

**RESOLUTION NO. 21-1716**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR SECURITY FENCING FOR POLICE DEPARTMENT TO SUPERIOR FENCE & RAIL; 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.**

**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, on July 23, 2020, the Town issued an Invitation To Bid (“ITB”) No. 2020-07, for Security Fencing for Police Department (“Project”); and

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

**WHEREAS**, the Town received two (2) proposals by the proposal deadline from Phoenix Fence Corp. (“Phoenix”) and Tech Group One, Inc. (“Tech”); and

**WHEREAS**, based on due diligence, Procurement determined that Phoenix was the lowest responsive and responsible bidder; and

**WHEREAS**, Phoenix’s bid price exceeded the Town’s budget for this project; and

**WHEREAS**, on September 30, 2020, the Town canceled ITB 2020-07 and reissued ITB 2020-07R; and

**WHEREAS**, the Town received two (2) proposals, by the proposal deadline, from Phoenix Fence Corp. (“Phoenix”) and Tech Group One, Inc. (“Tech”); and

**WHEREAS**, based on due diligence, Procurement determined that Tech was the lowest responsive and responsible bidder; and

**WHEREAS**, Tech’s bid price exceeded the Town’s budget for this project; and

**WHEREAS**, the Town canceled ITB 2020-07R and through its General Services Department conducted a local search and requested companies to provide quotes, among them was Superior Fence & Rail, Inc. (“Superior”).

**WHEREAS**, Superior submitted a quote for this Project that is approximately \$6,000 under the Town’s proposed budget for the Project; and

**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**, the Town Manager recommends the approval of a Contract for Security Fencing for Police Department with Superior; and

**WHEREAS**, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to execute a Contract for Security Fencing for Police Department with Superior 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 Superior Fence & Rail, Inc. in substantially the same form as attached hereto as Exhibit "A" for the Security Fencing for Police Department.

**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 the contract with Superior Fence and Rail, Inc. for Security Fencing for Police Department project 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 12th day of January 2021.

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

Mayor Manny Cid	yes
Vice Mayor Luis E. Collazo	yes
Councilmember Carlos O. Alvarez	yes
Councilmember Josh Dieguez	yes
Councilmember Tony Fernandez	yes
Councilmember Jeffrey Rodriguez	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, Lopez and Mestre, PLLC.  
TOWN ATTORNEY

# **EXHIBIT A**

Agreement  
between the  
Town of Miami Lakes  
and  
**Superior Fence and Rail, Inc.**  
for  
Security Fencing for Police Department