

RESOLUTION NO. 19-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING THE TOWN MANAGER TO UTILIZE CITY OF MIAMI CONTRACT 783382-24 WITH ROBERTSON INDUSTRIES, INC. AND NJPA CONTRACT 030117-LTS WITH PLAY-POWER, INC.; WAIVING THE PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO ACCESS THE CITY OF MIAMI AND NJPA'S CONTRACTS AND TO IMPLEMENT THEIR TERMS AND CONDITIONS; AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL FUND; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE CONTRACTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town") has an immediate need for resurfacing of playground areas in order to ensure safety of its users at Picnic Park West; and

WHEREAS, on February 5, 2019, during the Town Council Meeting, Councilmember Carlos O. Alvarez motioned to move \$75,000.00 from the Fiscal Year 2018-19 Carry Forward Budget Amendment to fund the resurfacing of the playground at Picnic Park West, which was approved via Ordinance 2019-237; and

WHEREAS, on March 12, 2019, during the Town Council Meeting, Town Staff reported that estimates for resurfacing were lower than expected and suggested the addition of a shade structure and an ADA acceddible swing set; and

WHEREAS, Section 7 of the Town of Miami Lakes Ordinance 12-142 ("the Town's Procurement Ordinance") authorizes the purchase of goods and services from current contracts of other public, governmental, state/federal funded or non-profit entities, where the contracts have resulted from a formal competitive procurement process ("Piggy Back Contracts"); and

WHEREAS, the Town has discovered existing contracts, that were formally procured by the City of Miami and National Joint Powers Alliance (“NJPA”), also known as Sourcewell, for the resurfacing of the playground area and the installation of a shade structure and swingset, respectively; and

WHEREAS, in order to provide the Town the ability to access competitively priced playground resurfacing repair services and the installation of a shade structure and swingset, the Town Manager recommends Piggy Backing the City of Miami’s existing contract, attached hereto as Exhibit “A”, and Piggy Backing NJPA contract for the installation of a shade structure and swingset, attached hereto as Exhibit “B”; and

WHEREAS, the completion of both projects will require an expenditure of \$85,966.66; and

WHEREAS, Section 4 of Ordinance 2018-230 authorizes the Town Council to modify any department, category line, total or line item of the Budget by Resolution so long as the modification does not exceed the Town’s total budgeted funds for the Fiscal Year 2018-2019; and

WHEREAS, in order to cover the budgetary gap for this project, funds in the amount of \$10,966.00 will be transferred from the Picnic Park West General Fund to Capital Funds in order to complete this project; and

WHEREAS, the Town Council approves of the Town Manager’s recommendations and approves access the City of Miami Contract Number 783382-24, awarded to Robertson Industries for the purchase and installation of resurfacing equipment, and access to NJPA Contract Cumber 030117-LTS awarded to Play-Power, Inc. for the purchase and installation of a shade structure and swing bay.

**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 Contracts. The Town Council hereby approves the access to the City of Miami's Contract Number 783382-24 with Robertson Industries, Inc. for Rubber Resurfacing as included herein as Exhibit "A," and NJPA Contract Number 030117-LTS with Play-Power, Inc. for the purchase and installation of a shade structure and swing bay as included herein as Exhibit "B."

Section 3. Authorization of Town Officials. 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 City of Miami Contract Number 783382-24 with Robertson Industries, Inc. and NJPA Contract Number 030117-LTS with Play-Power, Inc. for the purchase and installation of a shade structure and swing bay.

Section 4. Authorization to Transfer Funds. The Town Manager and/or his designee are authorized to take all steps to implement the transfer of funds from the Picnic Park West General Fund to the Capital Funds in order to fund the contracts attached hereto as Exhibit "A" and Exhibit "B."

Section 5. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager by the Town's Procurement Ordinance, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of this Resolution, City of Miami Contract Number 783382-24 with Robertson Industries, Inc., and

NJPA Contract Number 030117-LTS with Play-Power, Inc. for the purchase and installation of a shade structure and swing bay.

Section 6. **Execution of the Contract.** The Town Manager is authorized to execute the Contracts in substantially the same form attached herein as Exhibits “A” with Robertson Industries, Inc. and Play-Power, Inc. in substantially the same form as attached herein as Exhibit “B.”

Section 7. **Effective Date.** This Resolution shall take effect immediately upon adoption.

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Passed and adopted this _____ day of _____, 2019.

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 Nelson Rodriguez	_____
Councilmember Carlos O. Alvarez	_____
Councilmember Luis Collazo	_____
Councilmember Josh Dieguez	_____
Councilmember Jeffrey Rodriguez	_____
Councilmember Marilyn Ruano	_____

Manny Cid
MAYOR

Attest:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:

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

EXHIBIT A

EXHIBIT B