

**RESOLUTION NUMBER 24-211**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, RATIFYING ACTION BY THE TOWN MANAGER ON SEPTEMBER 23, 2024, TO WAIVE THE TOWN'S COMPETITIVE PROCUREMENT POLICY AND APPROVING A NEW CONTRACT WITH SOFTRIM LLC TO CONTINUE PROVIDING REMOTE INFORMATION TECHNOLOGY SUPPORT SERVICES AND SOFTWARE LICENSING, AND TO ADD FULL-TIME, ONSITE SUPPORT FOR A TOTAL ANNUAL AMOUNT OF \$191,784 FOR A TWO YEAR TERM AS AN EMERGENCY PURCHASE, APPROVING AN ADDENDUM TO THE SOFTRIM CONTRACT CONTAINING REQUIRED TERMS AND CONDITIONS UNDER FLORIDA LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach ("Town") empowers the Town to adopt resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, the Town of Fort Myers Beach had a contract in place with Softrim, LLC to provide remote information technology support services and software licensing for an annual cost of \$93,792; and

**WHEREAS**, the Town of Fort Myers Beach had a full-time position of Systems Administrator with salary and benefits budgeted for \$109,061; and

**WHEREAS**, the position of Systems Administrator was vacated on September 11, 2024 leaving the Town without full-time, onsite information technology support; and

**WHEREAS**, the cost of Softrim, LLC providing a full-time, onsite information technology specialist would only increase the existing service contract with Softrim, LLC by \$97,992, which is less than the budget of \$109,061 for the Systems Administrator position; and

**WHEREAS**, it was in the best interest of the Town to immediately contract a full-time, onsite information technology specialist with Softrim, LLC, since they as our existing information technology services provider already had familiarity with the town's software environment and support needs; and

**WHEREAS**, Florida law requires the inclusion of certain contractual terms and conditions which have been included in the addendum to the Softrim contract.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH, AS FOLLOWS:**

Section 1. That the above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. That the new 2-year contract with Softrim, LLC with an effective date of October 1, 2024 with an annual cost of \$191,784 that was executed by the Town Manager on September 23, 2024 so as to immediately fill the vacancy of the Systems Administrator position while also saving the Town \$11,069, is hereby ratified by the Town Council as an emergency purchase. A copy of this contract and its addendum is approved and attached to the Resolution as Exhibit A.

Section 3. That the resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Woodson and seconded by Council Member King, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 28<sup>th</sup> day of October 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

**TOWN OF FORT MYERS BEACH**

  
Dan Allers (Nov 4, 2024 13:36 EST)  
\_\_\_\_\_  
Dan Allers, Mayor

**ATTEST:**

  
Amy Baker (Nov 5, 2024 13:49 EST)  
\_\_\_\_\_  
Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

  
Nancy Sturparich (Nov 4, 2024 12:21 EST)  
\_\_\_\_\_  
Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 4<sup>th</sup> day of November 2024.