

RESOLUTION NO. 13-1154

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING CHANGE ORDER NO. 3 TO THE AGREEMENT FOR CONSULTING SERVICES BETWEEN CRB GEOLOGICAL & ENVIRONMENTAL SERVICES, INC. AND THE TOWN OF MIAMI LAKES TO REVIEW BELZONA'S APPLICATION; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CHANGE ORDER; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 1, 2012, the Town of Miami Lakes (the "Town") entered into Professional Services Agreement ("PSA") No. 2012-24 for Consulting Services with CRB Geological & Environmental Services, Inc. ("CRB") to Review Belzona's Application for expansion or use of hazardous or regulated materials; and

WHEREAS, the Agreement, in short, provides for the Professional Services necessary to assist the Town in review and evaluation of an application for Conditional Use Approval for Belzona to establish use at 14300 NW 60th Avenue, Miami Lakes, Florida; and

WHEREAS, under Section 4(a)(3) of the Town's Procurement Ordinance, the Town Manager approved Change Order No. 1 for additional review of Applicant's submitted materials, preparation of a written report and attendance at meetings with Town Staff and/or Applicant, exclusive of public hearings and Change Order No. 2 for services pertaining to Belzona's expansion of use of regulated materials in Belzona's manufacturing operations, totaling \$5,500.00; and

WHEREAS, in order to continue Belzona's expansion of use of regulated materials in Belzona's manufacturing operations and review, and consulting services and site visits, an additional contract amount of \$5,375.00 is required; and

WHEREAS, the Agreement provides that any changes to the contract price be executed by a written Change Order; and

WHEREAS, the Town Council finds that approval of Change Order No. 3 to the Agreement between CRB and the Town for an additional \$5,375.00 for the continuation of the contract to review Belzona's expansion of use of regulated materials in Belzona's manufacturing operations and review, consulting services and site visits.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Approval of the Change Order. Change Order No. 3 between CRB and the Town to provide additional funds for the continuation of the contract to review Belzona's expansion of use of regulated materials in Belzona's manufacturing operations and review, consulting services and site visits 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 steps necessary to implement the terms and conditions of the Change Order.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager to the Town's Purchasing Procedures Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Change Order.

Section 5. Execution of the Contract. The Town Manager is authorized to execute the Change Order with CRB on behalf of the Town, to execute any required agreements and/or documents to implement the terms and conditions of the Change Order, 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 day of November, 2013.

Motion to adopt by Manny Cid, second by Tony Lama.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Cesar Mestre	<u>yes</u>
Councilmember Frank Mingo	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>

Wayne Slaton
Wayne Slaton
MAYOR

Attest:

M. Tejeda
Marjorie Tejeda
TOWN CLERK

Approved as to Form and Legal Sufficiency

Joseph S. Geller
Joseph S. Geller
Greenspoon Marder PA
TOWN ATTORNEY