

**RESOLUTION NO. 06-475**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE AGREEMENT BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR THE ROYAL OAKS PARK GRANT IMPROVEMENTS; 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 20, 2006, the Town issued an Advertisement for Bids (the "Bid") entitled "Royal Oaks Park Grant Improvements" to provide park improvements at Royal Oaks Park funded partially by a Florida Recreational Development Assistance Grant (the "FRDAP Grant"), including a bike trail, exercise path, picnic facilities, butterfly garden, playground/tot lot, landscaping and lighting (the "Improvements"); and

**WHEREAS,** on November 6, 2006 the Town received one (1) bid from Acosta Tractors, Inc. ("Acosta"); and

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

**WHEREAS,** the Town Manager recommended the selection of Acosta, the sole Bidder, as the lowest Responsive and Responsible Bidder; and

**WHEREAS,** the Town Council finds that approval of the Agreement between Acosta 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 Acosta Tractors, Inc. and the Town of Miami Lakes for Improvements to 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 Project Proposal in accordance with the terms and conditions of the FRDAP Grant.

**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 and the FRDAP Grant.

**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 the FRDAP Grant and to execute any extensions and/or amendments to the Agreement and FRDAP Grant, 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 12<sup>th</sup> day of December, 2006.

Motion to adopt by Roberto Alonso, second by Nancy Simon.

FINAL VOTE AT ADOPTION

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


PASSED AND ADOPTED this 12 day of December 2006.

ATTEST:

  
\_\_\_\_\_  
Debra Eastman, MMC  
TOWN CLERK

  
\_\_\_\_\_  
Wayne Slaton  
MAYOR

Approved as to form and legal sufficiency  
for use only by the Town of Miami Lakes:

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