

**RESOLUTION NO. 20-1698**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, WAIVING SECTION 5 OF TOWN ORDINANCE 17-203; APPROVING THE AWARD OF CONTRACT #2020-04 FOR MISCELLANEOUS DRAINAGE AND ROADWAY SERVICES AS NEEDED IN AN AMOUNT NOT TO EXCEED BUDGETED FUNDS; 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 CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. (Pidermann)**

**WHEREAS**, Section 5(d) of the Town’s Procurement Ordinance 17-203 provides that the Town Manager may request authorization from the Town Council to waive the requirements of Section 5 where the Town Manager has made a written recommendation where, based on specific circumstances, it is not practical to comply with the requirements of this Section for a specific solicitation; and

**WHEREAS**, On November 15, 2019 (“bid opening date”), the Town received seven (7) bids for Miscellaneous Drainage and Roadway Services; and

**WHEREAS**, the Town awarded a primary and secondary contract to National Concrete and Paving, LLC (“National”) and GPE Engineering & General Contractor Corp. (“GPE”) respectively in December 2019; and

**WHEREAS**, due in part to the COVID-19 Pandemic, the Town has had challenges with project scheduling and completion with both the primary and secondary contractors; and

**WHEREAS**, to maintain the level of service the Town has been providing to its residents, the Town Manager recommends the award of a contract for Miscellaneous Drainage and Roadway Services to Metro Express, Inc. (“Metro”), the third-lowest, most responsive bidder, in an amount not to exceed budgeted funds;

**WHEREAS**, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to enter into a contract with Metro Express, Inc. for Miscellaneous Drainage and Roadway Services as needed 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. Waiver of Competitive Bidding.** The Town Council hereby waives the requirements of Section 5 of Town Ordinance 17-203 pursuant to Subsection 5(d).

**Section 3. Approval of the Contract.** The Town Council hereby approves the execution of a contract with Metro in substantially the same form as attached hereto as Exhibit “A” for the Miscellaneous Drainage and Roadway Services as needed in an amount not to exceed budgeted funds (hereinafter referred to as “Contract”).

**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.

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

**Section 6. Execution of the Contract.** The Town Manager is authorized to execute a contract with Metro Express, Inc. in an amount not to exceed budgeted funds and to execute any extension and/or amendments to the Contract, 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 15th day of September, 2020.

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

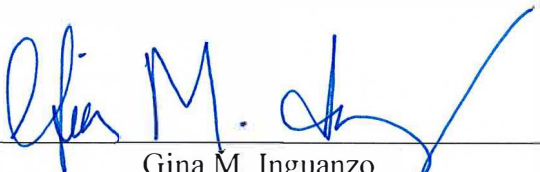
Mayor Manny Cid	yes
Vice Mayor Nelson Rodriguez	yes
Councilmember Carlos O. Alvarez	yes
Councilmember Josh Dieguez	yes
Councilmember Jeffrey Rodriguez	yes
Councilmember Luis Collazo	yes
Councilmember Marilyn Ruano	yes



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Manny Cid  
MAYOR


Attest:



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Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



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

# **EXHIBIT A**

Miscellaneous Drainage and Roadway Services  
between the  
Town of Miami Lakes  
and  
**Metro Express, Inc.**