

RESOLUTION NO. 06 364

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE AGREEMENT BETWEEN ACAI ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES FOR THE ROYAL OAKS PARK COMMUNITY CENTER AND MIAMI LAKES PARK NEW GYMNASIUM AND POOL; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the “Town”) has retained ACAI Associates, Inc. (“ACAI”) under a Professional Services Agreement to provide architectural services for specific projects throughout the Town; and

**WHEREAS**, the first project pursuant to Work Authorization No. 06-01 provides that ACAI shall perform programming and schematic design tasks for Royal Oaks Park Community Center and Miami Lakes Park new gymnasium and pool (the “Project Agreement”); and

**WHEREAS**, ACAI has agreed to provide architectural services under the Project Agreement; and

**WHEREAS**, the Town Council finds that approval of the Project Agreement between ACAI and the Town is in the best interests 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 above recitals are true and correct and incorporated into this resolution by this reference.

**Section 2. Approval of Agreement.** The Project Agreement between ACAI Associates, Inc. and the Town of Miami Lakes for programming and schematic design for Royal Oaks Park Community Center and Miami Lakes Park new gymnasium and pool (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/or his designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement, including any requirements pursuant to the Miami-Dade County Building Better Communities General Obligation Bond Program.

**Section 4. Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town's Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

**Section 5. Execution of Agreement.** The Town Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

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

PASSED AND ADOPTED this tenth day of January, 2006.

Motion to adopt by Mary Collins, second by Peter Thomson.

FINAL VOTE AT ADOPTION

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

Wayne Slaton  
Wayne Slaton  
MAYOR

ATTEST:

Debra Eastman  
Debra Eastman, MMC  
TOWN CLERK

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

[Signature]  
Weiss, Serota, Helfman, Pastoriza,  
Cole & Boniske, P.A.  
TOWN ATTORNEY