

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1732.05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE EMERGENCY ACQUISITION OF SERVICES FROM METRO EQUIPMENT SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$62,074.24, FOR REPAIRS TO STORMWATER PIPING BETWEEN MANHOLES 25 AND 26 ALONG THE PARKING AREA IN FRONT OF TOWN HALL; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO TAKE ALL NECESSARY ACTION TO EFFECT SUCH REPAIRS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 17, 2005, the Town Council (the "Council") of the Town of Golden Beach (the "Town") approved the waiver of Town bidding procedures, pursuant to Section 2-275 of the Town Code of Ordinances (the "Code"), to allow for the emergency repair of stormwater piping in an area where sinkholes had developed, approximately fifteen feet west of the tennis courts in the parking area in front of Town Hall; and

WHEREAS, since that time, sinkholes have appeared between manholes 25 and 26, along the parking area in front of Town Hall, necessitating similar emergency repairs to the stormwater piping in that location as well; and

WHEREAS, the Council deems the sinkholes that have appeared between manholes 25 and 26, along the parking area in front of Town Hall, to be a threat to the health, safety and welfare of the community, and that repair of the stormwater piping at that location is necessary to protect against such threat; and

WHEREAS, Section 2-275 of the Code provides that the Council may waive the Town's bidding procedures by four-fifths vote to allow for the emergency acquisition of services upon a

finding by the Council that it is in the best interest of the Town to waive such procedures; and

WHEREAS, the Council finds that it is in the best interest of the Town to waive the Town's bid procedures to allow for the emergency acquisition of services from Metro Equipment Services, Inc., for emergency repairs to the stormwater piping between Manholes 25 and 26, along the parking lot in front of Town Hall, in an amount not to exceed \$62,074.24; and

WHEREAS, the Council further finds said waiver to be necessary to protect the health, safety and welfare of the community, as there is insufficient time to complete the bidding process.

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

Section 1. Recitals Adopted. That each of the recitals stated above is hereby adopted and confirmed.

Section 2. That the Council finds that it is in the best interest of the Town to waive the Town's bid procedures, pursuant to Section 2-275 of the Code, to allow for the emergency acquisition of services from Metro Equipment Services, Inc., for emergency repairs to the stormwater piping between Manholes 25 and 26, along the parking lot in front of Town Hall, in an amount not to exceed \$62,074.24.

Section 3. That the Council further finds said waiver to be necessary to protect the health, safety and welfare of the community, as there is insufficient time to complete the bidding process.

Section 4. That the appropriate Town officials are hereby authorized to review and negotiate, as necessary, an agreement between the Town and Metro Equipment Services, Inc., for the emergency repair services set forth in this Resolution.

Section 5. That the Town Mayor is hereby authorized to execute said agreement on behalf of the Town, once approved as to form and legal sufficiency by the Town Attorney.

Section 6. That the Town Mayor and Town Manager are hereby authorized to take any and all action necessary to effect the aims of this Resolution.

Section 7. Effective Date. That this Resolution shall take effect immediately upon its adoption.

The Motion to adopt the foregoing Resolution was offered by Mayor Singer, seconded by Councilman Einstein and on roll call the following vote ensued:

Mayor Singer	Aye
Vice Mayor Lusskin	Aye
Councilmember Einstein	Aye
Councilmember Iglesias	Nay
Councilmember Paruas	Absent

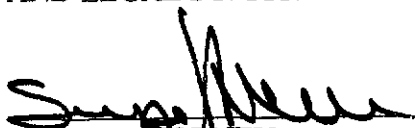
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 23 day of August, 2005.

ATTEST:


CATHY SZABO
TOWN CLERK


MAYOR GLENN SINGER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


TOWN ATTORNEY