

RESOLUTION NO. 18-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, EXTENDING THE TERM OF THE PROJECT AGREEMENT WITH ENVIROWASTE SERVICES GROUP, INC. FOR THE TOWN-WIDE CATCH BASIN MAINTENANCE PROGRAM; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Cutler Bay (the “Town”) seeks to provide its residential and business communities with efficient and effective maintenance of its stormwater catch basins; and

WHEREAS, the Town Council recognizes the environmental importance of the effective treatment of stormwater runoff within the Town; and

WHEREAS, the Town has completed and adopted via Resolution No. 08-50 the 2008 Stormwater Master Plan, which studied the Town’s stormwater utility infrastructures and outlined an annual Catch Basin Maintenance Program; and

WHEREAS, as part of its Stormwater Master Plan, the Town requires a contractor to perform catch basin maintenance (the “Services”); and

WHEREAS, on May 21, 2014, the Town adopted Resolution No. 14-33 selecting EnviroWaste Services Group, Inc. (the “Contractor”) to perform the Services by utilizing the City of Doral’s contract with the Contractor, which was competitively procured by City of Doral RFP No. 2013-32; and

WHEREAS, on June 24, 2014, the Town entered into a Project Agreement with the Contractor for the Services (the “Agreement”); and

WHEREAS, on September 12, 2018, the City of Doral adopted Resolution No. 18-156, extending the City of Doral’s contract with the Contractor, under the same terms, costs and conditions, for two (2) years with the option to renew for an additional two (2) one-year terms; and

WHEREAS, the Town’s Public Works Department performed an Engineering Value Analysis that confirms that the Town’s Agreement with the Contractor provides the Town with the best competitive price, quality, and reliability; and

WHEREAS, the Town Council has included in the Fiscal Year 2018-19 Stormwater Utility budget, funding for Town-Wide Catch Basin Maintenance of its Stormwater Utility infrastructure; and

WHEREAS, Section 24-67 of the Town Code provides that purchases made under state purchasing contracts or contracts of other municipal or government entities that were awarded pursuant to competitive bids based on clearly defined specifications shall not require separate competitive bidding by the Town; and

WHEREAS, the Town desires to continue utilizing the terms and pricing of the Agreement with Contractor, as procured through the competitive bidding process performed by the City of Doral (RFP No. 2013-32) and extended by the City of Doral via Resolution No. 2018-156; and

WHEREAS, the Town Manager has determined in accordance with Article III, Section 3-10 of the Town Charter and the Town Purchasing Ordinance that there is a sufficient unencumbered budget appropriation within the department to pay for the Services pursuant to the Agreement and the Town Manager has made a written recommendation to the Council for its approval; and

WHEREAS, the Town Council wishes to authorize the Town Manager to extend the term of the Agreement with the Contractor for an additional two years, with the option to renew for two additional one-year terms; 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, AS FOLLOWS:

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

Section 2. Extending Term. Pursuant to Section 24-67 of the Town Code, the Town Council approves an extension of the Agreement with the Contractor for an additional two years with the option to renew for two additional one-year terms.

Section 3. Authorization. The Town Manager is authorized, on behalf of the Town, to execute an extension to the Agreement with Contractor for the Services, with the same pricing provided in the contract between the Contractor and the City of Doral, FL pursuant to RFP No. 2013-32 attached hereto as Exhibit "A."

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

PASSED AND ADOPTED this ____ day of December, 2018.

TIM MEERBOTT
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 Tim Meerbott	_____
Vice Mayor Sue Ellen Loyzelle	_____
Council Member Robert “BJ” Duncan	_____
Council Member Michael P. Callahan	_____
Council Member Roger Coriat	_____