

RESOLUTION NO. 16-__

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AWARDED THE CONTRACT FOR PARK AQUATIC AREA MAINTENANCE SERVICES BETWEEN DEANGELO BROTHERS, LLC DBA AQUAGENIX, INC. AND THE TOWN OF MIAMI LAKES IN THE ANNUAL AMOUNT OF \$17,500 BY WAIVING THE COMPETITIVE PROCUREMENT BIDDING PROCESS; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 5(d) of the Town of Miami Lakes Ordinance 12-142 (“the Town’s Procurement Ordinance”) authorizes the Town Manager to request authorization from the Town Council to waive the requirements of this Section 5 of the Town’s Procurement Ordinance where the Town Manager has made a written recommendation where, based on specific circumstances, it is not practical to comply with the requirements of Section 5 of the Town’s Procurement Ordinance for a specific solicitation; and

WHEREAS, on April 21, 2016 the Town of Miami Lakes (“the Town”) issued an Invitation to Bid (“ITB”) No. 2016-32 for Canal System and Park Aquatic Area Maintenance Services with three pricing groups as they relate to canal system mowing (Group “A”), canal system above surface debris removal (Group “B”) and park aquatic area maintenance services (Group “C”); and

WHEREAS, upon staff review of the lowest responsive bid, it was determined that the pricing for Group “C” park aquatic management services would exceed funds presently budgeted as it is exponentially higher than our current costs for such services; and

WHEREAS, the Town Council in June 2016 authorized the Town Manager via Resolution No. 16-1380 award of only Groups “A” and “B” to SFM Services, Inc.; and

WHEREAS, being that other local competitors specialized in such services stated that their volume of work is currently too high to take on additional contracts, the Town Manager recommends a bid waiver in order to secure services with the firm presently providing these

specialized services comprised under Group “C” to the Town, DeAngelo Brothers, LLC dba Aquagenix (“Aquagenix”), using the pricing provided in Bid No. 2016-32 as a basis with slight increases to account for mobilization; and

WHEREAS, the initial contract term is three (3) years with two (2) 12-month renewal options; and

WHEREAS, the routine services to be provided under this agreement “Contract No. 2016-39” by Aquagenix annually cost \$17,500 for a total of \$87,500 over the five year period with the option to provide service in additional locations on an as-needed basis in an amount not to exceed budgeted funds; and

WHEREAS, the Town Council approves of the Town Manager’s recommendation, authorizes a waiver of the requirements of Section 5 of the Town’s Procurement Ordinance as it pertains to the award of Park Aquatic Area Maintenance Services, and authorizes the Town Manager to enter into a contract with Aquagenix for said project in accordance with the Section 5 (D) of the Town’s Procurement Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Approval of the Contract. The Town Council hereby approves the award of contract 2016-39 to DeAngelo Brothers, LLC dba Aquagenix for routine services in an amount not to exceed \$17,500 annually for a total of \$87,500 over the five year period with the option to provide service in additional locations on an as-needed basis in an amount not to exceed budgeted funds, in substantially the form attached hereto as Exhibit “A”, together with such non-material changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney.

Section 3. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract with DeAngelo Brothers, LLC dba Aquagenix.

Section 4. Execution of the Contract. The Town Manager is authorized to execute the Contract with DeAngelo Brothers, LLC dba Aquagenix for Park Aquatic Area Maintenance Services on behalf of the Town in substantially the form attached hereto as Exhibit A, to

execute any required agreements and/or documents to implement the terms and conditions of the Contract, subject to the approval as to form and legality by the Town Attorney.

Section 5. Authorization of Fund Expenditure. The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Contract with DeAngelo Brothers, LLC dba Aquagenix.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 26th day of July, 2016.

The foregoing resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr. _____

Vice Mayor Tim Daubert _____

Councilmember Manny Cid _____

Councilmember Tony Lama _____

Councilmember Ceasar Mestre _____

Councilmember Frank Mingo _____

Councilmember Nelson Rodriguez _____

Michael A. Pizzi, Jr.
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

EXHIBIT A

Agreement

between the

Town of Miami Lakes

and

DeAngelo Brothers, LLC dba Aquagenix

for

Park Aquatic Area Maintenance Services