

ORDINANCE No. 2023-05

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING SECTION 2-322 OF CHAPTER 2, ARTICLE V OF THE CITY'S CODE OF ORDINANCES, TITLED "GOVERNMENTAL CONTRACTS", TO INCLUDE ADDITIONAL COOPERATIVE PROCUREMENTS AND PURCHASES WITH GOVERNMENTAL ENTITIES, ALLIANCES AND COOPERATIVES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 2-322 of the Code of Ordinances (the "Code") for the City of Doral (the "City") permits the city manager to enter into bids or contracts entered into by other governmental authorities provided that the authority has followed a competitive bidding procedure substantially similar to the procedures outlined in Article V of the City's Code; and

WHEREAS, it is common practice for local governments to create or join alliances and cooperative entities for purposes of pooling resources to competitively and cost effectively procure services and goods; and

WHEREAS, the City finds it necessary and in the best interest of the citizens of the City to amend and expand the purchasing procedures set forth in Article V of the Code to allow the use of cooperative procurements and purchases using alliances and cooperatives in addition to other governmental entities.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Amendment to Section 2-322 of the City's Code of Ordinances.

Section 2-322 of Chapter 2, Article V of the City of Doral's Code of Ordinances is hereby amended as follows:

Sec. 2-322. - Governmental contracts and other cooperative procurements and contracts.

- (a) The city manager is hereby authorized to enter into bids or purchase from (piggyback) a contracts entered into by another governmental authorities or public entity provided that the city manager has determined that it is practicable and advantageous for the city to employ this method of procurement and that the governmental authority or public entity has followed a competitive bidding procedure leading to the award of the bid or contract in question which is substantially similar to the competitive bidding procedure outlined in this article.
- (b) The city manager is hereby authorized to purchase supplies, materials, equipment and contractual services which are the subject of contracts through cooperative purchasing ventures, when the best interest of the city would be served thereby. This includes, but is not limited to, cooperative purchasing from contracts issued by the State of Florida, the Federal General Services Administration (when authorized), or other alliances and cooperatives throughout the United States, provided that the governmental or public entity, cooperative or alliance awarded bid or contract was awarded in compliance with the procurement procedures and requirements of that issuing body, entity, authority or cooperative. Where the cooperative unit administering a cooperative purchase complies with its own procurement procedures, the city when participating in such a purchase, shall be deemed to have complied with the provisions of this article.
- (c) The purchases described in this section shall be made without additional city competitive procurement provided that the funding has been appropriated and the purchase has been authorized by a person(s) with the authorization to do so as provided in this article. Additionally, the city may bid and award the purchase of any commodities, equipment or services with the stipulation that any other government agency may also purchase the awarded product or services at the same award price, terms and conditions.

Section 3. Repealer. All ordinances, or parts of ordinances in conflict herewith be, and the same, are hereby repealed.

Section 4. **Severability.** If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 5. **Incorporation Into the Code.** It is the intention of the Mayor and the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City of Doral; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word, as required.

Section 6. **Effective Date.** This Ordinance will become effective ten (10) days after adoption at second reading.

The foregoing Ordinance was offered by Councilmember Cabral who moved its adoption.

The motion was seconded by Vice Mayor Pineyro upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Rafael Pineyro	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Maureen Porras	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 8 day of March, 2023.

PASSED AND ADOPTED on SECOND READING this 12 day of April, 2023.



CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
INTERIM CITY ATTORNEY