

**RESOLUTION NO. 05-358**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE AGREEMENT BETWEEN SOUTH FLORIDA MAINTENANCE SERVICES, INC., AND THE TOWN OF MIAMI LAKES FOR THE CANAL MAINTENANCE, AESTHETIC DEBRIS REMOVAL PROGRAM; 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**, on October 10, 2005, the Town of Miami Lakes (the "Town") issued an Advertisement For Bids (the "Advertisement") for Canal Maintenance, Aesthetic Debris Removal Program; and

**WHEREAS**, the Advertisement provided that the award of the contract would be to the lowest Responsive and Responsible Bidder; and

**WHEREAS**, on October 31, 2005, the Town received one (1) bid, which was from South Florida Maintenance Services, Inc. ("SFM Services"), and the bid was reviewed by the Town Engineer; and

**WHEREAS**, the Town Engineer verified the three (3) references provided by SFM Services and the references, which were from clients who continue to utilize the services of SFM Services, all expresses satisfaction with the work of SFM Services; and

**WHEREAS**, the Town Engineer determined SFM Services to be the lowest Responsive and Responsible Bidder and the Town Manager accepted the determination; and

**WHEREAS**, the Town Council accepts the recommendation of the Town Manager;  
and

**WHEREAS**, the Town desires to employ SFM Services to provide canal maintenance and aesthetic debris removal to the Town's canals in accordance with the agreement attached as Exhibit "A" (the "Agreement"); and

**WHEREAS**, the Town Council finds that approval of the Agreement between SFM Services and the Town 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 above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2. Approval of Agreement.** The Agreement between SFM Services and the Town to provide canal maintenance and aesthetic debris removal on the Town's canals, 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. The Town Manager is authorized to negotiate the final compensation to SFM Services provided that the compensation shall not exceed the amount specified in SFM Services' proposal.

**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

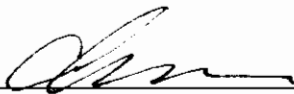
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador	<u>yes</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>

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