

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

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING AN AGREEMENT WITH ENVIROWASTE SERVICES GROUP, INC. FOR MISCELLANEOUS ROADWAY AND DRAINAGE IMPROVEMENTS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the Road Transfer Agreement between the Town of Cutler Bay (“Town”) and Miami-Dade County (“County”) dated June 19, 2008 (“Transfer Agreement”) the County transferred ownership of all local roads and sidewalks to the Town; and

**WHEREAS**, pursuant to the Transfer Agreement, the Town is responsible for repairs and maintenance of certain portions of local roadways and storm drainage structures within the Town; and

**WHEREAS**, the Town Council finds that it is necessary and appropriate to retain a contractor to perform improvements to local roadways and drainage structures; and

**WHEREAS**, the Town Council via Resolution No. 19-28 authorized the issuance of Invitation to Bid No. 19-08 (“ITB”) for Miscellaneous Roadway and Drainage Improvements (“Project”); and

**WHEREAS**, the ITB resulted in five (5) sealed bids being received prior to the August 8, 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, Envirowaste Services Group, Inc. (the “Contractor”) to provide construction services for the Project; and

**WHEREAS**, construction services for the Project is budgeted within the 2019-20 Town Operating Budget and will be funded by the Town’s Stormwater Utility Funds; and

**WHEREAS**, the Town Council finds that the adoption of this Resolution is in the best interest of the health, safety and welfare of the residents 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.**     **Approval.** The Town Council hereby approves the Agreement, in substantially the form attached hereto as Exhibit "A," with the Contractor pursuant to the ITB, subject to the Town Attorney's approval as to form, content, and legal sufficiency.

**Section 3.**     **Authorization.** The Town Manager is hereby authorized to enter into an Agreement, 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.

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

PASSED and ADOPTED this \_\_\_\_ day of September, 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 “BJ” Duncan \_\_\_\_\_

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

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