

RESOLUTION NO. 24-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2024-22, TO ATC ENGINEERING, INC (“ATC”) IN AN AMOUNT OF ONE MILLION EIGHT HUNDRED NINETEEN THOUSAND FOUR HUNDRED NINETY DOLLARS (\$1,819,490.00) NOT TO EXCEED BUDGETED FUNDS AND AUTHORIZE A PROJECT CONTINGENCY OF \$181,949.00 APPROXIMATELY TEN PERCENT (10%), FOR ANY UNFORESEEN CIRCUMSTANCES RELATED TO THE PROJECT; APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM INTO 405-563805-AR13; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS 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; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 16, 2019, the Town Council passed Resolution No. 2019-1626 adopting the Stormwater Master Plan Update No. 3; and

WHEREAS, on May 11, 2021, the Town Council adopted Resolution No. 21-1744, authorizing the Town Manager to receive and accept federal monies provided by the American Rescue Plan (the “ARP”), to be used for improvements to the Town’s Stormwater infrastructure; and

WHEREAS, Chapter 2, Article V, Division 2, Section 2-155 of the Town Code provides that procurements more than \$15,000 shall require the use of competitive sealed bidding; and

WHEREAS, in accordance with Chapter 2, Article V, Division 2, Section 2-155 of the Town Code, the Town issued Invitation to Bid (“ITB”) No. 2024-22, Royal Oaks Eighth Addition Drainage Improvement Project (the “Project”); and

WHEREAS, the ITB was advertised online via two public bidding websites, DemandStar and Public Purchase, advertised in the Miami Daily Business Review, and was physically posted in the Government Center Lobby; and

WHEREAS, the Town received nine (9) bids from the following:

- 1) ATC Engineering, Inc. (“ATC”)
- 2) Basile USA, LLC
- 3) Hartec Group, Inc.
- 4) Hurr Homes, LLC
- 5) JVA Engineering Contractor, Inc.
- 6) National Traffic Solution, Inc.,
- 7) Quality Paving, Corp.,
- 8) RG Underground Engineering, Inc.
- 9) Quality Paving, Corp.

WHEREAS, based on due diligence, Procurement determined that ATC was the lowest responsive and responsible bidder; and

WHEREAS, Procurement recommends awarding a contract to ATC in an amount of One Million Eight Hundred Nineteen Thousand Four Hundred Ninety dollars (\$1,819,490.00) not to exceed budgeted funds and authorize a project contingency of \$181,949.00 approximately ten percent (10%), for any unforeseen circumstances related to the project; and

WHEREAS, it is also recommended transferring funds from the Contingency Reserve line-item into account number 405-563805-13; and

WHEREAS, the Town Manager concurs with Procurement's recommendation and recommends the Town Council authorize the award of a contract to ATC for completion of the Royal Oaks Eighth Addition Drainage Improvement Project in an amount of One Million Eight Hundred Nineteen Thousand Four Hundred Ninety dollars (\$1,819,490.00) not to exceed budgeted funds and authorize a project contingency of \$181,949.00 approximately ten percent (10%), for any unforeseen circumstances related to the project, and recommends a transfer of funds from the Contingency Reserve line-item into account number 405-563805-AR13, in order to fully fund this Project; and

WHEREAS, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to enter into a contract with ATC for completion of the Royal Oaks Eighth Addition Drainage Improvement Project, and approves the transfer of funds from the Contingency Reserve line-item into account number, 405-563805-AR13, in order to fully fund this Project.

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 a contract to Royal Oaks Eighth Addition Drainage Improvement Project in an amount of One Million Eight Hundred Nineteen Thousand Four Hundred Ninety dollars (\$1,819,490.00) not to exceed budgeted funds and authorize a project contingency of \$181,949.00 approximately

ten percent (10%), for any unforeseen circumstances related to the project, in substantially the same form as attached hereto as Exhibit “A” (hereinafter referred to as “Contract”).

Section 3. Authorization of Fund Expenditure. The Town Manager, his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract.

Section 4. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney and/or his designee are authorized to take all steps necessary to finalize and carry out the terms of the agreement with ATC Engineering, Inc., including the execution of any amendments.

Section 5. Execution of the Contract. The Town Manager is authorized to execute the Contract with ATC Engineering, Inc., in an amount of One Million Eight Hundred Nineteen Thousand Four Hundred Ninety dollars (\$1,819,490.00) not to exceed budgeted funds and authorize a project contingency of \$181,949.00 approximately ten percent (10%), for any unforeseen circumstances related to the project, and to execute any extension and/or amendments to the Contract, subject to approval as to form and legality by the Town Attorney.

Section 6. Line-Item Modification. The Budget for Fiscal Year 2024-2025 adopted in Section 2 of Ordinance No. 24-330 is hereby modified, as reflecting Exhibit “B” attached hereto. The revisions for each fund are within the approved expenditure authority for Fiscal Year 2024-2025. The Town Council hereby modifies the budget as set forth therein and authorizes the Town Manager, or his assign(s), to administratively adjust line item 405-563805-AR13, to reflect audit adjustments and or line-item revisions as necessary.

Section 7. **Rounding.** As presented, the 2024-2025 Budget and Actual Expenses are rounded to the nearest hundred; therefore, line-item adjustments within \$100 are hereby incorporated within Exhibit “B.”

Section 8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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Passed and adopted this _____ day of _____, 2024.

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 Manny Cid _____
- Vice Mayor Tony Fernandez _____
- Councilmember Luis E. Collazo _____
- Councilmember Josh Dieguez _____
- Councilmember Ray Garcia _____
- Councilmember Bryan Morera _____
- Councilmember Marilyn Ruano _____

Manny Cid
MAYOR

Attest:

Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

Lorenzo Cobiella
Gastesi, Lopez, and Mestre, PLLC
DEP. TOWN ATTORNEY

EXHIBIT A

Agreement
between the
Town of Miami Lakes
and
ATC ENGINEERING, INC.
for
ROYAL OAKS EIGHTH ADDITION DRAINAGE
IMPROVEMENT PROJECT
ITB 2024 - 22