOTION:**
If the City Commission concurs with Administration and the Planning and Zoning Board recommendation to approve of this request, a motion is in order as follows:

“To approve the Special Exception Use request to permit the sale of secondhand goods as an accessory use to a primary retail store in accordance with Section 106-438 (b) and Section 106-468 of the Master Business List in a Community Business (B-2) Zoning District.”
December 20, 2018

Stacey Smith
2, 4, 6 Thrifts
7308 Southgate Blvd
North Lauderdale, FL 33068
Tel: (954)378-8400

I, Stacey Smith, certify that I will be selling new and used items and merchandise in the following percentages:

Up to 60% of new items consisting of – undergarments, underwear, panties, bras, lingerie, and accessories.

Up to 40% of used items consisting of – clothing, shoes, accessories, and small household items.

Accessories consists of but not limited to handbags, jewelry, hair pieces, and belts.

Small household items consists of but not limited to table lamps, night stands, kitchenware and small kitchen appliances, books, and baby items (strollers, car seats, cribs, etc.).

The store will have at least three (3) full-time employees.

Store hours of operations are:

Sunday and Monday – Closed

Tuesday through Friday – 10:00am to 7:00pm

Saturday – 9:00am to 5:00pm

I certify that the above information is true and correct to the best of my knowledge.

Signature:  

[Signature]
December 28, 2018

City of North Lauderdale

To Whom It May Concern:

On behalf of Brixmor Residual Presidential Plaza, LLC (Landlord) this letter is to state the following:

1. 2, 4, 6 Thrifts, LLC. d/b/a 2, 4, 6 Thrift Store is a Tenant of Presidential Plaza and is located at 7308 Southgate Blvd, North Lauderdale, FL 33068.

2. Brixmor Residual Presidential Plaza, LLC. is the owner of the property and gives permission to 2, 4, 6 Thrifts, LLC. to apply for a Special Exception Use Application for the purpose of the operation of a consignment store selling gently used clothing and directly-related accessories for men, women, and children; and for no other use, business, or purpose.

3. Stacey Smith is the applicant of the Special Exception Use Application on behalf of 2, 4, 6 Thrifts, LLC.

If you need further information or have any questions, please contact the undersigned.

Yours Truly,

[Signature]

Chris Leandri
Assistant Property Manager
Brixmor Property Group
chris.leandri@brixmor.com
Direct (305) 944-7132
1205 NE 163rd Street, Suite #235, North Miami Beach, FL 33162 USA
www.Brixmor.com
2, 4, 6 Thrifts
7308 Southgate Rd. North Lauderdale, FL 33068

1,410 Sq. Ft.
20 Packs - 12 New Items
8 Thrift Items
2146 Thrifts
7308 Southgate Blvd.
North Lauderdale, FL 33068

EXHIBIT A: SITE PLAN

Premises
Store No. 24
1,410 sqft

NOT TO SCALE.
The foregoing site plan is attached to show the approximate location of the Premises and general layout of the Shopping Center. Landlord makes no representation or warranty that the Shopping Center, including the tenants, shown on Exhibit "A" will not change from time to time during the Term. Landlord may construct new buildings and improvements and/or change, move, and/or expand the existing buildings or other improvements comprising the Shopping Center, including the Common Areas and related facilities. Landlord may or may not, in Landlord's sole discretion, integrate after acquired adjacent property into the Shopping Center, and no merger shall occur by virtue of common ownership of such separate parcels. The Shopping Center excludes the parcel(s) of land, if any, shown on "MAP B" on Exhibit "A."
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy L. Reed-Holguin, Community Development Director
Katherine Randall, Assistant C.D. Director

DATE: March 26, 2019

SUBJECT: Farmers Market

The City established a community garden back in 2010. It was first located in a cul-de-sac on 74th Avenue off Kimberly Blvd. and later (2013) moved across the street from City Hall on Rock Island when the City sold the vacant lots on 74 avenue to Habitat for Humanity. The garden is overseen by the Community Sustainability Board and staff in the Community Development Department. The Board has struggled to find a consistent level of support and participation for the garden. The creation of other related activities has been discussed as a way to increase interest and garner support from a larger constituency. In that vein, it has been the desire of the Board and Administration for the past couple of years to establish a farmers market as an outgrowth of the garden.

The City has met with a few vendors but a relationship suitable to both parties could not be reached until recently. The City began participating in a program called PATCH (People’s Access to Community Horticulture). This is a volunteer group that was first established in Dania Beach through their Community Redevelopment Agency and is funded by a grant from Broward Regional Health Planning Council. The goal of the group is to provide locally grown food at reasonable prices to people in neighborhoods that don’t typically have access to or can’t afford fresh fruit and vegetables. Residents may use their SNAP (Supplemental Nutrition Assistance Program; formerly known as food stamps) benefits to purchase the food with proceeds going back into the program. PATCH is expanding to other cities and based on discussions with the organization, Administration feels their goals are closely aligned with the City’s vision for the community garden. This event would open the door to expanding the market to farmers from the City’s garden being able to sell and to inviting the vendors such as coconut and sugar cane vendors to participate, getting them out of the parking lots of the shopping centers. The market will provide an affordable, fun venue for residents to buy fresh food and to learn how to grow their own in our City garden. Administration views this as a symbiotic relationship between the City, residents and PATCH.

To begin the program, PATCH is proposing to set up 5 tables and 2 pop up tents on the front lawn of City Hall from 4:00 to 7:00 pm. The exact date of the first event is yet to be determined but is expected to be sometime in April with subsequent dates through June. We are in receipt of their Special Event application, letter of intent and certificate of insurance. The indemnity agreement is pending and must be received prior to the event. Their proposal and the documents
have been reviewed by City Attorney, Fire, Parks and Recreation and BSO who found the front lawn to be the best location. The liability insurance was approved by the City’s Risk Manager.

The first event will be a pilot program. Based on its success, staff will continue to work with PATCH to plan other events and programs related to bringing healthy food choices to our residents. Upon approval, the attached flyer will be completed by PATCH with the exact date. Tonight we are requesting Commission’s approval to hold the first Farmer’s Market on the front lawn of City Hall with various dates from April through June and to identify PATCH as the City’s designated vendor. We are also requesting that the Commission waive the special event application fee of $106 for this pilot program which will run from April through June. There are no other costs to the City.

**RECOMMENDATION:**

Should the Commission wish to proceed with this event, the following motions are in order:

- Motion to approve the establishment of the Farmer’s Market event to be organized and operated by PATCH as the City’s designated vendor contingent upon receipt of indemnity agreement.

- Motion to waive the special event application fee of $106.
**PATCH Mobile Market**

**City/Municipality:** City of North Lauderdale  
**Contact:** Katherine Randall; Jenna Gottlieb

**Time:** Thursday from 4:00 PM - 7:00 PM  
**Telephone:** (954) 597-4743

**Dates of Market:**  
**Email:** krandall@nlauderdale.org; jgottlieb@nlauderdale.org

**Location(s):** Front lawn of City Hall – 701 SW 71st Ave.  
**FL 33308**

**Insurance requirements (if any):** General liability insurance – aggregate $2M and see #5

**Permit Requirements (if any):** No permit required

**Questions**

1. **Where do you consider the best location for the Mobile Market? Why?**  
The lawn in front of City Hall  
- Access to city staff and all visitors to city hall  
- It is right a Community garden between Rock Island and Forest Boulevard  
- It is in a high visibility area right beside City Hall on a high traffic main street  
- Their advertising Marquis would be right overhead  
- There is also lighting available after dark  
- On-site Community Aquatics center give us access to families

2. **What is the expected traffic/popularity of the location? What are the best dates?**  
Regular traffic is there in the afternoons before the closing of city hall, for after-school activities at the center. The best days were chosen as Wednesday and Thursday weekdays after school and when parents are more readily available. If promoted well in advance it is expected to be well attended.

3. **What are the Marketing opportunities available?**  
- Social Media – Facebook, and (Dania Beach) Instagram, and North Lauderdale Facebook (https://www.facebook.com/pages/City-of-North-Lauderdale/1237142769285534) can have a call go out to all of its residents through its Robocalling System Closed circuit for the City  
- Both City’s websites – Events pages  
- Marquis – high visibility from the street and in traffic  
- Jenna will work on getting the flyer into the local schools – Broadview School, North Broward Academy of Excellence, the PTSA and to the Fire Rescue  
- Through the Tamarac Chamber of Commerce  
- Community Sustainability Board with a Master Gardener  
- We can cross-promote the Mobile Market with the Community Garden  
- Printed Flyers at City Hall and to distribute at other events where possible  
- EBT/SNAP (Electronic Benefits Transfer/Supplemental Nutrition Assistance Program) – Formerly Food Stamp recipients Marketing: E.g., Local faith-based organizations, County Public Health Units, Child Advocacy Centers, Social Services, Aging Resource Centers, Public Schools, Laundromats, email lists, Workforce One Stops, Hospitals, Libraries, and Community Centers

**North Lauderdale**  
**PATCH Mobile Market**
4. Logo - Please confirm this is the logo you would like us to use on marketing materials: (note that you will have approval privileges for marketing materials with your logo)

[Logo Image]

