

**RESOLUTION NO. 23-1925**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF CONTRACTS FOR RFP 2023-28, COMMERCE WAY DRAINAGE IMPROVEMENT PROJECT TO ACOSTA TRACTORS, INC. IN AN AMOUNT NOT TO EXCEED THREE MILLION ONE HUNDRED SEVENTEEN THOUSAND EIGHT HUNDRED EIGHTY-ONE DOLLARS AND 00/100 (\$3,117,881.00); APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY LINE-ITE INTO THE DRAINAGE IMPROVEMENTS-COMMERCE WAY DRAINAGE LINE-ITEM (402-563800-21S11); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; 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 2-157 of the Town Code provides that procurements in excess of \$15,000 shall require the use of competitive sealed bidding; and

**WHEREAS**, in accordance with Chapter 2, Article V, Division 2, Section 2-157 of the Town Code, the Town issued a Request for Proposals (“RFP”) No. 2023-28 on May 25, 2023, for Commerce Way Drainage Improvement Project; and

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

**WHEREAS**, the Town received five (5) proposals by the proposal deadline from:

1. Acosta Tractors, Inc.
2. ATC Engineering, Inc.
3. Metro Express, Inc.
4. RG Underground Engineering, Inc.
5. Roadway Construction, LLC

**WHEREAS**, an Evaluation Committee was appointed comprised of the following individuals:

1. Jeremy Bajdaun, Director of Parks and Recreation, Town of Miami Lakes
2. Omar Santos-Baez, Public Works Director, Town of Miami Lakes
3. Anaily Padron, Capital Improvement Project Manager, Town of Miami Lakes
4. Susana Alonso, Principal Planner, Town of Miami Lakes

**WHEREAS**, the Evaluation Committee recommended awarding a contract to Acosta Tractors, Inc., the highest-ranked proposal for the Commerce Way Drainage Improvement Project; and

**WHEREAS**, the Town Manager concurs with the Committee's findings and recommends the approval of a contract with Acosta Tractors, Inc. for construction services for the Commerce Way Drainage Improvements Project in an amount not to exceed Three Million One Hundred Seventeen Thousand Eight Hundred Eighty-One Dollars and 00/100 (\$3,117,881.00) which includes Acosta Tractors, Inc.'s proposal price of Two Million Eight Hundred Thirty-Four Thousand Four Hundred Thirty-Seven Dollars and 68/100 (\$2,834,437.68) and a contingency amount of Two Hundred Eighty-Three Thousand Four Hundred Forty-Three Dollars and 32/100 (\$283,443.32), which is approximately 10% of the contract value for any unforeseen circumstances relating to the project; and

**WHEREAS**, it is also recommended transferring funds from the Storm Water Contingency Reserve line-item into the Drainage Improvements-Commerce Way Drainage line-item (402-563800-21S11) 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 Acosta Tractors, Inc. for construction services for the Commerce Way Drainage Improvement Project in an amount not to exceed Three Million One Hundred Seventeen Thousand Eight Hundred Eighty-One Dollars and 00/100 (\$3,117,881.00).

**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 with Acosta Tractors, Inc. in substantially the form attached hereto as Exhibit “A” for construction services for the Commerce Way Drainage Improvement Project in an amount not to exceed Three Million One Hundred Seventeen Thousand Eight Hundred Eighty-One Dollars and 00/100 (\$3,117,881.00) (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, his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract.

**Section 5.**     **Execution of the Contract.** The Town Manager is authorized to execute the Contract with Acosta Tractors, Inc., for the completion of the Commerce Way Drainage Improvement Project in an amount not to exceed Three Million One Hundred Seventeen Thousand Eight Hundred Eighty-One Dollars and 00/100 (\$3,117,881.00), 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 402-563800-21S11 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 8th day of August 2023.

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

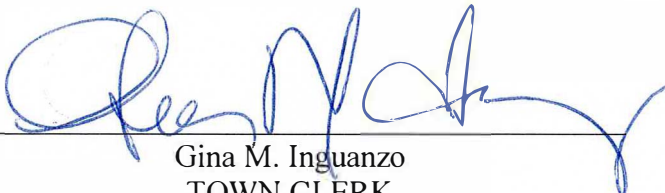
|                               |        |
|-------------------------------|--------|
| Mayor Manny Cid               | Yes    |
| Vice Mayor Carlos O. Alvarez  | Absent |
| Councilmember Luis E. Collazo | Yes    |
| Councilmember Josh Dieguez    | Yes    |
| Councilmember Tony Fernandez  | Yes    |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



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Manny Cid  
MAYOR

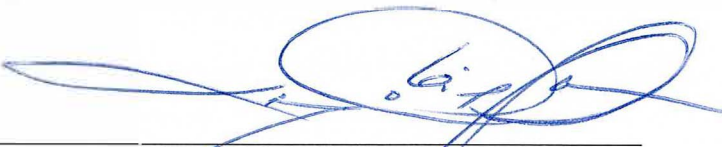
Attest:



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Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



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Lorenzo Cobiella  
Gastesi, Lopez, and Mestre, PLLC  
DEPUTY TOWN ATTORNEY

# EXHIBIT A

Agreement  
between the  
Town of Miami Lakes  
and  
**Acosta Tractors, Inc.**  
for  
Commerce Way Drainage Improvement Project, RFP 2023-28