

RESOLUTION NO. 16-1356

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING A REQUEST PURSUANT TO SECTION 5(D) OF ORDINANCE 12-142 (THE “PROCUREMENT ORDINANCE”) TO WAIVE SECTION 5 OF THE PROCUREMENT ORDINANCE FOR THE STREETScape IMPROVEMENTS PROJECT; AWARDING CONTRACT 2016-08DC FOR THE STREETScape IMPROVEMENTS PROJECT TO DCORP, INC. IN AN AMOUNT NOT TO EXCEED \$127,220.72; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY 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 January 2014, the Town Council of the Town of Miami Lakes, Florida (the “Town”) adopted a Town-wide Beautification Master Plan via Resolution No. 14-1170 (the “Beautification Master Plan”); and

WHEREAS, consistent with the Beautification Master Plan, on July 23, 2015 the Town issued an Invitation to Bid (“ITB”) No. 2015-60 for Streetscape Improvements for Main Street at Bull Run, however no responses were received; and

WHEREAS, on October 12, 2015 the Town issued a new ITB, ITB No. 2016-08, increasing the scope of work to include streetscape improvements at NW 154th Street and State Road 826; and

WHEREAS, the Streetscape Improvements Project consists of furnishing all labor, materials, machinery, tools, means of transportation, supplies, equipment, and services for streetscape improvements at two (2) locations, to wit: (1) NW 154th Street and State Road 826, and (2) the intersection of Main Street and Bull Run Road (“Streetscape Improvements Project”); and

WHEREAS, in response to the new solicitation, ITB No. 2016-08, the Town received only one (1) bid, which was deemed non-responsive due to lack of meeting the minimum requirements pertaining to the number of years in business and prior experience on similar projects; and

WHEREAS, the Town Manager made a written recommendation dated November 24, 2015 that, based on specific circumstances, it was not practical to comply with traditional procurement processes for this type and size of a project and authorizing the competitive negotiation process known as “Invitation to Negotiate” (“ITN”); and

WHEREAS, the Town issued an ITN and received only one (1) response, which was deemed to have a higher price than acceptable for the scope of work; and

WHEREAS, the entity that responded to the Town’s ITN advised the Town that it would not revise its pricing; and

WHEREAS, section 5(d) of Ordinance 12-142 (the “Town’s Procurement Ordinance”) authorizes the Town Manager to request authorization from the Town Council to waive the requirements of section 5 of the Town’s Procurement Ordinance where the Town Manager has made a written recommendation where, based on specific circumstances, it is not practical to comply with the requirements of section 5 for a specific solicitation; and

WHEREAS, the Town Manager has made a written recommendation that, based on specific circumstances, it is not practical to issue a new competitive solicitation in compliance with the requirements of Section 5 of the Town’s Procurement Code for the Streetscape Improvements Project; and

WHEREAS, the Town Manager has requested under Section 5(d) of the Town’s Procurement Ordinance authorization from the Town Council to waive the requirements of the Town’s Procurement Ordinance; and

WHEREAS, the Town Manager has determined that DCorp, Inc. (“DCorp”) can perform the work for the Streetscapes Improvement Project at a competitive price and recommends the award of a contract in an amount not to exceed \$127,220.72 to DCorp for the Streetscapes Improvement Project, utilizing the same terms and conditions as those stated in an existing contract the Town has with DCorp, Contract No. 2015-10DC; and

WHEREAS, the total award amount of \$127,220.72 includes the bid amount of \$115,655.20 and a ten (10%) percent contingency for furnishing all labor, materials, machinery, tools, means of transportation, supplies, equipment and services necessary for the Streetscapes Improvements Project; and

WHEREAS, the Town Council approves of the Town Manager’s recommendations; authorizes a waiver of the requirements of Section 5 of the Town’s Procurement Ordinance for

the Streetscapes Improvements Project; and authorizes the Town Manager to enter into a contract with DCorp for the Streetscapes Improvements Project, in an amount not to exceed \$127,220.72.

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 are incorporated herein by this reference.

Section 2. Approval of Request for Waiver of the Town's Procurement Ordinance. The Town Council hereby approves of the Town Manager's request for a waiver of Section 5 of the Town's Procurement Ordinance for the award of a contract for the Streetscape Improvements Project. The Town Council hereby approves the waiver of Section 5(b) of the Town's Procurement Ordinance to approve the award of Contract No. 2016-08DC to DCorp, Inc. in an amount not to exceed \$127,220.72 for the Streetscape Improvements Project.

Section 3. Approval of Contract. The Town Council hereby approves the award of Contract No. 2016-08DC to DCorp, Inc. in an amount not to exceed \$127,220.72 for the Streetscape Improvements Project, in substantially the same form as attached hereto 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.

Section 4. 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 waiver of Sections 4 and 5 of the Town's Procurement Ordinance and to implement the terms and conditions of Contract No. 2016-08DC with DCorp, Inc. for the Streetscape Improvements Project.

Section 5. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager by the Town's Procurement Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of Contract No. 2016-08DC with DCorp, Inc.

