

RESOLUTION NO. 19-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING T.F.R. ENTERPRISES, INC. FOR EMERGENCY DEBRIS ROAD CLEARING SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Cutler Bay (the “Town”) has previously experienced threats to residents’ health, safety, welfare, and property as a result of natural disasters such as hurricanes, floods, tornadoes, and other severe weather events; and

WHEREAS, the Town seeks to provide emergency assistance and debris road clearing services in the event of a natural or national disaster, terrorism or any other emergency event affecting the health, safety, welfare, and property of the Town, its residents, and businesses; and

WHEREAS, pursuant to Section 12-21 of the Town’s Code, the Town Manager shall perform the function of Director of Emergency Management; shall implement, manage and report on all actions authorized and taken; and shall plan for the coordination of those actions necessary for the creation and maintenance of an effective emergency response capability to prepare for and manage emergency conditions; and

WHEREAS, during a declared State of Emergency, the Town Manager may deem it necessary to authorize emergency debris road clearing services; and

WHEREAS, on July 9, 2019, the Town issued Request for Proposals No. 19-08 (“ITB”) for Emergency Debris Road Clearing Services (“Services”); and

WHEREAS, the RFP resulted in three (3) sealed bids being received prior to the August 22, 2019 deadline; and

WHEREAS, in accordance with the stipulations of the RFP, a selection committee was created and reviewed the proposals and ranked them based upon the information submitted by each bidder; and

WHEREAS, pursuant to the 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 responsive and responsible” bidder, T.F.R. Enterprises, Inc. (the “Contractor”) for the Services; 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. **Selection.** The Town Council hereby selects Contractor for the Services.

Section 3. **Authorization.** The Town Manager is hereby authorized to negotiate and execute 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. In the event the Town Manager is unable to negotiate a satisfactory agreement with the Contractor as the top ranked bidder, then the Town Manager may negotiate and execute an agreement with the next highest ranked bidder in order of ranking until an agreement in the best interest of the Town is reached.

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

PASSED and ADOPTED this ____ day of October, 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 _____