

RESOLUTION NUMBER 25-201

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA APPROVING THE PURCHASE OF 2 PENTAIR LAYNE PUMPS AND MOTORS FROM BARNEY'S PUMPS, INC. AS THE SOLE SOURCE PROVIDER AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A PURCHASE ORDER FOR THE AMOUNT OF \$160,300.00; AND PROVIDING FOR 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 empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town of Fort Myers Beach recognizes the importance of reliable equipment at our Moss Marina Pump Station since this is the main supplier of water and pressure for the entire town; and

WHEREAS, Funding is available through the Water Department Fund Balance; and

WHEREAS, Section 2-480(c)(1)(a) of the Town of Fort Myers Beach Code of Ordinances provides that when it is in the best interest of the Town of Fort Myers Beach, a contract may be awarded without competition when the Town Manager, with the recommendation of the Finance Department Director and Department Director, determines after conducting a good faith review of available sources that there is only one source for the required supply, equipment, service, or construction item; and

WHEREAS, Barney's Pumps Inc. has provided a document certifying that they are the sole provider for the pumps the Town needs to the satisfaction of the Town Manager; and

WHEREAS, it is in the best interest of the residents of the Town of Fort Myers Beach to execute a Purchase Order with Barney's Pumps Inc. in the amount not to exceed \$160,300.00 for (2) two pumps and motors for the Moss Marina Pump station.

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

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council hereby approves the sole source purchase from Barney's Pumps Inc. for 2 pumps and motors in the amount of \$160,300.00 and authorizes the Town Manager or his designee to execute any documentation related to the purchase order, which is attached hereto as "Attachment A."

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 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 16th day of June 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers

Dan Allers (Jul 15, 2025 18:58 EDT)

Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker (Jul 15, 2025 14:14 EDT)

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 Stuparich

Nancy Stuparich (Jul 16, 2025 13:08 EDT)

Vose Law Firm, LLP, Town Attorney



Bryan E. Kates
Named Account Executive
PENTAIR FLOW TECHNOLOGIES
Fairbanks Nijhuis
+1-781-361-4751 cell
Bryan.kates@pentair.com

January 1, 2025

Subject: Fairbanks Nijhuis Pumps
Authorized Municipal Distributor

To whom it may concern,

Thank you for your recent inquiry regarding Fairbanks Nijhuis pumps. Please be aware that Fairbanks Nijhuis, formerly Fairbanks Morse, now includes all Layne/Verti-line products as well. Barney's Pumps, Inc. is the sole distributor serving the municipal market in the state of Florida (exclusive of the panhandle counties west of the Apalachicola River).

Barney's Pumps maintains a staff of factory trained individuals, inventory and shop facilities to support their exclusive geographical territory. They are the sole facility authorized to provide warranty and non-warranty service and repair for our products.

They have locations in Lakeland (863) 665-8500, Coral Springs (954) 346-0669 and Jacksonville (904) 260-0669 to support the Florida municipal market.

If I can be of further assistance, please contact me at 504-491-0320.

Sincerely,

A handwritten signature in black ink, appearing to read "B. E. Kates".

Bryan E. Kates
Named Account Executive