

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2011-279**

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) 2012 HARLEY-DAVIDSON FLHP MOTORCYCLES FOR A TERM OF TWENTY-FOUR (24) MONTHS WITH THE TOTAL LEASE AMOUNT NOT TO EXCEED \$125,400 FOR ALL LEASED MOTORCYCLES.

**WHEREAS**, the City's current lease for Harley-Davidson Motorcycles from Peterson's Harley- Davidson of Miami, LLC expired on May 30, 2011, which has been continued on a month-to-month basis at the lower monthly lease rate of \$425 per month until the City accepts delivery on new motorcycles; and

**WHEREAS**, Peterson's Harley-Davidson of Miami proposes a new lease agreement to replace the eleven (11) 2010 Harley-Davidson Motorcycles for the Police Department with new 2012 models; and

**WHEREAS**, the 2012 models will cost \$475 per motorcycles monthly, for a twenty-four (24) month period; and

**WHEREAS**, the Chief Procurement Officer recommends that a lease agreement with Peterson's Harley-Davidson of Miami, LLC be executed for eleven (11) 2012 Harley-Davidson FLHP Motorcycles for an amount not to exceed \$125,400 for a term of twenty-four (24) months from January 1, 2012 or such date as the City accepts delivery of the new motorcycles; 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, who are also able 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) 2012 Harley-Davidson FLHP Motorcycles for a term of twenty-four (24) months with the total lease amount not to exceed \$125,400 for all leased motorcycles.

**SECTION 3.** 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 4.** This resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS EIGHTH DAY OF NOVEMBER, A.D., 2011.

(Moved: Cabrera / Seconded: Kerdyk)

(Yeas: Quesada, Anderson, Cabrera, Kerdyk, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: H-1)

APPROVED:



JIM CASON  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY