

RESOLUTION NO. 16-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO AMEND THE CONTRACT WITH ACOSTA TRACTORS INC. FOR CONSTRUCTION SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT - GAP #2; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 16, 2013, the Town of Cutler Bay (the "Town") adopted Resolution No. 13-04 authorizing an issuance of an Invitation to Bid (the "ITB") for the Caribbean Boulevard Roadway Improvement Project (the "Project"); and

WHEREAS, the Town entered into an agreement (the "Agreement") with Acosta Tractors Inc. ("Acosta Tractors"), for construction services for the Project under the Town's ITB No. 13-04; and

WHEREAS, on August 19, 2015, the Town adopted Resolution No. 15-56 approving the Second Amendment to the Joint Participation Agreement between Miami-Dade County and the Town relating to the Project Gap #2 (from the Homestead Extension of Florida's Turnpike to the C-100 Canal Bridge); and

WHEREAS, the Town wishes to amend its Agreement with Acosta Tractors, in substantially the same form as detailed by Exhibit "A" attached hereto, to include the Gap #2 portion, utilizing the same terms and conditions, and unit pricing outlined in ITB No. 13-04; and

WHEREAS, Miami-Dade County agrees to fund \$945,166.20 of the construction cost and the remaining balance of \$157,022.19 will be funded by the Town's portion of the People's Transportation Plan municipal allocation; and

WHEREAS, the Town Council has determined that this Resolution is in the best interest of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

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

Section 2. Authorization. The Town Manager is hereby authorized to amend the existing Agreement with Acosta Tractors to provide for the construction of the Project Gap #2, in substantially the same form attached hereto as Exhibit "A," subject to the Town Attorney's approval as to form, content and legal sufficiency.

Section 3. **Effective Date.** This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this _____ day of September, 2016.

Peggy R. Bell, Mayor

Attest:

Jacqueline N. Wilson
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE, & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____
Vice Mayor Ernest N. Sochin _____
Councilmember Roger Coriat _____
Councilmember Sue Loyzelle _____
Councilmember Mary Ann Mixon _____