

**RESOLUTION NO. 25-2068**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE AWARD OF A CONTRACT FOR ITB 2025-03, TO ATC ENGINEERING, INC (“ATC”) IN AN AMOUNT NOT TO EXCEED NINE HUNDRED FORTY EIGHT THOUSAND, TWO HUNDRED FORTY FOUR DOLLARS AND 00/100) APPROVING THE TRANSFER OF FUNDS FROM THE CONTINGENCY RESERVE LINE-ITEM; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CONTRACT; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on July 16, 2019, the Town Council passed Resolution No. 2019-1626 adopting the Stormwater Master Plan Update No. 3; and

**WHEREAS**, On October 20, 2020, the Town Council adopted Resolution No. 20-1701 authorizing the Town Manager to apply for and if granted accept the Federal Emergency Management Agency (FEMA), fiscal year 2020 Hazard Mitigation Assistance Grant.

**WHEREAS**, on March 9, 2021, in order to address the stormwater needs outlined in the Stormwater Master Plan Update No. 3, the Town Council adopted Resolution No. 21-1730 approving bond financing in the amount of Fifteen Million Five Hundred Thousand Dollars, and 00/100 (\$15,500,000.00); and

**WHEREAS**, Chapter 2, Article V, Division 2, Section 2-155 of the Town Code provides that procurements more than \$15,000 shall require the use of competitive sealed bidding; and

**WHEREAS**, in accordance with Chapter 2, Article V, Division 2, Section 2-155 of the Town Code, the Town issued Invitation to Bid (“ITB”) No. 2025-03 for NW 153<sup>rd</sup> Terrace West Lakes Drainage Improvements Phase IV (the “Project”); and

**WHEREAS**, the ITB was advertised online via two public bidding websites, DemandStar and Public Purchase, advertised in the Community Newspapers, and was physically posted in the Government Center Lobby; and

**WHEREAS**, the Town received five (5) bids from the following:

- 1) ATC Engineering, Inc.
- 2) Basile USA
- 3) Hartec Group, Inc.
- 4) JVA Engineering
- 5) National Traffic Solution
- 6) Quality Paving Corp.
- 7) RG Underground Engineering, Inc.

**WHEREAS**, based on due diligence, Procurement determined that ATC Engineering, Inc., was the lowest responsive and responsible bidder; and

**WHEREAS**, Procurement recommends awarding a contract to ATC Engineering, Inc., in an amount not to exceed Nine Hundred Forty-Eight Thousand, Two Hundred Forty Four Dollars and 00/100 (\$948,244.00), and authorize a project contingency in the amount of Ninety Four Thousand Eight Hundred Twenty Four Hundred Dollars and 40/100 (\$94,824.40), which is approximately 10% of the contract value. The contingency is to be utilized for all tasks associated with, and independently procured for this project including construction, design, inspections, and any unforeseen circumstances related to the project; and

**WHEREAS**, This project will be funded from the Stormwater Revenue Bonds Series 2021, and from FMA20-016 FEMA Grant; and

**WHEREAS**, the Town Manager concurs with Procurement's recommendation and recommends the Town Council authorize the award of a contract to ATC Engineering, Inc. for completion of the Royal Oaks First Addition Drainage Improvement Project in an amount not to exceed Nine Hundred Forty Eight Thousand, Two Hundred Forty Four Dollars and 00/100 (\$948,244.00), and authorize a project contingency in the amount of Ninety Four Thousand Eight Hundred Twenty Four Hundred Dollars and 40/100 (\$94,824.40), which is approximately 10% of the contract value for unforeseen circumstances; and

**WHEREAS**, the Town Council approves the recommendations of the Town Manager and authorizes the Town Manager to enter into a contract with ATC Engineering, Inc. for completion of the Project and approves the transfer of Nine Hundred Forty Eight Thousand, Two Hundred Forty Four Dollars and 00/100 (\$948,244.00) for completion of the Project, and an additional project contingency in the amount of Ninety Four Thousand Eight Hundred Twenty Four Hundred Dollars and 40/100 (\$94,824.40), which is approximately 10% of the contract value. The contingency is to be utilized for all tasks associated with, and independently procured for this project including construction, design, inspections, and any unforeseen circumstances related to the project.

**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 incorporated herein by this reference.

**Section 2.**     **Approval of the Contract.** The Town Council hereby approves the award of a contract to ATC Engineering, Inc., in the amount of Nine Hundred Forty-Eight Thousand, Two Hundred Forty-Four Dollars and 00/100 (\$948,244.00), and authorizes a project

contingency in the amount of Ninety Four Thousand Eight Hundred Twenty Four Hundred Dollars and 40/100 (\$94,824.40), which is approximately 10% of the contract value. The contingency is to be utilized for all tasks associated with, and independently procured for this project including construction, design, inspections, and any unforeseen circumstances related to the project., in substantially the same form as attached hereto as Exhibit “A” (hereinafter referred to as “Contract”).

**Section 3. Authorization of Fund Expenditure.** The Town Manager, his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of the Contract.

**Section 4. Authorization of Town Officials.** The Town Manager and/or his designee and the Town Attorney and/or his designee are authorized to take all steps necessary to finalize and carry out the terms of the agreement with ATC Engineering, Inc., including the execution of any amendments.

**Section 5. Execution of the Contract.** The Town Manager is authorized to execute the Contract with ATC Engineering, Inc., in the amount of Nine Hundred Forty-Eight Thousand, Two Hundred Forty Four Dollars and 00/100 (\$948,244.00), and authorize a project contingency in the amount of Ninety Four Thousand Eight Hundred Twenty Four Hundred Dollars and 40/100 (\$94,824.40), which is approximately 10% of the contract value. The contingency is to be utilized for all tasks associated with, and independently procured for this project including construction, design, inspections, and any unforeseen circumstances related to the project.

**Section 6. Rounding.** As presented, the 2024-2025 Budget and Actual Expenses are rounded to the nearest hundred; therefore, line-item adjustments within \$100 are hereby incorporated within Exhibit “B.”

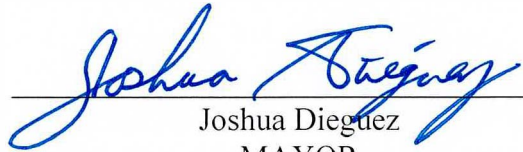
**Section 7.**    **Effective Date.**    This Resolution shall take effect immediately upon adoption.

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Passed and adopted this 18<sup>th</sup> day of February 2025.

The foregoing resolution was offered by Vice Mayor Morera who moved its adoption. The motion was seconded by Councilmember Sanchez and upon being put to a vote, the vote was as follows:

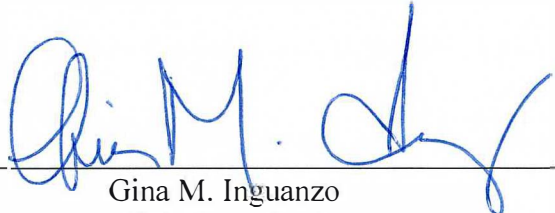
Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes



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Joshua Dieguez  
MAYOR

Attest:



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Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



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Lorenzo Cobiella  
Gastesi Lopez Mestre & Cobiella. PLLC  
DEPUTY TOWN ATTORNEY

# **EXHIBIT A**

Agreement  
between the  
Town of Miami Lakes  
and  
**ATC ENGINEERING, INC.**  
For  
NW 153<sup>rd</sup> Terrace West Lakes  
Drainage Improvements Phase IV

ITB 2025 - 03