

RESOLUTION 17-37

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA; APPROVING THE PURCHASE OF SIX PORTABLE RADIOS AND ACCESSORIES FROM MOTOROLA SOLUTIONS IN THE TOTAL AMOUNT OF \$19,892 TO BE PAID FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; AUTHORIZING A BUDGET AMENDMENT TO PROVIDE FOR THE RECEIPT AND EXPENDITURE OF FUNDS FOR THIS PURPOSE; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, On December 12, 2016, the City was awarded the Edward Byrne Memorial Justice Assistance Grant in the amount of \$19,892 for the project entitled PROJECT 25 COMPLIANT RADIOS AND MICROPHONES; and

WHEREAS, the City's police department would like to use this grant money to purchase six Motorola APX6000Li P25 compliant portable radios and accessories for sworn officers; and

WHEREAS, neither the receipt of the grant nor the radios were anticipated when the budget was prepared, such that this revenue and these expenses were not included in the budget for FY2016-17; and

WHEREAS, a budget amendment is necessary to reflect the total revenue of \$19,892 to be received from the grant and the expenditure of a like amount for items requested in the grant agreement.

NOW THEREFORE BE IT RESOLVED by the City of Panama City Beach, Florida that:

1. The appropriate officers of the City are authorized but not required to execute and deliver on behalf of the City that certain agreement between the City and Motorola Solutions for the purchase of six 800 MHz portable radios and accessories, in the total amount of Nineteen Thousand Eight Hundred Ninety Two Dollars (\$19,892), on substantially the terms set forth in the quote attached as Exhibit A, with such changes, insertions or omissions as may be approved by the City Manager, and his execution of such agreement shall be conclusive evidence of such approval. This approval is conditioned upon Motorola's execution and delivery of certain affidavits required by the grant agreement in substantially the form attached as Exhibit B.
2. The following budget amendment #10 is adopted for the City of Panama City Beach, Florida, for the fiscal year beginning October 1, 2016, and ending September 30, 2017, as shown in and in accordance with the attached and incorporated Exhibit C, for the purposes stated herein.
3. This Resolution shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 12th day of January, 2017.

CITY OF PANAMA CITY BEACH

By



MIKE THOMAS, MAYOR

ATTEST:



DIANE FOWLER, CITY CLERK



MOTOROLA SOLUTIONS

Motorola Solutions, Inc.
P. O. Box 404059
Atlanta, GA 30384-4059

(850) 445-7584
(850) 576-9545
dshibler@motorola.com

8-Jul-16

Panama City Beach Police Department

RFP Number 081915

APX6000LI700/800 MODEL 2.5 PORTABLE - ANALOG & P25 TRUNKING

6.9.13

MODEL #	DESCRIPTION	PRICE	QTY	EXTENDED PRICE
1	H8JUCF9PW6 N	\$1,650.00	7	\$11,550.00
1a	QA02796	\$1,177.50	7	\$8,242.50
1c	H112	(\$7.50)	7	(\$52.50)
1d	H885	\$84.00	7	\$588.00
2	WPLN7080	\$100.00	7	\$700.00
3	PMNNA4403	\$83.75	7	\$686.25
4	PMNNA4080	\$131.20	7	\$918.40
5	PMAF4002	\$8.82	7	\$61.74
6	SERVICE		1	\$539.00
APX6000LI700/800 MODEL 2.5 PORTABLE				
ADD: 3800 OR 8800 TRUNKING				
DEL: DELETE STANDARD ANTENNA				
2 YR RSA (3 YR WARRANTY COVERAGE)				
CHARGER				
LION IMPRES 2150MAH IP67 BATT (SPARE BATTERY)				
PUBLIC SAFETY MIC 24 IN				
APX PSM 700/800MHZ ANTENNA				
PROGRAMMING				
APX6000LI700/800 MODEL 2.5 =				\$23,209.00

Notes: 1. Above pricing from State Contract No. 725-500-12-1 as well as Panama City Beach Bid Notice 081915
2. Radios quoted above are equipped to operate on the current 800MHz SmartNet radio system as well as operate on the P25 platform.

Exhibit A

SWORN STATEMENT re:

List of Parties Excluded from Federal Procurement and Non-procurement Programs

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS

This sworn statement is submitted to _____

by _____

For _____

Whose business address is _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____
(if the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement): _____

I _____, being first duly sworn, state:

1. I am the _____ (title) and duly authorized representative of _____ (business name of Vendor) and that I possess the legal authority to make this affidavit on behalf of myself and the business for which I am acting.

2. I hereby certify that neither the Vendor nor any of its principals are excluded from Federal Procurement and Non-Procurement Programs.

By _____, 20_____
Signature of Affiant Date

Sworn to and subscribed before me this _____ day of _____, 20____.

