

RESOLUTION NO. 23-1920

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2023-25, TO ATC ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED ONE MILLION SEVEN HUNDRED FIFTY-SIX THOUSAND SIXTY-TWO DOLLARS AND 00/100 (\$1,756,062.00); APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM INTO THE DRAINAGE IMPROVEMENTS-WEST LAKES GARDENS 1ST ADDITION DRAINAGE LINE-ITEM (402-563800-21S13); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS 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; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 16, 2019, the Town Council passed Resolution No. 2019-1626 adopting the Stormwater Master Plan Update No. 3; and

WHEREAS, on March 9, 2021, in order to address the stormwater needs outlined in the Stormwater Master Plan Update No. 3, the Town Council adopted Resolution No. 21-1730 approving bond financing in the amount of Fifteen Million Five Hundred Thousand Dollars, and 00/100 (\$15,500,000.00); and

WHEREAS, Chapter 2, Article V, Division 2, Section 2-155 of the Town Code provides that procurements more than \$15,000 shall require the use of competitive sealed bidding; and

WHEREAS, in accordance with Chapter 2, Article V, Division 2, Section 2-155 of the Town Code, the Town issued Invitation to Bid (“ITB”) No. 2023-25 for West Lakes Gardens First Addition Drainage Improvement Project (the “Project”); and

WHEREAS, the ITB was advertised online via two public bidding websites, DemandStar and Public Purchase, advertised in the Miami Daily Business Review, and was physically posted in the Government Center Lobby; and

WHEREAS, the Town received ten (10) bids from the following:

- 1) A.D.A. Engineering, Inc.
- 2) ATC Engineering, Inc.
- 3) Emerald Construction Corp. dba Neucor Construction
- 4) Hanh Construction Engineering Contractors, Inc.
- 5) Marcdan, Inc.
- 6) Metro Express, Inc.
- 7) Quality Paving Corp.
- 8) RG Underground Engineering
- 9) Star Paving Corporation
- 10) The Stout Group, LLC

WHEREAS, based on due diligence, Procurement determined that ATC Engineering, Inc., was the lowest responsive and responsible bidder; and

WHEREAS, Procurement recommends awarding a contract to ATC Engineering, Inc., in an amount not to exceed One Million Seven Hundred Fifty-Six Thousand Sixty-Two Dollars And 00/100 (\$1,756,062.00), which includes a contingency amount of One Hundred Fifty-Nine Thousand Six Hundred Forty-Two Dollars and 00/100 (\$159,642.00), which is approximately 10% of the contract value for unforeseen circumstances; and

WHEREAS, it is also recommended transferring funds from the Storm Water Contingency Reserve line-item into the Drainage Improvements-West Lakes Gardens 1st Addition Drainage line-item (402-563800-21S13) in order to fully fund this Project; and

WHEREAS, the Town Manager concurs with Procurement's recommendation and recommends the Town Council authorize the award of a contract to ATC Engineering, Inc. for completion of the West Lakes Gardens Addition Drainage Improvement Project in an amount not to exceed One Million Seven Hundred Fifty-Six Thousand Sixty-Two Dollars And 00/100

(\$1,756,062.00) and recommends a transfer of funds from the Storm Water Contingency Reserve line-item into the Drainage Improvements-West Lakes Gardens 1st Addition Drainage line-item (402-563800-21S13) in order to fully fund this Project; and

WHEREAS, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to enter into a contract with ATC Engineering, Inc. for completion of the West Lakes Gardens First Addition Drainage Improvement Project and approves the transfer of funds from the Stormwater Contingency Reserve line-item into the Drainage Improvements-West Lakes Gardens 1st Addition Drainage line-item (402-563800-21S13) in order to fully fund this Project.

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 incorporated herein by this reference.

Section 2. Approval of the Contract. The Town Council hereby approves the award of a contract to ATC Engineering, Inc., for completion of the West Lakes Gardens First Addition Drainage Improvement Project in an amount not to exceed One Million Seven Hundred Fifty-Six Thousand Sixty-Two Dollars And 00/100 (\$1,756,062.00), in substantially the same form as attached hereto as Exhibit "A" (hereinafter referred to as "Contract").

Section 3. Authorization of Fund Expenditure. The Town Manager, his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract.

Section 4. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney and/or his designee are authorized to take all steps necessary to finalize and carry out the terms of the agreement with ATC Engineering, Inc.,

Section 5. Execution of the Contract. The Town Manager is authorized to execute the Contract with ATC Engineering, Inc., for completion of the West Lakes Gardens First Addition Drainage Improvement Project in an amount not to exceed One Million Seven Hundred Fifty-Six Thousand Sixty-Two Dollars And 00/100 (\$1,756,062), and to execute any extension and/or amendments to the Contract, subject to approval as to form and legality by the Town Attorney.

Section 6. Line-Item Modification. The Budget for Fiscal Year 2021-2022 adopted in Section 2 of Ordinance No. 21-285, is hereby modified, as reflecting Exhibit “B” attached hereto. The revisions for each fund are within the approved expenditure authority for Fiscal Year 2021-2022. The Town Council hereby modifies the budget as set forth therein and authorizes the Town Manager, or his assign(s), to administratively adjust line item 402-563800-21S13 to reflect audit adjustments and or line-item revisions as necessary.

Section 7. Rounding. As presented, the 2021-2022 Budget and Actual Expenses are rounded to the nearest hundred; therefore, line-item adjustments within \$100 are hereby incorporated within Exhibit “B.”

Section 8. Effective Date. This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 11th day of July, 2023.

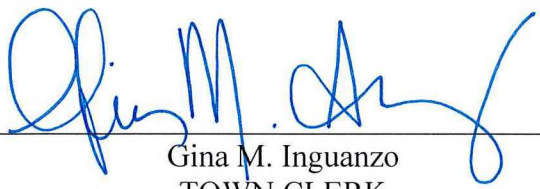
The foregoing resolution was offered by Councilmember Fernandez who moved its adoption. The motion was seconded by Councilmember Dieguez and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	Yes
Vice Mayor Carlos O. Alvarez	Absent
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Tony Fernandez	Yes
Councilmember Ray Garcia	Yes
Councilmember Marilyn Ruano	Yes



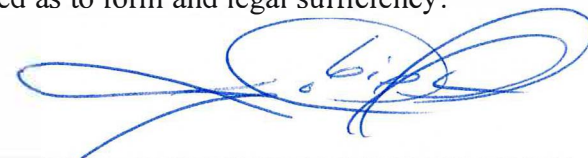
Manny Cid
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi, Lopez, and Mestre, PLLC
TOWN ATTORNEY

EXHIBIT A

Agreement
between the
Town of Miami Lakes
and
ATC Engineering, Inc.
for
West Lakes Gardens First Addition Drainage Improvement
Project, ITB 2023-25