1 VILLAGE OF ESTERO, FLORIDA 2 3 RESOLUTION NO. 2020 - 25 4 5 A RESOLUTION OF THE VILLAGE COUNCIL OF THE 6 VILLAGE OF ESTERO, FLORIDA, RATIFYING THE 7 CONTRACTS TO PROCURE PERSONAL PROTECTIVE 8 GEAR AND COMMUNITY TESTING FOR VILLAGE 9 RESIDENTS; AUTHORIZING AN AMENDMENT TO 10 EXHIBIT B OF THE CONTRACT BETWEEN THE 11 VILLAGE AND LAB 24 TO INCREASE THE MAXIMUM 12 SPEND TO \$185,400; AUTHORIZING AN AMENDMENT 13 TO EXHIBIT B OF THE CONTRACT BETWEEN THE 14 VILLAGE AND FULL THROTTLE MARKETING 15 POWERED BY PROFORMA TO INCREASE THE 16 MAXIMUM SPEND TO \$226,200; APPROVING A 17 BUDGET AMENDMENT; AND PROVIDING AN 18 EFFECTIVE DATE. 19 20 WHEREAS, the Village of Estero places the highest premium on safety of life; and 21 22 WHEREAS, both the World Health Organization and federal Centers for Disease 23 Control and Prevention (CDC) recognize the novel and virulent danger of COVID-19, having 24 declared it a worldwide pandemic; and 25 26 WHEREAS, Governor Ron DeSantis signed Executive Orders 20-52 in response to 27 the novel and virulent nature of the and has declared a public health emergency, pursuant to 28 Chapter 252, Florida Statutes; and, 29 30 WHEREAS, on March 13, 2020, President Donald Trump declared a national state of 31 emergency concerning COVID-19; and 32 33 WHEREAS, the Village Council adopted Resolution 2020-03 declaring a local state 34 of emergency due to the outbreak of COVID-19; and 35 36 WHEREAS, Chapter 252, Florida Statutes, authorizes municipalities to declare a state 37 of local emergency and to waive procedures and formalities otherwise required of 38 municipalities to take whatever prudent action is necessary to ensure the health, safety, and 39 welfare of the Village in the event of a state of local emergency; and 40 41 WHEREAS, it is the duty of the Village to take such protective measures and to 42 coordinate its efforts in support of the public health and safety of the community; and 43 44 WHEREAS, the Village Council has determined that time is of the essence and that

the procurement of personal protective equipment (PPE) and community testing are of critical

