

RESOLUTION NO. 24-1967

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF CONTRACTS FOR RFP 2024-05, CANAL BANK STABILIZATION PHASE III PROJECT TO ARBOR TREE & LAND, INC., IN AN AMOUNT NOT TO EXCEED TWO MILLION, ONE HUNDRED THIRTY-ONE THOUSAND, ONE HUNDRED SIXTY-FIVE DOLLARS AND 00/100 (\$2,131,165.00); APPROVING THE TRANSFER OF FUNDS ONE MILLION ONE HUNDRED THIRTY-ONE THOUSAND ONE HUNDRED SIXTY-FIVE DOLLARS AND 00/100 (\$1,131,165.00) FROM THE CONTINGENCY LINE-ITEM INTO THE DRAINAGE IMPROVEMENTS – CANAL BANK STABILIZATION LINE-ITEM (402-563800-21S12); AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; 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 in excess of \$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 a Request for Proposals (“RFP”) No. 2024-05 on October 16, 2023, for Canal Bank Stabilization Phase III Project; and

WHEREAS, the RFP was advertised in the Miami Daily Business Review as well as online via two public bidding websites, DemandStar 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:

1. Arbor Tree & Land, Inc.
2. Landshore Enterprises, Inc.; and

WHEREAS, an Evaluation Committee was appointed comprised of the following individuals:

1. Daniel Angel, Building Director, Town of Miami Lakes
2. Anaily Padron, Capital Improvement Project Manager, Town of Miami Lakes
3. Susana Alonso, Principal Planner, Town of Miami Lakes; and

WHEREAS, the Evaluation Committee recommended awarding a contract to Arbor Tree & Land, Inc., the highest-ranked proposal for the Canal Bank Stabilization Phase III Project; and

WHEREAS, the Town Manager concurs with the Committee's findings and recommends the approval of a contract with Arbor Tree & Land, Inc. for construction services for the Canal Bank Stabilization Phase III Project in an amount not to exceed Two Million One Hundred Thirty-One Thousand One Hundred Sixty-Five Dollars and 00/100 (\$2,131,165.00) which includes Arbor Tree & Land, Inc.'s proposal price of One Million Nine Hundred Thirty-Seven Thousand Four Hundred Twenty-Three Dollars and 00/100 (\$1,937,423.00) and a contingency amount of One Hundred Ninety-Three Thousand Seven Hundred Forty-Two Dollars and 00/100 (\$193,742.00), which is approximately 10% of the contract value for any unforeseen circumstances relating to the project; and

WHEREAS, it is also recommended transferring One Million One Hundred Thirty-One Thousand One Hundred Sixty-Five Dollars and 00/100 (\$1,131,165.00) from the Storm Water

Contingency Reserve line-item into the Drainage Improvements-Canal Bank Stabilization line-item (402-563800-21S12) to partially fund this Project; and

WHEREAS, One Million Dollars and 00/100 (\$1,000,000.00) will come from the Legislative Appropriations; and

WHEREAS, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to enter into a contract with Arbor Tree & Land, Inc. for construction services for the Canal Bank Stabilization Phase III Project in an amount not to exceed Two Million One Hundred Thirty-One Thousand One Hundred Sixty-Five Dollars and 00/100 (\$2,131,165.00).

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 with Arbor Tree & Land, Inc. in substantially the form attached hereto as Exhibit "A" for construction services for the Canal Bank Stabilization Phase III Project in an amount not to exceed Two Million One Hundred Thirty-One Thousand One Hundred Sixty-Five Dollars and 00/100 (\$2,131,165.00) (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, his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract.

Section 5. **Execution of the Contract.** The Town Manager is authorized to execute the Contract with Arbor Tree & Land, Inc., for the completion of the Canal Bank Stabilization Phase III Project in an amount not to exceed Two Million One Hundred Thirty-One Thousand One Hundred Sixty-Five Dollars and 00/100 (\$2,131,165.00), 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 2023-2024 adopted in Section 2 of Ordinance No. 23-318 is hereby modified, as reflecting Exhibit “B” attached hereto. The revisions for each fund are within the approved expenditure authority for Fiscal Year 2023-2024 The Town Council hereby modifies the budget as set forth therein and authorizes the Town Manager, or his assign(s), to administratively adjust line item 402-563800-21S12 to reflect audit adjustments and or line-item revisions as necessary.

Section 7. **Rounding.** As presented, the 2023-2024 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.

THIS SPACE INTENTIONALLY LEFT BLANK

Passed and adopted this 16th day of January 2024.

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

Mayor Manny Cid	Yes
Vice Mayor Tony Fernandez	Yes
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Yes
Councilmember Ray Garcia	Yes
Councilmember Marilyn Ruano	Yes



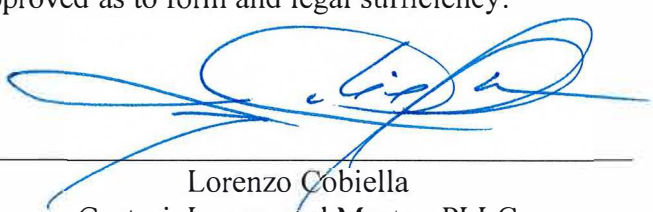
Manny Cid
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Lorenzo Cobiella
Gastesi, Lopez, and Mestre, PLLC
DEP. TOWN ATTORNEY

EXHIBIT A

Agreement
between the
Town of Miami Lakes
and
Arbor Tree & Land, Inc.
for
Canal Bank Stabilization Phase III Project, RFP 2024-05