

RESOLUTION NO. 04-~~306~~

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED THE MISCELLANEOUS STORMWATER IMPROVEMENTS BID TO H & J ASPHALT, INC. AND APPROVING THE AGREEMENT; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO FINALIZE THE TERMS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town publicly advertised bids for miscellaneous stormwater improvements (“Stormwater Improvements”), which were available to contractors on January 27, 2004; and

**WHEREAS**, seven (7) bids were received and on March 1, 2004, bids were publicly opened; and

**WHEREAS**, the Town Manager recommends the selection of H & J Asphalt, Inc. (“H & J”) as the lowest bid; and

**WHEREAS**, the Town Council finds that approving the contract with H & J for Stormwater Improvements is in the best interest of the Town.

**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 are incorporated herein by this reference.

**Section 2. Approval of Agreement.** The bid for miscellaneous stormwater improvements is awarded to H & J Asphalt, Inc. and the Agreement between the Town of Miami Lakes and H & J Asphalt, Inc. (the “Agreement”), a copy of which is attached 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, is approved.

**Section 3. Authorization of Town Officials.** The Town Manager and Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

**Section 4. Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

**Section 5. Execution of Agreement.** The Mayor is authorized to execute the Agreement on behalf of the Town.

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

PASSED AND ADOPTED this 9<sup>th</sup> day of March, 2004.

Motion to adopt by Simon, second by Thomson.

FINAL VOTE AT ADOPTION: 6-0


Mayor Wayne Slaton	<u>Yes</u>
Vice Mayor Roberto Alonso	<u>Absent</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember Robert Meador	<u>Yes</u>
Councilmember Michael Pizzi	<u>Yes</u>
Councilmember Nancy Simon	<u>Yes</u>
Councilmember Peter Thomson	<u>Yes</u>

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

  
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Beatris M. Arguelles, CMC  
TOWN CLERK

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

  
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Weiss, Serota, Helfman, Pastoriza, Guedes  
Cole & Boniske, P.A.  
TOWN ATTORNEY