

RESOLUTION NO. 07-496

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 MIAMI LAKES PARK DOCK INSTALLATION; 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 PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 7, 2006, the Town of Miami Lakes (the "Town") issued an Advertisement for Bids (the "Bid") entitled "Miami Lakes Dock Installation" to provide park improvements at Miami Lakes Park funded partially by a Florida Land and Water Conservation Fund Grant ("the Grant"), including installation of a dock and fence modifications; and

WHEREAS, on December 21, 2006, Bids were due to the Town and no bids were received; and

WHEREAS, 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 (" the Agreement"); and

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

WHEREAS, since no Bids were received, the Town staff solicited a proposal from Acosta and Acosta has agreed to perform the dock installation improvements at Miami Lakes Park pursuant to a proposal 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 Miami Lakes Dock Installation (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 in accordance with the terms and conditions of the 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 Project Proposal and the Grant.

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 the 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 13 day of February, 2007.

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

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>

PASSED AND ADOPTED this 13 day of February 2007.

ATTEST:

Debra Eastman
Debra Eastman, MMC
TOWN CLERK

Wayne Slaton
Wayne Slaton
MAYOR

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

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