RESOLUTION NO. 2016-R-118

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE ASPHALT LAID-IN-PLACE SERVICES AGREEMENT, BETWEEN THE CITY OF NORTH MIAMI AND H & R PAVING, INC., TO FURNISH ADDITIONAL MATERIALS, EQUIPMENT, TOOLS, MACHINERY, SUPERVISION, EXPERTISE AND SERVICES NECESSARY FOR THE PROVISION AND PLACEMENT OF HOT-MIXED ASPHALT FOR RESURFACING STREETS, ALLEYWAYS AND OTHER PUBLIC RIGHTS-OF-WAY, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID ASPHALT LAID-IN-PLACE IFB NO. 35-15-16; FURTHER AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS TO H & R PAVING, INC., ON AN AS-NEEDED, WHEN NEEDED BASIS, FOR APPROXIMATELY TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on May 25, 2016, the City of North Miami ("City") advertised ***Invitation for Bid Asphalt Laid-in-Place IFB No. 35-15-16*** ("IFB"), seeking competitive sealed bids from qualified licensed contractors to furnish all materials, equipment, tools, machinery, supervision, expertise and services necessary for the provision and placement of hot-mixed asphalt for resurfacing streets, alleyways and other public rights-of-way throughout the City on an as needed, when needed basis (collectively referred to herein as "Services"), in accordance with the terms, conditions, and specifications contained in the IFB; and

WHEREAS, H & R Paving, Inc. was one of two Contractors competitively selected by City administration based on certain criteria including cost, qualifications and references demonstrating to be advantageous to the City in the provision of Services; and

WHEREAS, on July 12, 2016, the Mayor and City Council passed and adopted Resolution No. 2016-R-77, approving the City administration's competitive selection of H & R Paving, Inc. and Metro Express, Inc., further authorizing the City Manager to issue purchase orders to both contractors on an as-needed, when needed basis, for a combined annual amount not to exceed Three Hundred Thousand Dollars ($300,000.00); and

WHEREAS, on August 17, 2016, the City executed an agreement with H & R Paving, Inc. ("Contractor") for the provision of Services, as authorized by the Mayor and City Council under Resolution No. 2016-R-77 ("Agreement"); and

WHEREAS, City administration has identified the need for additional Services as part of the ongoing effort to resurface an increasing number of streets and alleyways throughout the City; and

WHEREAS, pursuant to Section 28.4, the Agreement may be modified or amended in writing and signed by both parties; and

WHEREAS, responding to the increased demand for additional Services, City administration respectfully requests that the Mayor and City Council authorize a first amendment to the Agreement with Contractor and authorizing the City Manager to issue purchase orders on an as needed, when needed basis, for approximately Two Hundred Fifty Thousand Dollars ($250,000.00); and

WHEREAS, the Mayor and City Council find the expeditious provision of additional Services pursuant to the Agreement, as amended, will directly benefit the public health, safety, and welfare.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Authorizing First Amendment.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to execute a First Amendment to Asphalt Laid-in-Place Services Agreement, between the City of North Miami and H & R Paving, Inc., to furnish additional materials, equipment, tools, machinery, supervision, expertise and services necessary for the provision and placement of hot-mixed asphalt for resurfacing streets, alleyways and other public rights-of-way, in accordance with the terms, conditions and specifications contained in the ***Invitation For Bid Asphalt Laid-in-Place IFB No. 35-15-16.***

Section 2. **Authority of City Manager.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to issue purchase orders to H & R Paving, Inc., on an as-needed, when needed basis, for approximately Two Hundred Fifty Thousand Dollars ($250,000.00).

Section 3. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 22nd day of November, 2016.

DR. SMITH JOSEPH
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Bien-Aime

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	x (Yes)	____ (No)
Vice Mayor Alix Desulme	x (Yes)	____ (No)
Councilman Scott Galvin	x (Yes)	____ (No)
Councilwoman Carol Keys, Esq.	x (Yes)	____ (No)
Councilman Philippe Bien-Aime	x (Yes)	____ (No)