

RESOLUTION NO. 18- 1510

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, WAIVING THE COMPETITIVE PROCUREMENT PROCEDURES UNDER SECTION 5(D) OF ORDINANCE 17-203; AWARDING CONTRACT 2018-05 FOR THE CONSTRUCTION OF THE GOVERNMENT CENTER EMERGENCY GENERATOR ENCLOSURE TO LA PERLA CONTRACTORS, INC. IN AN AMOUNT NOT TO EXCEED \$210,000.00; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE 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, Section 5(d) of Ordinance 17-203 (“Town’s Procurement Ordinance”) provides that the Town Manager may request authorization from the Town Council to waive the requirements of Section 5 of the Town’s Procurement Ordinance; and

WHEREAS, where the Town Manager has made a written recommendation that it is not practical to comply with requirements of Section 5 of the Town’s Procurement Ordinance; and

WHEREAS, on June 7, 2016, the Town Council authorized the purchase of an emergency generator through a National Joint Powers Alliance (“NJPA”) contract with Pantropic Power; and

WHEREAS, the fabrication of the generator is anticipated to be completed within three to four months, however, the generator requires the construction of a room enclosure to house the unit before it can be installed; and

WHEREAS, on November 27, 2017, the Town of Miami Lakes (“Town”) issued Invitation to Bid (“ITB”) No. 2018-05 for the construction of the Enclosure for the Government Center Generator; and

WHEREAS, on the date of the bid opening, the Town received two bids from Bejar Construction, Inc. (“Bejar”) and Graham Contracting, LLC; and

WHEREAS, the lowest Bid, submitted by Bejar Construction, Inc., was \$254,882.00, which was \$44,738.00 over the engineer’s estimate; and

WHEREAS, La Perla Contractors, Inc. (“La Perla”) is a licensed General Contractor capable of performing the work and has already contracted with the Town to perform similar services for small-scale projects; and

WHEREAS, La Perla has provided the Town with an informal bid of \$190,200.00 to construct the generator enclosure, which was \$19,444.00 under the engineer’s estimate; and

WHEREAS, the Town Manager requests the waiver of competitive procurement procedures under Section 5(d) of Ordinance 17-203, and the authorization to execute a contract with La Perla in an amount not to exceed \$210,000.00.

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. **Waiver of Competitive Bidding.** The Town Council hereby waives competitive bidding procedures pursuant to Section 5(d) of the Town’s Procurement Ordinance.

Section 3. Approval of the Contract. The Town Council hereby approves the award of a contract to La Perla Contractors, Inc. for the construction of the generator enclosure in an amount not to exceed \$210,000.00.

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 contract with La Perla Contractors, Inc. for the construction of the generator enclosure.

Section 4. Authorization of Fund Expenditure. The Town Manager is authorized to expend budgeted funds in an amount not to exceed \$210,000.00 to implement the terms and conditions of this Resolution and the contract with La Perla Contractors, Inc.

Section 5. Execution of the Contract. The Town Manager is authorized to execute the Contract in substantially the form attached hereto as Exhibit "A," with La Perla Contractors, Inc., and to execute any required agreements and/or documents to implement the terms and conditions of the Contract, subject to approval as to form and legality by the Town Attorney.

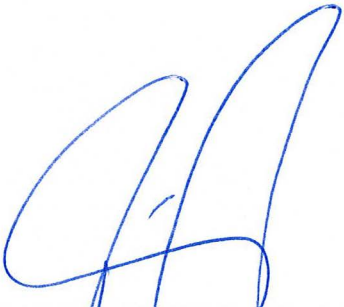
Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 16th day of January 2018.

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

Mayor Manny Cid	<u>yes</u>
Vice Mayor Frank Mingo	<u>yes</u>
Councilmember Luis Collazo	<u>yes</u>
Councilmember Timothy Daubert	<u>Absent</u>
Councilmember Ceasar Mestre	<u>yes</u>
Councilmember Marilyn Ruano	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>



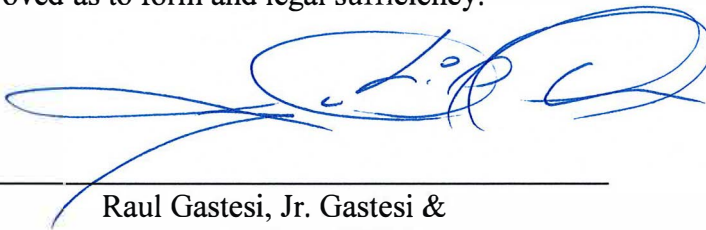
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



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

EXHIBIT A

Contract 2018-05
between the
Town of Miami Lakes
and
La Perla Contractors, Inc.
for
The Construction of the
Government Center Generator Enclosure