

**RESOLUTION NO. 22-1858**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2022-35, TO METRO EXPRESS, INC. IN AN AMOUNT NOT TO EXCEED ONE MILLION, NINE HUNDRED AND SEVENTY-ONE THOUSAND, FIVE HUNDRED AND SEVENTY-ONE DOLLARS AND 80/100 (\$1,971,571.80); APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM IN THE AMOUNT OF ONE MILLION, THREE HUNDRED AND SEVEN THOUSAND, FIVE HUNDRED AND FORTY-FOUR DOLLARS AND 15/100 (\$1,307,544.15) INTO THE DRAINAGE IMPROVEMENTS-ALAMEDA NORTHWEST DRAINAGE LINE ITEM (402-563800-21S01) AND SIX HUNDRED AND SIXTY-FOUR THOUSAND, TWENTY SEVEN DOLLARS AND 65/100 (\$664,027.65) INTO THE DRAINAGE IMPROVEMENTS-WEST LAKES GARDENS 2<sup>ND</sup> ADDITION LINE-ITEM (402-563800-21S02); 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**, on July 16, 2019, the Town Council passed Resolution No. 2019-1626 adopting the Stormwater Master Plan Update No. 3; and

**WHEREAS**, on March 9, 2021, in order to address the stormwater needs outlined in the Stormwater Master Plan Update No. 3, the Town Council adopted Resolution No. 21-1730 approving bond financing in the amount of Fifteen Million Five Hundred Thousand Dollars, and 00/100 (\$15,500,000.00); and

**WHEREAS**, Chapter 2, Article V, Division 2, Section 2-157 of the Town Code provides that procurements more than \$15,000 shall require the use of competitive sealed bidding; and

**WHEREAS**, in accordance with Chapter 2, Article V, Division 2, Section 2-157 of the Town Code, the Town issued Invitation to Bid (“ITB”) No. 2022-35 for Alameda Northwest and West Lakes Gardens Second Addition Drainage Improvement Project (the “Project”); and

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

**WHEREAS**, the Town received six (6) bids from the following:

- 1) Acosta Tractors, Inc.
- 2) David Mancini & Sons, Inc.
- 3) Florida Engineering and Development Corp.
- 4) Metro Express Inc.
- 5) RG Underground Engineering, Inc., and
- 6) Team Contracting, Inc.

**WHEREAS**, based on due diligence, Procurement determined that Metro Express, Inc., was the lowest responsive and responsible bidder; and

**WHEREAS**, Procurement recommends awarding a contract to Metro Express, Inc., in an amount not to exceed One Million, Nine Hundred and Seventy-One Thousand, Five Hundred and Seventy-One Dollars and 80/100 (\$1,971,571.80), which includes a contingency amount of One Hundred and Seventy-Nine Thousand, Two Hundred and Thirty-Three Dollars and 80/100 (\$179,233.80), which is approximately 10% of the contract value for unforeseen circumstances; and

**WHEREAS**, it is also recommended transferring funds from the Storm Water Contingency Reserve line-item in the amount of One Million, Three Hundred and Seven Thousand, Five Hundred and Forty-Four Dollars and 15/100 (\$1,307,544.15) and Six Hundred and Sixty-Four Thousand, Twenty Seven Dollars and 65/100 (\$664,027.65) into the Drainage Improvements-Alameda Northwest Drainage Line-Item (402-563800-21S01) and the Drainage

Improvements-West Lakes Gardens 2<sup>nd</sup> Addition Line-Item (402-563800-21S02), respectively, in order to fully fund this Project; and

**WHEREAS**, the Town Manager concurs with Procurement’s recommendation and recommends the Town Council authorize the award of a contract to Metro Express, Inc. for completion of the Alameda Northwest and West Lakes Gardens Second Addition Drainage Improvement Project in an amount not to exceed One Million, Nine Hundred and Seventy-One Thousand, Five Hundred and Seventy-One Dollars and 80/100 (\$1,971,571.80) and recommends a transfer of funds from the Storm Water Contingency Reserve line-item in the amount of One Million, Three Hundred and Seven Thousand, Five Hundred and Forty-Four Dollars and 15/100 (\$1,307,544.15) and Six Hundred and Sixty-Four Thousand, Twenty Seven Dollars and 65/100 (\$664,027.65) into the Drainage Improvements-Alameda Northwest Drainage Line-Item (402-563800-21S01) and the Drainage Improvements-West Lakes Gardens 2<sup>nd</sup> Addition Line-Item (402-563800-21S02), respectively, in order to fully fund this Project.

