

RESOLUTION NO. 06- 484

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE AGREEMENT BETWEEN HORIZON CONTRACTORS, INC. AND THE TOWN OF MIAMI LAKES TO CONSTRUCT AND INSTALL N.W. 82ND AVENUE ROADWAY AND DRAINAGE 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 September 15, 2006 the Town issued an Advertisement for Bids for “N.W. 82nd Avenue Roadway and Drainage Improvements” (the “Bid”); and

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

WHEREAS, on October 17, 2006 the Town received eight (8) Bids which were reviewed by the Town Engineer; and

WHEREAS, the Town Engineer recommended award of the Bid to Horizon Contractors, Inc. (“Horizon”) as 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 award the Bid to Horizon and enter into an Agreement with Horizon to construct and install the N.W. 82nd Avenue Roadway and Drainage Improvements; and

WHEREAS, the Town Council finds that approval of the Agreement between Horizon 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 Horizon and the Town to construct and install the N.W. 82nd Avenue Roadway and Drainage Improvements, 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, including any requirements pursuant to the Miami-Dade County Building Better Communities General Obligation Bond Program.

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 14th day of November, 2006.

Motion to adopt by Mary Collins, second by Roberto Alonso.

FINAL VOTE AT ADOPTION

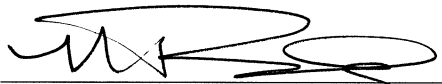
Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Mary Collins	<u>yes</u>
Councilmember Roberto Alonso	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Richard Pulido	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>

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:



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