

**RESOLUTION NO. 16-1401**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH TANKO STREETLIGHTING, INC. IN ACCORDANCE WITH RFP 2016-34 LED STREET LIGHT CONVERSION PROGRAM; PROVIDING THAT IN THE EVENT NEGOTIATIONS WITH TANKO ARE UNSUCCESSFUL THE TOWN MANAGER IS AUTHORIZED TO TERMINATE THE PROCESS AND CONDUCT NEGOTIATIONS WITH THE NEXT SHORTLISTED FIRM IN THE FOLLOWING ORDER: FPL ENERGY SERVICES, INC. AND THEN HORSEPOWER ELECTRIC, INC. AND TO EXECUTE A CONTRACT ONLY IF THE CONTRACT PROVIDES EQUAL OR BETTER TERMS THAN SAID SHORTLISTED FIRM'S RFP RESPONSE; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE FAVORABLE FINANCING TERMS SUBJECT TO TOWN COUNCIL APPROVAL OR EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the "Town") issued Request for Proposals ("RFP") No. 2016-34 on May 27, 2016 to secure a qualified and experienced firm for implementation of the LED Street Light Conversion Program; and

**WHEREAS**, the work includes all labor, supervision, materials, parts, machinery, tools means of transportation, supplies, equipment and services necessary to convert approximately 915 Town-owned street lights to Light Emitting Diode (LED) lights to include a centrally controlled monitoring system; and

**WHEREAS**, five (5) responsive proposals were submitted by the published RFP deadline; and

**WHEREAS**, an Evaluation Committee comprised of Town staff and professional engineers reviewed the submittals in accordance with the criteria stated in the solicitation and recommended a shortlist for order of negotiations to the Town Manager in the following order: (1) Tanko Streetlighting, Inc. (“Tanko”), FPL Energy Services, Inc. and Horsepower Electric, Inc.; and

**WHEREAS**, the Town Manager approved the Committee’s shortlist and recommends negotiations with the number one ranked firm, Tanko, pursuant to RFP 2016-34 for purchase of the light fixtures and installation; and

**WHEREAS**, the Town Manager determines it to be in the Town’s best interest to defer purchase of the monitoring system portion of the program until grant funding or financing is secured; and

**WHEREAS**, should negotiations with Tanko be unsuccessful, the process will be terminated and negotiations will ensue with the next highest ranked firm in the shortlisted order as follows: FPL Energy Services, Inc., and then Horsepower Electric, Inc.; and

**WHEREAS**, the Town Manager is authorized to execute the contract for the purchase of the equipment and installation as long as the contract provides equal or better terms to the Town than the shortlisted RFP responses; and

**WHEREAS**, the Town Manager shall assess program financing arrangements to determine the most advantageous option to the Town; and

**WHEREAS**, if the Town Manager determines to secure financing with the selected providers or through a third party, to be in the Town’s best interest an ordinance will be presented for the Town Council’s approval; and

**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 RFP 2016-34, to Tanko Streetlighting, Inc. in an amount not to exceed the proposal price for the purchase, installation and monitoring system. Should negotiations with Tanko be unsuccessful, the process will be terminated and negotiations will ensue with the next highest ranked firm in the shortlisted order as follows: FPL Energy Services, Inc., and then Horsepower Electric, Inc.

**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 the successfully negotiated Contract No. 2016-34 LED Street Light Conversion Program.

**Section 4. Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Contract. However, in the event that the Town Manager determines secured financing to be in the best interest of the Town, he is authorized to negotiated and submit the financing agreement for consideration by the Town Council.

**Section 5. Execution of the Contract.** The Town Manager is authorized to execute the successfully negotiated Contract No. 2016-34 on behalf of the Town in an amount equal to or better than the proposed prices, in substantially the form attached hereto.


**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

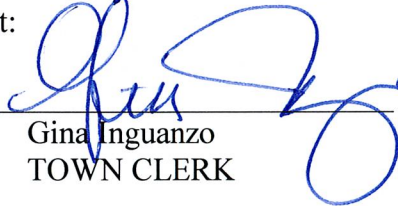
**PASSED AND ADOPTED** this 6th day of September, 2016.

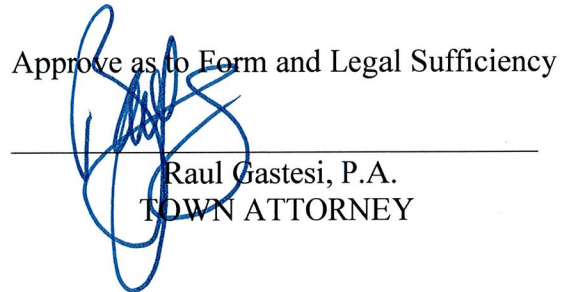
Motion to adopt by V. Mayor Daubert, second by Councilmember Lama

FINAL VOTE AT ADOPTION

Mayor Michael A. Pizzi, Jr.	<u>yer</u>
Vice Mayor Tim Daubert	<u>yer</u>
Councilmember Manny Cid	<u>yer</u>
Councilmember Ceasar Mestre	<u>yer</u>
Councilmember Frank Mingo	<u>yer</u>
Councilmember Tony Lama	<u>yer</u>
Councilmember Nelson Rodriguez	<u>yer</u>

  
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Michael A. Pizzi, Jr.  
MAYOR

Attest:   
\_\_\_\_\_  
Gina Inguanzo  
TOWN CLERK

Approve as to Form and Legal Sufficiency  
  
\_\_\_\_\_  
Raul Gastesi, P.A.  
TOWN ATTORNEY