

RESOLUTION NO. 11-940

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AWARD A TEMPORARY CONTRACT UNDER SECTION 2.H.(1) OF THE PROCUREMENT CODE TO ENVIROWASTE SERVICES GROUP FOR STORMWATER DRAIN MAINTENANCE SERVICES FOR A PERIOD OF FIVE (5) MONTHS, IN AN AMOUNT NOT TO EXCEED \$58,000.00, AS AN INTERIM PROVISION UNTIL THE TOWN PURCHASES A VAC-CON TRUCK; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town") stormwater drainage system requires periodic cleaning to maintain the flow of water and meet the Federal EPA National Pollutant Discharge Elimination System (NPDES); and

WHEREAS, as approved in the FY 2011-12 Budget, the Town of Miami Lakes (the "Town") is proceeding with the purchase of a Vac-Con truck to provide more efficient and cost effective stormwater drainage cleaning service; and

WHEREAS, the town was to purchase the Vac-Con truck from Atlantic Machinery Equipment Inc, under Federal GSA contract, and

WHEREAS, the purchase of the Vac-Con truck has been delayed, so a temporary solution is needed to provide stormwater drain service until the Town can procure a Vac-Con truck; and

WHEREAS, the Town has completed a review to analyze the most timely and cost effective interim solution; and

WHEREAS, the Town Manager recommends that the Town of Miami Lakes award a temporary contract under section 2.H.(1) of the Procurement Code to Envirowaste Services Group

for storm drain maintenance for a period of five (5) months, in an amount not to exceed \$58,000.00 until the purchase of the Vac-Con truck is complete.

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

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

Section 2. Approval of the Contract. The Town Council hereby approve an award of a award temporary contract under section 2.H.(1) of the Procurement Code to Envirowaste Services Group as the most cost effective interim solution.

Section 3. Authorization of Town Manager. The Town Manager and/or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract.

Section 4. Execution of the Contract. The Town Manager is authorized to execute a temporary contract under section 2.H.(1) of the Procurement Code to Envirowaste Services Group for storm drain maintenance for a period of five (5) months, in an amount not to exceed \$58,000.00; subject to the approval as to form and legality by the Town Attorney.

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

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

INTENTIONALLY LEFT BLANK

PASSED AND ADOPTED this 11 day of October 2011.

Motion to adopt by Mary Collins, second by Michael Pizzi.

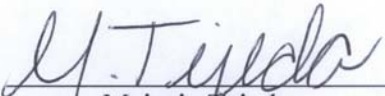
FINAL VOTE AT ADOPTION

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>yes</u>



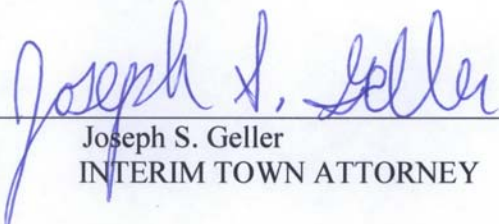
Michael Pizzi
MAYOR

Attest:



Majorie Tejada
TOWN CLERK

Approve as to Form and Legal Sufficiency



Joseph S. Geller
INTERIM TOWN ATTORNEY



RECEIVED

OCT 27 2011

Town of Miami Lakes

Agreement

I. Parties

This Agreement, **2012-01** is made this 11 day of **October, 2011**, by and **between EnviroWaste Services Group** ("EnviroWaste"), located at 2901 NW 39th Street, Miami, Florida 33142 and the Town of Miami Lakes ("Town"), located at 15150 NW 79th Terrace, Miami Lakes, FL 33016.

II. Recitals

Whereas the Town desires to enter into an agreement with EnviroWaste for stormwater cleaning services, and;

Whereas EnviroWaste has agreed to provide said services to the Town in accordance with the same terms and conditions of its contract with the Town, which entered into on July 8, 2003 and expired on October 8, 2011; and:

Whereas the Miami Lakes Town Council, on October 11, 2011, by Resolution 11-940, authorized the Town Manager to enter into an agreement with EnviroWaste, in accordance with the terms of the contract EnviroWaste entered into with the Town on July 8, 2003, for the same scope of services.

Therefore both parties agree as follows.

III. Services To Be Provided

EnviroWaste shall provide stormwater cleaning services to the Town on an as needed basis, in accordance with the terms of the above referenced Town contract. All other terms and conditions of said contract, a copy of which is attached hereto as Exhibit "A", are incorporated herein by reference, except to the extent otherwise provided herein.

All Services to be provided shall be performed based on the written request of the Public Works Director.

IV. Contract Pricing

The cost for Services provided shall be the same as the costs paid by the Town at the expiration of the incorporated contract, which was October 8, 2011. Services to be provided under this Agreement shall not exceed \$58,000 without the prior written approval of the Town Manager or Town Council, as applicable.

EnviroWaste Services Group

Rafael Barba, President
Eduardo Barba

Town of Miami Lakes

Alex Rey, Town Manager

Attest:

Marjorie Tejada, Town Clerk



Town of Miami Lakes

CORPORATE RESOLUTION

WHEREAS, EnviroWaste Services Group desires to enter into a contract with the Town of Miami Lakes for the purpose of performing the work described in the Agreement to which this resolution is attached; and

WHEREAS, the Board of Directors at a duly held corporate meeting has considered the matter in accordance with the By-Laws of the corporation;

Now, THEREFORE, BE IT RESOLVED BY THE BOARD OF

DIRECTORS that the PRESIDENT
(type title of officer)

EDDY BARBA, is hereby authorized
(type name of officer)

and instructed to enter into a contract, in the name and on behalf of this corporation, with the Town of Miami Lakes upon the terms contained in the proposed Agreement to which this resolution is attached.

DATED this 25 day of OCTOBER, 20 11.

R. A. Bal
Corporate Secretary

(Corporate Seal)

