

**RESOLUTION NO. \_\_\_\_\_**

**PROPOSED RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE POLK REGIONAL WATER COOPERATIVE, AUTHORIZING THE PIGGYBACK PURCHASE TEST WELL SERVICES THROUGH FLORIDA DESIGN DRILLING CORPORATION PURSUANT TO SECTION 189.053, FLORIDA STATUTES; AUTHORIZING THE APPROPRIATE POLK REGIONAL WATER COOPERATIVE OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERM OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE.**

**WHEREAS,** The Polk Regional Water Cooperative as part of the Phase 1 Combined Implementation Agreement Project must construct test wells in order to perform the project; and

**WHEREAS,** according to Section 189.053, Florida Statutes, special districts like the Polk Regional Water Cooperative may purchase commodities and contractual services, from the purchasing agreements of other special districts, municipalities or counties which have procured pursuant to competitive bid, requests for proposals, requests for qualifications, competitive selection or competitive negotiations, and which are otherwise in compliance with the general law, if purchasing agreement of the other special district, municipality, or county was procured by a process that would have met the procurement requirements of the Polk Regional Water Cooperative; and

**WHEREAS,** the South Florida Water Management District is a special district of the State of Florida; and

**WHEREAS,** the South Florida Water Management District has procured contractual services to construct wells pursuant to competitive bid; and

**WHEREAS,** the South Florida Water Management District has entered into a purchasing agreement with Florida Design Drilling Corporation that was procured by a process that would have met the procurement requirements of the Polk Regional Water Cooperative; and

**WHEREAS**, time is of the essence to complete the test wells and the related testing in order to maintain the schedule of the Phase I Implementation Agreement Project and the Consultant for the Phase I Project recommends that the Polk Regional Water Cooperative piggyback on the purchasing agreement of the South Florida Water Management District Contract with Florida Design Drilling Corporation; and

**WHEREAS**, funds are available in the Phase I Combined Implementation Agreement budget to pay for construction of the test wells.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE POLK REGIONAL WATER COOPERATIVE AS FOLLOWS:**

**Section 1. Recitals.** The foregoing findings are incorporated herein by reference and made a part hereof.

**Section 2. Execution of Agreement.** The execution of this resolution authorizes the Polk Regional Water Cooperative to enter into a piggyback agreement under the South Florida Water Management District's purchasing agreement with Florida Design Drilling Corporation in accordance with the City of Lakeland's purchasing policies.

**Section 3. Authorization of Polk Regional Water Cooperative Officials.** The Polk Regional Water Cooperative Board of Directors acting through its Coordinator are authorized to take all actions necessary to implement the terms and conditions of the Agreement authorized by this resolution.

**Section 4. Scope and Effect.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other Section or part of this Resolution.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 17<sup>th</sup> day of January, 2018.

Polk Regional Water Cooperative

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Commissioner George Lindsey, III  
Chair

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Gene Heath  
Administrator

Approved as to Form and Correctness:

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Edward P. de la Parte, Jr.  
De la Parte & Gilbert  
Legal Counsel