5. What are the Insurance and Permit requirements?

**Commercial General Liability Coverage Part - Occurrence Form**

- General Aggregate Limit: $2,000,000
- Products/or Completed Operations Aggregate Limit: $1,000,000
- Personal and Advertising Injury: $1,000,000
- Each Occurrence Limit: $1,000,000
- Damage to Premises Rented by You: $30,000
- Medical Expense Limit: $5,000
- Deductible - Per Claim: $500

See below the pictures for the Locations:

An expanded view of the lawn in front of North Lauderdale City Hall:

[Image of North Lauderdale City Hall]

North Lauderdale          PATCH Mobile Market
MOBILE FARMER'S MARKET

SELECT DAYS | SELECT LOCATIONS

Serving fresh fruits and vegetables, PATCH-In-A-Bag meal kits and a Chef Tasting Showcase

Hallandale Beach Foster Park
609 NW 6th Ave.
Hallandale Beach

Broward Municipal Services District
Delavoe Park
2520 NW 6th St. Fort Lauderdale
Franklin Park
2501 Franklin Dr., Fort Lauderdale
Roosevelt Park
2841 N.W. 11th St., Fort Lauderdale

North Lauderdale City Hall lawn
701 SW 71st Ave.,
North Lauderdale

Ft. Laud. Housing Authority
Sailboat Bend
425 SW 4th Ave,
Fort Lauderdale

EBT/SNAP
RECEIVE 50% OFF FLORIDA-GROWN PRODUCE

L.A. Lee YMCA
YMCA Family center
408 NW 14th Terrace,
Fort Lauderdale

FOR UPDATES & MORE INFO
WWW.PatchGarden.com | 954.924.6801
VISIT: FaceBook.com/PatchGarden

United States Department of Agriculture
CITY OF NORTH LAUDERDALE  
FINANCE DEPARTMENT  
MEMORANDUM

To: Honorable Mayor and City Commission  
From: Ambreen Bhatty, City Manager  
By: Susan Nabors, Director of Finance  
Date: March 26, 2019

Subject: First Reading – Ordinance Creating Purchasing Procedures

BACKGROUND:

On November 6, 2018 the voters of the City of North Lauderdale approved an amendment to Section 9.10 of the City Charter eliminating the procurement procedures from the Charter and requiring the City Commission to adopt an ordinance within 180 days establishing a comprehensive procurement code for the City.

Over the last several months, City Finance staff has worked with other departments and the City Attorney’s Office to create a comprehensive ordinance; one that seeks to ensure goods and services utilized by the City are procured through an open, fair and competitive process. Best practices in local government purchasing have been reviewed and incorporated into the ordinance.

A couple of the benefits of creating a purchasing ordinance are that it allows for more timely updates. For example, the City does not have to wait for an election cycle to make updates that are deemed in the best interest of the City for operational effectiveness. Additionally, the ordinance can be updated more efficiently as Federal or State statues are changed.

Many of the processes and procedures included in the ordinance are already in current practice. However, there are some new sections recommended to enhance the City’s purchasing process.

The highlights of the purchasing ordinance are:

- **Section 3-2 – Definitions**  
  o Provides clarify to commonly used purchasing terminology.

- **Section 3-4 – Competitive Bidding or Proposals Required; Exceptions**  
  o Updates the minimum quotation threshold (from $1,000 to $3,000).
  o Maintains the other threshold and approval levels.
  o Clarifies any exceptions.

- **Section 3-5 – Unauthorized Purchasing Practices**  
  o Identifies prohibited practices and identifies actions for violations.

- **Section 3-6 – Competitive Negotiations**  
  o Provides criteria when negotiations may be used instead of a bid.
• **Section 3-7 – Cone of Silence** (New)
  o Creates section to protect City Commission and City staff from potential ethics violations.
• **Section 3-8 – Award of Contract**
  o Initial purchase contracts in excess of $25,000 shall be approved by Commission
  o City Manager may approve up to $25,000; Department Director may approve up to $10,000
• **Section 3-9 – City Attorney Review and Approve Form of Purchasing Contracts**
  o Per City Charter, City Attorney shall review contracts in excess of $10,000
• **Section 3-10 – Change Orders**
  o Allows Department Director and City Manager to approve change orders on purchases only when certain criteria are met; establishes limits
  o Change orders on projects in excess of $25,000 require the approval of the City Commission.
• **Section 3-11 – Debarment and Suspension** (New)
  o Identifies the causes that could lead to a debarment or suspension of a vendor.
  o Creates process
• **Section 3-12 – Local Vendor Preference** (New)
  o Creates the program as it pertains to formal competitive solicitations.
  o Applies to North Lauderdale and Broward County certified vendors.
  o Describes the evaluation process.
• **Section 3-15 – Bid Protest Procedures** (New)
  o Creates the process upon which a bid protest may occur.
  o Identifies requirements and time line for both vendor and city.

**RECOMMENDATION:**

The Administration recommends Commission’s consideration and approval on first reading of the attached Ordinance creating Chapter 3 of the City’s code of ordinances, to be entitled “Procurement Procedures”.
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CREATING CHAPTER 3 OF THE CITY’S CODE OF ORDINANCES, TO BE ENTITLED “PROCUREMENT PROCEDURES”; PROVIDING FOR A COMPREHENSIVE PROCUREMENT CODE FOR THE CITY OF NORTH LAUDERDALE; PROVIDING FOR DEFINITIONS; PROVIDING FOR COMPETITIVE PROCUREMENT PROCEDURES FOR GOODS AND SERVICES; PROVIDING FOR COMPETITIVE NEGOTIATIONS; PROVIDING FOR A CONE OF SILENCE; PROVIDING FOR BID PROTEST PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 6, 2018, the electorate of the City of North Lauderdale approved an amendment to Section 9.10 of the City Charter eliminating the procurement procedures from the Charter and requiring the City Commission to adopt an ordinance establishing a comprehensive procurement code for the City; and

WHEREAS, the City Commission seeks to ensure that all goods and services utilized by the City are procured through an open, fair and competitive process; and

WHEREAS, the City Commission further seeks to ensure that all potential vendors seeking to do business with the City are given an equal opportunity to compete for City business; and

WHEREAS, the City’s professional staff has reviewed the best practices related to local government procurement and has recommended a comprehensive procurement code to the City Commission; and

WHEREAS, the City Commission finds that the procurement procedures set forth herein are in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
Section 2. The City Commission hereby creates Chapter 3 of the City’s Code of Ordinances, to be entitled “Procurement Procedures,” as set forth in Exhibit “A,” attached hereto and incorporated herein.

Section 3. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 5. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, that the Sections of this Ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 6. This Ordinance shall become effective immediately upon its passage and adoption.


APPROVED AS TO FORM:

________________________________  __________________________
CITY ATTORNEY SAMUEL GOREN       MAYOR ANA M. ZIADE

________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

________________________________________
PATRICIA VANCHERI, CITY CLERK
EXHIBIT A

CHAPTER 3 – PROCUREMENT PROCEDURES

Sec 3-1. General Purpose

The purpose of the purchasing code adopted in this chapter is to promote efficient procedures for the purchase of goods and services (including construction), provide fair and equitable treatment of all persons who transact business with the city and maximize the value of public funds. The procurement of goods, contractual services and construction services shall be conducted through adherence to the highest standards of ethics, professionalism and impartiality in the conduct of business transactions.

Sec 3-2. Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS LOCATION. A permanent office or other site where the vendor operates, conducts, engages in, or carries on all, or a portion of, its business. A post office box shall not be sufficient to constitute a BUSINESS LOCATION.

CONSULTANTS' COMPETITIVE NEGOTIATION ACT (CCNA). F.S. § 287.055, as may be amended from time to time, pertaining to the acquisition of architects, engineers, land surveyors, landscape architects, and mapping services.

CHANGE ORDER. Changes, due to unanticipated conditions or developments, made to an executory contract, which do not substantially alter the character of the work contracted for, and which do not vary so substantially from the original specifications as to constitute a new undertaking. The changes must reasonably and conscientiously be viewed as being in fulfillment of the original scope of the contract rather than as departing therefrom. Further, the changes, when viewed against the background of the work described in the contract and the language used in the specifications, must clearly be directed either to the achievement of a more satisfactory result or the elimination of work not necessary to the satisfactory completion of the contract.

CITY STANDARD COMMODITIES. Those situations where the city has determined that a particular style, brand, make, or model is the only type that meets the city’s requirements for performance, compatibility or other salient characteristics.

COMMODITIES. Personal property, including, but not limited to, goods, supplies, apparatus, equipment, material and other forms of tangible personal property.

CONTRACTOR. Any person or business entity having a contract with the city.

COOPERATIVE PURCHASING. Situations where the city participates in joint procurement of commodities or services with other public entities within the state, in order to obtain lower prices through greater purchasing volume.
INVITATION FOR BID. A written solicitation for competitive sealed bids with the title, date and hour of the public bid opening designated therein and specifically defining the commodities or services for which bids are sought. The invitation for bid shall be used when the city is capable of specifically defining the scope of work for which a service is required or when the city is capable of establishing precise specifications defining the actual commodities required. The invitation for bid shall include instruction to bidders, plans, drawings and specifications, if any, bid form and other required forms and documents to be submitted with the bid.

PROFESSIONAL SERVICES. Services rendered by members of recognized profession requiring specialty training in the arts or sciences and/or requiring holding professional licenses. For example, attorneys, certified public accountants or actuaries. Excludes those services subject to CCNA requirements (see CCNA definition).

