

ITEM #51 ⁽²⁾

(Exhibit 6 – Waiver of Procurement Code Resolution)

ADDITIONAL MATERIAL

Regular Meeting

MAY 19, 2020

SUBMITTED AT THE REQUEST OF

COUNTY ADMINISTRATION

RESOLUTION NO. 2020-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, WAIVING THE BROWARD COUNTY PROCUREMENT CODE FOR THE CONVENTION CENTER ESCALATOR REPLACEMENT PROJECT ("PROJECT") AND FINDING THAT THE REQUIREMENTS OF SECTION 255.20, FLORIDA STATUTES, DO NOT APPLY TO THE PROJECT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, in late 2019, it was determined that one of the escalators at the Broward County Convention Center ("Convention Center") was in need of repair and maintenance;

WHEREAS, in early 2020, it was determined that all of the escalators had reached the end of their useful life, requiring either corrective action to restore the facility to a safe and functional condition or preventive or corrective action to maintain the Convention Center in a fully operational state or to preserve it from failure or decline;

WHEREAS, the Convention Center is currently closed and undergoing a substantial expansion project and is scheduled to reopen in October 2021;

WHEREAS, repairing and maintaining the Convention Center by replacing the escalator system is likely to take the entire time period between now and when the facility is scheduled to reopen;

WHEREAS, ASM Global, the long-time operator of the Convention Center, has undertaken a solicitation to determine an appropriate vendor to replace the escalators at the facility, determined there are very few vendors that perform this work, and of the firms that responded to the solicitation, has determined that Schindler Elevator Corporation is

1 the lowest-price firm qualified to both perform the work and complete the replacement of
2 the escalators in the limited time available while the Convention Center is closed; and

3 WHEREAS, it is in the best interest of the County to proceed with the Project during
4 the Convention Center's closure the Board desires to state the good cause for waiving
5 the Broward County Procurement Code and why the project constitutes "repair" or
6 "maintenance" within the meaning of Section 255.20(1)(c)(5), Florida Statutes, prior to
7 approving an agreement with Schindler Elevator Corporation, NOW, THEREFORE,

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9 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
10 BROWARD COUNTY, FLORIDA:

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12 Section 1. Because of the short time-frame to complete the replacement of the
13 escalators at the Broward County Convention Center while the facility is closed, the
14 limited number of vendors in the United States able to perform this work, and the vetting
15 of vendors and pricing by ASM Global, good cause exists to waive the Broward County
16 Procurement Code in connection with the Broward County Convention Center Escalator
17 Replacement Project ("Project"). Additionally, the work to be performed can be classified
18 as either a "repair" (a corrective action to restore an existing public facility to a safe and
19 functional condition) or "maintenance" (a preventive or corrective action to maintain an
20 existing public facility in an operational state or to preserve the facility from failure or
21 decline), within the meaning stated in Section 255.20(1)(c)(5), Florida Statutes.

