

RESOLUTION NO. 06- ~~450~~

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE AGREEMENT BETWEEN HOMESTEAD CONCRETE & DRAINAGE, INC. AND THE TOWN OF MIAMI LAKES TO REMOVE AND REPLACE DAMAGED CONCRETE SIDEWALKS THROUGHOUT THE TOWN; 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 July 24, 2006 the Town issued an Advertisement for Bids (the "Bid") to Remove and Replace Damaged Concrete Sidewalks throughout the Town; and

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

WHEREAS, on August 14, 2006 the Town received one (1) Bid from Homestead Concrete & Drainage, Inc. ("Homestead") which was reviewed by the Town Engineer; and

WHEREAS, Homestead has been providing concrete repairs as a sub-contractor within the Town and the Town has been satisfied with their workmanship; and

WHEREAS, the Town Engineer recommended award of the Bid to Homestead 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 Homestead to remove and replace damaged concrete sidewalks in the Town in accordance with the agreement attached as Exhibit “A” (the “Agreement”); and

WHEREAS, the Town Council finds that approval of the Agreement between Homestead and the Town to remove and replace damaged concrete sidewalks 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 Homestead and the Town to remove and replace damaged concrete sidewalks, 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 12th day of September, 2006.

Motion to adopt by Nancy Simon, second by Dorothy Cook.

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 Dorothy Cook	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</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, consisting of several loops and a long horizontal stroke at the end, positioned above a horizontal line.

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