QUOTATIONS. Unsealed telephonic, facsimile or written bids for commodities or services.

REQUEST FOR LETTERS OF INTEREST. A written solicitation for offers with the title, date and hour of the submission deadline designated. A request for letters of interest shall include, but is not limited to, general information and submission deadline. The city shall engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion.

REQUEST FOR PROPOSALS. A written solicitation for competitive sealed proposals with the title, date and hour of the public opening designated. A request for proposals shall include, but is not limited to, general information, functional or general specifications, a statement of work, proposal instruction and evaluation criteria. All requests for proposals shall state the relative importance of price and any other evaluation criteria. The city may engage in competitive negotiations with responsible proposers determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offer.

REQUEST FOR QUALIFICATIONS. A written solicitation for competitive sealed offers with the title, date and hour of the public opening designated. A request for qualifications shall include, but is not limited to, general information, functional or general specifications, statement of work, instructions for offer and evaluation criteria. All requests for qualifications shall state the relative importance of the evaluation criteria. The city may engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of offers, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offer.
RESPONSIBLE BIDDER, RESPONSIBLE OFFEROR, or RESPONSIBLE PROPOSER. A person or business entity having the capability in all respects to perform fully the contract requirements and sufficient experience, ability, reliability, capacity, facilities, equipment, financial resources and credit to give the city a reasonable expectation of good faith performance, determined solely within the city’s discretion.

RESPONSIVE BIDDER, RESPONSIVE OFFEROR, or RESPONSIVE PROPOSER. A person who has submitted a bid, offer, or proposal that conforms in all material respects to the invitation for bid, request for letters of interests, request for qualifications, or request for proposals, determined solely within the city’s discretion.

SERVICES. The furnishing of labor, time or effort by a contractor, not involving the delivery of a specific end-product other than reports that are merely incidental to the required performance. This term shall not include employment agreements or collective bargaining agreements.

SINGLE SOURCE. The commodities or services are available from more than one responsible vendor but because of City standardization, warranty, or other distinctive factors, the purchase is directed to one source.

SOLE SOURCE. The commodities or services are available from only one responsible vendor.

Sec. 3-3. Purchasing Division

The Purchasing Division shall be under the supervision of the Director of Finance.

Sec. 3-4. Competitive Bidding or Competitive Proposals Required; Exceptions

A. Purchases of commodities or services equal to or greater than three thousand dollars ($3,000.00) must have at least three (3) documented competitive written quotations. Purchases of commodities or services between ten thousand dollars ($10,000.00) and up to twenty-five thousand dollars ($25,000.00) must have at least three (3) competitive written quotations and shall require the pre-approval of the Purchasing Division and the City Manager. Purchases of or contract for commodities or services in excess of twenty-five thousand dollars ($25,000.00) shall be based on a formal competitive solicitation and shall be pre-approved by the City Commission.

A formal competitive solicitation in the form of an invitation to bid, request for proposals, request for qualifications, request for letters of interest, or other authorized competitive solicitation process shall be made available simultaneously to all vendors, must include the time and date for receipt of bids, proposals, replies, and must include all evaluation criteria to be used in determining acceptability and relative merit of the bid, proposal or reply.

Exceptions to these bidding requirements may be exempted as specifically provided herein. Approval levels still apply.
B. Subject to written justification by the ordering department and the concurrence of the Purchasing Division, or City Manager where applicable, the following are the only exceptions to the above competitive quotes and formal sealed competitive solicitations requirements:

a. *Emergency Purchases* – The Department Director may make an emergency purchase up to ten thousand dollars ($10,000.00) of commodities or services where there exists a clear and present threat to public health, property, welfare, safety or other substantial loss to the City.

Under emergency circumstances where the purchase of commodities or services in excess of ten thousand dollars ($10,000.00) is necessary, the City Manager may authorize the Department Director or Purchasing Division to secure by open market procedure any commodities or services, notwithstanding the estimated cost of the commodities or services.

Written justification describing the specific circumstance of the emergency, the commodities or services purchased, total cost, and vendor name shall be provided to Purchasing Division, the City Manager, or City Commission, as applicable, immediately, or as quickly as possible, after an emergency purchase is made.

An emergency purchase exception is not warranted for failure to plan or for situations deemed urgent when a threat to public health, property, welfare and safety does not exist.

b. *Contracts for professional services.*

c. *Sole Source Purchases* – Written documentation from the vendor certifying their sole source status is required.

d. *Single Source Purchases* – A written description of the distinctive characteristics that prohibit a competitive purchase must be provided and pre-approved by the Purchasing Division.

e. *Utilization of other governmental agencies’ contracts (Piggy-backing)* - Commodities or services that are the subject of contracts with the state its political subdivisions or other governmental entities including the United States government are excepted from this section provided the following conditions are satisfied:

1. the contract expressly permits or the awarding jurisdiction and/or the vendor agree to allow the city to purchase therefrom; and,
2. the commodities or services are the subject of a price schedule obtained through a competitive bid by another governmental agency and not on any preference; and,
3. the price offered for the commodity or service exactly equals or is lower than the governmental contract from vendors awarded the governmental contract; and,
4. the terms and conditions of the original contract or any extension options provided the other governmental agency are satisfactory to the City.
f. Contracts procured through cooperative purchasing.

g. Best interests of the City. Purchases of and contracts for commodities or services are exempt from this section when the City Commission declares by a simple majority affirmative vote that the process of competitive bidding and competitive proposals is not in the best interest of the city. The City Commission shall make specific factual findings that support its determination, and such contracts shall not be placed on the City Commission consent agenda.

h. Federal or State funded procurements – Specific rules and regulations mandated by Federal or State funding agencies supersede this Ordinance.

i. The following contractual services are not subject to the competitive procurement requirement:

1. Academic program reviews or lectures or seminars by individuals;
2. Travel expenses, hotel accommodations and hotel services;
3. Health services involving examination, diagnosis, treatment, prevention, medical consultation or administration;
4. Artistic services which are original and creative in character and skill in a recognized field of artistic endeavor such as music, dance, drama, painting and sculpture, photography, culinary arts, fashion design and the like.
5. Maintenance service of equipment. When considered to be in the best interest of the city and recommended by the using department and the services to be performed are by the equipment manufacturer, manufacturer’s service representative or a distributor of the manufacturer’s equipment, the services may be procured without following the competitive sealed bid process.
6. Newspaper advertising for the purpose of required public notifications;
7. Donations of goods/services to 501(C)(3)s, as approved by City Commission;
8. Sponsorships by the City;
9. Utilities including but not limited to electric, water and communications;
10. Copyrighted materials, except computer software;
11. Food, clothing and other promotional items purchased for resale or distribution to the public or employees;
12. Emergency food purchases for declared disaster;
13. The purchase of items critical to the security of City facilities;
14. The foregoing enumeration of services deemed to be exempt from the competitive procurement requirements is not intended to be an exhaustive or exclusive list. The City Manager or his or her designee may determine if a contractual service must be procured through the competitive procurement process if not expressly indicated herein.
**Sec. 3-5. Unauthorized Purchasing Practices**

An unauthorized purchase occurs when any employee of the city orders, contracts for or buys any goods, services, materials or supplies outside the purview of the city code and/or purchasing division. Any individual making an unauthorized purchase may be subject to disciplinary actions as appropriate, which may include termination and/or prosecution. The following are unauthorized purchasing practices:

a. Artificially dividing purchases into multiple segments, components or phases in an attempt to issue single orders below the dollar threshold requirements as established herein (also known as "stringing" or "splitting" purchase orders) is prohibited.

b. Purchasing any goods and/or services above the thresholds delineated herein directly from a vendor, bypassing the purchasing division.

c. Providing false information such as false quotations (without actually contacting and obtaining a quotation, bid or proposal from a vendor).

d. Adding unauthorized purchases to previously approved orders without approval of the appropriate approval authority.

**Sec. 3-6. Competitive Negotiations**

When the use of competitive bidding is not in the best interest of the city for a purchase of, or contract for, commodities and/or services estimated to cost in excess of $25,000, the commodities and/or services may be purchased by competitive negotiations. A request for proposals or a request for qualifications, or a request for letters of interest shall be issued. Adequate public notice of the solicitation shall be given. To assure full understanding of and responsiveness to the solicitation requirements and full understanding of qualified proposals or offers, discussions may be conducted with qualified proposers or offerors who submit responses determined to be reasonably acceptable of being selected for award for the purpose of clarification and to assure full understanding of, and responsiveness to, the solicitation requirements. The respondents shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of responses, and such revisions may be permitted through negotiations prior to award for the purpose of obtaining best and final proposals or offers. The award shall be made to the responsible proposer or offeror whose proposal or offer is determined to be the most advantageous to the city taking into consideration price and the evaluation factors set forth in the solicitation. No other criteria shall be used in the evaluation.

