

**RESOLUTION NO. 20-\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING H.G. CONSTRUCTION, DEVELOPMENT AND INVESTMENT, INC. FOR THE BIKE/PEDESTRIAN FACILITIES IMPROVEMENTS PROJECT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 2, 2015, the Town of Cutler Bay (the “Town”) was awarded a \$360,640.00 grant from the Florida Department of Transportation (FDOT) through the Transportation Alternatives Program (TAP) to fund the Bike/Pedestrian Facilities Improvements Project (the “Project”); and

**WHEREAS**, on September 18, 2019, the Town Council adopted Town Resolution No. 19-64 authorizing the Local Agency Program (LAP) Agreement with FDOT for the Town to receive the grant; and

**WHEREAS**, Resolution No. 19-84 authorized the issuance of Invitation to Bid No. 19-12 (the “ITB”) for the Project; and

**WHEREAS**, on November 26, 2019, the Town issued the ITB for construction of the Project; and

**WHEREAS**, the ITB was advertised in a newspaper of general circulation, the Daily Business Review, on November 26, 2019; and

**WHEREAS**, on December 17, 2019, the Town held a mandatory pre-bid meeting, which was attended by nine (9) potential bidders; and

**WHEREAS**, the ITB resulted in two (2) sealed bids being received by the January 14, 2020 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, H.G. Construction, Development and Investment, Inc. (the “Contractor”), to construct the Project; and

**WHEREAS**, the Contractor was the “lowest and responsive” bidder with a bid submittal totaling \$381,488.97; and

**WHEREAS**, on February 4, 2020, FDOT reviewed the Contractor’s bid submittal and issued a Concurrence Letter for Construction Award; and

**WHEREAS**, on May 14, 2019, FDOT issued the Contractor a Certificate of Qualification; and

**WHEREAS**, construction of the Project is budgeted within the Town's Fiscal Year 2019-20 Operating Budget, with funding provided by the FDOT TAP Grant in the amount of \$360,640.00 and the remainder 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 the Contractor for the Project.

**Section 3. Authorization.** The Town Manager is hereby authorized to enter into an agreement not to exceed \$381,488.97, 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 February, 2020.

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TIM MEERBOTT  
Mayor

Attest:

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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 \_\_\_\_\_