importance to the Village and its residents; and

45

46

47

WHEREAS, there are pending deadlines upon which to seek federal assistance for PPE and Community Testing under the CARES Act and also a limited supply of PPE and Community Testing vendors; and WHEREAS, the Village Council desires to designate and delegate to the Village Manager the authority provided under Chapter 252 to respond to the emergency and procure emergency supplies of PPE and services of Community Testing for the Village, its residents and visitors; and WHEREAS, the contracts between Lab24 and the Village and Full Throttle Marketing powered by Proforma and the Village were approved by Village Council on November 18th prior to fund expenditure. NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero: Section 1. The above-stated recitals are adopted as legislative findings. Section 2. As provided in 252.38(3)(a), Florida Statutes, the Village hereby waives the procedures and formalities otherwise required by law of a municipality, including, but not limited to: (1) taking whatever action is necessary to ensure the health, safety, and welfare of the community, (2) entering into contracts, (3) acquisition and distribution, with or without compensation, of supplies, materials and facilities, and (4) appropriation and expenditure of public funds. Section 3. The Village Manager is authorized to make emergency procurements as provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. This authorization includes a specific waiver of the Village's competitive bidding requirements under Section 5 of said ordinance. Section 4. The Village of Estero expects to be reimbursed under the Interlocal Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69, A2 09/01/20R for PPE and Community Testing expenditures. 2020-2021 Village of Estero Budget is amended as follows to provide for Covid Cares grant revenue and expenditures: 001-897-5693400 Covid Grand Grant Revenue \$411,600 Section 5. This Resolution ratifies the following PPE and Community Testing c	48 49 50 51	WHEREAS, the Village Council finds it in the public interest to emergency operations and to coordinate its efforts with national, state, officials; and	-	
WHEREAS, the Village Council desires to designate and delegate to the Village Manager the authority provided under Chapter 252 to respond to the emergency and procure emergency supplies of PPE and services of Community Testing for the Village, its residents and visitors; and WHEREAS, the contracts between Lab24 and the Village and Full Throttle Marketing powered by Proforma and the Village were approved by Village Council on November 18th prior to fund expenditure. NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero: Section 1. The above-stated recitals are adopted as legislative findings. Section 2. As provided in 252.38(3)(a), Florida Statutes, the Village hereby waives the procedures and formalities otherwise required by law of a municipality, including, but not limited to: (1) taking whatever action is necessary to ensure the health, safety, and welfare of the community, (2) entering into contracts, (3) acquisition and distribution, with or without compensation, of supplies, materials and facilities, and (4) appropriation and expenditure of public funds. Section 3. The Village Manager is authorized to make emergency procurements as provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. This authorization includes a specific waiver of the Village's competitive bidding requirements under Section 5 of said ordinance. Section 4. The Village of Estero expects to be reimbursed under the Interlocal Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69; A2 09/01/20R for PPE and Community Testing expenditures. 001-897-5693400 Covid Cord Grant Revenue and expenditures: 001-897-5693400 Covid Cord Grant Revenue Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Full Fundamental Fundament to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full	52 53 54	PPE and Community Testing under the CARES Act and also a limited s		
WHEREAS, the contracts between Lab24 and the Village and Full Throttle Marketing powered by Proforma and the Village were approved by Village Council on November 18th prior to fund expenditure. NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero: Section 1. The above-stated recitals are adopted as legislative findings. Section 2. As provided in 252.38(3)(a), Florida Statutes, the Village hereby waives the procedures and formalities otherwise required by law of a municipality, including, but not limited to: (1) taking whatever action is necessary to ensure the health, safety, and welfare of the community, (2) entering into contracts, (3) acquisition and distribution, with or without compensation, of supplies, materials and facilities, and (4) appropriation and expenditure of public funds. Section 3. The Village Manager is authorized to make emergency procurements as provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. This authorization includes a specific waiver of the Village's competitive bidding requirements under Section 5 of said ordinance. Section 4. The Village of Estero expects to be reimbursed under the Interlocal Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69; A2 09/01/20R for PPE and Community Testing expenditures: 001-897-5693400 Covid Contract Services/Community testing \$185,400 Total additional 20-21 expenditures \$411,600 Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full	56 57 58 59	Manager the authority provided under Chapter 252 to respond to the emergency supplies of PPE and services of Community Testing for the Vi	gency and procure	
NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero: Section 1. The above-stated recitals are adopted as legislative findings. Section 2. As provided in 252.38(3)(a), Florida Statutes, the Village hereby waives the procedures and formalities otherwise required by law of a municipality, including, but not limited to: (1) taking whatever action is necessary to ensure the health, safety, and welfare of the community, (2) entering into contracts, (3) acquisition and distribution, with or without compensation, of supplies, materials and facilities, and (4) appropriation and expenditure of public funds. Section 3. The Village Manager is authorized to make emergency procurements as provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. This authorization includes a specific waiver of the Village's competitive bidding requirements under Section 5 of said ordinance. Section 4. The Village of Estero expects to be reimbursed under the Interlocal Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69; A2 09/01/20R for PPE and Community Testing expenditures. 2020-2021 Village of Estero Budget is amended as follows to provide for Covid Cares grant revenue and expenditures: 001-897-5695200 Covid Supplies/PPE \$226,00 001-897-5695400 Covid Contract Services/Community testing \$185,400 Total additional 20-21 expenditures \$411,600 Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full	61 62 63	powered by Proforma and the Village were approved by Village Council	_	
