

RESOLUTION NO. 05 351

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT AGREEMENT BETWEEN KIMLEY-HORN AND ASSOCIATES, INC. AND THE TOWN OF MIAMI LAKES FOR HURRICANE WILMA DISASTER RECOVERY SERVICES; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the “Town”) has retained the services of Kimley-Horn and Associates, Inc. (“Kimley-Horn”) as Town Engineer; and

WHEREAS, pursuant to Work Authorization No. 05/06-02, Kimley-Horn prepared Hurricane Wilma Disaster Recovery Services, (the “Project”) for the Town; and

WHEREAS, the Project contemplates that the Kimley-Horn will provide oversight and personnel to monitor clean-up and debris removal and delivery throughout the Town; and

WHEREAS, the Town Council finds that it is necessary for Kimley-Horn to oversee contractor clean-up and debris removal throughout the Town; and

WHEREAS, Kimley-Horn has agreed to provide the services for the Project; and

WHEREAS, the Town Council finds that approval of the project agreement between the Town and Kimley-Horn for Hurricane Wilma Disaster Recovery Services is in the best interests 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 above recitals are true and correct and incorporated into this resolution by this reference.

Section 2. Approval of Agreement. The Project Agreement between Kimley-Horn and Associates, Inc. and the Town of Miami Lakes for Hurricane Wilma Disaster Recovery Services (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 3. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town’s Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

Section 5. Execution of Agreement. The Town Manager is authorized to execute the Agreement on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or

amendments to the Agreement, subject to the approval as to form and legality by the Town Attorney.

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

PASSED AND ADOPTED this 13 day of December, 2005.

Motion to adopt by Mary Collins, second by Nancy Simon.

FINAL VOTE AT ADOPTION

| | |
|------------------------------|------------|
| Mayor Wayne Slaton | <u>yes</u> |
| Vice Mayor Robert Meador | <u>yes</u> |
| Councilmember Roberto Alonso | <u>yes</u> |
| Councilmember Mary Collins | <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, 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