

RESOLUTION NO. 06-384

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE AGREEMENT BETWEEN ALIRIO'S, INC., D/B/A JUNIOR'S CATERING AND THE TOWN OF MIAMI LAKES FOR THE OPERATION OF THE CONCESSION FACILITY AT ROYAL OAKS PARK; 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 November 21, 2005, the Town of Miami Lakes (the "Town") issued a Request for Proposal (the "RFP") for the Operation of the Concession Facility at Royal Oaks Park; and

**WHEREAS**, the Town received only one (1) proposal from Alirio's Inc., d/b/a Junior's Catering ("Alirio's"), and it was determined that the proposal did not meet all of the minimum requirements as specified in the RFP; and

**WHEREAS**, the Town's Purchasing Procedures provide that the Town may waive any irregularities in the bids or bidding procedures; and

**WHEREAS**, Alirio's has contracted with the Town for the operation of the concession facility at Royal Oaks Park and the services rendered were satisfactory; and

**WHEREAS**, after verification of the government references provided by Alirio's, all of whom expressed satisfaction with their work, the Town Manager recommends award of the contract to Alirio's; and

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

**WHEREAS**, the Town desires to contract with Alirio's for the Operation of the Concession Facility at Royal Oaks Park in accordance with the agreement attached as Exhibit "A" (the "Agreement"); and

**WHEREAS**, the Town Council finds that approval of the Agreement between Alirio's 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 Alirio's and the Town for the operation of the concession facility at Royal Oaks Park, 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 16 day of March, 2006.

Motion to adopt by Robert Meador, second by Mary Collins.

FINAL VOTE AT ADOPTION

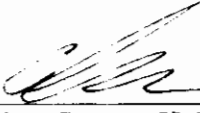
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Robert Meador	<u>yes</u>
Councilmember Roberto Alonso	<u>absent</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Dorothy Cook	<u>yes</u>
Councilmember Michael Pizzi	<u>absent</u>
Councilmember Nancy Simon	<u>yes</u>

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:

A handwritten signature in black ink, appearing to be 'J. Weiss', written over a horizontal line.

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