

RESOLUTION NO. 07-505

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE PURCHASE OF LIGHTNING PREDICTION AND WARNING SYSTEMS FROM THORGUARD INC. FOR MIAMI LAKES PARK AND ROYAL OAKS PARK; WAIVING COMPETITIVE BIDDING; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO IMPLEMENT THE TERMS OF THE PURCHASE; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY AGREEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, due to the threat of lightning strikes in the park area during the thunderstorm season of May-October and for the safety of the park patrons, the Town of Miami Lakes (the "Town") has determined that there is a need to purchase lightning prediction and warning systems for Miami Lakes Park and Royal Oaks Park; and

WHEREAS, ThorGuard, Inc. is the sole manufacturer of a lightning prediction system.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. Waiver of Competitive Bidding. The Town Council waives competitive bidding for the purchase of ThorGuard Lightning Prediction and Warning Systems as the sole source provider of a lightning prediction system pursuant to Section 2(G)(3) of the Town's Purchasing Procedures.

Section 3. Approval of Purchase. The expenditure of \$20,148.00 for the purchase of two (2) ThorGuard Lightning Prediction and Warning Systems and a one (1) year

Service/Preventative Maintenance Agreement, one for Miami Lakes Park and the other one for Royal Oaks Park, is approved.

Section 4. Authorization of Town Officials. The Town Manager and Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the purchase.

Section 5. 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 purchase.

Section 6. Execution of Agreement. The Town Manager is authorized to execute any agreements or purchase orders on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the purchase, to execute any extensions and/or amendments to the agreements and to execute any service/maintenance agreements, subject to the approval as to form and legality by the Town Attorney.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

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 yes
Councilmember Michael Pizzi yes
Councilmember Richard Pulido yes
Councilmember Nancy Simon yes

PASSED AND ADOPTED this 13 day of March 2007.

ATTEST:

Debra Eastman
Debra Eastman, MMC
TOWN CLERK

Wayne Sláton
Wayne Sláton
MAYOR

Approved as to form and legal sufficiency
for use only by the Town of Miami Lakes:

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