

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AGREEMENT FOR EMPLOYEE HEALTH CENTER ADMINISTRATION AND A BUSINESS ASSOCIATE AGREEMENT WITH MARATHON HEALTH, LLC, AND WAIVING THE MANDATORY COMMISSION APPROVAL AMOUNT AND THE COMPETITIVE SOLICITATION AND SELECTION PROCESSES CONTAINED IN DIVISION 2, PROCUREMENT, OF CHAPTER 2, ARTICLE V, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR PURCHASES OF GOODS AND SERVICES FROM MARATHON HEALTH, LLC, AND PROVIDING FOR SEVERABILITY, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS, AND AN EFFECTIVE DATE.

---

WHEREAS, Subsection 2-176(e)(15), Code of Ordinances of the City of Fort Lauderdale, Florida, (the "Code"), excludes medical services from the applicability of the mandatory commission approval amount and the competitive solicitation and selection processes contained in the Procurement Division of the Code; and

WHEREAS, the Risk Manager has negotiated a proposed agreement with Marathon Health, LLC, for medical services, the scope of services of which includes the purchase of goods and services other than medical services; and

WHEREAS, pursuant to Subsection 2-176(e)(17) of the Code, the mandatory commission approval amount and the competitive solicitation and selection processes contained in Division 2, Procurement, of Chapter 2, Article V, of the Code, do not apply to "[p]urchases of goods or services for which the provisions of this article are waived by the city commission by resolution."; and

WHEREAS, it would be in the City's best interest to approve an agreement with Marathon Health, LLC, as negotiated by the Risk Manager, and waive the mandatory commission approval amount and the competitive solicitation and selection processes contained in Division 2, Procurement, of Chapter 2, Article V, of the Code, for purchases of goods and services from Marathon Health, LLC;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission approves an Agreement for Employee Health Center Administration ("Agreement") and a Business Associate Agreement between the City of Fort Lauderdale and Marathon Health, LLC, in substantially the forms attached to Commission Agenda Memo No. 23-0227, and authorizes the City Manager to execute the Agreement and the Business Associate Agreement and approve three one-year renewal options contingent upon appropriation of funds.

SECTION 2. That the City Commission waives the mandatory commission approval amount and the competitive solicitation and selection processes set forth in Division 2, Procurement, of Chapter 2, Article V, of the Code of Ordinances of the City of Fort Lauderdale, Florida, for purchases of goods and services from Marathon Health, LLC, made pursuant to the Agreement for Employee Health Center Administration between the City of Fort Lauderdale and Marathon Health, LLC.

SECTION 3. That if any clause, section, or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all Resolutions or parts thereof in conflict herewith are hereby rescinded to the extent of such conflict.

SECTION 5. That this Resolution shall become effective immediately upon its adoption.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor  
DEAN J. TRANTALIS

ATTEST:

\_\_\_\_\_  
City Clerk  
DAVID R. SOLOMAN

Dean J. Trantalis \_\_\_\_\_  
John C. Herbst \_\_\_\_\_  
Steven Glassman \_\_\_\_\_

RESOLUTION NO. 23-

PAGE 3

APPROVED AS TO FORM:

Pamela Beasley-Pittman \_\_\_\_\_

Warren Sturman \_\_\_\_\_

\_\_\_\_\_  
Interim City Attorney  
D'WAYNE M. SPENCE