

RESOLUTION NO. 76-20

("H" pursuant to Chapter 95, City of Delray Beach Code of Ordinances)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, RELATING TO EMERGENCY MANAGEMENT; CONFIRMING A DECLARATION OF A STATE OF EMERGENCY; AUTHORIZING EMERGENCY PURCHASING AND PROCUREMENT PROCEDURES AND SUSPENDING CERTAIN CITY CODES, RULES AND REGULATIONS RELATING TO PURCHASING AND PROCUREMENT; THIS RESOLUTION SHALL BE VALID FOR THIRTY (30) DAYS AND AUTOMATICALLY RENEWED EVERY THIRTY (30) DAYS UNTIL FURTHER ACTION BY THE CITY COMMISSION.

WHEREAS, a State of Emergency in the City of Delray Beach was proclaimed by Delray Beach City Commission on March 13, 2020 due to the spread of the Novel Coronavirus Disease 2019 (COVID-19); and

WHEREAS, conditions arising from COVID-19 continue to seriously affect the safety and security of the lives of the citizens of Delray Beach; and

WHEREAS, adherence to certain local ordinances, rules and regulations establishing purchasing and procurement procedures can delay the process of restoring the City to conditions existing prior to the emergency; and

WHEREAS, Chapter 95 of the City of Delray Beach Code of Ordinances authorizes the enactment of emergency procurement procedures during a State of Emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitals and findings contained in the preamble to this resolution are hereby adopted by reference thereto and incorporated herein, as if fully set forth in this section.

Section 2. A declaration of a State of Emergency proclaimed on March 13, 2020 is hereby confirmed.

Section 3. Conditions created by COVID-19 have required the City to postpone or cancel public meetings in order to adhere to social distancing requirements mandated by the government.

Section 4. The emergency has caused disruption to the City's ability to procure goods and services essential to City business due to the State of Emergency declared on March 13, 2020.

Section 5. It is necessary for the City to continue to conduct its day to day business which includes engaging in the procurement of services, equipment, goods and/or materials that are essential for the life, health and safety of residents and employees.

Section 6. A valid public emergency exists justifying the waiver of formal competitive sealed bids and competitive selection procedures for the acquisition of such services, equipment, goods and/or materials, as may be required.

Section 7. By an affirmative vote of 4/5ths of the members of the City Commission, formal competitive sealed bid procedures for the procurement of services, equipment, goods and/or materials for the purpose of conducting City business during the state of emergency are hereby waived.

Section 8. The City Manager is hereby authorized to utilize City forces to participate in the burden, relief and disaster assistance as may be required.

Section 9. The City Manager is hereby authorized to: accept the most reasonable, responsive and responsible bid or quote (for necessary improvements, services, equipment, goods and/or materials associated during the state of emergency) and to execute the necessary purchase order(s), agreements, service authorizations, or change orders in a form acceptable to the City Attorney.

Section 10. The City Commission hereby ratifies, approves and confirms the City Manager's previous expenditure of monies for contracts and awards during the state of emergency.

Section 11. The City Manager is hereby permitted to proceed without express City Commission approval, execution of such purchase orders, contracts, service authorizations, change orders, and agreements and in his expenditures of monies for the aforesaid, during the state of emergency where such expenditure of monies for any contract and/or award in connection therewith, does not exceed \$150,000.00.

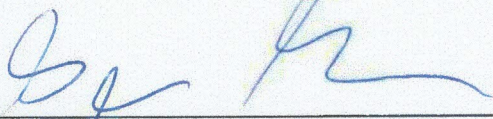
Section 12. The City Manager is instructed to submit to each City Commissioner a copy of each contract, agreement, purchase order, service authorization, or change order issued pursuant to this resolution in excess of \$65,000 on the same day said contract or purchase order is executed by him.

Section 13. The emergency renders it necessary to suspend local ordinances, rules and regulations dealing with purchasing and procurement.

Section 14. This resolution shall be valid for thirty (30) days and automatically renewed every thirty (30) days until further action by the City Commission.

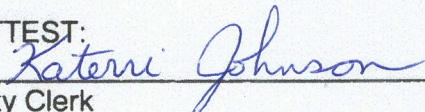
Section 15. That this resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED on this the 24 day of April, 2020.



George Gretsas, City Manager

ATTEST:



Katerri Johnson
City Clerk