

**RESOLUTION NO. 11-903**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING ACCESSING ANOTHER PUBLIC ENTITY'S CONTRACT UNDER SECTION 2(H)(2) OF THE PROCUREMENT CODE; AUTHORIZING THE USE OF THE STATE OF FLORIDA CONTRACT 600-000-11-1; APPROVING THE AGREEMENT FOR BUSINESS IMAGING SOLUTIONS WITH TOSHIBA BUSINESS SOLUTIONS; AUTHORIZING TOWN OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the Town of Miami Lakes (the "Town") need to replace and upgrade its copiers, scanners, and other related equipment (Business Imaging Solution"); and

**WHEREAS,** the efficient and cost effective means to implement a Business Imaging Solution is to access the State of Florida ("State")contract) for Business Imaging Solution equipment; and

**WHEREAS,** the Town requested and receive Business Imaging Solution proposals from four (4) firms representing manufacturers under the State Contract; and

**WHEREAS,** the Town determined that Toshiba Business Solutions ("Toshiba") offered the most effective and cost efficient proposal; and

**WHEREAS,** the Town and Toshiba have further negotiated the proposal to provide the Town increased efficiency and cost reduction; and

**WHEREAS**, Section 2(H)(2) of the Town's Purchasing Procedures authorizes the Town Council, by majority vote, to enter into contracts based on those awarded by other local, state or federal authorities.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above Recitals are true and correct and incorporated herein by this reference.

**Section 2. Competitive Bidding.** The Town Council hereby waives Competitive Bidding pursuant to Section 2(H)(1) of the Town's Purchasing Procedures for impracticality.

**Section 3. Approval of the Toshiba Agreement.** The Agreement between the Town of Miami Lakes and Toshiba in accordance with State Contract 600-000-11-1 (the "Toshiba Agreement"), a copy of which is attached as Exhibit "1," together with such changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

**Section 4. Authorization of Town Officials.** The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Toshiba Agreement.

**Section 5. Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Toshiba Agreement.

**Section 6. Execution of the Agreements.** The Town Manager is authorized to execute the Toshiba Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Toshiba Agreement and to execute any extensions and/or amendments to the Toshiba Agreement, subject to the approval as to form and legality by the Town Attorney.

**Section 7. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14 day of June, 2011.

Motion to adopt by Councilmember Collins, and second by Mayor Pizzi.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	<u>Yes</u>
Vice Mayor Nick Perdomo	<u>Yes</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Nelson Hernandez	<u>Yes</u>
Councilmember Ceasar Mestre	<u>Yes</u>
Councilmember Richard Pulido	<u>Absent</u>



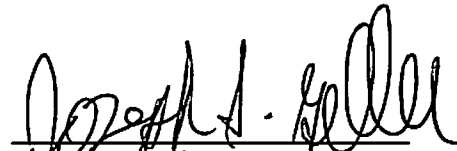
Michael Pizzi  
MAYOR

ATTEST:

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes  
only:



Marjorie Tejada  
TOWN CLERK



Joseph S. Geller  
INTERIM TOWN ATTORNEY