**Sec. 3-7. Cone of Silence**

A. Cone of Silence means a prohibition on any communication regarding a particular Request for Proposals (RFP), Request for Qualifications (RFQ), Request for Letters of Interest (RLI), bid or other competitive solicitation governed by Chapter 3 of the Code of Ordinances for a purchase governed by Chapter 3 of the Code of Ordinances between:
1. Any person who seeks an award therefrom, including a potential vendor or vendor's representative, and
2. Any member of the City Commission, all other city employees, and any non-employee appointed to evaluate or recommend selection in such procurement process. For purposes of this section, Vendor’s Representative means an employee, partner, officer, or director of a potential vendor, or consultant, lobbyist, or actual or potential subcontractor or sub-consultant of a vendor.

B. A Cone of Silence shall be applicable to the following:

1. Each RFP, RLI, RFQ, bid, or other competitive solicitation upon a determination by the Purchasing Division that sufficient specifications have been provided to begin development of the formal documents necessary for the issuance of the applicable RFP, RLI, RFQ, bid or other competitive solicitation. At the time of imposition of the cone of silence, public notice of the cone of silence shall be posted. A statement disclosing the requirements of this section shall be included in any advertisement and public solicitation for goods and services. The City Manager or his/her designee shall issue a notice to the affected department(s), the City Clerk, and City Commission's Office that such RFP, RLI, RFQ, bid or other competitive solicitation has been issued and the cone of silence has been imposed.

2. The cone of silence shall terminate at the time the city awards or approves a contract, votes to reject all bids or responses, or otherwise takes action which ends the solicitation or other procurement process. If the City Commission refers the item back to the City Manager and staff for further review, the cone of silence shall remain in effect until an award is made, a contract is approved, or the City Commission takes any other action which ends the solicitation or other procurement process. If a cone of silence is imposed for a competitive solicitation but the solicitation is not issued, the cone of silence shall terminate upon a final determination by the Purchasing Division that the solicitation will not be issued. When a cone of silence is terminated, public notice of the termination shall be posted.

C. Nothing contained herein shall prohibit any potential vendor or vendor's representative:

1. From making public presentations at a duly noticed pre-bid conference or before a duly noticed evaluation committee meeting;

2. From communicating with the City Commission during a duly noticed public meeting; or
3. From communicating verbally or in writing with a city employee for the limited purpose of seeking clarification or additional information, when such employee is specifically designated in the applicable RFP, RLI, RFQ, or bid documents. Only written addenda will be binding. No oral representations, clarifications, or changes made to the written specification by the city's employees, shall be binding unless such clarifications or changes are provided to bidders/proposers in written addendum form. All written information shall be provided to the members of the applicable Evaluation Committee, including any response thereto and attached to the City Commission agenda item or to the City Manager for consideration of the award under the applicable competitive solicitation.

4. From communicating in writing with the Purchasing Division or other staff person specifically designated on the procurement document, subject to the following provisions:

   a. The potential vendor or vendor's representative shall deliver a copy of any such written communication to the Purchasing Division, who shall make copies available to the public upon request. The written communication shall include a reference to the RFP, RLI, RFQ, or other bid document number.

   b. All written information shall be provided to the members of the applicable Evaluation Committee, including any response thereto and attached to the City Commission agenda item or to the City Manager for consideration of the award under the applicable competitive solicitation.

5. From communicating verbally, or in writing to the City Manager, the City Manager's designee, the City Attorney or the City Attorney's designee on those procurement items to be considered by the City Commission.

6. From attending meetings with homeowner associations, civic associations and the like to discuss a particular RFP, RFQ, RLI, bid or other competitive solicitation where a City Commissioner is in attendance.

D. Penalties. A violation of, or failure to comply with this section shall subject the offender, upon conviction, to a fine of $500.00, or imprisonment for a period not to exceed 60 days, or both such fine and imprisonment shall be imposed. In addition, the provisions of sections E through G, below shall apply.
E. The City Manager shall be informed of any vendor/vendor's representative who is alleged to have violated the requirements of this division. In such an event, the City Manager shall cause an investigation to be performed by the Cone of Silence Evaluation Committee (herein referred to as the Committee). The Committee shall be comprised of the Director of Finance, the Assistant City Manager, the City Clerk, and the director or designee of the department or office for which the contract is to be awarded. The director of the department or office for which the contract is to be awarded, or his/her designee, shall serve as the chairperson of the Committee. The City Attorney or designee shall be counsel to the Committee.

The Committee shall investigate the alleged violations, and present a written report, including recommendations, to the City Manager. If the City Manager determines that a violation has occurred, he/she may void an award pursuant to section F, below, and/or order a debarment as provided in section G, below, based on the severity of the violation.

A copy of the Committee's report, and the City Manager's determination of a violation, if any, as well as the voiding of the award as provided in section F, below and/or the order of debarment as provided in section G, below, if any, shall be furnished or mailed to the vendor and vendor's representative who has been investigated.

F. A determination of violation shall render any RFP award, RLI award, RFQ award, or bid award, or any contract entered into pursuant thereto, to said potential vendor voidable, at the sole discretion of the City Manager, for those contracts which he/she is otherwise authorized to approve, or the City Commission, for all other contracts.

G. The debarment of a vendor due to said violation shall be for a period commensurate with the seriousness of the violation and shall continue for the duration ordered by the City Manager. Where the violation is willful or egregious, an indefinite term of debarment may be imposed. During the period of debarment, the vendor, and other companies with any of the officers or principals the same as the debarred vendor, may not bid on any city contracts, regardless of the dollar amount, nor be approved as a subcontractor on any city contract.

H. Appeal. A vendor/vendor's representative who is determined to have violated this section and who has been penalized as provided in subsections F or G, may appeal in writing within ten (10) days of the date of receipt of the notice of violation. Said appeal request shall be submitted to the City Clerk, who shall place the appeal on the next available City Commission meeting.
Sec. 3-8. Award of Contract

A. City Commission approval. An initial purchase of, or contract for, commodities or services, in excess of $25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed. However, emergency purchases as described in Sec. 3-4Ba, shall not require advance City Commission approval. In such emergency situations that exceed $25,000, the City Manager may approve the purchase or contract, subject to later ratification by the City Commission. Emergency purchases are to be made only where there exists a clear and present threat to public health, property, welfare, safety or other substantial loss to the City.

B. City Manager approval. A purchase of, or contract for, commodities or services in an amount between $10,000 and up to $25,000 shall require the approval of the City Manager.

C. Department Director approval. A purchase of, or contract for, commodities or services in an amount up to $10,000 shall require the approval of the Department Director.

Sec. 3-9. City Attorney to Review and Approve Form of Purchasing Contracts

The City Attorney shall review contracts in excess of $10,000, as required by Section 9.3 of the City Charter, and shall approve the contracts as to form prior to their execution by the appropriate city officials. Notwithstanding the above, the City Attorney, in his or her discretion, may approve form contracts bearing a pre-printed City Attorney approval, provided that the provisions of the form contracts are not modified.

Sec. 3-10. Change Orders

A. Department Director authority. The Department Director is authorized to approve and initial work on the following types of change orders determined in his or her judgment, to be in the public interest:

1. All change orders decreasing the cost of the contract to the city that do not materially alter the character of the work contemplated by the contract;

2. A change order where the net change increases the cost of the contract to the city by an amount less than or equal to 5% as long as the sum of all change orders plus the original contract does not exceed $10,000, including contingency;

3. On a unit price contract a change order consisting of unit quantity increases at the unit price bid, which do not exceed 5% of the original unit quantity for each line item as long as the sum of all change orders plus the original contract does not exceed $10,000, including contingency;

Budget funding must be available for change orders in all circumstances.
B. City Manager authority. The City Manager is authorized to approve and initial work on the following types of change orders determined in his or her judgment, to be in the public interest:

1. All change orders decreasing the cost of the contract to the city that do not materially alter the character of the work contemplated by the contract;

2. A change order where the net change increases the cost of the contract to the city by an amount less than or equal to 10% as long as the sum of all change orders plus the original contract does not exceed $25,000, including contingency;

3. On a unit price contract a change order consisting of unit quantity increases at the unit price bid, which do not exceed 10% of the original unit quantity for each line item as long as the sum of all change orders plus the original contract does not exceed $25,000, including contingency;

Budget funding must be available for change orders in all circumstances.

C. City Commission authority. The City Commission shall approve a change order where the sum of all change orders issued under the contract results in a revised total contract amount in excess of $25,000.

Sec. 3-11. Debarment and Suspension

A. Authority and requirement to debar and suspend. After reasonable notice to an actual or prospective contractual party, and after reasonable opportunity to such party to be heard, the City Manager, after consultation with the City Attorney, shall have the authority to debar a person or entity for the causes listed below from consideration for award of city contracts. The debarment shall be for a period of not fewer than three (3) years. The City Manager shall also have the authority to suspend a contractor from consideration for award of city contracts, if there is probable cause for debarment pending the debarment determination. The authority to debar and suspend contractors shall be exercised in accordance with regulations that shall be issued by the City Manager.

B. Causes for debarment or suspension. Causes for debarment or suspension include the following:

1. Conviction of a criminal offense incident to obtaining or attempting to obtain a public or private contract or subcontract, or incident to the performance of such contract or subcontract;

2. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty;
3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;

4. Violation of city’s contract provisions, which is regarded by the City Manager to be indicative of non-responsibility. Such violation may include failure without good cause to perform in accordance with the terms and conditions of a city contract or to perform within the time limits provided in the city contract, provided that failure to perform caused by acts beyond the control of a party shall not be considered a basis for debarment or suspension;

5. Debarment or suspension of the person or entity by any federal, state, or other governmental entity;

6. False certification pursuant to division (C) below; and/or

7. Any other cause judged by the City Manager to be so serious and compelling as to affect the responsibility of the person or entity performing city contracts.

