

**RESOLUTION NO. 07-494**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE PROJECT PROPOSAL BETWEEN ACOSTA TRACTORS, INC. AND THE TOWN OF MIAMI LAKES FOR SITE PREPARATION FOR POCKET PARKS P1, P19, P29, P13, P31 AND P61; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROJECT PROPOSAL; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PROJECT PROPOSAL AND ANY EXTENSIONS; AUTHORIZING THE TOWN MANAGER TO PURCHASE SITE PREPARATION SERVICES FROM ACOSTA FOR ADDITIONAL POCKET PARKS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the "Town") has retained Acosta Tractors, Inc., ("Acosta") under an Agreement for Public Works General Construction Services to provide general construction and drainage services throughout the Town ("Agreement"); and

**WHEREAS**, the Agreement provides that Acosta may perform construction related tasks to various Town facilities and structures; and

**WHEREAS**, the Town Council, in Resolution No. 06-449 previously approved proposals from Acosta to perform site preparation for four (4) Pocket Parks; and

**WHEREAS**, Acosta has provided the Town with a proposal to perform site preparation services for six (6) additional Pocket Parks for the renovation of recreation equipment made in accordance with the Agreement (the "Project Proposal"); and

**WHEREAS**, the Town Council finds that approval of the Project Proposal 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 Project Proposal.** The Project Proposal between Acosta Tractors, Inc. and the Town of Miami Lakes for the site preparation, which includes removal and disposal of existing recreation equipment, of Pocket Parks: P1, P19, P29, P13, P31 and P61 (the "Project Proposal"), 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.

**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 Project Proposal. As additional funds become available, the Town Manager is authorized to expend these additional funds to utilize Acosta to perform site preparation work for those Pocket Parks specified in and for improvements consistent with the "Tot-Lot Renovations and Future Pocket Park Development" report (the "Tot-Lot Report").

**Section 5. Execution of Project Proposal.** The Town Manager is authorized to execute the Project Proposal on behalf of the Town, to execute any required agreements and/or

documents to implement the terms and conditions of the Project Proposal and to execute any extensions and/or amendments to the Project Proposal, and to execute any additional project proposal's to purchase site preparation work from Acosta for those Pocket Parks listed in the Tot Lot Report, utilizing the same pricing terms and conditions in the Project Proposal, 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 13th day of February, 2007.


Motion to adopt by Councilman Roberto Alonso, second by Vice Mayor Collins.

FINAL VOTE AT ADOPTION

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

  
\_\_\_\_\_  
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:

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

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