



Legislation Text

File #: 20-0032, Version: 1

MOTION TO APPROVE THE AGREEMENT WITH SMARTPROCURE, INC. D/B/A GOVQUOTE AND TO GRANT THE USE OF THE CITY'S LOGO ON SMARTPROCURE, INC. D/B/A GOVQUOTE'S ONLINE WEB-BASED SOFTWARE QUOTING SYSTEM TO ASSIST THE CITY WITH OBTAINING QUOTES UNDER THE CITY'S THRESHOLD FOR FORMAL SOLICITATIONS, AT NO COST TO THE CITY OF PEMBROKE PINES.

PROCUREMENT PROCESS TAKEN:

- *Chapter 35 of the City's Code of Ordinance is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."*
- *Section 35.25(A) of the City's Code of Ordinances is titled "OPEN MARKET PROCEDURE" and states "Generally. A purchase of, or contract for, commodities or services that is estimated by the Chief Procurement Officer to cost \$5,000 or less, maybe purchased either in the open market without newspaper advertisement and without observing the procedures prescribed by § 35.19, or in accordance with the competitive bidding procedure prescribed by § 35.19, as deemed appropriate by the Chief Procurement Officer. However, all such purchases of greater than the estimated cost of \$5,000 but less than or equal to \$7,500 shall require at least three oral quotations. Purchases of an estimated cost greater than \$7,500 but less than or equal to \$25,000 shall require at least three quotations in written form."*
- *Section 35.18 of the City's Code of Ordinances is titled "COMPETITIVE BIDDING OR COMPETITIVE PROPOSALS REQUIRED; EXCEPTIONS."*
- *Section 35.18(C) states that "Only the following situations are exempt from the competitive bid and competitive proposal requirements of this section:"*
- *Section 35.18(C)(7)(h) states, "Copyrighted materials, including computer software;"*
- *Section 35.18(C)(7)(i) states, "Software licensing and maintenance with the company from which the software was purchased, or its authorized representative;"*
- *Section 35.34 of the City's Code of Ordinances is titled "PROMOTING BUSINESS WITH THE CITY; NO EXPENDITURE OF PUBLIC FUNDS." and states "Notwithstanding any provision of this chapter, the city may, by a majority vote of the City Commission, enter into a mutually beneficial arrangement with a private business entity for the specific benefit of the citizens and residents of the city provided that no public funds are expended in furtherance of such arrangement. If the City Commission votes to enter into such an arrangement with a particular private business entity, all such other private businesses within the city that provide the same or similar goods or services shall be fully afforded the same or similar*

business opportunity. Notwithstanding the other provisions of this section, the City Manager, at his or her discretion, may adopt an administrative policy permitting the city to enter into sponsorships or other similar relationships with private businesses in the city."

SUMMARY EXPLANATION AND BACKGROUND:

1. Various departments throughout the City utilize phone calls and e-mails in order to get vendors to provide them with quotes for various goods and services under the \$25,000 threshold for formal sealed competitive solicitations.
2. In order to make the process more efficient for departments, the Procurement Department would like to have a simple-to-use software program that could be used by the individual departments to assist them with obtaining competitive quotes in an effective and efficient manner.
3. SmartProcure, Inc. d/b/a GovQuote ("GovQuote") provides an online web-based software to government agencies and vendors at no cost to either party, which provides for a fast and efficient manner for government agencies to request quotes and for vendors to provide quotes, while providing for opportunities for the City to reduce costs by increasing competition.
4. The Procurement Department is requesting to enter into a non-exclusive agreement with GovQuote, at no cost to the city.
5. The Procurement Department would also like to send out information to current vendors and place information on the City's website encouraging vendors to register with GovQuote at no cost to the vendor or the City.
6. In addition, the Procurement Department would like to allow GovQuote to utilize the City's logo on their online web-based software for the City of Pembroke Pines' quote requests and related information.
7. The City has a proprietary interest in its logo and Florida Statutes section 165.043, requires that the City Commission must specifically authorize third parties, including the City's vendors, to use the City's logo on their website. Absent expressed authorization by the City Commission, the vendor cannot use the City's logo under Florida law.
8. Recommend that the City Commission approve the agreement with SmartProcure, Inc. d/b/a GovQuote and to grant the use of the City's logo on SmartProcure, Inc. d/b/a GovQuote's online web-based software quoting system to assist the City with obtaining quotes under the City's threshold for formal solicitations, at no cost to the City of Pembroke Pines.

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None.
- b) **Amount budgeted for this item in Account No:** Not Applicable.
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) **5 year projection of the operational cost of the project** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.