C. Debarment and suspension decisions. Subject to the provisions of division (A) above, the City Manager shall render a written decision stating the reasons for the debarment or suspension. A copy of the decision shall be provided promptly to the contractual party.

Sec. 3-12. Local Vendor Preference

A. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**LOCAL BROWARD COUNTY VENDOR.** A business entity which has maintained a permanent place of business with full-time employees within the Broward County limits for a minimum of one year prior to the date of issuance of a bid or proposal solicitation. The permanent place of business may not be a post office box. The business location must actually distribute goods or services from that location. In addition, the business must have a current business tax receipt from Broward County or the city within Broward County where the business resides.

**LOCAL NORTH LAUDERDALE VENDOR.** A business entity which has maintained a permanent place of business with full-time employees within the city limits for a minimum of one year prior to the date of issuance of a bid or proposal solicitation. The permanent place of business may not be a post office box. The business location must actually distribute goods or services from that location. In addition, the business must have a current business tax receipt from the City of North Lauderdale.
B. Process. Applies only at the tabulation of formal competitive solicitations.

1. For bid evaluation purposes, vendors that meet the definition of a local North Lauderdale vendor, as defined herein, shall be given a 5% evaluation credit and vendors that meet the definition of a local Broward County vendor, as detailed herein, shall be given a 2.5% evaluation credit. A vendor may claim only one local vendor preference per solicitation.

2. The evaluation credit will be applied to the bid or proposal price submitted by the vendor(s) who submitted the Local Vendor Preference Certification and who meet the definition herein. The local vendor’s price, after the evaluation credit is applied, will then be compared to other vendor’s submitted bid or proposal prices.

C. Local North Lauderdale vendor and local Broward County vendor shall be a criterion for award in any formal competitive solicitation unless specifically exempted by the City Manager or the City Commission.

D. Exemptions.

   a. No local vendor preference will be included in any competitive solicitation where the city is the lead agency for the Southeast Florida Cooperative Purchasing Group;
   b. Utilization of a state or other agency contract;
   c. State or federal law prohibits the use of local preference;
   d. The work is funded in whole or in part by a governmental entity where the laws, rules, regulations or policies prohibit the use of local preferences;
   e. Sole source or single source purchases;
   f. The local vendor is either non-responsive or non-responsible;
   g. All bids submitted exceed the budget amount for the project;
   h. Services procured pursuant to the State of Florida CCNA;
   i. Emergency purchases;
   j. The City Commission may exempt any competitive solicitation from the local vendor preference.

Sec. 3-13. Non-discrimination.

The vendor shall not discriminate against any person in its operations, activities or delivery of services. The vendor shall affirmatively comply with all applicable provisions of federal, state and local equal employment laws and shall not engage in or commit any discriminatory practice against any person based on race, age, religion, color, gender, pregnancy, sexual orientation, gender identity and expression, national origin, marital status, physical or mental disability, political affiliation or any other factor which cannot be lawfully used as a basis for service delivery.
Sec. 3-14. Non-Collusion.

A bidder shall not collude, conspire, connive or agree, directly or indirectly, with any other bidder, firm or person to submit a collusive or sham bid in connection with the work for which the bid has been submitted; or to refrain from bidding in connection with such work or have in any manner, directly or indirectly, sought by person to fix the price or prices in the bid or of any other bidder, or to fix any overhead profit, or cost elements of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against any other bidder, or any person interested in the proposed work.

Sec. 3-15. Bid Protest Procedures

A. Upon completion of the evaluation of all bids for a particular procurement, the Purchasing Division shall issue a notice of bid/proposal action. This notice, containing the date and time of issuance, shall be posted on the city website and on the Internet bid service websites named in the bid documents.

B. A bidder with a “substantial interest” who has been adversely affected by the city’s selection of a bidder may protest the selection by complying with the requirements set forth herein. A bidder shall be deemed to have a “substantial interest” if the bidder would have been selected as the lowest responsive and responsible bidder but for the alleged mistake or irregularly described in the protest. If the Purchasing Division determines that a bidder does not have a “substantial interest,” that bidder is precluded from bringing a protest pursuant to this section.

C. A bidder wishing to object to terms, conditions, specifications, procedures, selection criteria, weight of evaluation criteria or other matter set forth in the bid or proposed documents must make such objections in writing during the period of time set forth for questions and answers in the invitation to bid, request for proposal, request for qualifications or request for letters of interest. A bidder who has not raised such objections in writing during the question and answer time may not use the bid protest process to object to these matters once a notice of bid/proposal action has been posted.

D. A bidder may file a “Notice of Intent to Protest” by emailing said notice to the Purchasing Division within two business days of the issuance of the notice of bid/proposal action pursuant to Sec 3-15A or the publication of a City Commission agenda recommending the award of the bid, whichever is sooner. Such notice of protest shall include the bid or proposal number and title, the name and address of the protester, and a brief statement as to the basis of the protest.

E. The complete written protest must be filed with the Purchasing Division within 7 calendar days of the issuance of the notice of bid action. To be considered, the written protest must include:

1. Bid or proposal number and title;
2. Company name, protester’s name and title, physical address of protester, and email address of protester;
3. The facts and law upon which the protest is based; and grounds not stated shall be deemed waived;
4. Rules, regulations or statutes pertinent to the protest;
5. Relief which the protester seeks;
6. Any other information that the protester deems to be material to the protest; and
7. A bid protest bond in the form of a certified check, cashier’s check, or money order made payable to the City of North Lauderdale in an amount equal to 5% of the protester’s bid or $5,000, whichever is less. If the protest is upheld by the city, the bond will be refunded to the protester. If the protest is denied, the entire bond amount shall be forfeited to the city.

F. Upon receipt of a timely filled and complete formal written protest, the Purchasing Division shall stay the award of the purchase order or contract until the protest is resolved, unless the Purchasing Division determines in writing that compelling circumstances exist which require that the award be processed without further delay, in order to protect the city’s interest or for the purpose of avoiding an immediate and serious danger to the public health, safety or welfare.

G. After receipt of the timely filed and complete written protest, and upon the protester’s request, the Purchasing Division shall meet with the protester to discuss the allegations and to attempt to resolve the matter. The Purchasing Division shall issue his or her decision on the protest within 10 calendar days of the meeting, or if no meeting is requested, within 10 days of receipt of the timely filed and complete written protest. Such decision shall be e-mailed to the protester on the date of issuance unless otherwise directed by the protester.

H. The protester may appeal the decision of the Purchasing Division to the City Manager by filing a written appeal with the City Clerk’s office within 3 business days of issuance of the Purchasing Division’s decision. The appeal must be in writing and must include a full explanation of the basis of disagreement with the decision rendered by the Purchasing Division, as well as the relief sought. The City Manager shall overturn the selection if the protester proves that the selection did not comply in material respects with the requirements contained in the invitation to bid, request for proposal, request for qualifications or request for letters of interest; with this procurement code, or with Florida law. The decision of the City Manager shall be final. The City Manager’s decision shall be e-mailed to the protester on the date of issuance unless otherwise directed by the protester.

I. Failure by a bidder to comply with the timelines and requirements set forth herein shall result in an immediate invalidation and termination of the protest and a waiver of the right to seek further redress or to appeal the alleged adverse action in a court of law.

J. Any and all costs incurred by a protesting party in connection with a protest pursuant to this section shall be the sole responsibility of the protesting party.
To:        Honorable Mayor and City Commission  
From:      Ambreen Bhattty, City Manager  
By:        Susan Nabors, Director of Finance  
Date:      March 26, 2019  
Subject:   EMS Transport Accounts Receivable Write-Off  

BACKGROUND:  

In June, 1998, the City entered into an agreement with Advanced Data Processing, Inc. (“ADPI”) for medical billing services related to EMS transports. In summary, the scope of the services are: ADPI would prepare invoices, file insurance claims, file claims with Medicare/Medicaid, record customer payments, perform collection activities, and provide reports to the City. The funds are remitted to the City through a bank lockbox or credit card processor.

Over the period of October 2011 through September 2013, ADPI invoiced net charges of $2,936,148, representing 5,838 accounts. Collections on those invoices amount to $1,208,471. A balance of $1,727,677 of those EMS billings remains uncollected as of February 28, 2019. Exhibit A shows the monthly billing, receipts and balance due for the two fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Net Amount Billed</th>
<th>Collected</th>
<th>Balance Remaining</th>
<th>% Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2012</td>
<td>$1,401,324</td>
<td>$557,935</td>
<td>$843,389</td>
<td>40%</td>
</tr>
<tr>
<td>FY 2013</td>
<td>$1,534,824</td>
<td>$650,536</td>
<td>$884,288</td>
<td>42%</td>
</tr>
</tbody>
</table>

| $2,936,148  | $1,208,471        | $1,727,677 |

ADPI makes multiple attempts to collect from patients and/or insurance companies but are not always successful in collecting the charges. A number of factors contribute to the lack of collectability. First, Medicare/Medicaid has a maximum amount they are allowed to pay out on these claims. The maximum amounts are far below the amount charged by the City. Second, some patients do not carry insurance to collect against or they have high deductibles that make them personally responsible for the charges. Third, some patients simply never pay their bill. Generally, collection on accounts greater than five (5) years is considered remote.

