

RESOLUTION NO. 2023-121

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE CITY AND DRC EMERGENCY SERVICES, LLC TO PROVIDE EMERGENCY FOOD SERVICES PURSUANT TO RFP NO. 06-10-15-11 FOR AN EXTENDED NINETY (90) DAY PERIOD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the City's intent to utilize the awarded Contractor's services as needed for emergency response situations both natural and man-made; and

WHEREAS, the City issued Request for Proposals (RFP) No. 06-10-15-11 to contract with a qualified firm to provide emergency food services to support response and recovery operations for declared emergencies; and

WHEREAS, on August 27, 2015, the City awarded DRC Emergency Services, LLC with the emergency food services contract; and

WHEREAS, the initial contract period was for three (3) years, with the right to renew the contract for five (5) additional one (1) year periods, providing both parties agree to the renewal; all terms, conditions and specifications remain the same; and such extension is approved by the City; and

WHEREAS, such renewals have occurred, providing a current contract expiration date of August 31, 2023; and

WHEREAS, due to the contract expiration date falling within the Atlantic basin hurricane season, it is the City's intent to initiate the extension period, which will not extend more than ninety (90) days beyond the expiration date of the existing contract, bringing the new proposed expiration date to November 30, 2023; and

WHEREAS, the extension period request was sent to DRC Emergency Services, LLC to enact the ninety (90) day extension period; and

WHEREAS, DRC Emergency Services, LLC denied the ninety (90) day extension period due to the extraordinarily increased costs associated with materials and services since the original 2015 contract; and

WHEREAS, DRC Emergency Services, LLC provided the City with new, proposed fees, as provided in Exhibit "A," for the ninety (90) day extension period; and

WHEREAS, the new, proposed fees exceed the cost escalation parameters of the existing contract but are consistent with the escalation in the industry, especially given that DRC Emergency Services, LLC did not escalate costs during the previous eight (8) contract years even though the contract provided an annual escalation formula for the renewal periods; and

WHEREAS, based on satisfactory performance, mutual acceptance, and determination that the contract is in the best interest of the City, staff recommends that the new proposed fees by DRC Emergency Services, LLC for the ninety (90) day extension period be approved by City Commission, and the attached Amendment No. 2 to the Agreement between the City of Coconut Creek and DRC Emergency Services, LLC for emergency food services pursuant to RFP No. 06-10-15-11 be executed by the City Manager, or designee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That the City Commission has reviewed and hereby approves Amendment No. 2 to the Agreement between the City of Coconut Creek and DRC Emergency Services, LLC, attached hereto and made a part hereof, to provide emergency food services pursuant to RFP No. 06-10-15-11 for an extended ninety (90)

day period with updated rates.

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached Amendment No. 2 to the Agreement between the City of Coconut Creek and DRC Emergency Services, LLC to provide emergency food services for an extended ninety (90) day period with updated rates.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 13th day of July, 2023.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell Aye

Welch Aye

Railey Aye

Brodie Aye

Wasserman Aye