

RESOLUTION NO. 2024-R-138

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE PURCHASE ORDERS TO GROUNDWORKS OF PALM BEACH COUNTY, INC., IN AN AMOUNT NOT-TO-EXCEED SEVENTY-SEVEN THOUSAND ONE HUNDRED EIGHTY DOLLARS (\$77,180.00), FOR THE REMOVAL AND REPLACEMENT OF EIGHT (8) PALM TREES AT THE MUSEUM OF CONTEMPORARY ART ("MOCA") PLAZA; WAIVING COMPETITIVE BIDDING IN ACCORDANCE WITH SECTION 7-120(B) OF THE NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the City of North Miami ("City") sustained inclement weather resulting in a lightning strike at MOCA Plaza leading to the loss of eight (8) palm trees, prompting their removal over the subsequent months due to safety concerns; and

WHEREAS, in May 2024, the City received a report from the University of Florida's Environmental Horticulture Department that attributed the trees' decline to landscape modifications, which reduced soil exposure, halted irrigation, and stressed the palms planted on hardscape; and

WHEREAS, the recommended solution includes replacing the damaged trees with species better suited to hardscape conditions, alongside a one-year warranty and maintenance protection; and

WHEREAS, the City obtained a quote from Groundworks of Palm Beach County, Inc. ("Contractor"), which includes warranty and maintenance of the Project to be carried out in two (2) phases: (1) removal of existing trunks; and (2) installation of eight (8) new palms, with measures to protect plaza tiles; 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, consequently, 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 to issue purchase orders to Groundworks of Palm Beach County, Inc. for an amount not to exceed Seventy-Seven Thousand One Hundred Eighty Dollars (\$77,180.00); 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 to issue purchase orders to the Vendor.

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

Section 1. **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 2. **Authorization to Interim City Manager.** The Mayor and City Council of the City of North Miami, Florida hereby authorize the Interim City Manager to issue purchase orders to Groundworks of Palm Beach County, Inc., for an amount not-to-exceed in the amount of Seventy-Seven Thousand One Hundred Eighty Dollars (\$77,180.00).

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 24th day of September, 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: Charles

Seconded by: Desulme

Vote:

Mayor Alix Desulme, Ed.D.

Vice Mayor Mary Estimé-Irvin

Councilman Scott Galvin

Councilwoman Kassandra Timothe, MPA

Councilman Pierre Frantz Charles, M.Ed.

X (Yes) _____ (No)

X (Yes) _____ (No)

X (Yes) _____ (No)

X (Yes) _____ (No)

X (Yes) _____ (No)