It is important to note, the low collection rate on EMS transports is not isolated to the City of North Lauderdale. In fact, this is common across the nation.
Over the last year and a half, the City has undertaken additional actions to increase the receipts on EMS transports. First, the City started accepting credit card payments for these bills to provide an additional payment option. Second, we instituted an additional step in the collection process which includes sending a collection letter on City letterhead which also reminds transport patients our willingness to enter into payment plans for the unpaid balances. Third, we participated in the Public Emergency Medical Transport (PEMT) program offered by the State to help in filling the gap between the maximum amount Medicaid pays and the charges by the City. In the first year of PEMT, the City was able to recover approximately $72,000 and we are anticipating approximately $85,000 in the next couple of months. We will continue to evaluate options to increase the collections on EMS transports.

Best accounting practice is to periodically review accounts receivable and remove from the accounting records those that are not anticipated to be collected. It is recommended to formally write off $1,727,677 of EMS receivables from FY 2012 and FY 2013 as uncollectable. This amount was 100% reserved in prior years. This means the total amount was considered uncollectible and recorded into financial statements of the City. There will be no financial statement impact to revenue or expense from the approval of this write-off. It is important to note approval of this resolution does not constitute a forgiveness of the debt.

**RECOMMENDATION:**

The Administration recommends Commission’s consideration and approval of the attached resolution authorizing the write-off of uncollectible EMS receivables between October 2011 and September 2013.
## EXHIBIT A

MONTHLY NET CHARGES, RECEIPTS AND BALANCE DUE
OCTOBER 2011 – SEPTEMBER 2013

<table>
<thead>
<tr>
<th>Year-Month of Service</th>
<th># of Accounts</th>
<th>Net Charges</th>
<th>Receipts</th>
<th>Net Balance Due</th>
<th>Collection Net %</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-10</td>
<td>209</td>
<td>$113,372.30</td>
<td>$40,007.95</td>
<td>$73,364.35</td>
<td>35.29%</td>
</tr>
<tr>
<td>2011-11</td>
<td>224</td>
<td>$116,609.38</td>
<td>$49,296.32</td>
<td>$67,313.06</td>
<td>42.27%</td>
</tr>
<tr>
<td>2011-12</td>
<td>227</td>
<td>$116,770.71</td>
<td>$49,057.26</td>
<td>$67,713.45</td>
<td>42.01%</td>
</tr>
<tr>
<td>2012-01</td>
<td>199</td>
<td>$106,313.80</td>
<td>$41,440.34</td>
<td>$64,873.46</td>
<td>38.98%</td>
</tr>
<tr>
<td>2012-02</td>
<td>204</td>
<td>$106,179.93</td>
<td>$40,380.26</td>
<td>$65,793.67</td>
<td>38.04%</td>
</tr>
<tr>
<td>2012-03</td>
<td>242</td>
<td>$125,077.44</td>
<td>$53,411.57</td>
<td>$71,665.87</td>
<td>42.70%</td>
</tr>
<tr>
<td>2012-04</td>
<td>214</td>
<td>$114,733.79</td>
<td>$44,045.62</td>
<td>$70,688.17</td>
<td>38.39%</td>
</tr>
<tr>
<td>2012-05</td>
<td>214</td>
<td>$112,862.46</td>
<td>$50,735.74</td>
<td>$62,126.72</td>
<td>44.95%</td>
</tr>
<tr>
<td>2012-06</td>
<td>229</td>
<td>$119,056.83</td>
<td>$47,824.17</td>
<td>$71,232.66</td>
<td>40.17%</td>
</tr>
<tr>
<td>2012-07</td>
<td>240</td>
<td>$129,191.51</td>
<td>$48,406.44</td>
<td>$80,785.07</td>
<td>37.47%</td>
</tr>
<tr>
<td>2012-08</td>
<td>242</td>
<td>$131,096.30</td>
<td>$47,552.61</td>
<td>$83,543.69</td>
<td>36.27%</td>
</tr>
<tr>
<td>2012-09</td>
<td>203</td>
<td>$110,059.57</td>
<td>$45,770.93</td>
<td>$64,288.64</td>
<td>41.59%</td>
</tr>
<tr>
<td>2012-10</td>
<td>252</td>
<td>$141,286.76</td>
<td>$51,405.06</td>
<td>$89,881.70</td>
<td>36.38%</td>
</tr>
<tr>
<td>2012-11</td>
<td>250</td>
<td>$126,793.83</td>
<td>$52,462.50</td>
<td>$74,331.53</td>
<td>41.38%</td>
</tr>
<tr>
<td>2012-12</td>
<td>244</td>
<td>$130,345.80</td>
<td>$52,904.31</td>
<td>$77,441.49</td>
<td>40.59%</td>
</tr>
<tr>
<td>2013-01</td>
<td>274</td>
<td>$154,217.59</td>
<td>$83,277.84</td>
<td>$70,939.75</td>
<td>41.03%</td>
</tr>
<tr>
<td>2013-02</td>
<td>224</td>
<td>$114,107.67</td>
<td>$46,854.32</td>
<td>$67,253.35</td>
<td>41.05%</td>
</tr>
<tr>
<td>2013-03</td>
<td>242</td>
<td>$128,311.45</td>
<td>$53,067.32</td>
<td>$75,244.13</td>
<td>41.36%</td>
</tr>
<tr>
<td>2013-04</td>
<td>247</td>
<td>$128,459.90</td>
<td>$54,464.58</td>
<td>$73,995.32</td>
<td>42.40%</td>
</tr>
<tr>
<td>2013-05</td>
<td>246</td>
<td>$122,720.60</td>
<td>$80,474.52</td>
<td>$82,246.08</td>
<td>49.28%</td>
</tr>
<tr>
<td>2013-06</td>
<td>243</td>
<td>$121,521.15</td>
<td>$57,545.41</td>
<td>$63,975.74</td>
<td>47.35%</td>
</tr>
<tr>
<td>2013-07</td>
<td>258</td>
<td>$128,361.33</td>
<td>$58,432.50</td>
<td>$69,928.83</td>
<td>45.52%</td>
</tr>
<tr>
<td>2013-08</td>
<td>226</td>
<td>$115,966.90</td>
<td>$46,098.89</td>
<td>$69,868.01</td>
<td>39.75%</td>
</tr>
<tr>
<td>2013-09</td>
<td>230</td>
<td>$122,730.71</td>
<td>$53,548.85</td>
<td>$69,181.86</td>
<td>43.03%</td>
</tr>
<tr>
<td>2013-10</td>
<td>255</td>
<td>$136,075.51</td>
<td>$63,792.63</td>
<td>$72,282.88</td>
<td>46.88%</td>
</tr>
</tbody>
</table>

Source: ADPI February 2019 EOM Financial Close Report
CITY OF NORTH LAUDERDALE

RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO WRITE-OFF UNCOLLECTED EMERGENCY MEDICAL TRANSPORT CHARGES FOR THE PERIOD OF OCTOBER 1, 2011 TO SEPTEMBER 30, 2013; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City entered into an agreement with Advanced Data Processing, Inc. ("ADPI") in June 1998 to provide medical billing services for EMS transport services; and

WHEREAS, from October 2011 to September 2013 ADPI billed $2,936,148, net, and collected $1,208,471; and

WHEREAS, as of February 28, 2019, there remains uncollected balance on the October 2011 to September 2013 billings of $1,727,677; and

WHEREAS, ADPI has made multiple attempts to collect the unpaid amounts; and

WHEREAS, the City has recorded a reduction in the accounting records for the full amount of the uncollected amount; and

WHEREAS, the Director of Finance recommends approval to formally write off the uncollected EMS receivables from October 2011 to September 2013; and

WHEREAS, the City Commission of the City of North Lauderdale, Florida deems it to be in the best interests of the citizens and residents of the City of North Lauderdale to approve write off of these specific uncollected EMS transport receivables.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission.
Section 2. The appropriate City officials are hereby authorized to write-off the uncollected receivables from October 2011 to September 2013.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 5. This Resolution shall become effective immediately upon its passage and adoption.


______________________________
MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM BY CITY ATTORNEY:

______________________________
SAMUEL S. GOREN, ESQ.
As you are aware, there has been a critical canal bank erosion issue along the properties located at 717, 719 and 721 SW 79th Avenue. It was determined by an investigative study performed by Total Municipal Solutions that there is a canal undercutting 8 feet below the surface that extends 5 feet into the bank, creating a cave like condition. As a result, the limestone has cracked at this location and the bank is failing and the canal bank at these locations needs to be rehabilitated.

In order to get a competitive price for this rehabilitation project, a bid package was prepared accordingly. The Scope of Work consists of installing steel sheet piles supported by concrete cap and concrete batter piles in conformance with the bid specifications and drawings. Work includes, but is not limited to:

1. Removing and lawfully disposing of vegetation, clearing and preparing site for construction.

2. All backfilling with required compaction, grading and sod installation.

3. Restoring the site, and repairing any damaged items caused by contracted work, to their original or better conditions.

