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EXHIBIT 1
RESOLUTION NO. 2019-

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, DECLARING A UNIQUE CIRCUMSTANCE PURSUANT TO CHAPTER 23, SECTION 8 (5), EXCEPTION TO BID REQUIREMENTS, OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES; AUTHORIZING THE PURCHASE OF COMPRESSED NATURAL GAS IN THE NOT-TO-EXCEED AMOUNT OF EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) FROM OPIS ENERGY TO BE UTILIZED IN THE SANITATION DIVISION; AND PROVIDING FOR AN EFFECTIVE DATE.

16 **WHEREAS**, Section 23-8, Exception to Bid Requirements, (5) Unique Circumstances,
17 provides where the City Commission finds unique circumstances to establish that competitive
18 bidding is not in the best interest of the City, the City Commission may waive the requirement for
19 a formal written contract when such contract would not be in the best interest of the city; and
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21 **WHEREAS**, the City's Sanitation Division utilizes eight (8) Compressed Natural Gas
22 (CNG) trucks to collect Solid Waste on a daily basis; and
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24 **WHEREAS**, due to the closing of the City of Hollywood CNG Fueling Station back in July
25 of 2016, the City has been utilizing Wise Gas station in Pompano Beach as a fueling source; and
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27 **WHEREAS**, the operation of Wise Gas station has been taken over by Opis Energy and
28 is the most cost-effective location to fuel compared to PetroCard who is used as the City's back-
29 up and is located farther away in Pompano Beach; and
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31 **WHEREAS**, currently there are two (2) purchase orders opened for purchasing CNG, one
32 in the amount of \$25,000 dollars for PetroCard and the other in the amount of \$50,000 for Opis
33 Energy; and
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35 **WHEREAS**, staff had anticipated the expenditure on CNG fuel for 2018/2019 to be
36 \$50,000, but this cost was increased due to the unanticipated breakdowns of City sanitation
37 vehicles; and

38 **WHEREAS**, currently a total of \$48,242.03 has been spent on fueling with Opis Energy
39 and staff is requesting a Purchase Order not-to-exceed \$35,000, to a total not-to-exceed amount
40 of \$85,000; and

41
42 **WHEREAS**, upon approval of this action, the funds will be moved over from the PetroCard
43 purchase order to the Opis Energy purchase order; and

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45 **WHEREAS**, currently there is a lack of CNG fueling stations between Miami and South
46 Broward. Although compressed gas is not a sole source product, the necessity of driving the
47 vehicles to the location combined with the scarcity of locations results in a unique circumstance
48 wherein competitive solicitation is not viable; and

49
50 **WHEREAS**, the Mayor and the City Commission have determined that it is in the best
51 interest of the City to authorize the City Manager to expend up to a maximum amount of eighty-
52 five thousand dollars (\$85,000) for the purchase of CNG from Opis Energy and authorizing the
53 City Manager to take all necessary action to implement the purchase.

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55 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**
56 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

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58 **SECTION 1. Declaration of Unique Circumstance.** The Mayor and City Commission
59 declare a Unique Circumstance pursuant to Chapter 23, Section 7 (5) of the City of Hallandale
60 Beach Code of Ordinances.

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62 **SECTION 2. City Manager Authorization.** The Mayor and City Commission hereby
63 authorize the City Manager to execute all related documents with Opis Energy for the purchase
64 of Compressed Natural for the Sanitation Division to collect Solid Waste on a daily basis in an
65 amount not to exceed eighty-five thousand (\$85,000) dollars. The City Manager is authorized to
66 take all necessary action to implement the purchase.

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68 **SECTION 3. Effective Date.** This Resolution shall take effect immediately upon its
69 passage and adoption.

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71 APPROVED AND ADOPTED on this _____, day of August, 2019.

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JOY D. ADAMS
MAYOR

78 ATTEST:

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JENORGEN M. GUILLEN, CMC
CITY CLERK

85
86 APPROVED AS TO LEGAL SUFFICIENCY
87 AND FORM

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90
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JENNIFER MERINO
CITY ATTORNEY

94

FINAL VOTE ON ADOPTION

Mayor Adams _____
Vice Mayor Javellana _____
Commissioner Butler _____
Commissioner Lazarow _____
Commissioner Lima-Taub _____

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