RESOLUTION NO. 09-143

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA EXERCISING ITS OPTION TO RENEW THE SUPPORT AND MAINTENANCE SERVICES AGREEMENT FOR THE CITY 800 MHz SIMULCAST RADIO COMMUNICATION SYSTEM WITH MOTOROLA, INC., A DELAWARE CORPORATION, FOR A TERM OF ONE YEAR, COMMENCING ON OCTOBER 1, 2009 AND ENDING ON SEPTEMBER 30, 2010, IN AN ANNUAL AMOUNT NOT TO EXCEED $268,263.36, PAYABLE IN EQUAL MONTHLY INSTALLMENTS, AND FURTHER AUTHORIZING THE MAYOR AND THE CITY CLERK, ON BEHALF OF THE CITY, TO NEGOTIATE AND ENTER INTO A SUPPORT AND MAINTENANCE AGREEMENT WITH MOTOROLA, INC. IN A FORM ACCEPTABLE TO THE CITY ATTORNEY.

WHEREAS, Motorola, Inc. installed an 800 MHz communications system for the City pursuant to a purchase agreement and software license agreement authorized by Hialeah, Fla., Resolution 97-121 (Oct. 7, 1997) as directed by the City Council pursuant to Hialeah, Fla., Resolution 97-13 (Feb. 14, 1997); and

WHEREAS, pursuant to Hialeah, Fla., Resolution 2001-52 (May 23, 2001), the City awarded a bid for the support and maintenance services to Motorola, Inc. and thereupon, entered into a one-year agreement dated June 28, 2001 with Motorola, Inc.; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 02-50 (June 18, 2002), the City renewed the support and maintenance agreement with Motorola, Inc. for one year from June 1, 2002 through May 31, 2003; and

WHEREAS, on April 22, 2003, the City Council approved an extension of the agreement through September 30, 2003 in order that the annual agreement would coincide with the City's fiscal year; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 03-106 (Sept. 24, 2003), the City renewed the support and maintenance agreement with Motorola, Inc. for one year from October 1, 2003 through September 30, 2004; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 04-88 (Sept. 16, 2004), the City renewed the support and maintenance agreement with Motorola, Inc. for one year from October 1, 2004 through September 30, 2005; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 05-114 (Sept. 28, 2005), the City renewed the support and maintenance agreement with Motorola, Inc. for one year from October 1, 2005 through September 30, 2006; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 06-113 (Aug. 23, 2006), the City renewed the support and maintenance agreement with Motorola, Inc. for one year from October 1, 2006 through September 30, 2007; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 07-120 (Sept. 30, 2007), the City renewed the support and maintenance agreement with Motorola, Inc. for one year from October 1, 2007 through September 30, 2008; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 08-124 (Sept. 27, 2008), the City renewed the support and maintenance agreement with Motorola, Inc. for one year from October 1, 2008 through September 30, 2009; and

WHEREAS, it is in the best interest of the City to continue a maintenance contract to provide an uninterrupted, reliable emergency and non-emergency communications system, as modified to benefit the City.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby incorporated and adopted by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby exercises its option to renew the support and maintenance services agreement for the City 800 MHz Simulcast Radio Communication System with Motorola, Inc., a Delaware corporation, for a term of one

year, commencing on October 1, 2009 and ending on September 30, 2010, in an annual amount not to exceed $268,263.36, payable in equal monthly installments.

Section 3: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, on behalf of the City, to negotiate and enter into a support and maintenance agreement with Motorola, Inc. in a form acceptable to the City Attorney.

PASSED AND ADOPTED this 22nd day of September, 2009.

Carlos Hernandez
Council President

Attest:

Approved on this 24 day of September, 2009.

Rafael E. Granado, City Clerk

Mayor Julio Robaina

Approved as to form and legal sufficiency:

William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".