

RESOLUTION NO. 05- 269

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE MISCELLANEOUS CONCRETE REPAIRS AGREEMENT WITH HOMESTEAD CONCRETE AND DRAINAGE, INC.; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO FINALIZE THE TERMS OF THE AMENDMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on March 9, 2004, the Town Council approved an Agreement, (the "Agreement") whereby Homestead Concrete and Drainage, Inc. ("Homestead Concrete") would provide miscellaneous concrete repairs to the Town; and

**WHEREAS**, based on the expedited progress and the increased demand for repairs, the Town Council approved the First Amendment to the Agreement on October 14, 2004, increasing the total contract sum from \$135,700 to \$235,000.00; and

**WHEREAS**, Town staff has determined that it is necessary to increase the contract sum again because of an additional need for concrete repairs within the Town; and

**WHEREAS**, the Second Amendment to the Agreement (the "Second Amendment") will increase the total price of the contract, but maintain unit prices at the same level; and

**WHEREAS**, the Town Council finds that approving the Second Amendment is in the best interest of the Town.

**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 are incorporated herein by this reference.

**Section 2. Approval of Second Amendment.** The Second Amendment to the Agreement between Homestead Concrete and Drainage, Inc. and the Town of Miami Lakes, a copy of which is attached as Exhibit "1," together with such non-material changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

**Section 3. Authorization of Town Officials.** The Town Manager, Town Attorney and the Mayor are authorized to take all actions necessary to implement the terms and conditions of the Second Amendment.

**Section 4. Authorization of Fund Expenditure.** The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Second Amendment.

**Section 5. Execution of Agreement.** The Mayor is authorized to execute the Second Amendment on behalf of the Town.

**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 11<sup>th</sup> day of January, 2004.

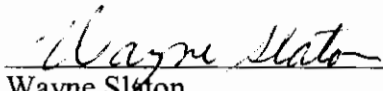
Motion to adopt by Pizzi, second by Vice Mayor Alonso/Collins

FINAL VOTE AT ADOPTION

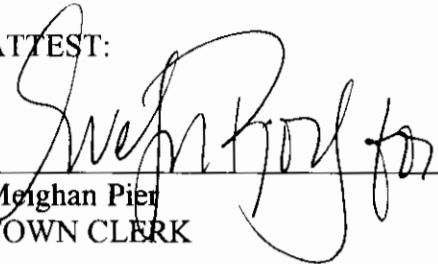
Mayor Wayne Slaton	<u>Yes</u>
Vice Mayor Roberto Alonso	<u>Yes</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember Robert Meador	<u>Yes</u>
Councilmember Michael Pizzi	<u>Yes</u>
Councilmember Nancy Simon	<u>Yes</u>

Councilmember Peter Thomson


absent

  
Wayne Slaton  
MAYOR

ATTEST:

  
Meghan Pier  
TOWN CLERK

Approved as to form and legality for the use  
and benefit of the Town of Miami Lakes only:

  
Weiss, Serota, Helfman, Pastoriza, Guedes  
Cole & Boniske, P.A.  
TOWN ATTORNEY

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