

RESOLUTION NO. 23-1926

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2023-26 ROYAL OAKS FIRST ADDITION DRAINAGE IMPROVEMENT PROJECT TO ATC ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED ONE MILLION SIX HUNDRED FIFTY THOUSAND FOUR HUNDRED EIGHTEEN DOLLARS 00/100 (\$1,650,418.00); APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM INTO THE DRAINAGE IMPROVEMENTS-ROYAL OAKS 1ST ADDITION DRAINAGE LINE-ITEM (402-563800-21S16); 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. 2023-26 for Royal Oaks 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 five (5) bids from the following:

- 1) ATC Engineering, Inc.
- 2) Metro Express, Inc.
- 3) Hartec Group, Inc.
- 4) Quality Paving Corp.
- 5) RG Underground Engineering

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 Six Hundred Fifty Thousand Four Hundred Eighteen Dollars 00/100 (\$1,650,418.00), which includes a contingency amount of One Hundred Fifty Thousand Thirty-Eight Dollars and 00/100 (\$150,038.00), which is approximately 10% of the contract value for unforeseen circumstances; and

WHEREAS, it is also recommended transferring One Million Three Hundred One Nine Hundred Fifty Dollars and 00/100 (\$1,301,950.00) from the Storm Water Contingency Reserve line-item into the Drainage Improvements-Royal Oaks 1st Addition Drainage line-item (402-563800-21S16) 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 Royal Oaks First Addition Drainage Improvement Project in an amount not to exceed One Million Six Hundred Fifty Thousand Four Hundred Eighteen Dollars 00/100 (\$1,650,418.00) and recommends a transfer of One Million Three Hundred One Nine Hundred

Fifty Dollars and 00/100 (\$1,301,950.00) from the Storm Water Contingency Reserve line-item into the Drainage Improvements-Royal Oaks 1st Addition Drainage line-item (402-563800-21S16) 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 Royal Oaks First Addition Drainage Improvement Project and approves the transfer of One Million Three Hundred One Nine Hundred Fifty Dollars and 00/100 (\$1,301,950.00) from the Stormwater Contingency Reserve line-item into the Drainage Improvements-Royal Oaks 1st Addition Drainage line-item (402-563800-21S16) 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 Royal Oaks First Addition Drainage Improvement Project in an amount not to exceed One Million Six Hundred Fifty Thousand Four Hundred Eighteen Dollars 00/100 (\$1,650,418.00), 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 Royal Oaks First Addition Drainage Improvement Project in an amount not to exceed One Million Six Hundred Fifty Thousand Four Hundred Eighteen Dollars 00/100 (\$1,650,418.00), and to execute any extension and/or amendments to the Contract, subject to approval as to form and legality by the Town Attorney.

Section 5. Line Item Modification. The Budget for Fiscal Year 2022-2023 adopted in Section 2 of Ordinance No. 22-307, is hereby modified, as reflecting Exhibit “B” attached hereto. The revisions for each fund are within the approved expenditure authority for Fiscal Year 2022-2023. The Town Council hereby modifies the budget as set forth therein and authorizes the Town Manager, or his assign(s), to administratively adjust line items to reflect audit adjustments and or line-item revisions as necessary.

Section 7. Rounding. As presented, the 2023-2023 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.

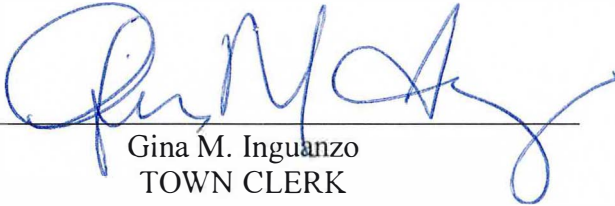
The foregoing resolution was offered by Councilmember Collazo who moved its adoption. The motion was seconded by Councilmember Garcia and upon being put to a vote, the vote was as follows:

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



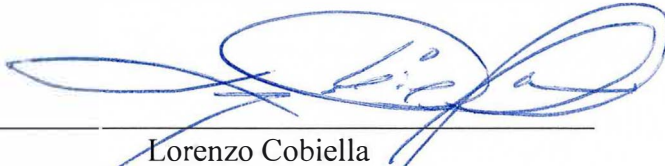
Manny Cid
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



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

EXHIBIT A

Agreement
between the
Town of Miami Lakes
and
ATC Engineering, Inc.
for
Royal Oaks First Addition Drainage Improvement Project,
ITB 2023-26