

RESOLUTION NO. 18-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA,
AUTHORIZING THE TOWN MANAGER TO ISSUE A
PURCHASE ORDER TO STANTEC CONSULTING
SERVICES, INC. FOR FRANJO PARK LIGHTING
IMPROVEMENTS; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, on September 17, 2014, the Town of Cutler Bay (the “Town”) Town Council adopted Resolution No. 14-63, authorizing the Town Manager to negotiate and execute a Non-Exclusive Professional Services Agreement (the “Agreement”) with Stantec Consulting Services, Inc. (the “Consultant”), among others, to provide various engineering and architectural services for the Town; and

WHEREAS, on September 4, 2017, Florida Governor Rick Scott issued Executive Order No. 17-235 declaring a State of Emergency due to Hurricane Irma, and on September 5, 2017, Miami-Dade County Mayor Carlos Gimenez issued a County-wide Declaration of a State of Emergency; and

WHEREAS, Chapter 12, Article II, Section 12-23 of the Town of Cutler Bay’s (the “Town”) Code of Ordinances states, “The Town Manager shall have the sole authority to declare a state of emergency hereunder [...] Any declaration of a state of emergency and all emergency regulations activated under the provisions of this article and any emergency expenditures made hereunder pursuant to section 12-22(9) shall be confirmed by the town council by resolution no later than the next regular meeting, or as reasonably as possible, unless the nature of the emergency renders a meeting of the town council impossible;” and

WHEREAS, on September 6, 2017, the Town Manager issued a Declaration of State of Emergency due to Hurricane Irma, which was sent to the Town Clerk’s Office for posting and local media outlets; and

WHEREAS, in September 2017, Hurricane Irma made landfall in the Town, and the Town experienced wide-spread damage due to the effects of the hurricane, causing Franjo Park to remain closed to the public, due to lighting, fencing, and netting damage; and

WHEREAS, the Town is committed to rebuilding Franjo Park; and

WHEREAS, in accordance with the terms of the Agreement and the provisions set forth in Resolution No. 14-63, the Park and Recreation Department obtained a proposal from Consultant to provide design services (the “Services”); and

WHEREAS, Town staff has determined that Consultant would be the best suited to provide the Services for Franjo Park Lighting Improvements (the “Project”); and

WHEREAS, Consultant has submitted a proposal to the Town with a total fee for the Services for the Project in an amount not to exceed \$35,484.00, which is attached hereto and incorporated herein as Exhibit “A;” and

WHEREAS, funding for the Project will come from the general fund but may be reimbursed by insurance and/or FEMA.

WHEREAS, the Town Council finds that this Resolution is in the best interest 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. Authorization. In accordance with the terms and conditions of Resolution No. 14-63, and the Agreement, the Town Council authorizes the Town Manager to issue a purchase order to Consultant, in an amount not to exceed \$35,484.00, for the Services for the Project consistent with the proposal attached hereto as Exhibit “A.”

Section 3. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this ____ day of April, 2018.

PEGGY R. BELL,
Mayor

Attest:

DEBRA E. EASTMAN, MMC
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 Sue Ellen Loyzelle _____
Council Member Mary Ann Mixon _____
Council Member Michael P. Callahan _____
Council Member Roger Coriat _____