

RESOLUTION NO. 05-327

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SELECTION OF APAC GROUP, INC. FOR THE PERFORMANCE OF THE LAKE GLENN ELLEN AND LAKE CYNTHIA ROADWAY AND DRAINAGE IMPROVEMENTS PROJECT; APPROVING THE AGREEMENT BETWEEN APAC GROUP, INC AND THE TOWN; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town") Storm Water Master Plan included a recommended Capital Improvement Project of roadway and drainage work on Lake Glenn Ellen and Lake Cynthia; and

WHEREAS, for the completion of the Project, the Town issued a Request for Proposals on May 30, 2005 with a bid due date of June 30, 2005; and

WHEREAS, on June 30, 2005, all bids were publicly opened and read; and

WHEREAS, after reviewing all bids submitted to the Town, the Town Manager recommends the selection of APAC Group, Inc. ("APAC") as the lowest responsive and responsible bidder; and

WHEREAS, the Town Council, pursuant to Section 1.09 of the Instructions to Bidders and Section E(4) of the Town's Purchasing Procedures Ordinance waives any technical error or irregularity in the bid submitted by APAC in determining that APAC is the lowest responsive, responsible bidder; and

WHEREAS, the General Conditions to be used for this contract shall be those that have been previously approved by the Town Council for use in construction contracts; and

WHEREAS, the Town Council finds that approval of APAC, along with the Agreement 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. Selection of bidder. APAC Group, Inc. is selected as the lowest responsive, responsible bidder to perform the Lake Glenn Ellen and Lake Cynthia Roadway and Drainage Improvements Project for the Town.

Section 3. Approval of Agreement. The Agreement for Lake Glenn Ellen and Lake Cynthia Roadway and Drainage Improvements Project between the Town of Miami Lakes and APAC Group, Inc.. (the "Agreement"), a copy of which is attached as Exhibit "A," 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 4. Authorization of Town Officials. The Town Manager and Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

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

Section 6. Execution of Agreement. The Mayor is authorized to execute the Agreement on behalf of the Town.

Section 7. Effective Date.

This Resolution shall take effect immediately upon

adoption.

PASSED AND ADOPTED this 12 day of July, 2005.

Motion to adopt by Councilmember Meador, second by Councilmember 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	<u>yes</u>

Wayne Slaton
Wayne Slaton
MAYOR

ATTEST:

Debra Eastman
Debra Eastman, MMC
TOWN CLERK

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

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