

**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 MARLIN ENGINEERING, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE SW 100 AVENUE STORMWATER RETROFIT PROJECT; 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 Marlin Engineering, Inc. (the “Consultant”), among others, to provide various engineering and architectural services for the Town; and

**WHEREAS**, in accordance with the terms of the Agreement and the provisions set forth in Resolution No. 14-63, the Public Works Department obtained a proposal from Consultant to provide construction engineering and inspection services (the “Services”); and

**WHEREAS**, Town staff has determined that Consultant would be the best suited to provide the Services for the SW 100 Avenue Stormwater Retrofit Project (the “Project”); and

**WHEREAS**, Consultant has submitted a proposal to the Town a total fee for the Services for the Project in an amount not to exceed \$96,985.16, which is attached hereto and incorporated herein as Exhibit “A;” and

**WHEREAS**, the Town has budgeted for the Services for the Project within the 2017-18 Operating Budget and the Project will be funded from the Town's portion of the Charter County Transit System Surtax Proceeds (“PTP Funds”); and

**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, the Town Council authorizes the Town Manager to issue a

purchase order to Consultant, in an amount not to exceed \$96,985.16, for the Services for the Project, consistent with the proposal attached hereto as Exhibit "A."

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

PASSED and ADOPTED this \_\_\_\_ day of February, 2018.

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 \_\_\_\_\_

Councilmember Mary Ann Mixon \_\_\_\_\_

Councilmember Michael P. Callahan \_\_\_\_\_

Councilmember Roger Coriat \_\_\_\_\_