

RESOLUTION NO. 06-409

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT PROPOSAL BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR LOCH LOMOND NEIGHBORHOOD STORMWATER DRAINAGE IMPROVEMENTS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROJECT PROPOSAL; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PROJECT PROPOSAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town") has retained Acosta Tractors, Inc., ("Acosta") under an Agreement for Public Works General Construction Services to provide general construction and drainage services throughout the Town ("Agreement"); and

WHEREAS, the Agreement provides that Acosta may perform construction related tasks to various Town facilities and structures; and

WHEREAS, Acosta has agreed to perform stormwater drainage improvements in the Loch Lomond neighborhood pursuant to a proposal made in accordance with the Agreement (the "Project Proposal"); and

WHEREAS, the Town Council finds that approval of the Project Proposal between Acosta 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 Project Proposal. The Project Proposal between Acosta Tractors, Inc. and the Town of Miami Lakes for the Loch Lomond Neighborhood Stormwater Drainage Improvements (the "Project Proposal"), 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 Project Proposal.

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 Project Proposal.

Section 5. Execution of Project Proposal. The Town Manager is authorized to execute the Project Proposal on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Project Proposal and to execute any extensions and/or amendments to the Project Proposal, 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 13th day of June, 2006.

Motion to adopt by Mary Collins, second by Nancy Simon.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton
Vice Mayor Robert Meador
Councilmember Roberto Alonso
Councilmember Mary Collins
Councilmember Dorothy Cook
Councilmember Michael Pizzi
Councilmember Nancy Simon

yes
yes
yes
yes
yes
yes
yes

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:

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