

PROPOSED ORDINANCE NO. 2018-04

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE FRANCHISE AGREEMENT WITH BAZIN CORPORATION D/B/A A&B TOWING SERVICE, TO PROVIDE CITYWIDE TOWING SERVICES, WHICH IS ATTACHED HERETO AS EXHIBIT "A", AND INCORPORATED HEREIN; AUTHORIZING THE CITY MANAGER OF THE CITY OF PEMBROKE PINES TO EXECUTE THE AGREEMENT WITH BAZIN CORPORATION, ALL CONSISTENT WITH THE PROVISIONS OF SECTION 3.12 OF THE CHARTER OF THE CITY OF PEMBROKE PINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR EFFECTIVE DATE.**

**WHEREAS**, in accordance with the City's Procurement Code, the City advertised to bidders in its Request for Proposals PD-17-07 "Citywide Towing Services" (hereinafter "RFP") of the City's desire to seek proposals from qualified firms to provide emergency recovery, towing and storage services; and

**WHEREAS**, the City's Evaluation Committee met and evaluated the vendors based upon the information and references contained in the responsive proposals submitted and agreed to recommend Bazin Corporation, d/b/a A&B Towing Service (hereinafter "A&B"), for award of the contract to the City Commission; and

**WHEREAS**, in accordance with Section 3.12 of the City Charter, the City Commission desires to award the Franchise to provide citywide towing services to A&B; and

**WHEREAS**, the City and A&B. desire to enter into an agreement for towing services ("Agreement"), a copy of the Agreement is attached hereto as Exhibit "A", and incorporated herein by reference; and

**WHEREAS**, the City Commission hereby determines this Agreement to be in

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the best interests of the health, safety and welfare of the citizens and residents of the City of Pembroke Pines.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:**

**SECTION 1.** 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.** The City Commission of the City of Pembroke Pines does hereby approve the Franchise Agreement to provide citywide towing services with Bazin Corporation d/b/a A&B Towing Service, which is attached hereto as Exhibit "A" and incorporated herein.

**SECTION 3.** The City Manager of the City of Pembroke Pines is hereby authorized and directed, on behalf of the City of Pembroke Pines, to execute and to otherwise enter into the Agreement for citywide towing services by and between the City of Pembroke Pines and A&B.

**SECTION 4.** The City Manager of the City of Pembroke Pines, or his designee, be and the same is hereby authorized and directed to do all things necessary and expedient in order to effectuate the execution of the Agreement for citywide towing services, including, but not limited, to the appropriating, budgeting, and implementation of each of the terms, conditions, and provisions, thereof, so as to best protect the health, safety, and welfare of the citizens and residents of Pembroke

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Pines, in accordance with the Charter and Code of Ordinances of the City of Pembroke Pines.

**SECTION 5.** All other terms, conditions, and provisions, shall be as set forth in the Agreement for citywide towing services, which is attached hereto and made a specific part hereof.

**SECTION 6.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the remaining portions or applications remaining in full force and effect.

**SECTION 7.** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**SECTION 8.** This Ordinance shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS \_\_\_\_ DAY OF  
\_\_\_\_\_, 2018.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2018

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CITY OF PEMBROKE PINES, FLORIDA

By: \_\_\_\_\_  
MAYOR FRANK C. ORTIS

ATTEST:

\_\_\_\_\_  
MARLENE GRAHAM, CITY CLERK

ORTIS \_\_\_\_\_

CASTILLO \_\_\_\_\_

GOOD \_\_\_\_\_

SCHWARTZ \_\_\_\_\_

APPROVED AS TO FORM: SIPLE \_\_\_\_\_

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

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