

RESOLUTION NO. 19-1589

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2018-08R, SAFE ROUTES TO SCHOOL MIAMI LAKES ELEMENTARY SCHOOL PROJECT TO FLORIDA ENGINEERING & DEVELOPMENT, CORP. IN AN AMOUNT NOT TO EXCEED \$980,000.00; AUTHORIZING THE TOWN MANAGER TO ACCEPT AN ADDITIONAL AWARD OF FUNDS FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION BY EXECUTING A SUPPLEMENTAL AGREEMENT; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACTS; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”) desires to construct a greenway trail along the east side of Miami Lakeway North/South between Miami Lakes K-8 and Miami Lakes Middle Schools to increase connectivity and provide safer routes for students to navigate to and from each school; and

WHEREAS, Section 5(b) of the Town’s Procurement Ordinance 17-203 provides that procurements in excess of \$15,000 shall require the use of competitive sealed bidding; and

WHEREAS, in accordance with Section 5 of Town Ordinance 17-203, the Town issued a Invitation to Bids (“ITB”) No. 2018-08R on September 7, 2018, the Safe Routes to School (“SRTS”) Miami Lakes Elementary School Project; and

WHEREAS, the ITB was advertised online via two public bidding websites, DemandStar and Public Purchase, and was physically posted in the Government Center Lobby; and

WHEREAS, the Town received one (1) bid by the submittal deadline from Florida Engineering & Development, Corp. (“Florida Engineering”); and

WHEREAS, the Town’s Procurement Department performed a due diligence review of the submittal for responsiveness and found that the submittal was responsive; and

WHEREAS, finding no issues that would indicate Florida Engineering was incapable of performing the work, Procurement recommended the award of a contract to Florida Engineering to construct the Project contingent upon receiving additional funds from the Florida Department of Transportation (“FDOT”); and

WHEREAS, FDOT has agreed to provide additional funding in the amount of \$200,000.00 with an additional match amount of \$126,000.00 to be funded from Town monies; and

WHEREAS, the Town Manager concurs with the finding of the Procurement Department and recommends the approval of a contract with Florida Engineering for construction of the SRTS Miami Lakes Elementary School Project in an amount not to exceed \$980,000.00, which includes Florida Engineering’s bid amount of \$890,445.05 and a contingency of \$89,554.95 for unforeseen circumstances, and for the approval of a supplemental agreement with the FDOT to provide an additional \$200,000.00 of state funding and increasing the Town’s match by \$126,000.00; and

WHEREAS, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to enter into a contract with Florida Engineering for construction of the SRTS Miami Lakes Elementary School Project in an amount not to exceed \$980,000.00, and to execute the supplemental agreement with the FDOT to accept an additional \$200,000.00 of state funding and increasing the Town’s match by \$126,000.00.

**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 Florida Engineering in substantially the form attached hereto as Exhibit “A,” for construction of the SRTS Miami Lakes Elementary School Project in an amount not to exceed \$980,000.00 (hereinafter referred to as “Contract”).

Section 3. **Authorization to Accept Funds.** The Town Manager is authorized to accept an additional \$200,000.00 grant from the FDOT and to increase the Town’s match requirement by \$126,000.00 by executing the supplemental agreement in substantially the form attached hereto as Exhibit “B,” for the purpose of constructing the SRTS Miami Lakes Elementary School Project (hereinafter referred to as “Supplemental Agreement”).

Section 4. **Authorization of Town Officials.** 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 and Supplemental Agreement.

Section 5. **Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of this Resolution, the Contract, and the Supplemental Agreement.

Section 6. **Execution of the Contracts.** The Town Manager is authorized to execute the Contract with Florida Engineering and the Supplemental Agreement with the FDOT, and to execute any extension and/or amendments thereto, subject to approval as to form and legality by the Town Attorney.

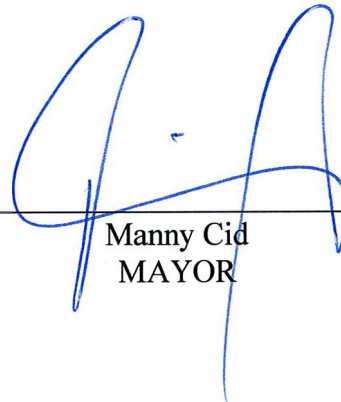
Section 7. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 5th day of February, 2019.

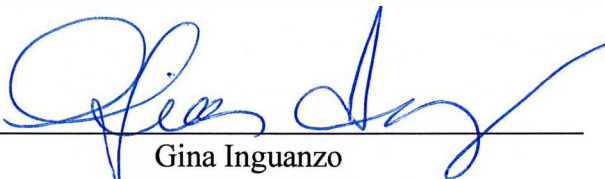
The foregoing resolution was offered by Councilmember Collazo who moved its adoption. The motion was seconded by Councilmember Dieguez and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	<u>yes</u>
Vice Mayor Nelson Rodriguez	<u>yes</u>
Councilmember Carlos Alvarez	<u>yes</u>
Councilmember Luis Collazo	<u>yes</u>
Councilmember Joshua Dieguez	<u>yes</u>
Councilmember Jeffrey Rodriguez	<u>yes</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

Agreement
between the
Town of Miami Lakes
and
Florida Engineering & Development, Corp.
for
SRTS Miami Lakes Elementary School Project,
ITB 2018-08R

EXHIBIT B

Agreement
between the
Town of Miami Lakes
and
The Florida Department of Transportation
for
Grant Agreement FM 425857-2,
SRTS Miami Lakes Elementary School