

**RESOLUTION NO. 19-\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT WITH ACOSTA TRACTORS, INC. FOR THE CONSTRUCTION OF THE GULFSTREAM ELEMENTARY COMPLETE STREETS PROJECT (GULFSTREAM ROAD FROM CARIBBEAN BOULEVARD TO SW 211 STREET); PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 22, 2017, the Town of Cutler Bay (the “Town”) was awarded a \$476,141.00 grant from the Florida Department of Transportation (FDOT) through the Transportation Alternatives Program (TAP) to fund the Gulfstream Elementary Complete Streets Project (Gulfstream Road from Caribbean Boulevard to SW 211 Street) (the “Project”); and

**WHEREAS**, Town Resolution No. 18-68 authorized the Local Agency Program (LAP) Agreement with FDOT for the Town to receive the grant; and

**WHEREAS**, on March 26, 2019, the Town issued an Invitation to Bid (“ITB”) 19-03 for construction of the Project; and

**WHEREAS**, the ITB resulted in six (6) sealed bids being received by the May 3, 2019 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, Acosta Tractors, Inc. (the “Contractor”), to construct the Project; and

**WHEREAS**, the Contractor was the “lowest and responsive” bidder with a bid submittal totaling \$397,615.87; and

**WHEREAS**, on May 22, 2018, FDOT awarded Acosta Tractors, Inc. a Certificate of Qualification; and

**WHEREAS**, construction of the Project is budgeted within the 2018-19 Town Operating Budget, with funding provided by the FDOT TAP Grant and non-construction costs to 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 Acosta Tractors, Inc. for the construction of the Gulfstream Elementary Complete Streets Project (Gulfstream Road from Caribbean Boulevard to SW 211 Street).

**Section 3.**     **Authorization.** The Town Manager is hereby authorized to enter into an agreement, in substantially the form attached hereto as Exhibit "A," with Acosta Tractors, Inc. on behalf of the Town, subject to the Town Attorney's approval as to content, form, and legal sufficiency.

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

PASSED and ADOPTED this 15<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
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 Duncan	_____
Council Member Michael P. Callahan	_____
Council Member Roger Coriat	_____