The Invitation to Bid was advertised in Sun-Sentinel on January 13 and January 20, 2019. Bid documents were officially released on the City’s website and on the Demand Star bid system on January 14, 2019.

A mandatory pre-bid meeting was held on January 23, 2019 in which interested Bidders were required to attend for their bid submissions to be considered. The Bid Opening was held on March 5, 2019 at 10:00 and the following 4 bid packets were received for consideration:
<table>
<thead>
<tr>
<th>Company/Vendor:</th>
<th>Bid Proposal Amount</th>
<th>Bid After Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>POSEIDON DREDGE &amp; MARINE INC.</td>
<td>$603,728.47</td>
<td>$603,728.47</td>
</tr>
<tr>
<td>SHORELINE FOUNDATION INC.</td>
<td>$792,486.00</td>
<td>$792,486.00</td>
</tr>
<tr>
<td>ATL DBA ARBOR TREE &amp; LAND</td>
<td>$870,240.00</td>
<td>$870,240.00</td>
</tr>
<tr>
<td>KIEWIT INFRASTRUCTURE SOUTH CO.</td>
<td>$1,349,964.00</td>
<td>$1,349,964.00</td>
</tr>
</tbody>
</table>

(the written out amount differed from auto calculated amount $1,377,564.00)

Based on the bid quotes listed above, reference checks and meeting with the vendor, Poseidon Dredge & Marine Inc. was determined to be the lowest, most responsive and responsible bidder at $603,728.47 for the Canal Bank Repair project.

This project was funded in Fiscal Year 2019 canal maintenance budget in the amount of $500,000. A reconciliation for the entire canal maintenance budget will be adjusted at the end of the fiscal year. The project will begin immediately once the Notice to Proceed is issued.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to enter into an agreement between the City of North Lauderdale and Poseidon Dredge & Marine Inc., for the Canal Bank Repairs at 717, 719, and 721 SW 79th Ave as outlined in ITB #19-01-376, in an amount not to exceed $603,728.47 and a contingency of $60,000 for any other related items if needed.
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH POSEIDON DREDGE & MARINE INC. FOR THE CANAL BANK REPAIRS AT 717, 719 AND 721 SW 79TH AVENUE, NORTH LAUDERDALE AS OUTLINED IN ITB #19-01-376 IN AN AMOUNT NOT TO EXCEED $603,728.47 WITH A CONTINGENCY OF $60,000.00 FOR ANY OTHER RELATED ITEMS IF NEEDED; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the Bids for the project were obtained through Notice of Invitation to Bid #19-01-376;

Section 2: That the lowest bidder, Poseidon Dredge & Marine Inc. was deemed most responsive and responsible.

Section 3: That the City Manager or her designee, is authorized to enter into an agreement with Poseidon Dredge & Marine Inc. in an amount not to exceed $603,728.47 with a contingency of $60,000.00 for any other related items, if needed.

Section 4: That the funding for this project is budgeted in Fiscal Year 2019.

Section 5: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 26th day of March, 2019.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR ANA M. ZIADE

VICE MAYOR SAMSON BORDELIN

ATTEST: ________________________
CITY CLERK PATRICIA VANCHERI
INVITATION TO BID

ITB #19-01-376
CANAL BANK REPAIR

BID OPENING MEETING MINUTES
March 5, 2019

Sealed proposals for ITB #19-01-376 for Canal Bank Repair were due in City Clerk’s office on March 5, 2019 by 10:00 a.m. Bid opening meeting convened at 10:01 a.m.

ATTENDING:

City Staff Present:
George Krawczyk, Public Works Director
Ann-Marie Fraser, Accounting and Purchasing Coordinator
Susan Nabor, Finance Director
Shani Grant, Public Works/Utilities Engineer
Patricia Vancheri, City Clerk

Bidders:
Poseidon Dredge & Marine, Inc.
Shoreline Foundation, Inc.
Kiewit Infrastructure South, Co.
ATL d/b/a Arbor Tree & Land

(A copy of the Sign In Sheet is attached to these Minutes)

Discussion:

Ann-Marie Fraser opened the meeting at 10:01 a.m. She indicated that bid proposals submitted by bidders would only be considered if the bidder attended the mandatory pre-bid meeting held on January 23, 2019.

Ms. Fraser stated that this process does not constitute an award or a recommendation for award. After this bid opening, the bids will be reviewed by the Purchasing Division, the Public Works Department and the City’s Legal Counsel. Thereafter, a Notice of Intent to Award or to reject bids, shall be posted on DemandStar and the City website with recommendations as to the lowest responsible and responsive bidder, whose bid is determined to be legally sufficient and in compliance with the bid specifications, terms, and conditions. The recommendation and tabulations will be posted on DemandStar and the City website within three (3) business days from today. It is anticipated that the recommendation will be submitted to the City Commission for award on Tuesday, March 12, 2019. Ms. Fraser stated there were no alternates for this project; only one (1) Bidder will be selected for award. Further, Ms. Fraser commented that there were two (2) addenda posted for this project which required acknowledgment of receipt of
these addenda; a 5% Bid Bond and 100% Performance Bond and that failure to include these items may result in rejection of bid.

The following bids were received and opened in no particular order:

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Addendums</th>
<th>Bid Bond</th>
<th>Performance Bond</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>POSIDON DREDGE &amp; MARINE INC.</td>
<td>YES</td>
<td>YES</td>
<td>AT AWARD</td>
<td>$603,728.47</td>
</tr>
<tr>
<td>SHORELINE FOUNDATION INC.</td>
<td>YES</td>
<td>YES</td>
<td>AT AWARD</td>
<td>$792,486.00</td>
</tr>
<tr>
<td>ATL DBA ARBOR TREE &amp; LAND</td>
<td>YES</td>
<td>YES</td>
<td>AT AWARD</td>
<td>$870,240.00</td>
</tr>
<tr>
<td>KIEWIT INFRASTRUCTURE SOUTH CO.</td>
<td>YES</td>
<td>YES</td>
<td>AT AWARD</td>
<td>$1,349,964.00  (the written out amount differed - $1,377,564.00)</td>
</tr>
</tbody>
</table>

Ms. Fraser thanked everyone for their submissions and the bid opening concluded at 10:12 am.

Respectfully submitted,
Patricia Vancheri, City Clerk
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: George Krawczyk, Public Works/Utilities Director, Shani Grant, Public Works/Utilities Engineer

DATE: March 26, 2019

SUBJECT: Culvert Cleaning and Repair of Culvert No. 24

In preparation of the next rainy season, a thorough inspection of all the City’s culvert pipes was recently performed. The City Staff visually checks on a regular basis from the boat, however, as storm events have been more problematic in the past years, a professional vendor specializing in providing diving video services was procured to perform this service from underwater. The divers documented and assessed each culvert with video evidence in the City of North Lauderdale canal system.

Using the piggybacking option, the City staff contracted with Aqua-Nautik Underwater-Work, LLC as the vendor to provide diving and underwater video services for the City in order to inspect all the culverts and one outfall in the City. The pricing structure received for this purchase was based off of piggybacking the City of Sunrise BID 18-11-01-MS Certified Diving Contractors. Aqua-Nautik Underwater-Work LLC was the lowest responsive and responsible bidder and was awarded the contract under the City of Sunrise, BID 18-11-01. Aqua-Nautik Underwater –Work has culvert inspection and cleaning for the City of Sunrise for over 3 years. The vendor agreed to match the same prices for the City of North Lauderdale.

Staff reviewed the video reports and identified the 14 of 30 culverts that contained blockage that needs to be cleaned. In addition, there is one (1) culvert that requires repairs. Using the prices awarded on City of Sunrise BID 18-11-10, the staff requested a proposal from Aqua-Nautik Underwater-Work, LLC to clean these culverts and to repair a culvert pipe that is damaged. The City staff worked well with this company during the inspection process and had no issues with their work product. The vendor is available to begin work immediately, upon approval, and agrees to finish quoted work before the next raining season begins.

RECOMMENDATION:

The City Administration recommends that the City Commission approves the attached Resolution authorizing the City Manager or designee to award a contract to Aqua-Nautik Underwater-Work, LLC to provide culvert cleaning services and repair of one culvert for an amount not to exceed $74,347.50, using the City of Sunrise Contract ITB 18-11-101 for culvert cleaning and repairs.
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD A CONTRACT TO AQUA-NAUTIK UNDERWATER-WORK, LLC., TO PROVIDE CULVERT CLEANING SERVICES AND REPAIR OF ONE CULVERT, FOR AN AMOUNT NOT TO EXCEED $74,347.50, USING THE CITY OF SUNRISE CONTRACT, ITB 18-11-01, FOR CULVERT CLEANING AND REPAIRS; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the City will accept the piggyback bid off the City of Sunrise Contract ITB 18-11-01, for pricing and scope of work of similar nature.

Section 2: That the City Commission of the City of North Lauderdale, Florida authorizes the City Manager or her designee to accept the proposal from Aqua-Nautik Underwater-Work, LLC.

Section 3: That the funding for this project, in an amount not to exceed $74,347.50, will be charged to the Canal Maintenance budget. The funds for this project have been allocated in Fiscal Year 2019 budget.

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 26th day of March, 2019.

