

RESOLUTION NO. 2019-076

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, WAIVING COMPETITIVE BIDDING AND APPROVING A PURCHASE AGREEMENT BETWEEN MOTOROLA SOLUTIONS, INC. AND THE CITY OF HIALEAH, FOR THE PURCHASE OF MOTOROLA'S P25 PHASE II-COMPLIANT SUBSCRIBER RADIOS, WITH EMBEDDED SOFTWARE, RADIO ACCESSORIES AND RELATED SERVICES INCLUDING WARRANTY AND MAINTENANCE SERVICES, TECHNICAL SUPPORT, AND RADIO REPAIR, FOR A TERM OF FIVE YEARS, IN A TOTAL AMOUNT NOT TO EXCEED \$4,600,924.60, IN SUBSTANTIAL CONFORMITY WITH THE AGREEMENT ATTACHED HERETO AS EXHIBIT "1"; AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY TO EXECUTE THE PURCHASE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Hialeah Resolution No. 2018-060 (June 26, 2018), the City of Hialeah approved the purchase of a an 800 MHz P25 Digital Trunked Simulcast Network System to upgrade the City's public safety radio system, increase the City's network coverage and spectrum efficiency, and improve the City's entire communication network while meeting the current and future communication needs of the City associated with public safety;

WHEREAS, the City wishes to purchase P25 Digital Trunked Simulcast Network System-compliant subscriber radios to operate under the new 800 MHz P25 Digital Trunked Simulcast Network System;

WHEREAS, on or about May 12, 2016, Broward County issued Requests for Proposals No. R1422515R1/P1 to purchase turnkey replacement of various communications subsystems operated by the Broward County's Office of Regional Communications and Technology, and to acquire a new 700 MHz, P25 Phase II system to replace Broward County's existing system, a new IP-based microwave system, and new P25 Phase II-compliant subscriber radios;

WHEREAS, Motorola was selected by Broward County as the most qualified proposer for the provision of the system and the equipment based on Motorola's proposal dated August 17, 2016;

WHEREAS, pursuant to the City of Hialeah Code of Ordinances Section 2-818, if advantageous to the City, the City may utilize bids that have been awarded or under contract by other governmental agencies, in which case competitive bidding will not be required;

WHEREAS, the specifications of the P25 Phase II-compliant subscriber radios and related services procured by Broward County pursuant to the competitive process, are substantially similar to those required by the City, as set forth in the Purchase Agreement attached hereafter and incorporated herein as Exhibit "1";

WHEREAS, Motorola has agreed to provide the City with P25 Phase II-compliant subscriber radios with embedded software, radio accessories and related services including warranty and maintenance services, technical support, and radio repair, pursuant to the terms and conditions of the Purchase Agreement;

WHEREAS, Motorola has made representations to the City, and the City has relied on Motorola's representations about its experience, equipment, manpower, capacity, permits and licenses to perform the services under the Purchase Agreement; and

WHEREAS, City desires to acquire P25 Phase II-compliant subscriber radios with embedded software, radio accessories and related services including warranty and maintenance services, technical support, and radio repair, and Motorola desires to provide such P25 Phase II-compliant subscriber radios and related services to the City pursuant to the terms and conditions as set forth in the Purchase Agreement.

WHEREAS, the City Council finds it is in the best interest of the City to enter into this Purchase Agreement with Motorola Solutions, Inc. to protect the public's health, safety and welfare.

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.

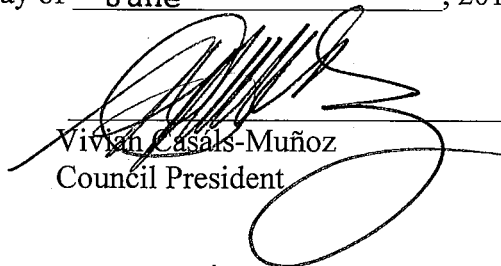
Section 2: The City of Hialeah, Florida hereby waives competitive bidding, and approves a Lease Purchase Agreement between Motorola Solutions, Inc. ("Motorola") and the City of Hialeah ("City"), for the purchase of Motorola's P25 Phase II-compliant subscriber radios, with embedded software, radio accessories and related services including warranty and maintenance services, technical support, and radio repair, for a term of five years, in a total amount not to exceed \$4,600,924.60.

Section 3: The City Council hereby approves the terms of the Lease Purchase Agreement, in substantial conformity with the Purchase Agreement attached hereto and made a part hereof as "Exhibit

1", and authorizes the Mayor and the City Clerk, as attesting witness, to execute the Purchase Agreement, on behalf of the City.

Section 4: This resolution shall become effective when approved by majority vote of the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

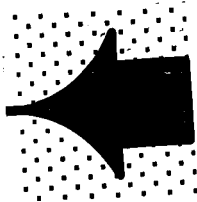
PASSED AND ADOPTED this 25 day of June, 2019.


Vivian Casals-Muñoz
Council President

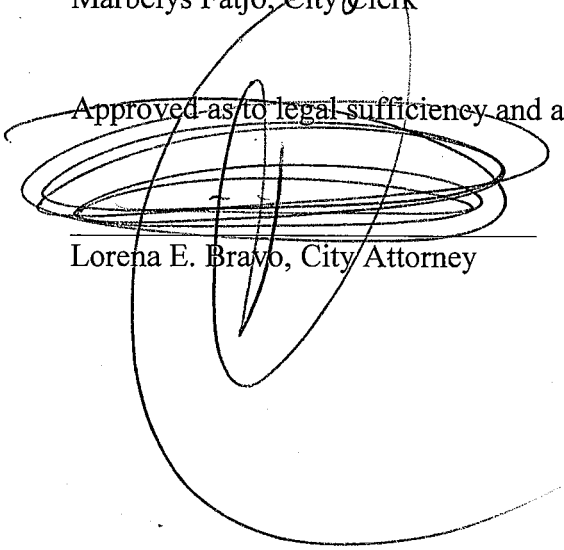
Attest: Approved on this 1 day of July, 2019.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez



Approved as to legal sufficiency and as to form:


Lorena E. Bravo, City Attorney

Resolution was adopted by a 4-0-3 vote with Councilmembers, Zogby, Caragol, Casals-Munoz, Garcia-Martinez, voting "Yes" and with Councilmembers Cue-Fuente, Hernandez, and Lozano absent.