

RESOLUTION NO. 06-393

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE AGREEMENT BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR THE CONSTRUCTION OF A PARKING LOT AT ROYAL OAKS PARK; 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**, in 2005 the Town of Miami Lakes (the “Town”) opened Royal Oaks Park (the “Park”); and

**WHEREAS**, since its opening, the Park has experienced a large number of visitors creating a shortage of available parking in the existing parking lot; and

**WHEREAS**, the Town desires to expand the existing parking lot to accommodate the large number of visitors and to provide additional parking for the future Community Center to be located at the Park; and

**WHEREAS**, on February 17, 2006 the Town published an Advertisement for Bid (the “Bid”) for Royal Oaks Park Parking Lot Improvements (the “Project”) which provided that award of the Bid would be to the lowest Responsive and Responsible Bidder; and

**WHEREAS**, funding for this Project shall be provided through the Miami-Dade County Building Better Communities General Obligation Bond Program (“GOB”) which requires that the Town comply with the Miami-Dade County Department of Business Development (“DBD”) procurement procedures; and

**WHEREAS**, the DBD procurement procedures require that Bidders for GOB-funded project solicitations submit properly completed Statements of Interest (“SOI”) in order to be Responsive; and

**WHEREAS**, on March 7, 2006 the Town received four (4) Bids and determined that only two (2) firms had properly complied with DBD requirements; and

**WHEREAS**, of the two (2) remaining firms the Town deemed Acosta Tractors Inc., (“Acosta”) to be the only Responsive and Responsible bidder; and

**WHEREAS**, the Town Manager recommends that the Town Council approve the Agreement with Acosta; and

**WHEREAS**, the Town Council finds that approval of the Agreement with Acosta 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 Agreement.**   The Agreement between Acosta Tractors Inc. and the Town of Miami Lakes for the Royal Oaks Park Parking Lot Improvements, 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.

**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.

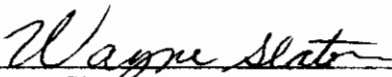
**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 11th day of April, 2006.


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

FINAL VOTE AT ADOPTION


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

  
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Wayne Slaton  
MAYOR

ATTEST:

  
\_\_\_\_\_  
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