

**RESOLUTION NO. 14-1253**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING CHANGE ORDER NO. 1 TO AGREEMENT 2014-75 BETWEEN BEL AIR MAINTENANCE, INC. AND THE TOWN OF MIAMI LAKES FOR SIDEWALK PRESSURE CLEANING SERVICES IN THE AMOUNT OF \$100,000 RESULTING IN A NEW CONTRACT VALUE OF \$125,000.00; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CHANGE ORDER; AUTHORIZING THE TOWN MANAGER TO EXECUTE CHANGE ORDER NO. 1; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING EXTENSION OF CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 4(a)(1) of Town of Miami Lakes Ordinance 12-142 (“the Town’s Procurement Ordinance”) authorizes the Town Manager to award contracts for goods and services, excluding professional services, up to \$25,000 procured in accordance with the small purchase provisions of the Town’s Procurement Ordinance; and

**WHEREAS**, Section 7 of the Town’s Procurement Ordinance authorizes the purchase of goods and services from current contracts of other public, governmental, state/federal funded or non-profit entities, where the contracts have resulted from a formal competitive procurement process; and

**WHEREAS**, as part of the Town of Miami Lakes’ (the “Town”) ongoing beautification efforts, the Town is implementing a Town-wide program to improve the aesthetic appearance of the Town’s sidewalks, curbs, signage and other hardscapes on Town roads and parks over a four year cycle; and

**WHEREAS**, the City of Weston issued RFP No. 2011-005 for pressure cleaning services, and on December 5, 2011, the City Commission for the City of Weston by resolution number 2011-127 approved the selection of Bel Air Maintenance, Inc. (“Bel Air”) for pressure cleaning services, and on or about January 13, 2012, the City of Weston entered into an Agreement with Bel Air for pressure cleaning services (“City of Weston’s Agreement with Bel Air”); and

**WHEREAS**, on May 14, 2014, the Town, in accordance with Section 7 of the Town’s

Procurement Ordinance, piggybacked the City of Weston's Agreement with Bel Air and entered into Agreement No. 2014-75 ("Agreement 2014-75") for pressure cleaning services with Bel Air to test their sidewalk pressure cleaning services for an amount not to exceed \$25,000.00 and Bel Air provided satisfactory results in the timeframe allotted for the work; and

**WHEREAS**, in order for Bel Air to continue its pressure cleaning services throughout the Town in accordance with Agreement 2014-75, an additional contract amount of \$100,000.00 is needed, which would bring the total contract value to date to \$125,000.00; and

**WHEREAS**, the Town Council finds that approval of Change Order No. 1 to Agreement 2014-75 between Bel Air and the Town for an additional \$100,000.00 increasing the contract total to date to \$125,000.00 for the continuation of the contract for pressure cleaning services, is necessary and appropriate; and

**WHEREAS**, the term of the City of Weston's Agreement with Bel Air ends on March 31, 2015, but may be extended for two (2) additional three (3) year terms by mutual agreement of the City of Weston and Bel Air; and

**WHEREAS**, the Town will be able to extend its contract with Bel Air if the City of Weston and Bel Air exercise their right to extend the City of Weston's Agreement with Bel Air; and

**WHEREAS**, if the City of Weston's Agreement with Bel Air is extended, the Town Council authorizes the Town Manager to "piggyback" on the City of Weston's extended Agreement with Bel Air and enter into a renewed agreement for pressure cleaning services with Bel Air so long as the requirements of Section 7 of the Town's Procurement Ordinance are met, and authorizes the Town Manager to expend additional budgeted funds for the pressure cleaning services over the course of the pressure cleaning cycles, including expenditures of budgeted funds in excess of \$25,000; and

**WHEREAS**, funding for the Program has been allocated in the amount of \$90,000.00 for fiscal year 2014-2015 utilizing transportation gas tax special revenues.

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

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

**Section 2. Approval of the Change Order.** The Council approves Change Order

No. 1 to Agreement 2014-75 between Bel Air Maintenance, Inc. and the Town, which is attached hereto as Exhibit "A," to provide additional funds for the continuation of pressure cleaning services as part of the Town's ongoing beautification efforts, 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.

