

RESOLUTION NO. 07-504

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING CHANGE ORDER NO. 2 TO THE AGREEMENT FOR THE CONSTRUCTION OF STREET SIGNS WITHIN THE TOWN BETWEEN PIOS & SONS, 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 July 20, 2004, the Town Council, via Resolution No. 2004-240 entered into a three (3) year agreement with Pios and Sons, Inc. ("Pios") for the construction of the Town's street signs in the following neighborhoods: Loch Lomond, Lake Martha, Lake Sarah and portions of Royal Oaks (the "Agreement"); and

WHEREAS, the Agreement, in short, provides for the construction and installation of signage and decorative posts and other street signage upgrades; and

WHEREAS, on November 8, 2005, the Town Council, via Resolution No. 05-348, approved Change Order No. 1 to the Agreement to fund the continuation of the street sign upgrades throughout additional neighborhoods within the Town for the same unit price for the second year of the Agreement; and

WHEREAS, in order to continue the street sign upgrades throughout additional neighborhoods within the Town in the third year, an additional contract amount of \$100,000.00 is required; and

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

WHEREAS, the Town Council finds that approval of Change Order No. 2 to the Agreement between Pios and the Town for an additional \$100,000.00 for the construction and installation of additional street signs in the following neighborhoods: Loch Ness, Graham Lake, Golf Course Village, Lake Hilda, Loch Isla and NW 82nd Avenue, and other street sign upgrades is in the best interest of the Town; and

WHEREAS, pursuant to the authority delegated in the Agreement, the Town Manager extended the Agreement for an additional two (2) years and the Town Council desires to authorize the Town Manager to execute subsequent change orders to complete the Town signage project.

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. Change Order No. 2 between Pios and the Town for additional signage in the rights-of-way in the neighborhoods of Loch Ness, Graham Lake, Golf Course Village, Lake Hilda, Loch Isla and NW 82nd Avenue, and to provide additional funds for the installation of the new street signs, 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. The Town Manager is authorized to enter into and execute subsequent change orders to complete the balance of Town neighborhood signage during the two (2) year extension of the Agreement, provided the amount of the change order does not exceed the amount budgeted by the Town Council for the signage.

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 13 day of March, 2007.

Motion to adopt by Roberto Alonso, second by Nancy Simon.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>absent</u>
Vice Mayor Mary Collins	<u>yes</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Richard Pulido	<u>yes</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:

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