

RESOLUTION NO. 06 - 388

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE CHANGE ORDER TO THE AGREEMENT FOR NW 87th AVENUE LANDSCAPE ENHANCEMENTS BETWEEN GROUNDKEEPERS, INC. AND THE TOWN OF MIAMI LAKES; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CHANGE ORDER; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 11, 2005, the Town Council, via Resolution No. 2005-268 approved an agreement with Groundkeepers, Inc. (“Groundkeepers”) for the construction of NW 87th Avenue landscape enhancements between the bridge over I-75 and NW 154th Street (the “Agreement”); and

WHEREAS, the Agreement was part of an overall Joint Participation agreement with Miami-Dade County where the County was constructing the roadway improvements and the Town constructed the irrigation and landscaping; and

WHEREAS, Hurricanes Rita and Wilma required that the palm trees installed as part of the project be reset on several occasions increasing costs associated with re-mobilization of equipment; and

WHEREAS, the Town has identified additional areas along NW 87th Avenue which require landscaping improvements in order to be consistent with the rest of the project area; and

WHEREAS, the Agreement provides that any changes to the contract price or term be executed by a written Change Order; and

WHEREAS, the Town Council finds that approval of the Change Order to the Agreement between Groundkeepers and the Town for an additional \$12,900.00 for the costs associated with remobilization of equipment and additional landscaping improvements along NW 87th Avenue 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 above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Approval of Change Order. The Change Order between Groundkeepers, Inc. and the Town for additional landscaping improvements and to provide additional funds to cover equipment re-mobilization efforts, 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 Change Order.

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 Change Order.

Section 5. Execution of Change Order. The Town Manager is authorized to execute the Change Order on behalf of the Town, to execute any required agreements and/or

documents to implement the terms and conditions of the Change Order, 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 16 day of March 2006.

Motion to adopt by Robert Meador, second by Mary Collins.

FINAL VOTE AT ADOPTION

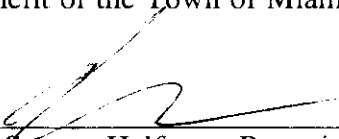
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador	<u>yes</u>
Councilmember Roberto Alonso	<u>absent</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Dorothy Cook	<u>yes</u>
Councilmember Michael Pizzi	<u>absent</u>
Councilmember Nancy Simon	<u>yes</u>

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:



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