

RESOLUTION NO. 17-__

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF CUTLER BAY, FLORIDA, RATIFYING THE TOWN
MANAGER'S BID WAIVER RECOMMENDATION FOR
TOWN MAPS; AND PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, Section 24-19 of the Town of Cutler Bay's (the "Town") Code of Ordinances ("Code") states, "The town manager shall supervise and have full authority to approve or disprove purchases by all departments. [...] Nothing herein shall be deemed to require the town manager or town council to accept the lowers dollars and cents bid or proposal in all cases if another bid or proposal is deemed to be more advantageous to the town;" and

WHEREAS, Section 24-43 of the Town Code provides that, "Purchases of or contracts for materials, supplies, equipment, improvements or services where the total amount expended is in excess of \$5,000.00, but which is less than \$25,000.00, may be made or entered into by the town manager [...];" and

WHEREAS, Section 24-66 of the Town Code establishes sole source availability as an exemption from the formal competitive bidding requirements by the Town Manager; and

WHEREAS, a sole source procurement can be defined as any contract entered into without a competitive process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements; and

WHEREAS, the purchase of Town Maps from Miami Maps, Inc. has been determined by the Town Manager to be advantageous to the Town and a sole source procurement as it is artistic in nature; and

WHEREAS, Miami Maps, Inc. provides maps for the following municipalities: City of Doral, City of Coral Gables, Village of Palmetto Bay, Village of Key Biscayne, and areas of Coconut Grove and Brickell; and

WHEREAS, the Town Maps, attached hereto as Exhibit "A", include general Town and event information, a "Get to Know Your Elected Officials" section, promotion of Town Center leasing opportunities, highlights of Town schools, and promotion of local businesses; and

WHEREAS, the Town Maps were distributed to over fourteen thousand homes in Cutler Bay as well as at every Town event; and

WHEREAS, the distribution of the maps addressed Goal 1.1 of the Town's 2014-19 Strategic Master Plan, which provides that the Town, "be recognized by its residents and others as a community that optimizes transparency in government by providing access to its officials and to information concerning the status of the Town and its activities;" and

WHEREAS, the Town Council finds that this Resolution is in the best interest and welfare of the residents 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. **Ratification.** The Town Council hereby ratifies the Town Manager's bid waiver recommendation for the procurement of Town Maps from Miami Maps, Inc. as being advantageous to the Town and with sole source justification.

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

PASSED and ADOPTED this ____ day of June, 2017.

Attest:

PEGGY R. BELL
Mayor

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 _____