

**RESOLUTION NO. 2024-R-81**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SELECTING ACRE ENGINEERING AND CONSTRUCTION, INC., AS THE CONTRACTOR TO COMPLETE THE UTILITY RELOCATION PROJECT LOCATED ALONG N.W. 6<sup>TH</sup> COURT FROM N.W. 135<sup>TH</sup> STREET TO N.W. 143<sup>RD</sup> STREET; WAIVING COMPETITIVE BIDDING IN ACCORDANCE WITH SECTION 7-120(B) OF THE NORTH MIAMI CODE OF ORDINANCES; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE SELECTED CONTRACTOR IN AN AMOUNT NOT-TO-EXCEED ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000.00); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

**WHEREAS**, on February 14, 2023, the City Council of North Miami (“City”) approved the Florida Department of Transportation’s (“FDOT”) request for a grant of easement for the relocation of utility infrastructure along the I-95 corridor from N.W. 135<sup>th</sup> Street to N.W. 143<sup>rd</sup> Street as part of FDOT’s Golden Glades Interchange Enhancement Project; and

**WHEREAS**, the City also agreed to relocate the impacted utility lines along N.W. 6<sup>th</sup> Court from N.W. 135<sup>th</sup> Street to N.W. 143<sup>rd</sup> Court; and

**WHEREAS**, upon completion of the work, FDOT has agreed to reimburse the City for the entire cost of the utility relocation project; and

**WHEREAS**, City staff is recommending the award of this project to Acre Engineering and Construction, Inc. (Contractor) to expedite the completion of the project to accommodate FDOT’s construction schedule for the ongoing Golden Glades Interchange Enhancement Project; and

**WHEREAS**, in accordance with Section 7-120(b) of the City of North Miami's 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 7-120(b) of the

Procurement Code, and further authorization for the Interim City Manager and City Attorney to finalize and execute an agreement with the selected Contractor; 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 Interim City Manager and City Attorney to negotiate and execute an agreement with the selected contractor.

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

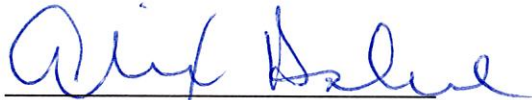
**Section 1. Selection of Contractor.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the Interim City Manager to select and retain Acre Engineering and Construction, Inc., as the contractor to complete the utility relocation projected located along N.W. 6<sup>th</sup> Court from N.W. 135<sup>th</sup> Street to N.W. 143<sup>rd</sup> Street.

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

**Section 3. Authorization to Interim City Manager and City Attorney.** The Mayor and City Council of the City of North Miami, Florida hereby authorize the Interim City Manager and City Attorney to negotiate and execute an agreement with the selected contractor in an amount not to exceed One Hundred Seventy Thousand Dollars (\$170,000.00).

**Section 4. 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 28th day of May, 2024.

  
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: Galvin

Seconded by: Estimé-Irvin

**Vote:**

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