APPROVED AS TO LEGAL FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR ANA M. ZIADE

___________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

___________________________________
PATRICIA VANCHERI, CITY CLERK
# Proposal #: 1903-0050-1

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
<th>Detail</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>diving services</td>
<td>repair disconnection culvert #24, reconnect by underwater welding</td>
<td>up to 25.5h</td>
<td>295.00</td>
<td>$7,522.50</td>
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<tr>
<td></td>
<td></td>
<td>- cleaning connection area</td>
<td></td>
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<td></td>
<td></td>
<td>- reconnect and seal work by uw-welding</td>
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<tr>
<td></td>
<td></td>
<td>- worktime from departure shop to arrival shop in Fort Lauderdale</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>- expected execution time: 25.5 hours</td>
<td></td>
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<td></td>
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<tr>
<td>1.1</td>
<td>diving services</td>
<td>for cleaning of 14 culverts, culvert list ≥ 50% blocked</td>
<td>up to 225.0h</td>
<td>295.00</td>
<td>66,375.00</td>
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<tr>
<td>2</td>
<td>Underwater Video Services</td>
<td>Video documentation of diving work or additional ROV inspection</td>
<td>up to 10h</td>
<td>45.00</td>
<td>$450.00</td>
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<tr>
<td></td>
<td>dive site</td>
<td>- culvert #24 (repair)</td>
<td></td>
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<td>- different places North Lauderdale (cleaning)</td>
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<td></td>
<td>Diving group, included as</td>
<td>- water high pressure cleaner</td>
<td></td>
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<td></td>
<td>follow:</td>
<td>- uw-video survey</td>
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<td>- uw-welding</td>
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<td></td>
<td>- hydraulic suction pump</td>
<td></td>
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<tr>
<td></td>
<td>provided by customer:</td>
<td>- free access to the jobsite</td>
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<td>- closing/detour the road</td>
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<td>- lifting device for suction pump</td>
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<td></td>
<td></td>
<td>- debris removal</td>
<td></td>
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<tr>
<td></td>
<td>Sales Tax</td>
<td>Ft Lauderdale, Florida Sales Tax 6%</td>
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<td></td>
<td>S&amp;H</td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
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<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td>$74,347.50</td>
</tr>
</tbody>
</table>

**Additional Notes:**

Invoices are to pay in 10 days after date of invoices.
Commodity Code: 91377 Maintenance and Repair, Pipe Culvert (BID 18-11-01-MS)

[Signatures of Authorized Person]
Carsten Thoermer, CEO
INTER-OFFICE MEMORANDUM
CITY CLERK’S DEPARTMENT

TO: Mayor and City Commission

FROM: City Clerk Patricia Vancheri

DATE: March 26, 2019

SUBJECT: Broward League of Cities Board of Directors Appointments

The Broward League of Cities is requesting each Member City to pass a Resolution appointing a Director, an Alternate Director and a Second Alternate Director to serve on the Board of Directors for the time period effective May 18, 2019 through May 2020. The deadline to submit the appointments to the Broward League of Cities is April 18, 2019.

The current slate of officers is Commissioner Lorenzo Wood, Director; Commissioner rich Moyle, Alternate and Commissioner Samson Borgelin, Second Alternate.

COMMISSION ACTION NEEDED:
Select among your peers Commissioners to serve in the three positions cited above; fill in the names in the attached Resolution; read and adopt the Resolution with the names inserted.
RESOLUTION NO. ________________

A RESOLUTION OF THE NORTH LAUDERDALE CITY COMMISSION
APPOINTING A DIRECTOR, AN ALTERNATE DIRECTOR AND A
SECOND ALTERNATE TO THE BROWARD LEAGUE OF CITIES
BOARD OF DIRECTORS EFFECTIVE MAY 18, 2019 THROUGH MAY
OF 2020; PROVIDING THAT A COPY OF THIS RESOLUTION BE SENT
TO MARY LOU TIGHE, EXECUTIVE DIRECTOR OF THE BROWARD
LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Broward League of Cities has requested that each member city provide a
Resolution naming, from among their peers a director, alternate director and second alternate
director to serve on the League Board of Directors.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North
Lauderdale, Florida:

Section 1. That _____________________________ be and the same is hereby selected to
serve as a Director of the Broward League of Cities Board of Directors.

Section 2. That _____________________________ be and the same is hereby selected to
serve as an Alternate Director of the Broward League of Cities Board of Directors.

Section 3. That _____________________________ be and the same is hereby selected to
serve as a Second Alternate Director of the Broward League of Cities Board of Directors.

Section 4: That the City Clerk shall provide an executed copy of this Resolution to Mary
Lou Tighe, Executive Director, Broward League of Cities.

Section 5: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the North Lauderdale City Commission this 26TH day of March ,
2019.

APPROVED AS TO LEGAL FORM:

_________________________________________  ____________________________
SAMUEL S. GOREN CITY ATTORNEY                  MAYOR ANA M. ZIADE

_________________________________________
ATTEST:__________________________  ____________________________
CITY CLERK, PATRICIA VANCHERI                    VICE MAYOR SAMSON BORGEVIN
MEMORANDUM

To: City Clerks
From: Mary Lou Tighe, Executive Director
Date: March 20, 2019
Re: 2019-20 Board of Director Appointments

According to the League By-Laws:

- Each city shall appoint a Director, Alternate, and Second Alternate to attend and vote at any Board of Directors or General Membership meeting held where he/she represents his/her municipality.

- It is the responsibility of each Director to communicate with his/her respective municipal officials, employees, and constituents concerning actions taken or to be taken by the Board of Directors or the general membership. Directors are responsible for bringing issues of collective importance to the attention of the Board of Directors.

- Each member of the Board of Directors shall notify his or her Alternate to attend Board of Director Meetings when that voting member will not attend. The Alternate shall have the right to participate and vote. In the event the Alternate cannot attend, the Alternate shall notify his or her Second Alternate to attend Board of Director meetings when the Alternate cannot attend. The Second Alternate shall have the right to participate and vote.

Please agenda the selection of your Director, Alternate, and Second Alternate for your next commission meeting as the deadline for board appointments is April 18, 2019. The term will begin on May 18, 2019 and end in May of 2020.

Please forward the information below to scochrane@browardleague.org.

=================================

Municipality: _______________________

Commissioner/Council Appointments:

Director: ___________________________

Alternate: ___________________________

Second Alternate: ____________________

Samuel S. Goren, Esquire
Goren Cherof Doody & Ezrol, PA
Legal Counsel

Mary Lou Tighe
Executive Director

Sely Cochrane
Deputy Executive Director
We are pleased to announce the date of this year’s Annual Gala which will be held on Saturday, May 18th, 2019 at the Margaritaville Hollywood Beach Resort! As you know we have devoted a tremendous amount of work and energy to grow and develop the League’s Annual Gala. Last year was a great success in terms of record breaking sponsorships and a sold-out event. This year, we have new goals and aspirations to continue this upward trend.

While many of our municipalities participate in the Gala we have not yet reached 100%. That is our goal this year and we need your help to get there. Municipal sponsors have two options: the first is the Premium sponsorship at a $5000 level and the other is the minimum sponsorship at a $2500 level. The benefits of the two levels are listed on the attached form. This is the most important annual event the League has. We honor our past, present and future leadership, while charting an ambitious and exciting course for the upcoming year.

I hope that you will join us as a Premium sponsor so that we can continue to grow the League and do great things for our cities. If you have any questions, please do not hesitate to contact me at 954.357.7370 or by email at mltighe@browardleague.org.

Best,

Mary Lou Tighe
Executive Director

---

Mary Lou Tighe
Executive Director
Broward League of Cities
115 South Andrews Avenue, Suite 122
Fort Lauderdale, Florida 33301
954-357-7370

Visit our Website
Like us on Facebook
SAVE the DATE

Mark your calendars for our 62nd Annual Gala!

Saturday, May 18, 2019
6:30 PM at Margaritaville Beach Resort

Invitation to follow
BROWARD LEAGUE OF CITIES
62nd Annual Gala
Margaritaville Hollywood Beach Resort | May 18, 2019

MUNICIPAL SPONSORSHIP LEVELS & BENEFITS

**PREMIER SPONSOR | $5,000**
- Premium Reserved Table for 10
- Complimentary Valet Parking
- Half Page Ad in Event Program
- Prominent Screen Recognition at Event & on League Website
- Signage Recognition at Event
- Verbal Recognition at Event
- Pre & Post Social Media Recognition
- Pre & Post Event Press Release Recognition

**MINIMUM SPONSOR | $2,500**
- 6 Dinner Tickets
- Complimentary Valet Parking
- Company Listing in Event Program
- Signage Recognition at Event
- Pre & Post Social Media Recognition

WE ARE PLEASED TO SUPPORT THE BROWARD LEAGUE OF CITIES 62ND ANNUAL GALA AT THE FOLLOWING LEVEL:

- **___ PREMIER SPONSOR...............$5,000**
- **___ MINIMUM SPONSOR...............$2,500**

City:

Contact:

Address:

City, State, Zip Code:

Phone: __________ Email: __________

1/2 Page Ad Size is 5.5"H x 8.5"W. Ad Deadline is May 3, 2019 at 12:00 Noon

Please complete and return to:
Broward League of Cities
115 South Andrews Avenue, Suite 122
Fort Lauderdale, Florida 33301

For additional information, please call 954.357.7370 or email mlitighe@browardleague.org