Personally known _____ OR Produced identification _____

Notary Public- State of _____

My commission expires _____

[printed, typed or stamped
Commissioned Name of Notary Public]

Exhibit B

**City Procurement Agent SWORN STATEMENT re:
List of Parties Excluded from Federal Procurement and Non-procurement
Programs**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY
PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS

I _____, being first duly sworn, state:

1. I am a city employee and the lead procurement agent for the competitive solicitation titled:

for which the most responsive and responsible bidder (Vendor) responding to that competitive solicitation is:

2. I hereby certify that I have searched this entity's records for information indicating their exclusion from federal procurement and non-procurement programs as published at www.sam.gov, which search indicates that the Vendor has no active exclusion.

By _____, 20____
Signature of Affiant Date

Sworn to and subscribed before me this ____ day of _____, 20__.

Personally known _____ OR Produced identification _____

Notary Public- State of _____

My commission expires _____

[printed, typed or stamped
Commissioned Name of Notary Public]

CONFLICT OF INTEREST STATEMENT AND AFFIDAVIT

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS

Vendors shall be familiar and comply with all applicable conflict of interest legal requirements including Florida's Code of Ethics for Public Officers, Chapter 112, Part III, Florida Statutes. The City of Panama City Beach ("City") will not contract or transact business with a vendor, and any contract with a vendor shall be void, if a conflict of interest under State or local laws occurs and neither an exemption nor opportunity to waive the conflict exists, or an opportunity to waive the conflict exists but the City does not waive it. If a conflict of interest is waivable, the City shall have the sole authority to waive the conflict.

DISCLOSURE: Vendors must complete and submit the attached Conflict of Interest Disclosure Affidavit. The Affidavit must be signed by an officer of the corporation if the vendor is a corporation or by an authorized individual if the business is other than a corporation, and notarized by notary public. The Vendor may disclose any additional information in the Affidavit regarding the existence or appearance of a conflict of interest under state or local laws. Whenever a vendor is in doubt as to the applicability state or local conflict of interest law as to itself, the vendor may submit to the City Attorney a full written statement of the facts and questions the vendor has, and the City Attorney shall render an opinion. The failure to complete and submit the Affidavit with the proposal/bid will render the vendor non-responsible and the proposal non-responsive. If the vendor or authorized agent omits, misrepresents or falsifies material information required by the Affidavit, the vendor shall be rendered non-responsible and the proposal bid non-responsive, and if a proposal bid is selected forward and/or contract negotiation and execution, the selection of the vendor and any executed contract shall be void.

CONTRACTOR DISCLOSURE STATEMENT

I _____, being first duly sworn, state:

I am the _____ (title) and duly authorized representative of _____ (business name) and that I possess the legal authority to make this affidavit on behalf of myself and the business for which I am acting.

The full legal name and business address of the person or entity contracting or transacting business with the City of Panama City Beach are:

The business is formed as a (please circle one):

corporation / limited partnership / general partnership / sole proprietorship / other
If other, please explain:

The business was formed or incorporated in the following year and state:

I. FOR CORPORATIONS:

A. The following employees, board members or purchasing agents of the City or their spouses or children are officers or directors of the corporation:

B. The following employees, board members or purchasing agents of the City or their spouses or children or any combination thereof hold directly or indirectly more than 5% but less than 10% ownership in the corporation's stock:

C. The following employees, board members or employees of the City or their spouses, children or parents hold directly or indirectly 10% or more of the ownership in the corporation's stock:

D. The following employees, board members or employees of the City are employees of or in a contractual relationship with the corporation:

II. FOR PARTNERSHIPS, FIRMS OR OTHER BUSINESS ENTITY (excluding corporations)

A. The following employees, board members or purchasing agents of the City or their spouses or children are partners, officers or proprietors:

B. The following employees, board members or purchasing agents of the City or their spouses or children or any combination thereof own, directly or indirectly, more than 5% but less than 10% of the firm, partnership or other business entity:

C. The following employees, board members or employees of the City or their spouses, children or parents own, directly or indirectly, 10% or more of the firm, partnership, or other business entity:

D. The following employees, board members or employees of the City are employees of or in a contractual relationship with the firm, partnership or other business entity.

III. FOR INDIVIDUALS

A. The individual seeking to contract or to transact business with the City is a trustee, board member or employee of the City or the spouse, child or parent of a trustee, board member or employee of the City:

B. The following employees, board members or employees of the City are employees of or in a contractual relationship with the individual:

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO CITY OF PANAMA BEACH IS FOR THE CITY OF PANAMA CITY BEACH ONLY. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY IMMEDIATELY OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

I have read and understood Section 112.313, Florida Statutes, setting forth the standards of conduct for public officials.

I understand that an "organizational conflict of interest" as defined in 23 CFR Section 636.116 means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the City, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair advantage.

By _____, 20____
Signature of Affiant Date

Sworn to and subscribed before me this ____ day of _____, 20____.

