



RESOLUTION # 2023-05

RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI WAIVING THE REQUIREMENTS FOR SEALED BIDS AS REQUIRED BY SECTION 2-74 OF THE CITY CODE, DECLARING AN EMERGENCY DUE TO THE TIME CONSTRAINTS OF FRDAP GRANT A1018, TO BE VOTED BY A 4/5 VOTE OF THE MAYOR AND CITY COMMISSION, AUTHORIZING THE OFFICE OF THE CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE CONTRACT WITH W.L. TRUCKING AND ENGINEERING, INC. FOR THE DEMOLITION AND REMOVAL OF THE EXISTING RACQUETBALL COURT STRUCTURE AT THE WEST MIAMI RECREATION CENTER, TO BE PERFORMED AS REQUIRED BY THE GRANT; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City applied and was approved for certain Florida Recreation Development Assistance Program (FRDAP) grant through the Florida Department of Environmental Protection (FDEP); and

WHEREAS, the request for a FRDAP grant included a new playground, picnic pavilion with barbeque grill, restroom, renovation of tennis court and replacement of baseball field lights; and

WHEREAS, said request was approved in the amount of Two Hundred Thousand Dollar (\$200,000.00) by the City of West Miami; and

WHEREAS, the original execution of the grant agreement A2018/A1018, West Miami facility, City of West Miami called for an expiration date of June 20, 2023; and

WHEREAS, the City Manager Yolanda Aguilar and the City's grant writer were recently advised that the expiration date of said program was projected to be completed on April 30, 2023 and not June 20, 2023; and

WHEREAS, the change of expiration date has created a tremendous burden to the City's procurement process; and

WHEREAS, the City Manager has recommended waiving procurement requirements set forth by Section 2-74 of the City of West Miami Code to accelerate compliance with the new completion date set forth by the Department of Environmental Protection; and

WHEREAS, in order to accomplish certain required work, the existing racquet ball building must be demolished; and

WHEREAS, the City Administration has procured proposals from several local contractors as stated in the attached memorandum by the Director of Public Works, Juan Pena, which is attached herein and made a part here of as Exhibit "A"; and

WHEREAS, the Director of Public Works has found that W. L. Trucking and Engineering's proposal is the amount of Seventeen Thousand Four Hundred Dollars (\$17,400.00) is the lowest responsive, responsible bidder; and

WHEREAS, the Director of Public Works has recommended award of this work to W.L. Trucking and Engineering.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of West Miami as follows:

Section 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. The procurement provisions in Chapter 2 outlined in Section 2-74 of the Code of the City of West Miami are hereby waived.

Section 3. The City Commission hereby accepts the recommendation of the Director of Public Works and the City Manager to award this solicitation to W. L. Trucking and Engineering in the amount of Seventeen Thousand Four Hundred Dollars (\$17,400.00).

Section 4. The City Commission authorizes the City Manager to accept the proposal from W. L. Trucking and Engineering as the lowest responsive, responsible bidder and instructs the instructs the City Manager to execute any and all documents required to accept said proposal.

Section 5. The cost to further the propose described herein shall be funded as allocated in the terms of the FRDAP grant.

Section 6. All Resolutions and parts of Resolutions in conflict herewith are repealed.

Section 7. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this 18th day of January, 2023.

APPROVED:



ERIC DIAZ-PADRON, MAYOR

ATTEST:



ANNERY GONZALEZ, MMC
CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

This Resolution was offered by Vice-Mayor Blanes who moved its adoption. The motion was seconded by Commissioner Suarez. The vote was as follows:

MAYOR ERIC DIAZ-PADRON	<u>Y</u>
VICE-MAYOR JUAN M. BLANES	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER IVAN CHAVEZ, JR.	<u>Y</u>
COMMISSIONER LUCIANO SUAREZ	<u>Y</u>