

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER PURSUANT TO SECTION 2-583 TO WAIVE THE REQUIREMENTS OF THE PROCUREMENT CODE, FOR THE PURPOSE OF AUTHORIZING EXTENDING AN EXISTING AGREEMENT WITH FIRST TRANSIT, INC., FOR A ONE-YEAR PERIOD WITH AN ADDITIONAL ONE YEAR OPTION BEGINNING NOVEMBER 1, 2009; AND FURTHER AUTHORIZING AN APPROPRIATION OF FUNDS FOR SAID AGREEMENT.**

**WHEREAS**, the contract with the operator of the Coral Gables Trolley, First Transit, Inc., will expire on October 31, 2009; and

**WHEREAS**, Section 2-583 of the Procurement Code, provides that the City Commission may waive any requirements of the Procurement Code upon a four-fifths vote where it finds such waiver to be necessary and in the best interests of the City; and

**WHEREAS**, pursuant to Section 2-583 of the Procurement Code, the Chief Procurement Officer recommends to waive the requirements of the Code for the purpose of authorizing the extension of the existing contract to allow for continuous Trolley Service; and

**WHEREAS**, First Transit, Inc. has agreed to a one (1) year extension with a one (1) year option at the option of the City that reduces the minimum hours of Trolley service from seventeen thousand five hundred hours (17,500) annually to fifteen thousand three hundred ninety two (15,392) hours annually; and

**WHEREAS**, First Transit, Inc. has agreed to maintain the current billing rates for the extension period beginning November 1, 2009 and ending October 31, 2010; and

**WHEREAS**, First Transit, Inc. has agreed to continue providing service based on the amended minimum hours of Trolley service for an additional one (1) year option with a three (3%) percent increase in the hourly billing rate.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

**SECTION 1.** That the City of Coral Gables Commission adopts the foregoing whereas clauses as findings and accepts the recommendation of the Chief Procurement Office to waive the requirements of the Procurement Code under and pursuant to Section 2-583 in order to allow for the extension of the agreement to provide staffing for the Coral Gables Trolley.

**SECTION 2.** That the City of Coral Gables Commission extends the contract of First Transit, Inc. for one (1) year with an additional one (1) year option.

**SECTION 3.** That the City of Coral Gables Commission authorizes an amendment to the current agreement with First Transit, Inc., reducing the minimum annual hours of trolley service to fifteen thousand three hundred ninety two (15,392).

**SECTION 4.** That the City of Coral Gables Commission authorizes further amendment(s) pending ongoing negotiations with Contractor, with final approval of the City Attorney required for any provision(s) modified.

**SECTION 5.** That an appropriation of \$60,000 is hereby authorized for other professional services from the Trolley Transportation Fund, Account # 360-1580-544-31-90.

**SECTION 6.** That all Resolutions or parts of Resolutions inconsistent with, or in conflict herewith, shall be and are hereby repealed insofar as there is conflict or inconsistency.

**SECTION 7.** This Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF OCTOBER, A.D., 2009.

DONALD D. SLESNICK, II  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY