RESOLUTION NO. ___2023-R-43___

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SELECTING THE ENGINEERING COMPANY, LLC, AS THE CONSULTANT FOR THE PROVISION OF OWNER'S REPRESENTATIVE PROJECT MANAGEMENT SERVICES; WAIVING COMPETITIVE BIDDING IN ACCORDANCE WITH SECTION 7-120(B) OF THE NORTH MIAMI CODE OF ORDINANCES; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE SELECTED CONSULTANT IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS ($125,000.00); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the City of North Miami ("City") Public Works Department has an ongoing commitment to maintain and improve the City's overall infrastructure and existing utilities and has initiated several projects in support of this objective; and

WHEREAS, in support of this endeavor, the department is desirous of supplementing its project management functions by providing services including, but not limited to, coordination, oversight, and monitoring of projects during the design, bidding, and construction phases to ensure that there is a beneficial impact to the overall schedule, cost, and quality of work performed on these projects; and

WHEREAS, in accordance with Section 7-120(b) of the City of North Miami Code of Ordinances, the Mayor and City Council may waive any condition imposed by the provisions of the Procurement Code upon a four-fifths vote when it finds such a waiver to be necessary in order to proceed with the issuance of a contract, proposal or bid which is in the best interest of the City; and

WHEREAS, City staff is requesting authorization of a waiver of competitive bidding procedures by the Mayor and City Council, in accordance with Section 7120(b) of the Procurement Code, and further authorization for the City Manager and City Attorney to finalize and execute an agreement with the selected consultant; and

WHEREAS, the Mayor and City Council desire to waive competitive bidding procedures in accordance with Section 7-120(b) of the Procurement Code, and to authorize the City Manager and City Attorney to negotiate and execute an agreement with the selected consultant.

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

Section 1. **Selection of Consultant.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to select and retain The Engineering Company, LLC, as the consultant to provide Owner's Representative project management services in accordance with the Consultant's proposals.

Section 2. **Waiver.** The Mayor and City Council of the City of North Miami, Florida, hereby waive competitive bidding procedures deemed to be in the best interest of the City for the selection of the consultant in accordance with Section 7-120(b) of the Procurement Code.

Section 3. **Authorization to City Manager and City Attorney.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager and City Attorney to negotiate and execute an agreement with the selected consultant in an amount not to exceed One Hundred Twenty-Five Thousand Dollars ($125,000.00).

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 14th day of ___March___, 2023.

_____
ALIX DESULME, Ed.D.
MAYOR

ATTEST:

_____
VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: ___Estime-Irvin___

Seconded by: ___Charles___

Vote:

Mayor Alix Desulme, Ed.D.	X (Yes)	(No)
Vice-Mayor Mary Estimé-Irvin	X (Yes)	(No)
Councilman Scott Galvin	X (Yes)	(No)
Councilwoman Kassandra Timothe, MPA	X (Yes)	(No)
Councilman Pierre Frantz Charles	X (Yes)	(No)