

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2014-36**

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER PURSUANT TO SECTION 2-583 OF THE PROCUREMENT CODE ENTITLED "APPLICATION OF THE CODE" TO WAIVE THE PROCUREMENT CODE TO LEASE FROM PETERSON'S HARLEY-DAVIDSON OF MIAMI, LLC ELEVEN (11) 2014 HARLEY-DAVIDSON FLHP MOTORCYCLES FOR A TERM OF TWENTY-FOUR (24) MONTHS.

**WHEREAS**, the City's current lease for Harley-Davidson Motorcycles from Peterson's Harley-Davidson of Miami, LLC will expire in May, 2014; and

**WHEREAS**, Peterson's Harley-Davidson of Miami proposes a new lease agreement to replace the eleven (11) 2012 Harley-Davidson Motorcycles for the Police Department with new 2014 models; and

**WHEREAS**, the 2014 models cost \$475 per motorcycle, per month, for a twenty-four (24) month period, remains unchanged from the existing lease set to expire; and

**WHEREAS**, the Chief Procurement Officer recommends that a lease agreement with Peterson's Harley-Davidson of Miami, LLC be executed for eleven (11) 2014 Harley-Davidson FLHP Motorcycles for an amount of \$125,400 for a term of twenty-four (24) months, with the lease period commencing upon the City accepting delivery of the last new motorcycle under the new agreement; and

**WHEREAS**, it is recommended by the Chief Procurement Officer that the Procurement Code be waived under Section 2-583 of the Procurement Code entitled "Application of the Code" to lease from Peterson's Harley-Davidson of Miami, LLC, eleven (11) replacement Harley-Davidson Motorcycles, as they are the only local dealership in Miami-Dade County with authority from Harley-Davidson to lease to law enforcement agencies, and to provide maintenance and repair services; and

**WHEREAS**, Section 2-650 of the Procurement Code authorizes the City Manager to delegate authority to the Chief Procurement Officer to administer and make recommendations on City contracts; and

**WHEREAS**, Section 2-583 of the Procurement Code entitled "Application of the Code" authorizes the Commission to waive the Procurement Code upon a four-fifths vote where it finds such waiver to be necessary in order to proceed with the issuance of a contract, proposal or bid which is in the best interest of the City;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission accepts the recommendation of the Chief Procurement Officer pursuant to Section 2-583 of the Procurement Code entitled "Application of the Code" to waive the Procurement Code to lease from Peterson's Harley-Davidson of Miami, LLC eleven (11) 2014 Harley-Davidson FLHP Motorcycles for a term of twenty-four (24) months with a total lease amount of \$125,400 for all leased motorcycles, subject to final approval and execution of a lease agreement by City staff.

**SECTION 3.** This resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS ELEVENTH DAY OF FEBRUARY, A.D., 2014.

(Moved: Kerdyk / Seconded: Quesada)

(Yeas: Lago, Quesada, Keon, Kerdyk, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: C-11)

APPROVED:



JIM CASON  
MAYOR

ATTEST:



WALTER J. FOLMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY