

To: The Honorable Mayor and Council Members

From: Alberto Destrade, Purchasing Director 

Date: November 22, 2016

RE: **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 ASPHALT LAID-IN-PLACE SERVICES AGREEMENT, BETWEEN THE CITY OF NORTH MIAMI AND METRO EXPRESS, 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 METRO EXPRESS, 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.**

RECOMMENDATION

Staff is requesting that the Mayor and City Council authorize the approval of an amendment to the Agreement with Metro Express, Inc. (Metro), to provide additional resurfacing work for streets, alleyways and other public rights-of-way citywide and to further authorize the City Manager to issue purchase orders to Metro Express, Inc. on an as-needed, when-needed basis for approximately \$250,000.

SCOPE OF WORK

The scope of work for this contract includes, but is not limited to furnishing all labor, materials, and equipment necessary for the removal of millings, discarding of all deleterious material produced by the Contractor's work, hauling of all material, and placing plant mix asphaltic concrete in City streets, alleyways, rights-of-way and City owned properties.

BACKGROUND

On May 25, 2016, the City advertised IFB No. 35-15-16 "Asphalt Laid-in-Place" to solicit Bids from qualified and experienced contractors and establish a contract to provide the necessary labor, equipment, materials, and expertise as required to complete asphalt resurfacing work at various locations throughout the City in accordance with the terms, conditions, and specifications contained in the Solicitation.

In response to this Solicitation, Metro submitted a Bid and was subsequently approved for award (along with H&R Paving, Inc.) by City Council on July 12, 2016 through Resolution No.

2016-R-77. Since entering this contract, staff has identified numerous additional areas throughout the City which are in need of repair due to wear and tear and is requesting approval of an additional \$500,000 for this contract (approximately \$250,000 each to Metro and H&R Paving) in order to resurface streets, including millage where required throughout the City. This additional expenditure shall serve to address most, if not all, of those needs.

FUNDING SOURCE

Funding for this project will be provided by the Gas Tax Fund and ½ Cent Tax Fund.

ATTACHMENTS

Resolution

Resolution 2016-R-77

RESOLUTION NO. _____

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 METRO EXPRESS, 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 METRO EXPRESS, 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, Metro Express, 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 Metro Express, Inc. and H & R Paving, Inc., and 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 25, 2016, the City executed an agreement with Metro Express, 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 Metro Express, 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 Metro Express, 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 _____ vote of the Mayor and City Council of the City of North Miami, Florida, this ____ day of _____, 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: _____

Seconded by: _____

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Alix Desulme
Councilman Scott Galvin
Councilwoman Carol Keys, Esq.
Councilman Philippe Bien-Aime

_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)

RESOLUTION NO. 2016-R-77

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF METRO EXPRESS, INC. AND H & R PAVING, INC., AS THE LOWEST RESPONSIVE-RESPONSIBLE 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, 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 SELECTED CONTRACTORS ON AN AS-NEEDED, WHEN NEEDED BASIS, FOR A COMBINED ANNUAL AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS (\$300,000.00); 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, a total of four (4) contractors were found by City administration to have properly and timely submitted bids in response to the IFB; and

WHEREAS, two (2) contractors, Metro Express, Inc. and H & R Paving, Inc. (collectively referred herein as "Contractors") were competitively selected by City administration as the lowest, most responsive-responsible bidders, with qualifications and references demonstrating to be the most advantageous to the City in the provision of Services; and

WHEREAS, Contractors have manifested the capability and willingness of providing Services to the City, at the lowest unit price submitted in response to the IFB, for a combined

annual amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) with two (2) additional options to renew on a year-by-year basis; and

WHEREAS, City administration respectfully requests that the Mayor and City Council approve the selection of Contractors and further authorize the issuance of purchase orders for the provision of Services on an as needed, when needed basis, up to the annual amount authorized herein; and

WHEREAS, the Mayor and City Council find the selection of Contractors to be in the best interest of the City, and that the expeditious provision of Services are designed to protect the public health, safety, and welfare of the public.

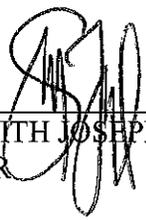
NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Approving Selection of Contractors.** The Mayor and City Council of the City of North Miami, Florida, hereby approve the City Administration's competitive selection of Metro Express, Inc., and H & R Paving, Inc., as the lowest responsive-responsible 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, 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 selected contractors on an as-needed, when needed basis, for a combined annual amount not to exceed Three Hundred Thousand Dollars (\$300,000.00).

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 12th day of July, 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: Keys

Vote:

- Mayor Smith Joseph, D.O., Pharm. D.
- Vice Mayor Alix Desulme
- Councilman Scott Galvin
- Councilwoman Carol Keys, Esq.
- Councilman Philippe Bien-Aime

<u> X </u>	(Yes)	<u> </u>	(No)
<u> X </u>	(Yes)	<u> </u>	(No)
<u> X </u>	(Yes)	<u> </u>	(No)
<u> X </u>	(Yes)	<u> </u>	(No)
<u> X </u>	(Yes)	<u> </u>	(No)