Section 6. Execution of Contract. The Town Manager is authorized to execute, on behalf of the Town, Contract No. 2016-08DC with DCorp, Inc. for the Streetscape Improvements Project in an amount not to exceed \$127,220.72 and to execute any required agreements and/or documents to implement the terms and conditions of the contract, subject to approval as to form and legality by the Town Attorney.

Section 7. Effective date. This Resolution shall become effective immediately upon adoption hereof.

Passed and adopted this 5th day of January, 2016.

The foregoing resolution was moved by Councilman Lid. The motion was seconded by Councilman Lama and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	<u>yes</u>
Vice Mayor Tim Daubert	<u>yes</u>
Councilmember Manny Cid	<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>




Michael A. Pizzi, Jr.
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



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

EXHIBIT A



Agreement

I. Parties

This Agreement, 2016-08DC is made this 13 day of JANUARY 2016, by and between DCorp, Inc. ("DCorp"), located at 12054 NW 98th Avenue, Hialeah Gardens, Florida 33018 and the Town of Miami Lakes ("Town"), located at 6601 Main Street, Miami Lakes, FL 33014.

II. Recitals

Whereas the Town desires to enter into an agreement with DCorp for Streetscape Improvements in an amount not to exceed \$115,655.20; and

Whereas DCorp has agreed to provide said services to the Town in accordance with DCorp's contract, 2015-10DC, with the Town, dated February 10, 2015, except to the extent otherwise provided herein; and

Whereas the Town of Miami Lakes, with the Town Manager acting in accordance with Section 5.d. of the Town's Procurement Code, will enter into an agreement with DCorp, in accordance with the terms of contract 2015-10DC, which is attached hereto as Exhibit "A" and made a part of this Agreement.

Therefore both parties agree as follows:

III. Services

DCorp shall provide construction services to the Town in accordance with the terms of the above referenced contract and in accordance with DCorp's price proposal dated December 17, 2015. The locations of the services are 154th Street & SR 826, and Main Street at Bull Run Road. The services must be completed within four weeks, for each location, of the execution of this Agreement. All other terms and conditions of said contract, a copy of which is attached hereto as Exhibit "A", are incorporated herein by reference, except to the extent otherwise provided herein.

IV. Contract Modifications

The following contract modifications shall be made to the Agreement between the Town and DCorp from the contract 2015-10DC:

CONTRACT NUMBER

The contract for these Streetscape Projects is to be referenced as Contract #2016-08DC.



CORPORATE RESOLUTION

WHEREAS, DCorp, Inc desires to enter into a contract with the Town of Miami Lakes for the purpose of performing the work described in the Agreement to which this resolution is attached; and


WHEREAS, the Board of Directors at a duly held corporate meeting has considered the matter in accordance with the By-Laws of the corporation;

Now, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS that the PRESIDENT
(type title of officer)

EDUARDO DOMINIGUEZ, is hereby authorized
(type name of officer)

and instructed to enter into a contract, in the name and on behalf of this corporation, with the Town of Miami Lakes upon the terms contained in the proposed Agreement to which this resolution is attached.

DATED this _____ day of _____, 20_____.



Corporate Secretary

(Corporate Seal)



EFFECTIVE DATE

The effective date of this Agreement will be the date in Article I above. Said date will also serve as DCorp's notice to proceed with the service.

DCorp, Inc

Signature

Name (print): Edwardo L. Martinez

Town of Miami Lakes

Alex Rey, Town Manager

Attest:

Gina Inguanzo, Town Clerk



PROPOSAL

PROJECT DESCRIPTION: Main Street. Brick Pavers Installation

DATE: 12/17/2015

FINANCIAL PROJECT ID: 2015-10

PROJECT NO.: Work Order

ITEM		UNIT	QTY.	UNIT PRICE	TOTAL AMOUNT
101-4	WO Mobilization (To be paid once per WO) For Work Orders valued between \$15,000.01-\$25,000.00	LS	1	\$1,309.00	1,309.00
NIC	Maintenance of Traffic	LS	1	\$2,500.00	2,500.00
NIC	Work Zone Sign	ED	360	\$0.50	180.00
NIC	Litter Removal and Disposal	AC	0.16	\$1,900.00	304.00
NIC	Clearing and Grubbing	LS	1	\$2,800.00	2,800.00
327-70	Milling Existing Asphalt Pavement (1" Average Depth)	SY	532	\$11.90	6,330.80
334-2-1	Superpave Asphalt Concrete	SY	532	\$9.90	5,266.80
520 1	Concrete Curb and Gutter "F" (Includes Demo & Disposal of Damaged Curbs If Required)	LF	80	\$26.80	2,144.00
NIC	6" Concrete Edge	LF	75	\$35.70	2,677.50
NIC	Brick Pavers (CLAY) Installed, Architectural, Roadway (84SY)	SF	756	\$7.50	5,670.00
NIC	Brick Pavers (CLAY) Installed, Architectural Sidewalks (94 SY)	SF	846	\$7.50	6,345.00
NIC	7" - 3000 PSI Concrete Slab per FDOT SPECS, Includes 6" x 6", 10/10 Welded Wire Mesh, Per Detail TYP-01	SY	84	\$55.00	4,620.00
NIC	12" x 12" - 3000 PSI Concrete Edge Restriants per FDOT SPECS, Per Detail TYP-01 (22 CY)	LF	198	\$22.50	4,455.00
160-4	12" Stabilized Subgrade	SY	84	\$39.80	3,343.20
285-70	Optional Base (Base Group 01)	SY	94	\$55.40	5,207.60
NIC	Sod Restoration (Staging Area)	SF	200	\$0.40	80.00
706-3WR	Retro-Reflective Pavement Markers	EA	6	\$4.20	25.20
711 125	Thermoplastic, White, 24" For Stop Line	LF	55	\$4.30	236.50
NIC	Thermoplastic, White, Solid 12" For Crosswalk	LF	217	\$2.80	607.60
711 16211	Thermoplastic, Standard- Other Surfaces, Yellow, Solid 6"	LF	60	\$1.30	78.00

