

**RESOLUTION NO. 06-07-18**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
KEY LARGO WASTEWATER TREATMENT DISTRICT  
AMENDING THE PROCUREMENT POLICY REGARDING  
OWNER DIRECT PURCHASE; AND PROVIDING AN EFFECTIVE  
DATE.**

**WHEREAS**, the Board of Commissioners ("Board") of the Key Largo Wastewater Treatment District ("District"), adopted the Key Largo Wastewater District Procurement Policy ("Procurement Policy") at a regularly scheduled meeting on May 20, 2008; and

**WHEREAS**, the Board approved Resolution 08-07-16 at the Board meeting on July 19, 2016 to ratify and adopt the Procurement Policy nunc pro tunq effective May 20, 2008; and

**WHEREAS**, the District finds that it is appropriate to amend the Procurement Policy by adding Section 2-201.06.3.1 Owner Direct Purchase to define Owner Direct Purchases (ODP).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT:**

**Section 1.**

Section 2-201.06.3.1 "Owner Direct Purchase." of the Procurement Policy shall be and is hereby added to provide as follows:

"A purchase order may be awarded for supplies or materials without competition where such supplies or materials are being procured by the District as an Owner Direct Purchase (ODP) for incorporation into a public works project (as defined in Section 12A-1.094, 4c. of the Florida Department of Revenue, Florida Administrative Code), the contract for which was previously awarded by the District and which prior award included the cost of such supplies or materials. The District may procure the supplies or materials in compliance with the requirements of the Florida Department of Revenue, Florida Administrative Code Section 12A-1.094, as amended; for the direct purchase of materials and/or other tangible personal property that is incorporated into or becomes a part of a public facility pursuant to a public works contract, and that will not be used to furnish or equip the project in accordance with Section 12A-1.038(4) of the Florida Administrative Code, as amended. Under no circumstances shall any materials which will not be incorporated into the public works project be purchased by the District as ODP materials, including but not limited to, any consumables such as fuel or any equipment related to the public works project which will not be affixed or otherwise incorporated into the public works project such as reusable construction equipment."

**Section 2.**

APPLICABILITY AND EFFECTIVE DATE. This resolution shall take effect upon adoption by the Board of Commissioners.

**Section 3.**

AUTHORIZATION OF DISTRICT OFFICIALS. The General Manager and/or his designee(s) are authorized to take all actions necessary to implement the terms and conditions of this resolution.

**RESOLVED AND ADOPTED THIS 24<sup>TH</sup> DAY OF JULY, 2018**

The foregoing RESOLUTION was offered by Commissioner Majeska, who moved its approval. The motion was seconded by Commissioner Gibbs, and being put to a vote the result was as follows:

	AYE	NAY
Chairman Asdourian	<u>✓</u>	___
Commissioner Gibbs	<u>✓</u>	___
Commissioner Heim	<u>✓</u>	___
Commissioner Majeska	<u>✓</u>	___
Commissioner Tobin	<u>✓</u>	___

The Chairman thereupon declared this Resolution duly passed and adopted the 24th day of July, 2018.

KEY LARGO WASTEWATER TREATMENT DISTRICT



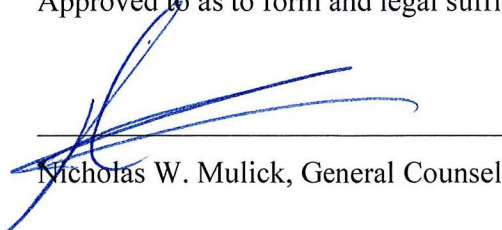
David Asdourian, Chairman

ATTEST:

Approved to as to form and legal sufficiency



Diane Bockelman, District Clerk



Nicholas W. Mulick, General Counsel

SEAL

