

**RESOLUTION NO. 24-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2024-25, TO RG UNDERGROUND, INC (“RG”) IN AN IN AN AMOUNT OF ONE MILLION SIX HUNDRED TWENTY NINE THOUSAND THREE HUNDRED ONE DOLLARS AND 50/100 (\$1,629,301.50) NOT TO EXCEED BUDGETED FUNDS AND AUTHORIZE A PROJECT CONTINGENCY OF \$162,930.15 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-AR14; 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. 2024-25, Francesca Mary 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 eight (8) bids from the following:

1. Acosta Tractors, Inc.
2. Basile USA, LLC
3. Hartec Group, Inc.
4. Metro Express, Inc
5. National Traffic Solution, Inc.
6. Quality Paving, Corp.
7. RG Underground, Inc.
8. The Stout Group, LLC

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

**WHEREAS**, Procurement recommends awarding a contract to RG in an amount of one million six hundred twenty nine thousand three hundred one dollars and 50/100 (\$1,629,301.50) not to exceed budgeted funds and authorize a project contingency of \$162,930.15 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 405-563805-14; and

**WHEREAS**, the Town Manager concurs with Procurement's recommendation and recommends the Town Council authorize the award of a contract to RG for completion of the Francesca Mary Drainage Improvement Project in an amount of one million six hundred twenty nine thousand three hundred one dollars and 50/100 (\$1,629,301.50) not to exceed budgeted funds and authorize a project contingency of \$162,930.15 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-AR14, 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 RG for completion of the Francesca Mary Drainage Improvement Project, and approves the transfer of funds from the Contingency Reserve line-item into account number, 405-563805-AR14, 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 Francesca Mary Drainage Improvement Project in an amount of one million six hundred twenty nine thousand three hundred one dollars and 50/100 (\$1,629,301.50) not to exceed budgeted funds and authorize a project contingency of \$162,930.15 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 RG Underground, Inc., including the execution of any amendments.

**Section 5. Execution of the Contract.** The Town Manager is authorized to execute the Contract with RG Underground, Inc., in an amount of one million six hundred twenty nine thousand three hundred one dollars and 50/100 (\$1,629,301.50) not to exceed budgeted funds and authorize a project contingency of \$162,930.15 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-AR14, 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.

**THIS SPACE INTENTIONALLY LEFT BLANK**

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 \_\_\_\_\_

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Manny Cid  
MAYOR

Attest:

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Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:

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

# **EXHIBIT A**

Agreement  
between the  
Town of Miami Lakes  
and  
**RG Underground, INC.**  
for  
FRANCESCA MARY DRAINAGE IMPROVEMENT  
PROJECT  
ITB 2024 -25