

RESOLUTION NO. 07-542

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA APPROVING THE SELECTION OF DEVELOPMENT AND COMMUNICATION GROUP OF FLORIDA, INC., TO PERFORM THE LOCH NESS DRIVE PAVING AND DRAINAGE IMPROVEMENT PROJECT; APPROVING THE CONTRACT BETWEEN DEVELOPMENT AND COMMUNICATION GROUP OF FLORIDA, INC., AND THE TOWN; AUTHORIZING TOWN OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE A CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on April 6, 2007, the Town of Miami Lakes (the "Town") issued an Advertisement for Bids (the "Advertisement") for the Loch Ness Drive Paving and Drainage Improvement Project (the "Project"); and

**WHEREAS**, the Advertisement provided that the contract would be awarded to the lowest responsive and responsible bidder; and

**WHEREAS**, the Town received nine (9) bids from different firms, which were reviewed by the Town Engineer; and

**WHEREAS**, Development and Communication Group of Florida, Inc. (the "Group") was the lowest responsive and responsible bidder; and

**WHEREAS**, the Town Engineer verified the references provided by the Group, which were from clients who continue to utilize the services of the Group, and all expressed satisfaction with the work of the Group; and

**WHEREAS**, the Town Engineer determined the Group to be 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 employ the Group for the Project in accordance with the Contract attached as Exhibit A; and

**WHEREAS**, the Town Council finds that approval of the Contract between the Group and the Town is in the best interest of the Town; and

**WHEREAS**, in addition to alleviating the existing drainage deficiencies that currently exist, the Town Council desires to implement horizontal traffic calming devices in the Project area for an additional cost of \$40,000.00; and

**WHEREAS**, the additional cost for the traffic calming devices shall be included as part of the Allowance account of the Contract; and

**WHEREAS**, the Town Manager is authorized to negotiate a Change Order to incorporate the traffic calming devices into the Contract.

**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. Approving Selection.** The Town Council approves the selection of Development and Communication Group, Inc., for the Loch Ness Drive Paving and Drainage Improvement Project (the "Project").

**Section 3. Approval of Contract.** The Contract for the Project between the Town and Development and Communication Group, Inc., (the "Contract"), 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 4. Authorization of Town Officials.** The Town Manager and Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract.

**Section 5. 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 Contract.

**Section 6. Execution of Contract.** The Town Manager is authorized to execute the Contract on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Contract and to execute any extensions and/or amendments to the Contract, subject to the approval as to form and legality by the Town Attorney.

**Section 7. Authorization of Change Order.** The Town Manager is authorized to negotiate a Change Order for the additional cost of horizontal traffic calming devices on the Project area.

**Section 8. Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 12 day of June, 2007.

Motion to adopt by Robert Meador, 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>

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:

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