**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 the completion of the Alameda Northwest and West Lakes Gardens Second Addition Drainage Improvement Project and approves the transfer of funds from the Stormwater Contingency Reserve line-item in the amount of One Million, Three Hundred and Seven Thousand, Five Hundred and Forty-Four Dollars and 15/100 (\$1,307,544.15) and Six Hundred and Sixty-Four Thousand, Twenty Seven Dollars and 65/100 (\$664,027.65) into the Drainage Improvements-Alameda Northwest Drainage Line-Item (402-563800-21S01) and the Drainage Improvements-West Lakes Gardens 2<sup>nd</sup> Addition Line-Item (402-563800-21S02), respectively, in order to fully fund this Project.

**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 Metro Express, Inc., for completion of the Alameda Northwest and West Lakes Gardens Second Addition Drainage Improvement Project in an amount not to exceed One Million, Nine Hundred and Seventy-One Thousand, Five Hundred and Seventy-One Dollars and 80/100 (\$1,971,571.80), in substantially the same form as attached hereto as Exhibit “A” (hereinafter referred to as “Contract”).

**Section 3. Authorization of Fund Expenditure.** 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 4. Authorization of Town Officials.** The Town Manager and/or his designee and the Town Attorney and/or his designee are authorized to take all steps necessary to finalize and carry out the terms of the agreement with Metro Express, Inc.,

**Section 5. Execution of the Contract.** The Town Manager is authorized to execute the Contract with Metro Express, Inc., for completion of the Alameda Northwest and West Lakes Gardens Second Addition Drainage Improvement Project in an amount not to exceed One Million, Nine Hundred and Seventy-One Thousand, Five Hundred and Seventy-One Dollars and 80/100 (\$1,971,571.80), and to execute any extension and/or amendments to the Contract, subject to approval as to form and legality by the Town Attorney.

**Section 6.**     **Line-Item Modification.** The Budget for Fiscal Year 2021-2022 adopted in Section 2 of Ordinance No. 21-285, is hereby modified, as reflecting Exhibit “**B**” attached hereto. The revisions for each fund are within the approved expenditure authority for Fiscal Year 2021-2022. The Town Council hereby modifies the budget as set forth therein and authorizes the Town Manager, or his assign(s), to administratively adjust line items 402-563800-21S01 and 402-563800-21S02 to reflect audit adjustments and or line-item revisions as necessary.

**Section 7.**     **Rounding.** As presented, the 2021-2022 Budget and Actual Expenses are rounded to the nearest hundred; therefore, line-item adjustments within \$100 are hereby incorporated within Exhibit “**B**.”

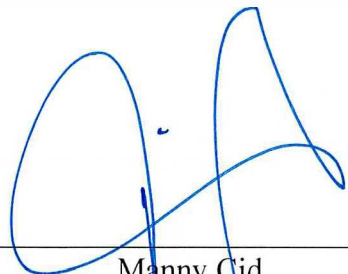
**Section 8.**     **Effective Date.** This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 13<sup>th</sup> day of September 2022.

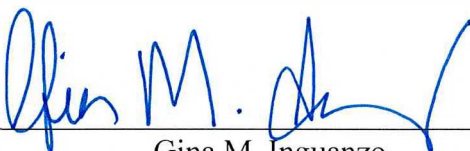
The foregoing resolution was offered by Councilmember Fernandez who moved its adoption. The motion was seconded by Councilmember Collazo and upon being put to a vote, the vote was as follows:

|                                 |        |
|---------------------------------|--------|
| Mayor Manny Cid                 | Yes    |
| Vice Mayor Jeffrey Rodriguez    | Yes    |
| Councilmember Carlos O. Alvarez | Absent |
| Councilmember Luis E. Collazo   | Yes    |
| Councilmember Joshua Dieguez    | Yes    |
| Councilmember Tony Fernandez    | Yes    |
| Councilmember Marilyn Ruano     | Yes    |



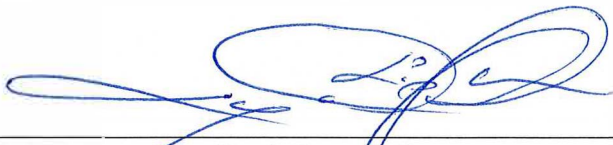
Manny Cid  
MAYOR

Attest:



Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.  
Gastesi, Lopez, and Mestre, PLLC  
TOWN ATTORNEY

# **EXHIBIT “A”**

# **EXHIBIT “B”**