

RESOLUTION NO. 04- 253

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE MISCELLANEOUS CONCRETE REPAIRS AGREEMENT WITH HOMESTEAD CONCRETE AND DRAINAGE, INC.; AUTHORIZING TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO FINALIZE THE TERMS OF THE AMENDMENT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT ON BEHALF OF THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 9, 2004, the Town Council approved an Agreement, (the "Agreement") whereby Homestead Concrete and Drainage, Inc. ("Homestead Concrete") would provide miscellaneous concrete repairs to the Town; and

WHEREAS, based on the expedited progress and the increased demand for these repairs, a need has arisen to raise the total contract amount for this item; and

WHEREAS, the First Amendment to the Agreement (the "Amendment") will increase the total price of the contract, but maintain unit prices at the same level; and

WHEREAS, the Town Council finds that approving the Amendment is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. Approval of First Amendment. The First Amendment to the Agreement between Homestead Concrete and Drainage, Inc. and the Town of Miami Lakes, a copy of which is attached as Exhibit " 1," together with such non-material changes as may be

acceptable to the Town Manager and approved as to form and legality by the Town Attorney,
is approved.

Section 3. Authorization of Town Officials. The Town Manager, Town Attorney and the Mayor are authorized to take all actions necessary to implement the terms and conditions of the Amendment and are authorized to correct any scrivener's errors in the Agreement and to execute and necessary documents to achieve the same.

Section 4. Authorization of Fund Expenditure. The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Amendment.

Section 5. Execution of Agreement. The Mayor is authorized to execute the Amendment on behalf of the Town.

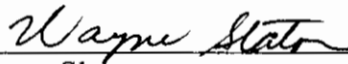
Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 12th day of November, 2004.

Motion to adopt by Thomson, second by Collins.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	yes <u> </u>
Vice Mayor Roberto Alonso	yes <u> </u>
Councilmember Mary Collins	yes <u> </u>
Councilmember Robert Meador	<u>absent</u>
Councilmember Michael Pizzi	<u>absent</u>
Councilmember Nancy Simon	<u>absent</u>
Councilmember Peter Thomson	yes <u> </u>




Wayne Slaton
MAYOR

ATTEST:



TOWN CLERK

Approved as to form and legality for the use
and benefit of the Town of Miami Lakes only:



Weiss, Serota, Helfman, Pastoriza, Guedes
Cole & Boniske, P.A.
TOWN ATTORNEY