**Section 3. Authorization of Town Officials.** The Town Manager and/or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of Change Order No. 1 to Agreement 2014-75.

**Section 4. Execution of the Contract.** The Town Manager is authorized to execute Change Order No. 1 to Agreement 2014-75 with Bel Air Maintenance, Inc. on behalf of the Town, and to execute any required agreements and/or documents to implement the terms and conditions of Change Order No. 1, subject to approval as to form and legality by the Town Attorney.

**Section 5. Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Town Manager by the Town's Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Change Order No. 1 to Agreement 2014-75.

**Section 6. Contract Extension.** If the City of Weston's Agreement with Bel Air Maintenance, Inc. pursuant to City of Weston RFP 2011-005 is extended, the Town Council authorizes the Town Manager to "piggyback" on the City of Weston's extended Agreement with Bel Air Maintenance, Inc. and enter into a renewed agreement for pressure cleaning services with Bel Air Maintenance, Inc. so long as the requirements of Section 7 of the Town's Procurement Ordinance are met. The Town Manager is authorized to expend additional budgeted funds for the pressure cleaning services over the course of the pressure cleaning cycles, including expenditures of budgeted funds in excess of \$25,000, with Bel Air Maintenance, Inc. under a renewed agreement.

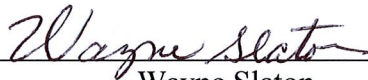
**Section 7. Effective Date.** This Resolution shall be effective immediately upon adoption.

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Passed and adopted this 14<sup>th</sup> day of October, 2014.

The foregoing resolution was moved for adoption by Councilman Mestre. The motion was seconded by Councilman Rodriguez and upon being put to a vote, the vote was as follows:


Mayor Wayne Slaton	<u>Yes</u>
Vice Mayor Manny Cid	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Tony Lama	<u>Yes</u>
Councilmember Ceasar Mestre	<u>Yes</u>
Councilmember Frank Mingo	<u>Yes</u>
Councilmember Nelson Rodriguez	<u>Yes</u>

  
\_\_\_\_\_  
Wayne Slaton  
MAYOR

Attest:

  
\_\_\_\_\_  
Marjorie Tejeda  
TOWN CLERK

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Raul Gastesi, Jr.  
Gastesi & Associates, P.A.  
TOWN ATTORNEY

# **EXHIBIT “A”**



## Contract Change Order

Contract Title: 2014-75 for Pressure Cleaning Services	Contract No.: 2014-75 Purchase Order No.: TBD
Vendor: Bel Air Maintenance, Inc. 2648 Griffin Road Dania Beach, FL 33312	Change Order No.: 1
Contract Award Date: 5/14/2014	Completion Date: 3/15/15
Revised Completion Date (prior to this change): N/A	Extension(s) of Time Previously Approved: N/A
Revised Completion Date (including this change): N/A	

Vendor and the Town hereby agree to modify the Contract as follows: (Attach additional pages as necessary)

Item No.	Description of Change	Contract Price		Contract Time	
		Increase	Decrease	Increase	Decrease
1	Provide additional funds for the continuation of the Town's beautification efforts.	\$100,000	\$		

Reason for Change: The Town has a Sidewalk Pressure Cleaning Cycle that can be started upon the execution of this change order.

Summary of Contract Amount	
<i>Original Contract Amount</i>	\$25,000
Change Orders Previously Approved	\$0
Adjusted Contract Value Prior to this Change Order	\$0
Cost of Changes in this Change Order	\$100,000
<i>Adjusted Contract Amount Including this Change</i>	\$125,000
Percentage Increase this Change Order	400%
Total Percent Increase to Date	0%
Extension of Time Allowed by this Change -	days

This change order is hereby incorporated into and becomes a part of the Contract, per Resolution 15-\_\_\_\_\_.

Accepted By Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

Name (print name of (signatory): \_\_\_\_\_ Title: \_\_\_\_\_

Accepted By Town Manager \_\_\_\_\_ Date: \_\_\_\_\_

Alex Rey, Town Manager