

RESOLUTION NO. 10- 793

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE SELECTION OF ACOSTA TRACTORS, INC. FOR THE CONTRACT FOR MIAMI LAKEWAY NORTH PAVING AND DRAINAGE IMPROVEMENTS UNDER THE LOCAL AGENCY PROGRAM WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; APPROVING THE CONTRACT BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN; AUTHORIZING THE TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** in conjunction with the Federal Stimulus Bill, the Town of Miami Lakes (the "Town") was awarded Local Agency Certification under the Local Agency Program ("LAP") with the Florida Department of Transportation (the "FDOT") for project development and construction administration of roadway projects within the Town; and

**WHEREAS,** the Town, as Local Agency, issued a Request for Proposals (the "RFP") for the Contract for Miami Lakeway North Paving and Drainage Improvements and held a pre-bid meeting on November 23, 2009; and

**WHEREAS,** on December 14, 2009 all proposals were received, and the Town received a total of fourteen (14) proposals which were reviewed by the evaluation team; and

**WHEREAS,** after reviewing all proposals submitted to the Town and the recommendation of the evaluation team, the Town Manager approved the selection of Acosta Tractors, Inc.; and

WHEREAS, pursuant to LAP, the approval of FDOT was required prior to recommendation of award by the Local Agency, and such recommendation for award to Acosta Tractors, Inc. was received by the Town from FDOT on January 29, 2010; and

WHEREAS, the Town Council finds that approval of Acosta Tractors, Inc. along with the Contract, 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 Acosta Tractors, Inc.** Acosta Tractors, Inc. is hereby selected for the Contract for Miami Lakeway North Paving and Drainage Improvements within the Town of Miami Lakes under LAP.

**Section 3. Approval of Contract.** The Contract for Miami Lakeway North Paving and Drainage Improvements between the Town and Acosta Tractors, Inc. (the "Contract"), 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 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 Contract.

**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 Contract.

**Section 6. Execution of Contract.** The Town Manager is authorized to execute the Contract on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Contract and to execute any extensions and/or amendments to the Contract, 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.

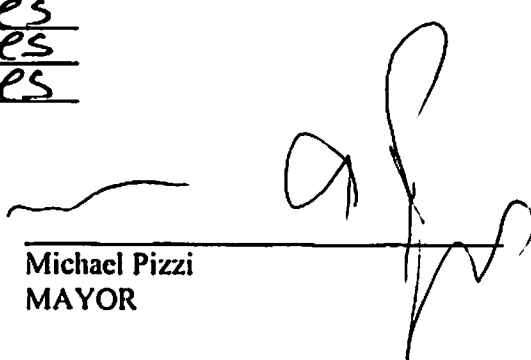
PASSED AND ADOPTED this 9 day of February 2010.

Motion to adopt by Pizzi, second by Collins.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi  
Vice Mayor Nick Perdomo  
Councilmember Mary Collins  
Councilmember George Lopez  
Councilmember Robert Meador II  
Councilmember Richard Pulido  
Councilmember Nancy Simon

Yes  
Absent  
Yes  
Yes  
Yes  
Yes  
Yes


  
\_\_\_\_\_  
Michael Pizzi  
MAYOR

ATTEST:

  
\_\_\_\_\_

Marjorie Tejada  
TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:

  
\_\_\_\_\_  
Weiss, Scrota, Helfman, Pastoriza, Cole & Boniske, P.L.  
TOWN ATTORNEY