

RESOLUTION NO. 18- 1521

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, WAIVING COMPETITIVE PROCUREMENT PROCEDURE UNDER SECTION 5(D) OF ORDINANCE 17-203; APPROVING THE SIX-MONTH EXTENSION AMENDMENT TO CONTRACT 2012-29 FOR LITTER/DEBRIS PICK-UP & DISPOSAL; 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 AMENDMENT TO CONTRACT 2012-29; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 5(d) of the Town of Miami Lakes Ordinance 17-203 (the “Procurement Ordinance”) authorizes the Town Manager to request a waiver of formal competitive bidding requirements when the Town Manager makes a written recommendation that it is not practical to comply with the provisions of Section 5 of Ordinance 17-203; and

WHEREAS, the Town requires litter control services to maintain a clean and neat appearance throughout the Town; and

WHEREAS, on December 15, 2017 the Town of Miami Lakes (the “Town”) issued Invitation to Bid (“ITB”) No. 2018-12 for Litter Control Services for Rights-of-Way and Town Parks (“Litter Control Services”); and

WHEREAS, on the date of the bid opening, the Town received four (4) bids; and

WHEREAS, the Town’s Procurement department reviewed the bids for responsiveness and found that Brightview Landscaping Services, Inc. (“BrightView”), is the lowest responsive and responsible bidder; and

WHEREAS, BrightView's total bid amount of \$804,600 will cost the Town \$160,920 annually; and

WHEREAS, Procurement has determined that the rate used to calculate BrightView's total bid amount is unreasonable for Litter Control Services, as the current contract costs approximately \$94,000 annually, and recommends exploring alternative options available to the Town; and

WHEREAS, the Town still requires Litter Control Services to be performed until an alternative solution is implemented; and

WHEREAS, the current contractor, SFM Services, Inc. has agreed to the amendment and will provide Litter Control Services until an alternative solution can be implemented; and

WHEREAS, the Town Council approves of the Town Manager's recommendations and authorizes the Town Manager to execute an amendment to Contract 2012-29 to continue Litter Control Services on a month-to-month basis, up to a maximum of six (6) months, in an amount not to exceed budgeted funds.

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 Amendment.** The Town Council hereby approves the amendment of Contract 2012-29 with SFM Services, Inc. in substantially the form attached hereto as Exhibit "A" for the continued performance of Litter Control Services on a month-to-month basis, up to a maximum of six (6) months, in an amount not to exceed budgeted funds.

Section 3. Authorization of Town Officials. The Town Manager and/or his designee are authorized to take all steps necessary to implement the terms and conditions of the amendment to Contract 2012-29 with SFM Services, Inc. for Litter Control Services.

Section 4. 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 this Resolution and the amendment to Contract 2012-29 with SFM Services, Inc. for Litter Control Services.

Section 5. Execution of the Amendment. The Town Manager is authorized to execute the amendment in substantially the form attached hereto as Exhibit "A" to Contract 2012-29 with SFM Services, Inc. and to execute any required agreements and/or documents to implement the terms and conditions of the amendment, subject to approval as to form and legality by the Town Attorney.

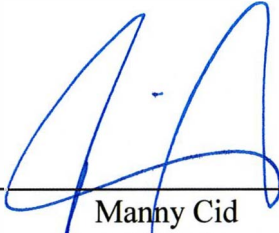
Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 6th day of February 2018.

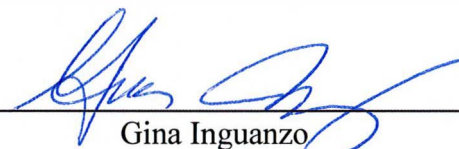
The foregoing resolution was offered by Councilmember Daubert who moved for adoption. The motion was seconded by Councilmember Mestre and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	<u>YES</u>
Vice Mayor Frank Mingo	<u>YES</u>
Councilmember Luis Collazo	<u>YES</u>
Councilmember Ceasar Mestre	<u>YES</u>
Councilmember Frank Mingo	<u>YES</u>
Councilmember Nelson Rodriguez	<u>absent</u>
Councilmember Marilyn Ruano	<u>YES</u>



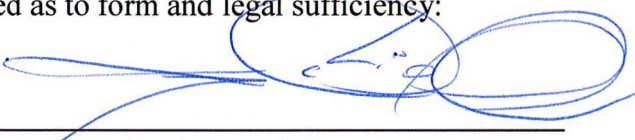
Manny Cid
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



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

EXHIBIT A

Amendment to Contract 2012-29
between the
Town of Miami Lakes
and
SFM Services, Inc.
for
Litter/Debris Pick-up Disposal



Change Order Form for Additional Services

Contract Title: Litter/Debris Pick-up & Disposal	Contract No.: 2012-29
Vendor: SFM Services, Inc.	Change Order No.: 3
Agreement Award Date: 8/4/2012	Completion Date: 8/3/2017
Revised Completion Date (prior to this change): 2/3/2018	Extension(s) of Time Previously Approved: 182 days
Revised Completion Date (including this change): 8/3/2018	

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

Additional Services to be Provided:

Contract term is hereby extended on a month-to-month basis, up to a maximum of six (6) months from its current expiration date. At the end of each month, the contract term will auto-renew unless terminated in writing at least seven days prior to the end of the current term or upon the expiration of the sixth month.

Basis for Additional Services:

The Town will use the additional time to explore additional options for litter/debris pick-up and removal services.

Summary of Agreement Amount	
<i>Original Agreement Amount</i>	\$371,800
Additional Services Previously Approved	\$50,379.28
Adjusted Agreement Value Prior to this Additional Service	\$422,179.28
Cost of Changes for these Additional Services	\$40,000 for Additional Six (6) Months
<i>Adjusted Agreement Amount Including this Change</i>	\$462,179.28
Percentage Increase for these Additional Services	10.8%
Total Percent Increase to Date	24.3%
Extension of Time Allowed by this Change -	181 days

This change order is hereby incorporated into and becomes a part of the Agreement.

Accepted By Contractor: _____ Date: _____

Name (print name of (signatory): _____ Title: _____

Accepted By Town Manager _____ Date: _____
Alex Rey, Town Manager

Town Council Approval Required: yes no If yes, Resolution Number: _____