NIC	IRRIGATION REPAIRS (TBD)	LS			
NIC	Off-Duty Police (To be paid based on actual cost of invoice + 7.5% markup)	LS			
				TOTAL	54,180.20

Notes: Total days on the project weather permitting 10 to 12 work days.
Traffic loops replacement is not included on this proposal. A price for this work can be provided upon request if needed.
FDOT coordination may be required, Dcorp can coordinate with FDOT if needed.

Submitted by: **Dcorp Construction, Inc.**
12054 NW 98th Avenue
Hialeah Gardens, Fl. 33018
(305) 557-4226 office
(305) 557-4226 Fax

Accepted by: _____

Town of Miami Lakes

Dcorp Construction, Inc. • Licensed and Insured • bid@secontrs.biz • edd.sec@comcast.net



PROPOSAL

PROJECT DESCRIPTION: 154th ST & SR 826. Brick Pavers Installation

DATE: 12/17/2015

FINANCIAL PROJECT ID: 2015-10

PROJECT NO.: Work Order

ITEM		UNIT	QTY.	UNIT PRICE	TOTAL AMOUNT
101-4	WO Mobilization (To be paid once per WO) For Work Orders valued between \$15,000.01-\$25,000.00	LS	1	\$1,309.00	1,309.00
NIC	Maintenance of Traffic	LS	1	\$2,500.00	2,500.00
NIC	Work Zone Sign	ED	300	\$0.50	150.00
NIC	Sediment Barrier	LF	45	\$3.00	135.00
NIC	Litter Removal and Disposal	AC	0.1	\$3,000.00	300.00
NIC	Clearing and Grubbing	LS	1	\$4,800.00	4,800.00
NIC	Brick Pavers (CLAY) Installed (283 SY)	SF	2547	\$7.50	19,102.50
NIC	7" - 3000 PSI Concrete Slab per FDOT SPECS, Includes 6" x 6", 10/10 Welded Wire Mesh, Per Detail TYP-01	SY	283	\$55.00	15,565.00
NIC	12" x 12" - 3000 PSI Concrete Edge Restriants per FDOT SPECS, Per Detail TYP-01 (22 SY)	LF	198	\$22.50	4,455.00
160-4	12" Stabilized Subgrade	SY	283	\$39.80	11,263.40
NIC	Sawcut Edge of Pavement	LF	158	\$1.35	213.30
NIC	Sod Restoration (Staging Area)	SF	3000	\$0.40	1,200.00
706-3WR	Retro-Reflective Pavement Markers	EA	8	\$4.20	33.60
711-141	Thermoplastic, 6" White, 10-30 Skip	LF	10	\$1.30	13.00
711 124	Thermoplastic, White, Solid 18"	LF	10	\$3.80	38.00
711 125	Thermoplastic, White, 24" For Stop Line	LF	24	\$4.30	103.20
711 224	Thermoplastic, Standard Yellow, Solid, 18" for Diag. or Chevron	LF	28	\$3.80	106.40
711 121	Thermoplastic, White, Solid 6"	LF	15	\$1.30	19.50
NIC	Thermoplastic, White, Solid 8"	LF	25	\$1.80	45.00
NIC	Thermoplastic, Preformed, White, Solid 12" For Crosswalk	LF	24	\$2.80	67.20
711 211	Thermoplastic, Standard- Other Surfaces, Yellow, Solid 6"	LF	43	\$1.30	55.90

NIC	IRRIGATION REPAIRS (TBD)	LS			
NIC	Off-Duty Police (To be paid based on actual cost of invoice + 7.5% markup)	LS			
				TOTAL	61,475.00

Notes: Total days on the project weather permitting 10 to 12 work days.
Traffic loops replacement is not included on this proposal. A price for this work can be provided upon request if needed.
FDOT coordination may be required, Dcorp can coordinate with FDOT if needed.

Submitted by: **Dcorp Construction, Inc.**
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Accepted by: _____

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