Section 1. The above-stated recitals are adopted as legislative findings. Section 2. As provided in 252.38(3)(a), Florida Statutes, the Village hereby waives the procedures and formalities otherwise required by law of a municipality, including, but not limited to: (1) taking whatever action is necessary to ensure the health, safety, and welfare of the community, (2) entering into contracts, (3) acquisition and distribution, with or without compensation, of supplies, materials and facilities, and (4) appropriation and expenditure of public funds. Section 3. The Village Manager is authorized to make emergency procurements as provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. This authorization includes a specific waiver of the Village's competitive bidding requirements under Section 5 of said ordinance. Section 4. The Village of Estero expects to be reimbursed under the Interlocal Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69; A2 09/01/20R for PPE and Community Testing expenditures. 2020-2021 Village of Estero Budget is amended as follows to provide for Covid Cares grant revenue and expenditures: 001-897-5693400 Covid Supplies/PPE \$226,200 001-897-5693400 Covid Supplies/PPE \$226,200 001-897-3312000 Covid Card Grant Revenue \$411,600	65	NOW, THEREFORE, be it resolved by the Village Council of the	Village of Estero:	
Section 2. As provided in 252.38(3)(a), Florida Statutes, the Village hereby waives the procedures and formalities otherwise required by law of a municipality, including, but not limited to: (1) taking whatever action is necessary to ensure the health, safety, and welfare of the community, (2) entering into contracts, (3) acquisition and distribution, with or without compensation, of supplies, materials and facilities, and (4) appropriation and expenditure of public funds. Section 3. The Village Manager is authorized to make emergency procurements as provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. This authorization includes a specific waiver of the Village's competitive bidding requirements under Section 5 of said ordinance. Section 4. The Village of Estero expects to be reimbursed under the Interlocal Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69; A2 09/01/20R for PPE and Community Testing expenditures. 2020-2021 Village of Estero Budget is amended as follows to provide for Covid Cares grant revenue and expenditures: 001-897-5695200 Covid Supplies/PPE \$226,200 001-897-5695200 Covid Supplies/PPE \$226,200 001-897-5693400 Covid Contract Services/Community testing \$185,400 Total additional 20-21 expenditures \$411,600 \$411,	67	Section 1. The above-stated recitals are adopted as legislative finding	ngs.	
The Village Manager is authorized to make emergency procurements as provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. This authorization includes a specific waiver of the Village's competitive bidding requirements under Section 5 of said ordinance. Section 4. The Village of Estero expects to be reimbursed under the Interlocal Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69; A2 09/01/20R for PPE and Community Testing expenditures. 2020-2021 Village of Estero Budget is amended as follows to provide for Covid Cares grant revenue and expenditures: 001-897-5695200 Covid Supplies/PPE \$226,200 001-897-5693400 Covid Contract Services/Community testing \$185,400 Total additional 20-21 expenditures \$411,600 Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full	69 70 71 72 73 74	the procedures and formalities otherwise required by law of a municipality, limited to: (1) taking whatever action is necessary to ensure the health, safe the community, (2) entering into contracts, (3) acquisition and distribution compensation, of supplies, materials and facilities, and (4) appropriation as	including, but not ety, and welfare of n, with or without	
82 Agreement by and between Lee County, Florida and the Village of Estero EC 2020-69; A2 83 09/01/20R for PPE and Community Testing expenditures. 2020-2021 Village of Estero Budget 84 is amended as follows to provide for Covid Cares grant revenue and expenditures: 85 001-897-5695200 Covid Supplies/PPE \$226,200 86 001-897-5693400 Covid Contract Services/Community testing \$185,400 87 Total additional 20-21 expenditures \$411,600 88 89 001-897-3312000 Covid Card Grant Revenue \$411,600 90 91 Section 5. This Resolution ratifies the following PPE and Community Testing 92 contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to 93 provide a maximum expenditure of \$185,400; and the contract between the Village and Full	76 77 78 79	provided under Chapter 252, Florida Statutes, and Ordinance 2015-06. 'includes a specific waiver of the Village's competitive bidding requirement	This authorization	
is amended as follows to provide for Covid Cares grant revenue and expenditures: 001-897-5695200 Covid Supplies/PPE \$226,200 001-897-5693400 Covid Contract Services/Community testing \$185,400 Total additional 20-21 expenditures \$411,600 001-897-3312000 Covid Card Grant Revenue \$411,600 Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full	81 82	Agreement by and between Lee County, Florida and the Village of Estero	EC 2020-69; A2	
86 001-897-5693400 Covid Contract Services/Community testing \$185,400 87 Total additional 20-21 expenditures \$411,600 88 89 001-897-3312000 Covid Card Grant Revenue \$411,600 90 91 Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full				
Total additional 20-21 expenditures \$\frac{411,600}{411,600}\$ 88 89 001-897-3312000 Covid Card Grant Revenue \$\frac{411,600}{411,600}\$ 90 91 Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full	85	001-897-5695200 Covid Supplies/PPE	\$226,200	
88 89 001-897-3312000 Covid Card Grant Revenue 90 91 Section 5. This Resolution ratifies the following PPE and Community Testing 92 contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to 93 provide a maximum expenditure of \$185,400; and the contract between the Village and Full	86	001-897-5693400 Covid Contract Services/Community testing	\$ <u>185,400</u>	
89 001-897-3312000 Covid Card Grant Revenue \$\frac{411,600}{90}\$ 91 Section 5. This Resolution ratifies the following PPE and Community Testing contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to provide a maximum expenditure of \$185,400; and the contract between the Village and Full		Total additional 20-21 expenditures	\$ <u>411,600</u>	
90 91 Section 5. This Resolution ratifies the following PPE and Community Testing 92 contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to 93 provide a maximum expenditure of \$185,400; and the contract between the Village and Full				
91 <u>Section 5.</u> This Resolution <u>ratifies the following PPE and Community Testing</u> 92 <u>contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to</u> 93 <u>provide a maximum expenditure of \$185,400; and the contract between the Village and Full</u>		001-897-3312000 Covid Card Grant Revenue	\$ <u>411,600</u>	
92 contracts: the contract between the Village and Lab24, with an amendment to Exhibit B to 93 provide a maximum expenditure of \$185,400; and the contract between the Village and Full			· · · · · · · · · · · · · · · · · · ·	
provide a maximum expenditure of \$185,400; and the contract between the Village and Full		· · · · · · · · · · · · · · · · · · ·		
94 INTOLLE WATKELING DOWERED BY PROJOTING WITH AN AMENOMENT TO EVALUATE R TO MESSIGN OF	93 94			

95	maximum expenditure of \$226,200. This	s resolution shall take effect immediately upor
96	adoption.	
97	•	
98	ADOPTED BY THE VILLAGE (COUNCIL of the Village of Estero, Florida this 9th
99	day of December, 2020.	<u> </u>
100	·	
101	Attest:	VILLAGE OF ESTERO, FLORIDA
102		
103		
104	By:	By:
105	By: Steve Sarkozy, Acting Village Clerk	Bill Ribble, Mayor
106		
107		
108	Reviewed for legal sufficiency:	
109		
110		
111	By:	
112	Burt Saunders, Esq., Village Attorney	