

RESOLUTION NO. 15-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA,
SELECTING ACOSTA TRACTORS INC. FOR THE
CONSTRUCTION OF S.W. 212TH STREET DRAINAGE
IMPROVEMENTS; PROVIDING FOR THE APPROVAL
OF AN AGREEMENT RELATED TO THE SAME;
PROVIDING FOR AUTHORIZATION; AND PROVIDING
FOR AN EFFECTIVE DATE**

WHEREAS, the Town Council via Resolution #15-04 authorized the issuance of an Invitation to Bid (“ITB”) 15-01 for construction of S.W. 212th Street Drainage Improvements; and

WHEREAS, the ITB resulted in four (4) sealed bids being received prior to the April 30, 2015 deadline; and

WHEREAS, pursuant to the ITB competitive selection process utilized by the Town and the recommendation of the Town Manager, the Town Council desires to utilize the services of the “lowest and responsive” bidder, Acosta Tractors, Inc. (the “Contractor”), to construct the S.W. 212th Street Drainage Improvements (the “Project”); and

WHEREAS, the funding for the Project is being provided as a result of the Town receiving two (2) separate Grants: (1) Florida Department of Transportation’s-Transportation Alternatives Program in the amount of \$400,000; and (2) State of Florida Legislative Appropriations in the amount of \$300,000; and

WHEREAS, the remaining funding of \$27,590.87 for the construction phase of the Project will be funded by the Town’s Stormwater Utility Fund; and

WHEREAS, the Town desires to expedite this Project, due to its proximity to Cutler Bay High School and the construction phase will need to substantially completed during the school’s summer break; and

WHEREAS, the Town finds that this Resolution will promote the health, safety and welfare of the Town.

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

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

Section 2. Selection. The Town Council hereby selects the Contractor for the Project.

Section 3. Approval of the Agreement. The Town Council hereby approves the agreement, in substantially the form attached hereto as Exhibit "A," with the Contractor for an amount not to exceed \$727,590.87, subject to the Town Attorney's approval as to content, form, and legal sufficiency.

Section 4. Town Manager Authorized. The Town Manager is hereby authorized to execute the agreement, in substantially the form attached hereto as Exhibit "A," with the Contractor on behalf of the Town, subject to the Town Attorney's approval as to content, form, and legal sufficiency. In addition, the Town Manager is authorized to utilize \$27,590.87 of the Town's Stormwater Utility Fund to fund the construction phase of the Project.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this _____ day of May, 2015.

Attest:

PEGGY R. BELL
Mayor

JACQUELINE N. WILSON
Interim 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 _____

Council Member Roger Coriat _____

Council Member Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____