RESOLUTION # 2023-19

RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI DECLARING AN EMERGENCY AND WAIVING BIDDING PROCESS PURSUANT OT SECTION 2-74 OF THE CODE OF THE CITY OF WEST MIAMI; AUTHORIZING THE OFFICE OF THE CITY MANAGER TO ACCEPT THE PROPOSAL BY W.L. TRUCKING AND ENGINEERING, INC. FOR THE RECREATION CENTER TENNIS COURT REPAVING AND ACRYLIC PAINTING IN THE AMOUNT OF EIGHTY NINE THOUSAND FIVE HUNDRED DOLLARS (89,500.00) TO BE FUNDED 50% BY THE STATE OF FLORIDA FRDAP GRANT UNDER PROJECT # A1018 WITH A 50% MATCH BY THE CITY OF WEST MIAMI RECREATION CENTER UNRESTRICTED RESERVES, CONTINGENT TO THE CONTRACTOR'S ABILITY TO PERFORM THE WORK WITH ASSURANCES TO BE COMPLETED BY 4/30/2023, CONTINGENT THAT FRDAP ALLOWS THE CITY TO CONTINUE THE PROJECTS WITH 4/30/2023 GRANT DEADLINE; 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, among others, the renovation of the tennis court; and

WHEREAS, said request was approved in the amount of Two Hundred Thousand Dollars ($200,00.00) 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 comply with the procurement requirements of Section 2-74 of the City Code, the City advertised through Demandstar seeking qualified responsive, responsible bidders to procure the required project; and

WHEREAS, after diligent search, no qualified contractors responded to the solicitation for the project; and

WHEREAS, in order to accomplish the desired project, the City Manager requires authorization in the amount of $89,500.00 for the purpose of resurfacing the existing tennis court and resurfacing and stripping one of the courts to be used as a tennis court/pickle ball court; and

WHEREAS, this project is contingent to funding the FRDAP Grant approval and funding.

WHEREAS, the City Commission authorize the City Manager to execute a contract with W.L. Trucking and Engineering, Inc. in the amount of $89,500.00.

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. Due to time constraints set forth in the FRDAP Grant under project A1018, an emergency is hereby declared and thus waiving the procurement requirements as stated in Section 2-74 of the Code of the City of West Miami to accomplish completion of the above-described project.

Section 3. The City Commission accepts the recommendation of the City Manager and authorizes the City Manager to accept a proposal from W.L. Trucking and Engineering, Inc. in the amount of $89,500.00 for the purpose of resurfacing the existing tennis court and resurfacing and stripping one of the courts for use as a tennis court/pickle ball court.

Section 4. The City Commission instructs the City Manager to execute any and all documents required to accept the proposal from W.L. Trucking and Engineering, Inc. in the amount of $ 89,500.00 for the above-described project.

Section 5. All Resolutions and parts of Resolutions in conflict herewith are

repealed.

Section 6. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this 2nd day of March, 2023.

APPROVED:

ERIC DIAZ-PADRON, MAYOR

ATTEST:

ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:

JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

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

MAYOR ERIC DIAZ-PADRON	**Y**
VICE-MAYOR JUAN M. BLANES	**Y**
COMMISSIONER CANDIDA BLANCA	**Absent**
COMMISSIONER IVAN CHAVEZ, JR.	**Y**
COMMISSIONER LUCIANO SUAREZ	**Y**