

RESOLUTION NO. 23-147

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING TWO COX CXO300HP OUTBOARD ENGINES, INSTALLATION, AND TWELVE MONTHS OF SERVICE, FROM RING POWER CORPORATION IN EXCHANGE FOR ALLOWING CERTAIN MARKETING ACTIVITIES, WAIVING 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 THE ACQUISITION OF THE ENGINES, APPROVING A MARKETING AGREEMENT BETWEEN RING POWER CORPORATION AND THE CITY OF FORT LAUDERDALE, AND PROVIDING FOR SEVERABILITY, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, Ring Power Corporation, a Florida corporation, ("Ring Power"), has offered to provide to the City of Fort Lauderdale two Cox CXO300hp engines, installation, and twelve months of service, (collectively, "engines"), in exchange for the City's agreement to allow Ring Power to conduct certain marketing activities; and

WHEREAS, pursuant to Subsection 2-176(e)(17) of the Code, 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, ("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 waive the competitive solicitation and selection processes contained in Division 2, Procurement, of Chapter 2, Article V, of the Code, for the acceptance of the engines, approve a Marketing Agreement between Ring Power Corporation and the City of Fort Lauderdale;

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

**SECTION 1.** That the City Commission accepts the engines from Ring Power in exchange for allowing certain marketing activities, approves a Marketing Agreement between Ring Power Corporation and the City of Fort Lauderdale ("Agreement") in substantially the form attached to Commission Agenda Memo No. 23-0681, authorizes execution of the Agreement, and authorizes the City Manager to execute any other related documents.

SECTION 2. That the City Commission waives 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 the acquisition of the engines.

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 22<sup>nd</sup> day of August, 2023.

  
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Mayor  
DEAN J. TRANTALIS

ATTEST:

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


Dean J. Trantalis      Yea

John C. Herbst      Yea

APPROVED AS TO FORM  
AND CORRECTNESS:

Steven Glassman      Yea

Pamela Beasley-Pittman      Yea

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

Warren Sturman      Yea