

RESOLUTION NO. 15-1275

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED CONTRACTS FOR MISCELLANEOUS ROADWAY AND DRAINAGE SERVICES ON AN AS-NEEDED BASIS TO METRO EXPRESS, INC. AND DCORP CONSTRUCTION, INC.; WAIVING THE COMPETITIVE PROCUREMENT BIDDING PROCESS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 5(d) of Town of Miami Lakes Ordinance 12-142 (“the Town’s Procurement Ordinance”) authorizes the Town Manager to request authorization from the Town Council to waive the requirements of Section 5 of the Town’s Procurement Ordinance where the Town Manager has made a written recommendation where, based on specific circumstances, it is not practical to comply with the requirements of Section 5 of the Town’s Procurement Ordinance for a specific solicitation; and

WHEREAS, on November 21, 2014, the Town of Miami Lakes (“the Town”) issued Invitation to Bid (“ITB”) No. 2015-10 for Miscellaneous Roadway & Drainage Services; and

WHEREAS, the Town Manager has made a written recommendation that based on specific circumstances it is not practical to comply with the requirements of Section 5 of the Town’s Procurement Ordinance for ITB 2015-10 for Miscellaneous Roadway & Drainage Services; and

WHEREAS, the Town Manager has determined that Metro Express, Inc. (“Metro Express”) and DCorp Construction, Inc. (“DCorp”) can perform the work and recommends that both companies be awarded a contract; and

WHEREAS, Metro Express and DCorp will be responsible for furnishing all labor, materials, machinery, tools, means of transportation, supplies, equipment, and services necessary for the repair, maintenance, on an as-needed basis, for various types of horizontal construction, including but not limited to: paving, milling, resurfacing, drainage, sidewalks, curbs and gutters; and

WHEREAS, the Town Council approves of the Town Manager's recommendations, authorizes a waiver of the requirements of Section 5 of the Town's Procurement Ordinance as it pertains to the award for Miscellaneous Roadway & Drainage Services on an as-needed basis, and authorizes the Town Manager to enter into a contract with Metro Express and DCorp for Award for Miscellaneous Roadway & Drainage Services on an as-needed basis.

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

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

Section 2. Approval of the Contract. The Council approves the award of contracts to Metro Express, Inc. and DCorp Construction, Inc. for Miscellaneous Roadway & Drainage Services on an as-needed basis, in substantially the form attached hereto as Exhibit "A," together with such non-material changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney.

Section 3. Authorization of Town Officials. 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 contracts with Metro Express, Inc. and DCorp Construction, Inc.

Section 4. Execution of the Contract. The Town Manager is authorized to execute the contracts with Metro Express, Inc. and DCorp Construction, Inc. on behalf of the Town, and to execute any required agreements and/or documents to implement the terms and conditions of the contracts, subject to approval as to form and legality by the Town Attorney.

Section 5. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager by the Town's Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the contracts with Metro Express, Inc. and DCorp Construction, Inc.

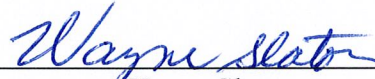
Section 6. Effective Date. This Resolution shall be effective immediately upon adoption.

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Passed and adopted this 13th day of January, 2015.

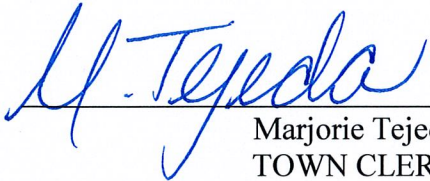
The foregoing resolution was offered by Councilman Rodriguez who moved its adoption. The motion was seconded by Councilman Mestre and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton	<u>Yes</u>
Vice Mayor Manny Cid	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Tony Lama	<u>Yes</u>
Councilmember Ceasar Mestre	<u>Yes</u>
Councilmember Frank Mingo	<u>Yes</u>
Councilmember Nelson Rodriguez	<u>Yes</u>



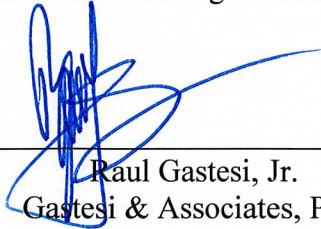
Wayne Slaton
MAYOR

Attest:



Marjorie Tejeda
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT “A”