

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1569.04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, PURSUANT TO SECTION 2-275 OF THE CODE OF ORDINANCES PROVIDING FOR A WAIVER OF THE PURCHASING AND BIDDING PROCEDURES AND AN AWARD OF A CONTRACT FOR CONSTRUCTION AND INSTALLATION OF A 24"/30" FORCEMAIN TOGETHER WITH A POLLUTION RETARDANT CATCH BASIN AND APPURTENANCES AS DESCRIBED IN ENGINEERING PLANS AND SPECIFICATIONS PREPARED BY CRAIG A. SMITH & ASSOCIATES DATED FEBRUARY, 2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the landowners granting the Town an easement have provided a limited time in which the work contemplated to be done must be completed; and

WHEREAS, the approaching spring season brings with it an increased amount of rain; and

WHEREAS, the subject area where the improvements are to be made are low lying areas where standing water gathers and remains due to inadequate drainage; and

WHEREAS, given the Town's location and proximity to bodies of water and increased standing water is susceptible to having a large unwelcome mosquito population which mosquitoes have the propensity to carry diseases which may harm the residents of Golden Beach ; and

WHEREAS, the public health, safety and welfare of the community is of paramount concern; and

WHEREAS, there is insufficient time to complete the bid process; and

WHEREAS, Town Code section 2-275 provides for the emergency acquisition of services upon a finding by the Town Council that an insufficient amount of time exists to complete the bid processes;

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NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the Whereas clauses are determined to be legitimate concerns affecting the public health, safety and welfare of the community.

Section 2. That pursuant to Section 2-275 of the Code of Ordinances of the Town of Golden Beach, the purchasing procedures be, and they are hereby waived for the purpose of construction and installation of the 24"/30" forcemain together with pollution retardant catch basin and appurtenances described in engineering plans and specifications prepared by Craig A. Smith & Associates dated February, 2004 and attached hereto as Exhibit "A".

Section 3. That the Town Council, having heard a presentation by Craig A. Smith & Associates, having reviewed related backup and taking into consideration the cost of the project as compared to the amount budgeted to complete the stormwater drainage project, determine that Metro Engineering is selected to perform the work as detailed above in an amount not to exceed \$150,000.00. This award is subject to the Town first receiving a grant of easement from the property owners where the stormwater drainage project materials are to be installed.

Section 4. That the Town Attorney and Mayor are authorized to review and negotiate, as necessary, the contract between the Town and the Vendor selected by the Town to complete the project as detailed and referenced above.

Section 5. Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 6. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 7. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by Administration.

The Motion to adopt the foregoing resolution was offered by Mayor Addicott, seconded by Councilmember Paruas and on roll call the following vote ensued:

Mayor Addicott:	<u>AYE</u>
Vice Mayor Iglesias	<u>AYE</u>
Councilmember Einstein	<u>AYE</u>
Councilmember Paruas	<u>AYE</u>
Councilmember Singer	<u>ABSENT</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 17TH day of February, 2004.



MAYOR MICHAEL ADDICOTT

ATTEST:



CATHY SZABO
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



PAUL D. EICHNER
TOWN ATTORNEY