Personally known _____ OR Produced identification _____

Notary Public- State of _____

My commission expires _____

[printed, typed or stamped
Commissioned Name of Notary Public]

EVALUATOR'S CONFLICT OF INTEREST AFFIDAVIT

To protect the integrity of the public procurement process, it is essential that proposals be evaluated in an unbiased manner and without real or apparent conflicts of interest, and that the contents of proposals remain confidential throughout the evaluation process. You have been selected as an evaluator not only because of your practice area or practical expertise, but also because the procurement agent and your supervisor are not aware of any bias, business or family relationships, or any other conflicts that could affect, or which could be perceived to affect, your fair, honest and impartial participation in the evaluation of proposals. As an evaluator you are expected to: 1) discharge your duties impartially so as to assure fair, competitive access to procurement by responsible contractors, and 2) conduct yourself in a manner which fosters public confidence in the integrity of the City procurement process.

AFFIDAVIT

I _____, being first duly sworn, state:

1. I understand that an "organizational conflict of interest" as defined in 23 CFR Section 636.116 means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the City, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair advantage.
2. I have read and understood Section 112.313, Florida Statutes, setting forth the standards of conduct for public officials.
3. I certify that I, and to the best of my knowledge, neither my spouse, child or parents:
 - a. Are not current or former employees of any of the firms in the industry that I foresee would submit a proposal.
 - b. Are not directors, officers, owners, partners, agents, or representatives of any of the firms in the industry that I foresee would submit a proposal.
 - c. Do not hold any stock or any financial interest in any of the firms in the industry that I foresee would submit a proposal.
4. I certify that I will not during the solicitation process:
 - a. Solicit or accept, directly or indirectly, any promise of future employment or business opportunity from, or engage, directly or indirectly, in any discussion of future employment or business opportunity with, any director, officer, owner, partner, employee, representative, agent or consultant of a Vendor/Contractor that submits a proposal, or their proposed subcontractors.

- b. Ask for, demand, exact, solicit, seek, accept, receive, or agree to receive, directly or indirectly, any money, gratuity, or other thing of value from any director, officer, owner, partner, employee, representative, agent, or consultant of a Vendor/Contractor that submits a proposal, or their proposed subcontractors for this project. I will advise my immediate family that the acceptance of any such gratuity may be imputed to me as a violation, and must therefore be avoided by them.

- 5. I understand that my obligations under this certification are of a continuing nature. I will immediately seek the advice of the City Attorney and report the circumstances to my supervisor and to the procurement agent if at any time during the RFP process:
 - a. I receive a contact from a Vendor/Contractor that submits a proposal, or their proposed subcontractors, concerning employment or other business opportunity.
 - b. I receive an offer of a gift from a Vendor/Contractor that submits a proposal, or their proposed subcontractors.
 - c. I encounter circumstances where my participation might result in a real, apparent, or potential conflict.

- 6. I certify that I will not divulge nor make known, in any manner whatsoever, to any person, other than a member of the evaluation committee or other individual who has a confidentiality statement for the same procurement, or to judicial or law enforcement authority, after consultation with City Attorney, any information (which has not already been made available to the public or all interested offerors) pertaining to any and all aspects of the solicitation including but not limited to the contents of Vendor/Contractor's proposals, the scoring method, points allotted, evaluator scores, costs, or any other confidential information regarding the solicitation process.
 - a. I understand that unauthorized sharing of information may give an offeror an unfair advantage over another offeror and thereby render the process invalid.
 - b. I understand that if I divulge such information I may be subject to disciplinary action, including termination of my employment with the City.
 - c. I understand and agree to maintain security and control over all documents containing non-public solicitation information which are in my custody.

By _____, 20_____

Signature of Affiant

Date

Sworn to and subscribed before me this ____ day of _____, 20__.

Personally known _____ OR Produced identification _____

Notary Public- State of _____

My commission expires _____

[printed, typed or stamped
Commissioned Name of Notary Public]

**CITY OF PANAMA CITY BEACH
BUDGET TRANSFER FORM BF-10**

No. BA # 10

FUND	GENERAL ACCOUNT NUMBER	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO	001-2101-521.60-10	Capital Outlay < \$5,000	145,500.00	19,892.00	165,392.00
TO	001-0000-331.20-30	Grants Public Safety Edward Byrne JAG	0.00	(19,892.00)	(19,892.00)
TO			0.00	0.00	0.00
FROM			0.00	0.00	0.00
TO			0.00	0.00	0.00
FROM			0.00	0.00	0.00
TO			0.00	0.00	0.00
FROM			0.00	0.00	0.00
TO			0.00	0.00	0.00
FROM			0.00	0.00	0.00
BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:			145,500.00	0.00	145,500.00

To amend the budget to reflect the award of Edward Byrne JAG Project 25 Compliant Radios grant and to appropriate funds for expenditure of the grant award

ROUTING FOR APPROVAL

DEPARTMENT HEAD _____ DATE _____
 CITY MANAGER *[Signature]* 1.13.19 DATE _____
 FINANCE DIRECTOR _____ DATE _____

Exhibit C