

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

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING RESOLUTION NO. 19-46 SELECTING ELECTRICAL CONTRACTING SERVICES, INC. FOR THE CUTLER RIDGE PARK LIGHTING IMPROVEMENTS PROJECT; AUTHORIZING ADDITIONAL GRANT MATCH FUNDING FOR THE CUTLER RIDGE PARK LIGHTING IMPROVEMENTS PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on April 27, 2018, the Town of Cutler Bay (the “Town”) was awarded an \$86,000.00 grant from the Florida Department of Agriculture and Consumer Services (FDACS) Office of Energy for the Cutler Ridge Park Lighting Improvements Project (the “Project”); and

**WHEREAS**, the Town committed to match the FDACS grant of \$86,000.00 with \$10,000.00; and

**WHEREAS**, the FDACS grant award is intended to allow the Town to improve energy efficiency by replacing outdated High Intensity Discharge (HID) sports lighting with a new Light Emitting Diode (LED) system at Cutler Ridge Park; and

**WHEREAS**, on May 1, 2019 the Town issued Invitation to Bid (“ITB”) No. 19-06 for construction of the Project, and Electrical Contracting Services, Inc. (the “Contractor”) was identified as the “lowest responsible and responsive” bidder; and

**WHEREAS**, on July 17, 2019, the Town Council adopted Resolution No. 19-46 authorizing the Town Manager to enter into an agreement with the Contractor in an amount not to exceed \$171,730.00 to perform the Project, subject to the Town receiving additional grant funding and appropriations to complete the Project; and

**WHEREAS**, in July 2019, Town Staff requested an increase in grant funding from FDACS, however the increase was denied; and

**WHEREAS**, Town Staff negotiated with the Contractor to reduce the Project cost from \$171,730.00 to \$121,730.00 by removing the allowances line item; and

**WHEREAS**, based on the new Project cost of \$121,730.00, the FDACS grant will fund \$86,000 leaving a balance of \$35,730.00 as the Town’s grant match; and

**WHEREAS**, the Town Council approves the increase in match funding from \$10,000.00 to \$35,730.00 in order to complete the Project; and

**WHEREAS,** the Town Council wishes to amend Section 3 of Resolution No. 19-46 to authorize the Town Manager to enter into an agreement with the Contractor in an amount not to exceed \$121,730.00; 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. Amending Resolution No. 19-46.** Section 3 of Resolution No. 19-46 is hereby replaced with the following authorization: The Town Manager is hereby authorized to enter into an agreement, in an amount not to exceed \$121,730.00, in substantially the form attached hereto as Exhibit "A," with Electrical Contracting Services, Inc. on behalf of the Town, subject to the Town Attorney's approval as to content, form, and legal sufficiency.

**Section 3. Authorization.** The Town Manager is hereby authorized to allocate an additional \$25,730.00 from the Town's budget to complete the Cutler Ridge Park Lighting Improvements Project.

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

PASSED and ADOPTED this \_\_\_\_ day of July, 2019.

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TIM MEERBOTT  
Mayor

Attest:

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MAURICIO MELINU  
Deputy Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

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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	_____