

**RESOLUTION NO. 18-\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING METRO EXPRESS, INC. FOR THE CONSTRUCTION OF THE MANTA DRIVE ROADWAY IMPROVEMENT PROJECT; AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on October 26, 2016, the Town of Cutler Bay (the “Town”) was awarded a \$344,260.00 grant from the Florida Department of Transportation (“FDOT”) through the Transportation Alternatives Program (“TAP”) cycle to fund the construction of the Manta Drive Roadway Improvement Project (the “Project”); and

**WHEREAS**, as per Resolution #17-87, the Town executed the Local Agency Program (“LAP”) Agreement with FDOT and authorized the Town Manager, or his designee, to execute all further documents and agreements necessary in order for the Town to receive the grant; and

**WHEREAS**, on January 10, 2018, the Town issued an Invitation to Bid 17-10 (“ITB”) for construction of the Project; and

**WHEREAS**, the ITB resulted in five (5) sealed bids being received prior to the February 22, 2018 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, Metro Express, Inc. (the “Contractor”), to construct the Project; and

**WHEREAS**, the Contractor was the “lowest and responsive” bidder with a bid submittal totaling \$357,007.50; and

**WHEREAS**, on May 9, 2017, FDOT reviewed the Contractor’s bid submittal and issued a Concurrence Letter for Construction Award; and

**WHEREAS**, construction of the Project is budgeted within the 2017-18 Town Operating Budget, with funding provided by the TAP grant in the amount of \$344,260.00 from FDOT; and

**WHEREAS**, the remaining \$12,747.50 will be funded with the Town’s People’s Transportation Plan (“PTP”) Funds; 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 Metro Express, Inc. for the Project.

**Section 3. Authorization.** The Town Manager is hereby authorized to enter into an agreement, in an amount not to exceed \$357,007.50, 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. The Town Manager is authorized to utilize \$12,747.50 of the Town's PTP Funds to fund the contingency portion of the Project, which is not reimbursable as part of the grant.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this \_\_\_\_\_ day of March, 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 \_\_\_\_\_

Council Member Mary Ann Mixon \_\_\_\_\_

Council Member Michael P. Callahan \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_