RESOLUTION NO. 2012-153

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUMONT COMPANY INC, FOR WATER TREATMENT PLANT CHEMICALS (FLUORIDE, ANTI-SCALANT, ZINC ORTHOPHOSPHATE, SODIUM HYPOCHLORITE, PHOSPHATE AND SODIUM HYDROXIDE) FOR AN AMOUNT NOT TO EXCEED $45,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of the City of Dania Beach, Part III, Article 3, Section 4, Subsection (j), authorizes the City Manager to purchase supplies, services, equipment and materials for the City government in amounts in excess the established monetary threshold without competitive bidding and without advertisement for bids if he is authorized to do so in advance by a resolution adopted by the city commission; and if such purchases are made pursuant to a competitive bid obtained within the last eighteen (18) months by other government agencies such as the federal government state of Florida or a Florida municipality or county; and

WHEREAS, the Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, "Monetary thresholds for certain purchases and payment disbursement authorizations", Subsection (a), sets the monetary threshold or limitation at $25,000.00; and

WHEREAS, the Public Services Department Director has determined that it is necessary to purchase certain chemicals for City uses; and

WHEREAS, the Public Services Director has determined that such chemicals can be purchased at the least cost to the City from Dumont Company, Inc. using current available pricing and terms obtained under the Southeast Florida Co-op Purchasing Program; a copy of the Agreement is attached as Exhibit "A", and it is made a part of and incorporated into this Resolution by this reference;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the proper City officials are authorized to execute an agreement with Dumont Company, Inc.; a copy is attached as Exhibit "A", and it is made a part of and incorporated into this Resolution by this reference, for the purchase by the City of certain

chemicals, and such services shall not exceed the amount of Forty-Five Thousand Dollars ($45,000.00).

Section 2.   That the funding was planned and is available from appropriations in the Water Fund – Water Plant, Chemicals Account, Account No. 401-33-03-533-52-40.

Section 3.   That the City Manager and City Attorney are authorized to make minor revisions to the extension of the Agreement which are deemed necessary and proper and in the best interests of the City.

Section 4.   That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

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

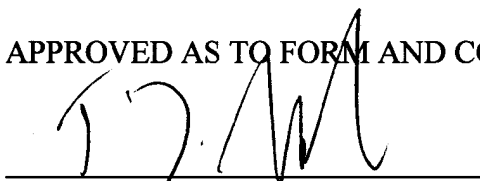**PASSED AND ADOPTED** on November 27, 2012.
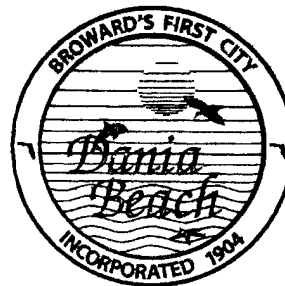
ATTEST:

LOUISE STILSON, CMC
CITY CLERK

WALTER B. DUKE III
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

Chemical Service Agreement

THIS AGREEMENT is made on the _1st_ of _October 2012_, between the City of Dania Beach (hereinafter referred to as "City") and The Dumont Company, Inc. (hereinafter referred to as "Contractor").

It is mutually agreed between City and Contractor as follows:

1. Duration and Termination

    This Agreement shall continue in effect for one Year, commencing _2012_. With Three (3) renewal options, renewals shall be agreed on by both parties. If the city elects not to renew after the first year and chooses to keep the installed equipment they must pay the contractor the sum of $6010.66.

2. Performance

    Contractor agrees to perform services as a certified manufacturing facility for drinking water chemicals. Contractor's duties include but not limited to: providing the below for the drinking water system treatment, with technical assistance as follows:

Zinc Orthophosphate	$11.09 per gallon ($0.95 per lb)
Anti-scalant	$20.20 per gallon ($2.00 per lb)
Sodium hydroxide 50%	$2.95 per gallon ($.231 per lb)
Hydrofluosilicic Acid 23%	$3.10 per gallon ($.31 per lb)

The Dumont Company will provide storage tanks and transfer pumps as listed below:

Zinc Orthophosphate	(2) 325 gallon tanks
Anti-scalant	(2) 325 gallon tanks
Sodium hydroxide 50%	(2) 325 gallon tanks
Hydrofluosilicic Acid 23%	Client has a ____ gallon storage tank

3. Time of Service

Services under this agreement will be provided by the contractor Monday – Friday, at the City's preference of time of day, at regularly scheduled deliveries coordinated with the City. Contractor requires a 3 to 5 business day request for placing orders under normal conditions, emergency request will be handled on a as needed basis.

4. Cost
    a. The cost for each product is listed below based on quantities listed.

Zinc Orthophosphate	$11.09 per gallon ($0.95 per lb)
Anti-scalant	$20.20 per gallon ($2.00 per lb)
Sodium hydroxide 50%	$2.95 per gallon ($.231 per lb)
Hydrofluosilicic Acid 23%	$3.10 per gallon ($.31 per lb)

   b. Payment will be made by the City on a 30 day basis for the services and products supplied by invoice amount.
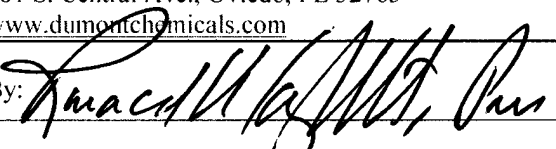
5. Compliance With Laws & Regulations

    Contractor agrees as a condition of City's duty to perform under terms of this agreement, to be in compliance with all applicable laws and regulations of the State and Federal governments.

6. Entire Agreement

    This agreement contains the entire contract between the parties, and any representations that may have been made before the signing of this agreement are nonbonding, void, and of no effect. Neither party has relied on such prior representations in entering into this Agreement. This Service Agreement quote is an agreement with the Southeast Co-op.

This agreement is executed by the parties as of the date stated at the beginning of the agreement.

City of Dania Beach 100 West Dania Beach Boulevard Dania Beach, FL 33004	The Dumont Co., Inc. 381 S. Central Ave., Oviedo, FL 32765 www.dumontchemicals.com
By:	By: _[signature]_
Date:	Date: 11-21-12